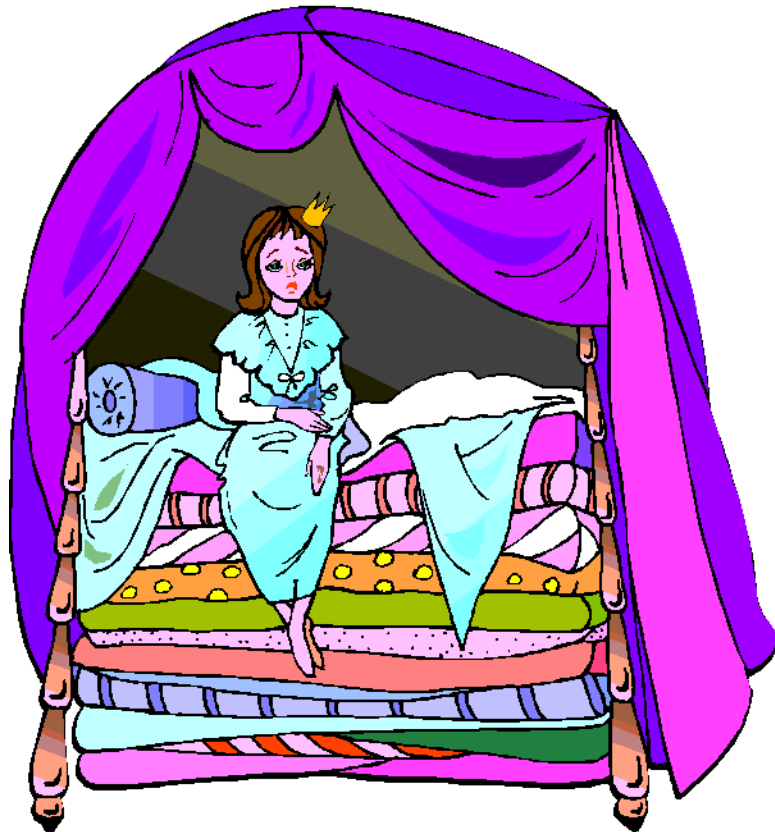


# ***Fifth Grade Mock Trial Program***



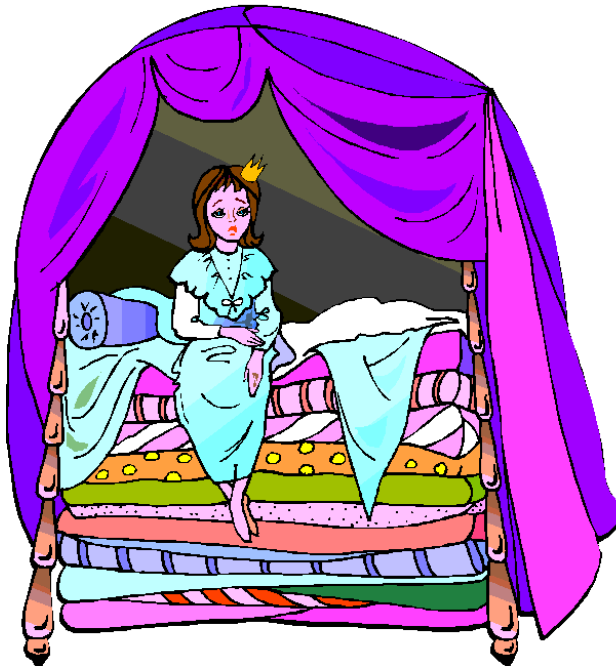
# Mock Trial Script

State of Maine  
vs.  
Delphinia Rose Sweetpea

by

Peter K. Sampson, Esquire

(Jury Instructions by the Honorable Bruce W. Chandler)



Prepared by  
The Maine State Bar Association  
May 2004



**State of Maine**  
**vs.**  
**Delphinia Rose Sweetpea**

**Cast of Characters:**

**Bailiff**

**Clerk**

**Court Messenger**

**Court Reporter**

**Judge**

**District Attorney**

**Defense Attorney**

**Princess Sweetpea**

**King Kirby**

**Queen Quintessa**

**Nipper**

**Prince Percy**

**Angela**



SCENE: A courtroom in Maine. The **Clerk** and **Court Reporter** are in position with the **Court MESSENGER** standing by the door through which the **Judge** and **Actual Judge** will enter. The **District Attorney** is seated at the State's table and **Princess Sweetpea** is seated at the Defendant's table with the **Defense Attorney**. The **Jury** waits outside the courtroom waiting to be escorted to the jury box by the Bailiff.

When the **Judge** and **Actual Judge** are ready to enter the courtroom, the **Court MESSENGER** knocks loudly on the courtroom door and opens it for the **Judge** and **Actual Judge** to enter.

MESSENGER: (loudly) Court!

BAILIFF: (as **Judge** and **Actual Judge** enter) All rise! The Superior Court of the State of Maine is now in session. All persons having anything to do before this Honorable Court shall come forth and they shall be heard. The Honorable \_\_\_\_\_presiding.

JUDGE: (to Bailiff, after everyone is seated) Bailiff, are the jurors ready?

BAILIFF: Yes, Your Honor.

JUDGE: Please escort the jurors to the jury box.

BAILIFF: All rise! (opens the door and leads jurors to jury box)

JUDGE: (After everyone is again seated, **Actual Judge** and **Judge** confer and **Actual Judge** appoints one member of the **Jury** as **Foreperson**.) The case in order for hearing is State of Maine vs. Delphinia Rose Sweetpea, also known as Princess Sweetpea. The case arises from an indictment by the Grand Jury stating three counts. Count I is for aggravated forgery (altering a birth certificate). Count II is for falsifying a birth certificate, and Count III is for falsely pretending to be a public servant (in this case, a princess). The Defendant has pleaded not guilty to all three charges. (to **Court Reporter**)  
Appearances in this case are by \_\_\_\_\_(District Attorney) for the State and \_\_\_\_\_ for the Defendant. (to District Attorney and Defense Attorney) Counsel, are you ready to proceed?

ATTORNEYS: Yes, Your Honor

JUDGE: (to District Attorney) Mr./Ms. \_\_\_\_\_, please proceed with your opening statement.

