



Preparing Your Child to Testify In Court Transcript

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FEMALE NARRATOR: Children who have to go to court may feel nervous or anxious about it. Parents and guardians play important roles in helping children feel more comfortable and understanding the court process.

If your child saw or experienced something that requires them to testify as a witness, you may receive a subpoena to bring your child to court. The subpoena will state the time, date, and place your child needs to appear in court.

This video will help you and your child understand: The court and legal process, who they will see in court, visiting the courtroom before testifying, testifying in court, and supporting your child after testifying.

Part 1: Learning About Court and the Legal Process

Before your child goes to court, you can talk to them about how court works and give them a chance to ask questions. Your child may not understand how court works or what they are supposed to do, and they may feel overwhelmed.

Your child may understand that what happens in court can affect their family. They may want to testify in court about what happened, but they may also be scared that other people, including you, may be mad at them if the case doesn't go a certain way.

When talking to your child about Court, do not discuss what they saw or heard in the past that caused them to be a witness. Instead, focus on the process and how court works. Knowing who they will see in the courtroom, what to expect, and their role may help your child feel more comfortable when called to testify. The prosecutor or lawyer can help explain the process to your child and answer their questions. A victim advocate or therapist can also provide support for your child before, during, and after the court hearing.

Part 2: Who They Will See in Court

In the courtroom, your child will see several people who all play important roles. If your child is testifying in a criminal case or a protective order case, they will see: the Defendant or Respondent, who is the person charged with a crime or committing the abuse, and the Defense Attorney or Respondent's Lawyer, whose job is to represent the defendant or respondent.

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The Prosecutor or Petitioner's Lawyer, who is responsible for trying to prove that the defendant or respondent committed a crime or was abusive.

Both sides call Witnesses to testify. Witnesses are people who come to court to describe what they saw or heard. If your child received a subpoena to come to Court, they are a witness in the case. All witnesses take an oath, or a promise, to tell the truth.

In most courts, the Judge wears a black robe and sits in the front of the courtroom at a raised desk called the bench. The judge's job is to make sure that everyone follows the rules and, sometimes, to decide the issues being argued. The Judge may ask your child questions directly in a child-friendly way.

In some cases, a group of people from the community decide what will happen in the case. This group is called a Jury. In Maryland criminal cases, twelve members of the community listen to all of the evidence and decide whether the Defendant is guilty or not guilty.

Your child will also see a Bailiff or Sheriff who makes sure that people in the courtroom obey the rules and that everyone stays safe. The Bailiff or Sheriff usually wears what looks like a police officer's uniform.

Finally, they will see a Court Clerk who keeps and organizes all of the papers about the case. The court clerk also keeps track of the decisions that the judge makes in court.

Part 3: Visiting the Courtroom Before Testifying

Visiting the courtroom before the hearing can help prepare your child to testify and make them feel more comfortable. The prosecutor, lawyer, or victim advocate can show your child where they will sit in the courtroom during the hearing and describe who will be in the room.

Before the hearing, your child should know where the defendant, or respondent, will sit. Your child will not have to look at the defendant or respondent unless they are asked to identify that person during the hearing.

On your visit, your child can sit in the witness chair and practice answering simple questions like what is their name, favorite color, or favorite subject in school. Your child can also be accompanied to court by a support person who is not a witness in the case. This person can sit in the front row, and your child can look at that person rather than the defendant/respondent. On the actual court date there may also be other people in the room watching the case.

Finally, the lawyer should show your child where they will wait to testify. Giving your child a tour of the courtroom is an important part of preparing them to go to court.

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Part 4: Testifying in Court

When your child is called to testify, they take an oath to tell the truth. If they prefer to speak a language other than English, make sure you tell the prosecutor or lawyer so they can request an interpreter.

Both the prosecutor and the defense attorney may ask them questions. The most important thing for your child to remember is to tell the truth no matter what. They should always answer truthfully, even if they are asked hard questions. A truthful answer is never a wrong answer.

If they don't know the answer, they can say, "I don't know." If they don't understand the question, they can say, "I don't understand."

When your child testifies, they may be allowed to bring a comfort item with them when they testify, such as a blanket, stuffed animal, or stress ball. Your courthouse may have a support dog that can stay with your child until they testify.

Part 5: Supporting Your Child After Testifying

It's important to have a plan for supporting your child after the hearing. Testifying can be both scary and relieving for some children. Make sure your child has the support they need from you, another parent, family member, guardian, therapist, or victim advocate. Remember, there are many people who will support you and your child throughout the court process.

You are not alone.

Website address: Hruth.org

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