DISTRICT ATTORNEY: Thank you, Your Honor. Members of the Jury, my name is \_\_\_\_\_ of the District Attorney's Office. The evidence you are about to hear will show beyond a reasonable doubt that the Defendant Delphinia Rose Sweetpea is guilty of three crimes under the laws of the State of Maine—forgery, wrongful alteration of an official document (her birth certificate), and falsely pretending to be a public official (in this case, a princess).

As witnesses for the State, King Krebs and Queen Quintessa will tell you how the Defendant tricked them into believing she was a princess through her words and actions and by the false birth certificate she produced by forgery and then gave to them. She did these things in order to marry Prince Percy, a young man determined that he would only marry a **real** princess. When you have seen and heard the witnesses and examined the evidence for yourselves, you will find that the only possible verdict in this case is guilty on all counts.

JUDGE: (to Defense Attorney) Do you wish to make an opening statement, Mr./Ms. \_\_\_\_\_?

DEFENSE ATTORNEY: Yes, thank you, Your Honor. My name is \_\_\_\_\_. Ladies and gentlemen of the jury, I represent Princess Sweetpea, the Defendant. In this case, a king and queen (perhaps the richest and most powerful people some of you have ever seen) will be testifying against Princess Sweetpea. But their wealth and power do not make Princess Sweetpea guilty. It is up to the State to **prove** guilt with facts. Princess Sweetpea does **not** have to prove she is innocent.

Now if any of you have ever served on a jury in Maine before, you may have heard a lawyer tell the story of the hunters' pancakes—about how one fall a group of hunters made a big batch of pancake batter and agreed to keep thinning it out each morning until every one of them had a deer. As the days went by, the pancakes got thinner and thinner, but the hunters found that no matter how much water they added to the batter and no matter how thin the pancakes got, **they still had two sides**. Ladies and gentlemen, this case has two sides as well, and when you have seen and heard **both** sides you will find Princess Sweetpea not guilty. Thank you.

JUDGE: (to District Attorney) You may call your first witness.

DISTRICT ATTORNEY: Thank you, Your Honor. The State calls King Kirby.

(King Kirby steps forward to the witness stand.)

CLERK: (to witness) Please raise your right hand. Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth?

KING KIRBY: I do.

JUDGE: You may be seated. Counsel, you may proceed.

DISTRICT ATTORNEY: Thank you, Your Honor. Please tell us your name and address, sir.

KING KIRBY: My name is Kirby Krebs. I live in that big house in Krebsville that everyone calls The Castle.

DISTRICT ATTORNEY: Are you employed?

KING KIRBY: Actually, no. I am extremely wealthy. I don't need to work.

DISTRICT ATTORNEY: King Kirby, do you know a person who calls herself Princess Sweetpea?

KING KIRBY: I certainly do. She nearly became my daughter-in-law.

DISTRICT ATTORNEY: Do you see that person here in the courtroom?

KING KIRBY: Yes, I do. She's sitting right there (points to Princess Sweetpea at defense table). That's Princess Sweetpea.

DISTRICT ATTORNEY: Let the record show that the witness has pointed to the Defendant. (to witness) Your Majesty, how long has it been since you last saw her?

KING KIRBY: Well, I guess I haven't seen her since last year, but she hasn't changed a bit. I'd know her anywhere. And please don't call me "Your Majesty." In this country, I'm just "Mister."

DISTRICT ATTORNEY: All right, Mr. Krebs. Will you tell us how you met Princess Sweetpea?

KING KIRBY: Certainly. She showed up on my doorstep in the rain late one night the summer before last—in May, actually. It was almost 11 o'clock and raining cats and dogs outside. She **said** she had run out of gas and wanted to use the phone to call for a ride home.

DISTRICT ATTORNEY: What did you do?

KING KIRBY: What could I do? I invited her to come in. I didn't believe the cockamamie story she was telling for a minute, but she was soaking wet and probably cold. It was nasty out. I told her she couldn't make a phone call because the lines were down.

DISTRICT ATTORNEY: What happened then?

KING KIRBY: Well, I talked to her for a minute and then turned her over to my wife Quintessa. She's the one who deals with all the princesses that show up.

DISTRICT ATTORNEY: All the princesses?

KING KIRBY: Of course. My son Prince Percy is looking for a real princess to marry. And I guess everybody knows that my family is filthy rich. About once a month some girl shows up at the house claiming to be Princess What's-her-name or Princess Something-or-other. They all want to meet Percy, of course. The wife sorts them out in no time.

DISTRICT ATTORNEY: I beg your pardon?

KING KIRBY: Not princesses, of course. None of them. They can't pass the dried pea test! Now, where my family comes from, it's common knowledge that **real** princesses are very delicate. Every little thing bothers them. A **real** princess couldn't sleep a wink on a bed with a dried pea stuck under the mattress. But these girls who come to the house, why they get themselves invited to stay the night and sleep like babies, every one of them.

DISTRICT ATTORNEY: And this proves they aren't real princesses?

KING KIRBY: Of course it does! They can't fool Quintessa. She trips them up with that dried pea every time.

DISTRICT ATTORNEY: Now what about Princess Sweetpea? Did the Queen put a dried pea under the mattress for her, too?

KING KIRBY: Yes she did. You can ask her yourself.

DISTRICT ATTORNEY: I plan to do just that. But tell us how Princess Sweetpea slept that night.

KING KIRBY: Well, the next morning she said she didn't sleep at all. She said there was a lump in the bed and she couldn't get comfortable. She looked as if she hadn't slept, too.

DISTRICT ATTORNEY: When did Princess Sweetpea say this to you?

KING KIRBY: We were at the breakfast table. I'll tell you, you could have heard a pin drop after that girl said she couldn't sleep.

DISTRICT ATTORNEY: Why was that?

KING KIRBY: Don't you see? It meant **she** passed the dried pea test and was a **real princess!**

DISTRICT ATTORNEY: Did she say anything about it?

KING KIRBY: She said she **was** a real princess. She said she'd told us that the night before and was surprised we didn't know it.

DEFENSE ATTORNEY: Objection, Your Honor. This is hearsay! Princess Sweetpea is here herself to testify about what she said. The jury shouldn't hear this as secondhand testimony.

DISTRICT ATTORNEY: Your Honor, this isn't "secondhand" testimony at all. Under the Maine Rules of Evidence, testimony that the Defendant believed something was true is not hearsay. It's just good evidence that the jury ought to hear.

JUDGE: (to District Attorney) Are you referring to Rule 801, counsel?

DISTRICT ATTORNEY: Yes, Your Honor. To subparagraph (d) of that rule.

JUDGE: The objection is overruled. (to District Attorney) You may continue.

DISTRICT ATTORNEY: Now Mr. Krebs, did Princess Sweetpea ever show you any papers that said she was a real princess?

KING KIRBY: Yes. She gave us a birth certificate.

DISTRICT ATTORNEY: Did you read this birth certificate carefully?

KING KIRBY: Yes, I did.

DISTRICT ATTORNEY: Would you recognize it if you saw it again?

KING KIRBY: I believe I would.

DISTRICT ATTORNEY: Mr. Krebs, I show you what has already been labeled as State's Exhibit #1 and ask you if you recognize it. (passes document to witness)

KING KIRBY: (looks at document briefly) This is that birth certificate, all right. Princess Sweetpea, born July 4, 1965 at Seaweed Regional Hospital, Sweetpea Center, Maine. This is what she gave us. (passes document back to District Attorney)

DISTRICT ATTORNEY: Did you believe the birth certificate was genuine?

KING KIRBY: I guess so. I mean, it said what it said. I thought she was a princess anyway, because of the dried pea test.

DISTRICT ATTORNEY: Your Honor, I offer this birth certificate as State's Exhibit #1.

DEFENSE ATTORNEY: No objection, Your Honor.

JUDGE: The document marked State's Exhibit #1 is admitted into evidence. You may proceed.

DISTRICT ATTORNEY: Your Honor, I have no further questions for this witness.

JUDGE: (to Defense Attorney) You may cross-examine.

DEFENSE ATTORNEY: Thank you, Your Honor. Mr. Krebs, do you really believe that anybody in the State of Maine has a genuine royal title?

KING KIRBY: What do you mean?

DEFENSE ATTORNEY: How about your title? Is it genuine, or just a little game you play? I remind you that you are under oath.

DISTRICT ATTORNEY: I object! This has nothing to do with the testimony that Mr. Krebs gave. It's irrelevant.

DEFENSE ATTORNEY: Your Honor, Mr. Krebs has been identified as **King** Kirby. I think the jury has a right to know if he thinks he's on the level.

DISTRICT ATTORNEY: Your Honor, the question here is whether the **jury** thinks Mr. Krebs is on the level.

JUDGE: Yes, counsel. Objection sustained. (to Defense Attorney) You may

continue, counsel.

DEFENSE ATTORNEY: Do you know anyone in the State of Maine outside your own family who has a genuine royal title?

KING KIRBY: Not now, no.

DEFENSE ATTORNEY: Specifically, Mr. Krebs, did you ever believe that the Defendant Princess Sweetpea was a **royal** princess?

KING KIRBY: Well, yes. I did.

DEFENSE ATTORNEY: And when was that?

KING KIRBY: That morning after she couldn't sleep with the pea under the mattress. And after that for a while. Up until the wedding was cancelled.

DEFENSE ATTORNEY: Did you ever think it was the birth certificate that made her a real princess?

KING KIRBY: I suppose so.

DEFENSE ATTORNEY: You suppose so? What does that mean?

KING KIRBY: Well, I expected it would say she was a princess, and it did.

DEFENSE ATTORNEY: But you had decided she was a princess before you ever saw the birth certificate, hadn't you?

KING KIRBY: It's hard to remember, you know. She seemed so real for a while.

DEFENSE ATTORNEY: Mr. Krebs, didn't you testify that you do not work?

KING KIRBY: That's right.

DEFENSE ATTORNEY: You don't work in an office anywhere?

KING KIRBY: An office. Of course not! Don't be ridiculous!

DEFENSE ATTORNEY: Mr. Krebs, what would you say if I told you that a witness in this trial will testify that she saw you buying office supplies in an office supply store?

KING KIRBY: I wouldn't know **what** to say.

DEFENSE ATTORNEY: What were the office supplies for?

KING KIRBY: I really don't know what you're talking about.

DEFENSE ATTORNEY: Your testimony is that you **did not** buy office supplies?

KING KIRBY: Of course I didn't! What's this all about anyway?

DISTRICT ATTORNEY: Your Honor, I don't know what Mr./Ms. \_\_\_\_\_ is trying to get at either. I object. This is irrelevant.

DEFENSE ATTORNEY: Your Honor, this will all make sense soon enough. But I have no further questions for this witness.

DISTRICT ATTORNEY: Neither have I, Your Honor.

JUDGE: The witness may stand down. (to District Attorney) Call your next witness.

DISTRICT ATTORNEY: The State calls Queen Quintessa.

(witness is sworn in as above)

DISTRICT ATTORNEY: Will you please state your name and address?

QUEEN QUINTESSA: My name is Queen Quintessa. I live in Krebsville at The Castle.

DISTRICT ATTORNEY: You are married to Mr. Krebs?

QUEEN QUINTESSA: That's right. And please, don't call **me** Your Majesty, either. In the United States, I am simply Mrs. Krebs.

DISTRICT ATTORNEY: Very well, Mrs. Krebs. Let me ask if you know Princess Sweetpea.

QUEEN QUINTESSA: I certainly do. She's sitting right there (points at Defendant).

DISTRICT ATTORNEY: Let the record show that the witness pointed out the Defendant. Mrs. Krebs, did you ever hear Princess Sweetpea claim to be a real princess?

QUEEN QUINTESSA: Yes, I did. She looked me straight in the eye and told me she was a real princess several times.

DISTRICT ATTORNEY: When you first met her?

QUEEN QUINTESSA: Yes, and on other occasions, too. She never claimed to be anything else.

DISTRICT ATTORNEY: Did you believe she was a real princess?

QUEEN QUINTESSA: Yes, I did. She passed the dried pea test, for one thing. No other girl ever has. For another thing, she had a birth certificate that said she was a princess.

DISTRICT ATTORNEY: Did you see the birth certificate?

QUEEN QUINTESSA: Yes, she gave it to us. I used it when I was writing the article about my son Prince Percy's engagement for the *Royal Register*. It's a newspaper about what's going on in royal families all over Europe.

DISTRICT ATTORNEY: (gets State's Exhibit #1 from Clerk and passes it to witness) Mrs. Krebs, is this the birth certificate the Defendant gave you?

QUEEN QUINTESSA: (reads document) Yes, it is. **Princess** Sweetpea! I just don't know how I could have been so foolish. But the dried pea test had never been wrong before.

DISTRICT ATTORNEY: Mrs. Krebs, have you ever worked in an office?

QUEEN QUINTESSA: Yes, I have an office at home. I am the Maine correspondent for the *Royal Register*.

DISTRICT ATTORNEY: Do you do your own typing?

QUEEN QUINTESSA: Yes, I do.

DISTRICT ATTORNEY: Don't you use a computer?

QUEEN QUINTESSA: No. I've been using the same typewriter for decades. All of this modern technology is just too much for me.

DISTRICT ATTORNEY: What do you do when you make a typing error?

QUEEN QUINTESSA: Well, if the paper is still in the typewriter, I can correct the mistake using the correction ribbon that's in the machine. Otherwise, I put correction fluid over the mistake and then type the correction over it when it's dry.

DISTRICT ATTORNEY: Can you see correction fluid when it has been used?

QUEEN QUINTESSA: Certainly. It dries on the paper and looks like white paint.

DISTRICT ATTORNEY: I ask you to look closely at the birth certificate. Can you see whether correction fluid has been used on it?

QUEEN QUINTESSA: Yes, I can. There is correction fluid in the space for the name. The word “Princess” is typed over the dried correction fluid. This birth certificate has been changed! I can’t imagine why I didn’t notice it the first time I looked at it!

DISTRICT ATTORNEY: (returns State’s Exhibit #1 to Clerk) Thank you, Mrs. Krebs. I have no further questions.

JUDGE: (to Defense Attorney) Counsel?

DEFENSE ATTORNEY: Thank you, Your Honor. Mrs. Krebs, do you know who prepares birth certificates?

QUEEN QUINTESSA: Well, no. Somebody in town or city government, I guess. Or state government, perhaps. The hospital, maybe.

DEFENSE ATTORNEY: Do you know where **this** birth certificate came from?

QUEEN QUINTESSA: The Defendant had it. (points to Princess Sweetpea) She gave it to my husband and me.

DEFENSE ATTORNEY: Do you know whether the people who prepare birth certificates are allowed to use correction fluid in they make mistakes?

QUEEN QUINTESSA: No, I don’t know.

DEFENSE ATTORNEY: Did you see anyone changing the birth certificate?

QUEEN QUINTESSA: Not personally, no.

DEFENSE ATTORNEY: But you testified that the birth certificate had been **changed**. Did you just mean it had correction fluid on it?

QUEEN QUINTESSA: It certainly has correction fluid on it. I mean, I think it’s been changed. She isn’t a real princess, you know.

DEFENSE ATTORNEY: You testified that you have an office at home?

QUEEN QUINTESSA: That’s right.

DEFENSE ATTORNEY: Do you keep office supplies on hand?

QUEEN QUINTESSA: Naturally. You can't run an office without office supplies. Even **you** should know that!

DEFENSE ATTORNEY: Where do you get your office supplies?

QUEEN QUINTESSA: I usually buy them at Krebsville Kopies—it's a store in town.

DEFENSE ATTORNEY: Do you ever send you husband to buy supplies for you?

QUEEN QUINTESSA: Kirby? I should say not. He wouldn't know a typewriter ribbon from a paper clip!

DEFENSE ATTORNEY: Would he know correction fluid?

DISTRICT ATTORNEY: Objection! The question calls for an opinion.

DEFENSE ATTORNEY: I withdraw the question.

JUDGE: (to Jury) The jury will pay no attention to that question or to the fact that there was no answer to the question.

DEFENSE ATTORNEY: I have no further questions for Mrs. Krebs, Your Honor.

DISTRICT ATTORNEY: No further questions.

JUDGE: Call your next witness.

DISTRICT ATTORNEY: The State calls Terence Clarence.  
(Witness is sworn in as above)

DISTRICT ATTORNEY: Please tell us your name.

NIPPER: My name is Terence Clarence, but everybody calls me Nipper.

DISTRICT ATTORNEY: How old are you, Nipper?

NIPPER: I'm eleven and a half.

DISTRICT ATTORNEY: And where do you live?

NIPPER: In Krebsville, near The Castle. My Dad works there, mowing lawns and stuff.

DISTRICT ATTORNEY: Now, Nipper, I want you to think very hard and tell only the truth here. Do you understand that?

NIPPER: Yes, I think so.

DISTRICT ATTORNEY: Do you know Princess Sweetpea?

NIPPER: Sure, she's sitting right there. (points to Defendant)

DISTRICT ATTORNEY: The record will show that the witness identified the Defendant. Nipper, did Princess Sweetpea ever come to your house?

NIPPER: Only once that I remember.

DISTRICT ATTORNEY: And when was that?

NIPPER: It was just before school ended the year before last.

DISTRICT ATTORNEY: Did she come to visit you?

NIPPER: Sort of, I guess. Mostly she just asked me if my mother had a typewriter she could use for a few minutes.

DISTRICT ATTORNEY: What did you tell her?

NIPPER: I told her to go ahead.

DISTRICT ATTORNEY: Do you know what she was typing?

NIPPER: Not exactly. She said this paper had her name spelled wrong on it. She wanted to fix it.

DISTRICT ATTORNEY: Did you see the paper?

NIPPER: I don't remember. Maybe. I can't be sure.

DISTRICT ATTORNEY: Nipper, do you know what typing correction fluid is?

NIPPER: Sure, it's that stuff in little bottles you can use to cover up typing mistakes. My mom uses it all the time. She keeps a bottle of it right by her old typewriter.

DISTRICT ATTORNEY: Did you see Princess Sweetpea using the correction fluid?

NIPPER: Yeah. She spilled some of it on the desk. It made a big mess.

DISTRICT ATTORNEY: How long was she using the typewriter?

NIPPER: Just a minute. She only typed one or two words.

DISTRICT ATTORNEY: Did she say what she was doing?

NIPPER: No, but she laughed a lot. She said something like, “This is a lot better than any stupid dried pea.”

DISTRICT ATTORNEY: Did you know what she was talking about?

NIPPER: No, I didn’t.

DISTRICT ATTORNEY: Your Honor, I have no further questions for this witness.

JUDGE: (to Defense Attorney) You may cross-examine.

DEFENSE ATTORNEY: Thank you, Your Honor. Nipper, did Princess Sweetpea ever say anything else about dried peas?

NIPPER: I don’t think so.

DEFENSE ATTORNEY: Do you know anything about this “dried pea test” the King and Queen were talking about a few minutes ago?

NIPPER: No. It sounds pretty crazy to me.

DEFENSE ATTORNEY: Did Princess Sweetpea ever say anything to you about a birth certificate?

NIPPER: Not that I remember.

DEFENSE ATTORNEY: Now, try to remember very carefully. Did she ever tell you she was a princess?

NIPPER: Well, Princess is her name! Of course she’s a Princess!

DEFENSE ATTORNEY: I have no further questions.

JUDGE: (to District Attorney) Do you wish to question this witness further?

DISTRICT ATTORNEY: Yes, thank you, Your Honor. (gets State’s Exhibit #1 from Clerk and hands it to witness) Nipper, I want you to look at this paper carefully. Could this have been the paper Princess Sweetpea used the correction fluid on at your house?

NIPPER: Maybe. I don’t know.

DISTRICT ATTORNEY: No further questions, Your Honor.

DEFENSE ATTORNEY: I have nothing further.

JUDGE: The witness is excused.

DISTRICT ATTORNEY: Your Honor, the State rests its case.

DEFENSE ATTORNEY: The defense moves for acquittal, Your Honor. The State hasn't proved anything here.

JUDGE: That motion is denied, counsel. Please call your first witness.

DEFENSE ATTORNEY: Yes, Your Honor. I call the Defendant.  
(Princess Sweetpea is sworn in as above)

DEFENSE ATTORNEY: Please tell us your name and address.

PRINCESS: My name is Princess Sweetpea. I live with my parents in Sweetpea Center.

DEFENSE ATTORNEY: Princess Sweetpea, do you understand that you do not have to testify here? That the State has the duty to prove its case against you without your help?

PRINCESS: Yes, I understand that.

DEFENSE ATTORNEY: Do you also understand that if you **do** testify you may be cross-examined by the District Attorney? That you will have to answer questions that you wouldn't have to answer if you didn't testify at all?

PRINCESS: I understand.

DEFENSE ATTORNEY: But you have chosen to testify, isn't that right?

PRINCESS: Yes. I have nothing to hide. I want a chance to explain what happened so that all these misunderstandings can be cleared up.

DEFENSE ATTORNEY: Tell us how you met Mr. and Mrs. Krebs and Prince Percy.

PRINCESS: It happened the summer before last. I had gone for a ride in my car. It started to rain, and I got lost. Then I ran out of gas and was stuck. I walked down the road looking for help and came to this big house with lights on inside. I figured that someone was home

and knocked on the door.

DEFENSE ATTORNEY: What did you want?

PRINCESS: I wanted to use the telephone to call my father to come get me. It was late and I was tired and wet and cold.

DEFENSE ATTORNEY: What happened?

PRINCESS: This weird old guy answered the door. It was King Kirby, but I didn't know what to think at first. He was very rude and he kept accusing me of **pretending** to be a princess.

DEFENSE ATTORNEY: Did you call your father?

PRINCESS: Not until the next morning. The King told me the phone lines were down and I wouldn't be able to make my call.

DEFENSE ATTORNEY: Did you spend the night there?

PRINCESS: Yes, but it was very strange. They seemed to know I was a princess before I told them, but at the same time they didn't seem to believe it. Queen Quintessa gave me this bed to sleep in that was really weird and uncomfortable. It took me most of the night to figure out what was wrong.

DEFENSE ATTORNEY: Did you find out what it was?

PRINCESS: Well, there were about six mattresses on the bed, but right in the middle was this big lump. I finally took the bottom sheet off and found a mattress cover all rolled up into a ball in the middle. I flattened it out. I don't remember if I actually got any sleep or not.

DEFENSE ATTORNEY: Did you tell anyone that you didn't sleep well?

PRINCESS: Yes, I did. I guess I was too tired to remember my manners. When the Queen asked me how I slept, I just blurted out the truth that the bed was awful and it kept me awake.

DEFENSE ATTORNEY: What did the Queen do?

PRINCESS: She acted very surprised—as if she suddenly believed I was a princess.

DEFENSE ATTORNEY: What happened next?

PRINCESS: All of a sudden, Prince Percy was asking me for a date. He seemed

nice (not like his weird parents) so I accepted. A few weeks later he asked me to marry him, and I said I would.

DEFENSE ATTORNEY: Did you learn anything later that surprised you?

PRINCESS: You mean the business about the dried pea?

DEFENSE ATTORNEY: That's right.

PRINCESS: Yes, I did. When we got engaged, Prince Percy told me that he **knew** I was a real princess because I had been uncomfortable in that bed the first night. He said his mother had put a dried pea under the mattresses. He said this was a secret never-fail test for a princess that his mother's family had known about for hundreds of years and that it was never wrong.

DEFENSE ATTORNEY: What did you do?

PRINCESS: I laughed my head off. I mean, it was the stupidest thing I ever heard in my life.

DEFENSE ATTORNEY: Did you tell him about the mattress cover?

PRINCESS: I don't think so. He got really angry when I started laughing. We ended up having our first and only fight, and he called off the wedding (snap fingers or clap hands)—just like that!

DEFENSE ATTORNEY: How did you feel about that?

PRINCESS: I was pretty shaken up for a while. But I guess it was for the best. Prince Percy is the biggest snob I ever knew in my life. I'm glad I didn't marry him, because I didn't like the name **Krebs** anyway.

DEFENSE ATTORNEY: What happened after the wedding was cancelled?

PRINCESS: Well, they were all bent out of shape about that stupid birth certificate I gave the Queen.

DEFENSE ATTORNEY: Is that the paper that the District Attorney calls State's Exhibit #1?

PRINCESS: No. I mean, really, the Queen had no right to ask me for a birth certificate in the first place. I didn't know why she wanted it or what she was going to do with it. She kept harping on it.

DEFENSE ATTORNEY: And you gave her a birth certificate?

PRINCESS: Finally, yes. Sort of, anyway. I didn't give her a **real** birth certificate. I mean, she didn't ask for anything **official**. I just made a photocopy of a birth certificate I had for something else.

DEFENSE ATTORNEY: Did you make any changes to this copy?

PRINCESS: I changed the name that was on it.

DEFENSE ATTORNEY: What name was on it?

PRINCESS: My full real name, Delphinia Rose Sweetpea. I've always hated it. I've never used it. I think it's the most hideous name I have ever heard.

DEFENSE ATTORNEY: You made changes to the photocopy, **not** the real birth certificate?

PRINCESS: That's right.

DEFENSE ATTORNEY: How did you make changes to the photocopy?

PRINCESS: Well, I took it to Nipper's house and used his mother's typewriter. She had some of that correction fluid stuff. I used that to cover up "Delphinia Rose." Then I typed in "Princess" over it.

DEFENSE ATTORNEY: Who changed the name on the real birth certificate we are calling State's Exhibit #1 here?

PRINCESS: I don't have any idea. That birth certificate is **mine**. I don't know who changed it or how they got their hands on it.

DEFENSE ATTORNEY: Now, please tell us where the name "Princess" comes from.

PRINCESS: It's a nickname my father gave me when I was just a little girl. Anyway, I **am** a princess, the 1999 Hardrock County Seaweed Princess. They have a beauty pageant every year during the Seaweed Festival. I entered the pageant and won. I was in the parade and everything. Since then, everybody has called me Princess.

DEFENSE ATTORNEY: Do you like to be called Princess?

PRINCESS: It beats Delphinia.

DEFENSE ATTORNEY: You gave the Queen a photocopy of a birth certificate. Did you want her to think the photocopy was a real birth certificate and that you were a princess from a royal family?

PRINCESS: No, of course not. I didn't want to **trick** anybody. What I gave the Queen was a photocopy, and it **looked** like a photocopy. It was a joke. Anyone would have known it.

DEFENSE ATTORNEY: What happened to the original certificate that you made the copy from?

PRINCESS: I don't have any idea. I haven't seen it since the wedding was called off.

DEFENSE ATTORNEY: Thank you, Princess. I have no further questions.

JUDGE: (to District Attorney) Do you wish to cross-examine this witness?

DISTRICT ATTORNEY: Yes, Your Honor. Ms. Sweetpea, is it your testimony that you altered the document in evidence as State's Exhibit #1?

PRINCESS: Absolutely not! The document I **altered**, as you put it, was a **photocopy** of my birth certificate. I made the photocopy myself in one of those copy places. It was a plain photocopy—not a certified copy, not an original. There was nothing official about it. It wasn't real. I made changes on the copy as a joke. I never claimed it was a real birth certificate, and no one could have thought it was.

DISTRICT ATTORNEY: (gets Exhibit #1 from Clerk and passes it to Princess) Isn't **this** the document you gave to the Queen?

PRINCESS: (looks at paper) No! No! This looks like my real birth certificate—but I didn't make these changes to it! Where did you get this?

DISTRICT ATTORNEY: I'll ask the questions, Ms. Sweetpea. You expect the jury to believe that you don't know what happened to your real birth certificate after you used it to make the copy?

PRINCESS: It's the truth.

DISTRICT ATTORNEY: Ms. Sweetpea, the first time you went to The Castle you wanted to use the telephone, correct?

PRINCESS: That's right.

DISTRICT ATTORNEY: But doesn't your car have a phone in it?

PRINCESS: What? Well, yes. It must have been broken or something that night.

DISTRICT ATTORNEY: Did you try to use it?

PRINCESS: I must have. I don't know.

DISTRICT ATTORNEY: I have no more questions, Your Honor.

DEFENSE ATTORNEY: No further questions.

JUDGE: The witness may stand down. (to Defense Attorney) Call your next witness.

DEFENSE ATTORNEY: I call Prince Percy.  
(witness comes forward and is sworn in as above)

DEFENSE ATTORNEY: Please tell us your name and address.

PRINCE: My name is Percy P. Krebs and I live at The Castle. I really prefer not to be called Prince Percy, except when the family is in Europe.

DEFENSE ATTORNEY: All right, Mr. Krebs. You were formerly engaged to my client, Princess Sweetpea?

PRINCE: Delly? Yes. For a few weeks. I used to call her Delly—Seaweed Delly. She couldn't stand it. She never liked my sense of humor.

DEFENSE ATTORNEY: Were you living at The Castle while you were engaged?

PRINCE: That's right.

DEFENSE ATTORNEY: And you broke off the engagement, right?

PRINCE: That's right. When I told her, she jumped in her car and drove away.

DEFENSE ATTORNEY: Why did you end the engagement?

PRINCE: Why? Well, for heaven's sake, she was the **Seaweed Princess**—not the sort of princess I wanted to marry at all. She was a pretty girl in her way, but her family is really **nothing**. The whole thing was completely **impossible**.

DEFENSE ATTORNEY: Do you think your parents agreed with your decision to call off the wedding?

PRINCE: Oh, yes. I know that Mother in particular was very, very unhappy about the way the girl laughed at the dried pea test.

DEFENSE ATTORNEY: Of course. Did Ms. Sweetpea leave anything at The Castle after you

cancelled the wedding—a box, an envelope, papers of any kind?

PRINCE: Actually, she **did** leave a box of things—wedding plans, guest list, that sort of rubbish. She said she didn't care if she ever saw it again.

DEFENSE ATTORNEY: Do you know what items were actually in that box?

PRINCE: No!

DEFENSE ATTORNEY: Do you know what happened to the box?

PRINCE: Yes. Mother kept wanting it out of the house, and I finally had it put in the mail.

DEFENSE ATTORNEY: Was there a birth certificate in that box?

PRINCE: There might have been, I guess. I don't know. It was **her** property. I certainly didn't go through it!

DEFENSE ATTORNEY: Of course not. Did anyone **else** go through it?

PRINCE: I really wouldn't know. I suppose anybody could have who wanted to. Who cares, after all?

DEFENSE ATTORNEY: Anyone who wanted to alter a birth certificate might have cared a great deal, Mr. Krebs. But you're sure **you** didn't do it?

PRINCE: Are you accusing me of something? Of course I didn't do it!

QUEEN QUINTESSA: (stands up at her seat in the Courtroom and speaks **very loudly**) Are you calling my son a crook? You don't know what you're talking about, you little **nobody**!!

JUDGE: Mrs. Krebs! Please sit down and be quiet or I **will** have the Bailiff remove you from the Courtroom. (Queen sits, looks sulky) Continue, Counsel.

DEFENSE ATTORNEY: Thank you, Your Honor. Actually, I have no further questions for this witness.

JUDGE: (to District Attorney) You may cross-examine.

DISTRICT ATTORNEY: Thank you, Your Honor. Mr. Krebs, did you ever see this birth certificate we have been talking about.

PRINCE: I can't remember. Mother is the one who keeps track of bloodlines in the family.

DISTRICT ATTORNEY: Did you believe the Defendant was a real princess when you asked her to marry you?

PRINCE: I certainly did!

DISTRICT ATTORNEY: You believe you were tricked by the Defendant?

PRINCE: That's putting it mildly. Ah, to think that she turned out to be so **common**. It's really a pity that I've been put through all this, don't you think?

DISTRICT ATTORNEY: I have no further questions.

JUDGE: (to Defense Attorney) You may call your next witness.

DEFENSE ATTORNEY: Thank you, Your Honor. The Defense calls Angela Baxter.  
(witness is sworn in as above)

DEFENSE ATTORNEY: Ms. Baxter, please tell us your full name and address.

ANGELA: My name is Angela Baxter and I live in Krebsville at 100 Main St.

DEFENSE ATTORNEY: Are you employed?

ANGELA: Yes. I work at Krebsville Kopies. It's a store that sells office supplies and makes photocopies for people.

DEFENSE ATTORNEY: Do you know Princess Sweetpea?

ANGELA: Oh, yes. We were in the same class at Hardrock High School.

DEFENSE ATTORNEY: Are you a friend of Princess Sweetpea?

ANGELA: More like an acquaintance. She was always a lot more popular than I was.

DEFENSE ATTORNEY: Did you ever see her where you work?

ANGELA: Yes, she came into the store once. She wanted to make a copy of something.

DEFENSE ATTORNEY: Do you remember what it was?

ANGELA: Not exactly. I think it was something to do with her getting married.

DEFENSE ATTORNEY: Could it have been a birth certificate?

ANGELA: I really don't remember. It was a long time ago. We have dozens of customers every day. I don't pay much attention to what they bring in.

DEFENSE ATTORNEY: But you clearly remember that the Princess came to the store?

ANGELA: Oh, yes. She was kind of a celebrity. She was the 1999 Seaweed Princess, and she was going to marry Prince Percy.

DEFENSE ATTORNEY: All she wanted was one copy?

ANGELA: I think it was just one. She didn't have any money with her either. I paid for the copy myself. It was good to see her again. It was strange, though. A few days later King Kirby came into the store.

DEFENSE ATTORNEY: He did? What did he want?

ANGELA: It was the funniest thing. All he bought was a bottle of typing correction fluid. I think he said it was for his wife.

DEFENSE ATTORNEY: For his wife. Thank you, Ms. Baxter. I have no further questions.

JUDGE: (to District Attorney) Do you wish to cross examine this witness?

DISTRICT ATTORNEY: Yes, Your Honor. Just a few questions. Ms. Baxter, you really don't remember much of anything about what the Defendant did in your store, do you?

ANGELA: That's not true. It was in the summer just after she got engaged. She had grown her hair out quite a bit since I last saw her and she was wearing light blue Sketchers platform slide sandals that had dragonflies on them, Gap khaki cargo capri pants, and two tank tops, one light blue and one over it that was pink and white striped. She didn't have on much makeup, just some blue glitter around her eyes and pink lip gloss, and her hair was held back with four or five of these really pretty sparkly pink butterfly clips. And she had this big diamond ring that she was really flashing around. She must have gotten contact lenses, too, because she used to wear glasses (which didn't do a **thing** for her).

DISTRICT ATTORNEY: I mean you don't remember much about the business she had in your store.

ANGELA: The copy? No, I don't know what that was.

DISTRICT ATTORNEY: As for Mr. Krebs, are you **certain** you saw him in your store?

ANGELA: Oh, yes.

DISTRICT ATTORNEY: And you remember what he bought? Didn't you say there are dozens of customers every day?

ANGELA: There are. But I recognized King Kirby from his pictures in the newspaper. Anyway, he didn't even seem to know what typing correction fluid was or what it was for. It was funny—a rich, famous man like that not knowing something so simple and ordinary.

DISTRICT ATTORNEY: Thank you, Ms. Baxter. No further questions.

DEFENSE ATTORNEY: I have no further questions, Your Honor. The defense rests.

JUDGE: In that case, the witness is excused. We will now proceed to final arguments.

DISTRICT ATTORNEY: Thank you, Your Honor. Members of the jury, you have now seen and heard all the testimony in the case, and it must be clear to you what happened. The Defendant, eager to marry into a rich family, convinced the King and Queen that she was a real princess. At first she did this through **luck**. The Queen believed she had passed the so-called dried pea test. Later, she turned to trickery. The King and Queen have both told us that they were given an **altered** birth certificate by the Defendant. In addition, the Defendant told them repeatedly that she was a real princess.

The Defendant's attorney will probably talk about how this case is **circumstantial**. This is a big word, and I don't want it to confuse you. It just means that in this case there is no witness who can remember actually **seeing** the Defendant alter the birth certificate—although several witnesses clearly remember the Defendant posing as a princess.

As for the birth certificate, please try to imagine a canary cage with the door open. There is no bird in the cage. Instead, there is a smiling cat beside the cage and a few yellow feathers on the floor. What happened to the canary? Well, it looks bad for the cat. In the same way, you may decide that it must have been the Defendant who altered the birth certificate (this is **forgery**) and who falsely pretended to be a princess. No one else stood to gain anything from it. Really,

the King and Queen and the Prince lost from it. The Prince ended up nearly marrying someone who **wasn't** a real princess! Your verdict must be guilty on all counts—forging the birth certificate, using the forged birth certificate to trick the Krebs family, and pretending to be a princess when she was not. Thank you.

JUDGE: (to Defense Attorney) You may proceed.

DEFENSE ATTORNEY: Thank you. Members of the jury, very soon the Judge will be talking to you about the law that applies to this case and the rules you must follow in reaching your decision. You will very likely hear about the idea of reasonable doubt. I ask that you pay very close attention, because if you have reasonable doubt, you will find Princess Sweetpea not guilty. The case made by the District Attorney is full of holes, and every single one of those holes is big enough to hold reasonable doubt.

And the circumstances of the case are not as simple as the District Attorney suggests. For one thing, Ms. Sweetpea **was** the 1991 Seaweed Princess. Now, I ask you to imagine that canary cage the District Attorney was talking about, only with **four** cats in the room. **Which** cat got the bird? This is the case we have here.

The King, the Queen and the Prince all believed in what they have called the dried pea test. But Princess Sweetpea laughed at this. You have seen and heard that members of the Krebs family do not like to be laughed at.

Princess Sweetpea testified that she only changed a **copy** of a birth certificate as a joke. Angela Baxter testified that King Kirby bought correction fluid. Prince Percy testified that Princess Sweetpea left a box at The Castle when she moved out—a box that **may** have held the original, official birth certificate. Anyone in that house could have altered it. So, members of the jury, which cat got the canary?

Your verdict must be not guilty. Thank you.

\*\*JUDGE: Ladies and Gentlemen of the Jury: Now that you have heard all of the evidence in this case and the arguments of the attorneys, it is my job to tell you about the law. First of all I'm going to tell you about some general principles of law which are the same for the trial of any criminal case. Then, I will tell you about the particular laws that you must use in your discussion of this case.

First of all, you must keep in mind that in this country Delphinia Rose

Sweetpea, also known as Princess Sweetpea, does not have to prove to you that she is not guilty. You must look upon her as an innocent person unless, after you have talked about all the evidence, all of you decide that she is guilty beyond a reasonable doubt.

Being guilty beyond a reasonable doubt means that after you have thought about the evidence you do not have any doubt in your mind that she is guilty, any doubt that is, that you feel you have a good reason for.

If after you think about the evidence you decide that there is no reasonable doubt about her guilt, you may find her guilty. On the other hand, if you decide that you do have some doubt about her guilt and that there is a reason for that doubt, then you must find her not guilty. Also, keep in mind that to return a verdict of either guilty or not guilty **all twelve** of you have to agree.

One of the things you should talk about when you go to the jury room is which witnesses you feel were telling the truth, and which witnesses you can depend on. Remember that you do not have to believe everything that every witness says. You should think about what each witness said and decide whether their story makes sense to you. If the story does make sense, then you may decide to believe that witness. On the other hand, if the story does not make sense, you may decide not to believe it.

Now let's turn to the law of the three crimes which the State has charged. First, the State has charged Ms. Sweetpea with aggravated forgery. That is a particularly serious type of forgery, and the law says that a person is guilty of this crime if that person, intending to trick another person, changes some public record, such as a birth certificate, and presents it to another person. Remember, you must consider all of the evidence in this case and decide whether or not you are sure beyond a reasonable doubt that Ms. Sweetpea did this. If you are sure, you should find her guilty of aggravated forgery. If you are not sure, you should find her not guilty.

The State has also charged Ms. Sweetpea with a crime known as willful falsification. Our law says that if a person on purpose makes up or changes any certificate such as a birth certificate, and has it in his or her possession and uses it, then that person is guilty of the crime of falsification. Again, remember, you must consider

all of the evidence in the case and decide whether you are sure beyond a reasonable doubt that Ms. Sweetpea did this. If you are sure, you should find her guilty. If you are not sure beyond a reasonable doubt, you should find her not guilty.

The State has also accused Ms. Sweetpea of a crime known as impersonating a public servant. Our law says that a person is guilty of this crime if that person pretends to be some sort of a public servant, such as a member of the Royal Family, and while pretending to be that public servant does something to fool people into thinking that he or she really is that officeholder. Again, you consider all of the evidence in the case and decide whether you are sure beyond a reasonable doubt that Ms. Sweetpea did this. If you are sure, you should find her guilty. If you are not sure beyond a reasonable doubt, you should find her not guilty.

Now you will go to the jury room for your deliberations. Remember that you must consider separately each of the three charges and decide separately whether Ms. Sweetpea is guilty or not guilty of **each** of the charges. You may find her guilty of all of the charges or not guilty of all of the charges, or guilty of one or more and not guilty of one or more.

While you are discussing this case keep your mind open and listen to the arguments made by your fellow jurors. Remember that to return a verdict on each charge **all twelve** of you must agree whether that verdict is guilty or not guilty.

To assist you in your deliberations, we have prepared a verdict form. It lists the three charges and after each charge it has a space for you to check guilty or not guilty. The foreperson of the jury, \_\_\_\_\_, will be responsible for filling out the verdict form. When all twelve of you have agreed on each of the counts, the foreperson should fill in the form and sign it.

When you have reached your verdict on all of the charges, knock on the door and the jury officer will bring you back into the courtroom and the jury foreperson will report the verdicts.

(Court Officers on hand will assist in the mechanics of getting the Jury in and out of the Courtroom.)

(**Jury** deliberates. After a verdict is reached, the **Jury** returns to the Courtroom.)

JUDGE: Members of the Jury, have you reached a verdict?

FOREPERSON: We have, Your Honor.

JUDGE: As to Count I, aggravated forgery, a Class B crime, is the Defendant guilty or not guilty?

FOREPERSON: Guilty/not guilty.

JUDGE: As to Count II, falsifying an official document, a Class D crime, is the Defendant guilty or not guilty?

FOREPERSON: Guilty/not guilty.

JUDGE: As to Count III, impersonating a princess, a Class E crime, is the Defendant guilty or not guilty?

FOREPERSON: Guilty/not guilty.

(If the Defendant is found guilty on any or all counts, the **Actual Judge** may explain that sentencing might normally take place in a separate proceeding. For purposes of the trial exercise, however, the **Judge** may pass sentence after instruction by the **Actual Judge** in appropriate sentencing guidelines.)

**-THE END-**

**\*\* The Jury instructions were written by The Honorable Bruce W. Chandler, Retired Maine Superior Court Justice.**



State of Maine  
Superior Court

	]	
State of Maine,	]	
	]	
Plaintiff,	]	
	]	
v.	]	VERDICT FORM
	]	
Delphinia Rose Sweetpea,	]	
	]	
Defendant	]	
	]	

Count I, Aggravated Forgery

Guilty \_\_\_\_\_  
Not Guilty \_\_\_\_\_

Count II, Falsifying an official document

Guilty \_\_\_\_\_  
Not Guilty \_\_\_\_\_

Count III, Impersonating a Princess

Guilty \_\_\_\_\_  
Not Guilty \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Foreperson

