

NEW STAGE THEATRE
PRESENTS

A TIME TO KILL

ADAPTED FOR THE STAGE BY
RUPERT HOLMES

BASED ON THE NOVEL BY
JOHN GRISHAM

DIRECTED BY
FRANCINE THOMAS REYNOLDS

OCTOBER 27 – NOVEMBER 8, 2015

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STUDY GUIDE

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A Time to Kill

What to expect at our LIVE production of

A Time to Kill

By John Grisham

Adapted for the stage by Rupert Holmes

Although movies can seem so real at times, there are many differences between a live theatre performance and what we see on screen. This production of *A Time to Kill* highlights those differences. It also highlights the differences between a movie audience and a good theatre audience.

Our production, like many live theatre performances, breaks down the barriers between the actors and the audience. Unlike when you watch moving images on a screen, at *A Time to Kill* you will be only a few steps from the actors. It is important to remember that how you act during the play will have an impact on the actors. If you unwrap a piece of candy or whisper to someone next to you, you may distract the actors and affect the entire performance. You should never open up your cell phone because the light affects the actors and those around you.

In a movie, the sounds are amplified and the action most often takes place in a realistic setting. Our production will challenge you to listen carefully because there will be no amplification of our actors. The set design will also require you to use your imagination as our set is designed not to be realistic, but to suggest the setting in abstract ways.

Movies and television allow some spectacular effects, but the experience never changes – no matter who sees them, no matter when they see them. The magic of any live event is that each performance is different and each audience is unique. The performance you see will be one that only the actors and your particular audience will experience.

Although the subject matter and language in *A Time to Kill* is mature, we feel it is important to maintain the integrity of the characters as written by John Grisham and the play as adapted by Rupert Holmes. The use of “rough” language in *A Time to Kill* is not gratuitous but used to reveal character and circumstances. The words that you will hear on the stage are the words that you will find in the novel.

Let's all make a performance to remember.

Sincerely,

Francine Thomas Reynolds

New Stage Theatre
Artistic Director

New Stage Theatre
Presents

A TIME TO KILL

Adapted for the stage by Rupert Holmes
Based on the novel by John Grisham

Directed by Francine Thomas Reynolds

Sponsored by The Clarion Ledger, Mississippi Arts Commission, Lemuria Books

Stage Manager
Elise McDonald

Lighting Designer
Brent Lefavor

Set Designer
Dex Edwards

Sound Designer
Richart Schug

Costume Designer
Lesley Raybon

Technical Director
Richard Lawrence

Properties Designer
Clara Seitz

Original Music Composed by Thomas Bryan Ledford

Produced by special arrangement with Playscripts, Inc. (www.playscripts.com)

There will be one 10 minute intermission

The videotaping or making of electronic or other audio and/or visual recordings of this production are strictly prohibited and is a violation of United States copyright law and an actionable federal offense.

TIME

Early 1980's

PLACE

In and around Clanton Courthouse in Ford County, Mississippi

CAST IN ORDER OF APPEARANCE

Jake Brigance, *attorney*
Vernon Pate, *court deputy*
Ozzie Walls, *sheriff of Ford County*
Omar Noose, *circuit judge for Ford County*
Drew Tyndale, a public defender
Carl Lee Hailey
Rufus R. Buckley, *district attorney for Polk County*
Norma Gallo, *court reporter*
DeWayne Looney, *a deputy*
Billy Ray Cobb
Pete Willard
Lucien Wilbanks
D.R. Musgrove, *co-counsel to the district attorney*
Ellen Roark
Gwen Hailey, *Carl Lee's wife*
Cora Cobb, *Bill Ray's mother*
Dr. W.T. Bass
Terrell Grist
Dr. Wilbert Rodeheaver, *head of staff at Whitfield Mental Hospital*
Guard/Cameraman
Deputy
Reporter
Reporter

DOUGLAS EVERETT DAVIS
WILLIAM JEANES
PRINCE DUREN
JOHN MAXWELL
JO ANN ROBINSON*
YOHANCE MYLES*
JASON DAVIS
JOY BRASHEARS AMERSON
CORY DRAKE
DREW STARK
MICHAEL KINSLOW
DAVID SPENCER*
DREW STARK
KERRI COURTNEY SANDERS
SHARON MILES
JO ANN ROBINSON*
CHRIS ROEBUCK
CORY DRAKE
LARRY WELLS
CHRIS AMBROSE
NEILL KELLY
BRIANA THOMAS
ALLISON HEINZ

*The actor appears through the courtesy of Actors' Equity Association, the Union of Professional Actors and Stage Managers in the United States.

THE PLAYWRIGHT

Rupert Holmes is the first person in theatrical history to singly win Tony awards as a playwright, a lyricist and a composer. He has won identical honors from the New York Drama Desk, with a fourth award in their additional category for his orchestrations. His works for Broadway include *The Mystery of Edwin Drood*, which won the Tony award for Best Musical and had a critically-acclaimed Broadway revival by the Roundabout Theatre Company in 2012-2013. His script for *Curtains*, with a score by the legendary team of Kander and Ebb, won Holmes an additional Drama Desk award for Best Book while receiving two further Tony nominations for Book and Lyrics. *Say Goodnight Gracie*, his "dramedy" about the life of comedian George Burns, earned Holmes the National Broadway Theatre Award for Best Play and a sixth Tony nomination for Best Play. He has twice received the coveted "Edgar" Award from the Mystery Writers of America for his stage thrillers, which include: the Broadway suspense-comedy *Accomplice* starring Jason Alexander and Michael McKean, which has since been seen around the country and the world, including a recent production at China's Shanghai Theater; and *Solitary Confinement*, a tour de force for actor Stacy Keach which broke all existing box office records at the Kennedy Center and Pasadena Playhouse, and also enjoyed a limited run on Broadway. His musical of Jerry Lewis's classic *The Nutty Professor*, with book and lyrics by Holmes and music by the late Marvin Hamlisch, received eight Broadway World Theatre Awards in 2013 including Best Musical and (to Hamlisch and Holmes) Best Original New Work. His first Random House novel, "Where the Truth Lies", received a Nero Wolfe award nomination for Best American Mystery Novel and became a motion picture starring Colin Firth and Kevin Bacon, while his second novel "Swing" reached #24 of all books on Amazon and was a San Francisco Chronicle Top Ten best seller. He also created and wrote AMC's critically-acclaimed TV series "Remember WENN". *A Time to Kill*, based on the American classic (and one of the best-selling novels of all time) marks the first work by the astoundingly popular John Grisham to be adapted for the stage, and was created by Rupert Holmes with the approval and endorsement of its author.



THE AUTHOR



John Grisham was born on February 8, 1955 in Jonesboro, Arkansas. Growing up Grisham dreamed of being a professional baseball player, but realized he didn't have the talent for the big leagues. As a result, he ended up earning a degree in accounting at Mississippi State University. After graduating from law school at Ole Miss in 1981, he went on to practice law for nearly a decade in Southaven, Mississippi as a criminal defense and personal injury attorney. First elected in 1983, he also served seven years in the state House of Representatives.

One day at the DeSoto County courthouse, Grisham was present during the disturbing testimony of a twelve year old rape victim. He wondered what might happen if the father of the girl killed the rapists, setting in motion the writing of his first novel. Thinking of it as a hobby, Grisham would get up at 5 a.m. every day to get in several hours of writing time before heading off to work. Three years later, *A Time to Kill* was finished. Initially rejected by many publishers, it was eventually bought by Wynwood Press, who gave it a modest 5,000 copy printing and published it in June 1988. Legend has it Grisham sold the book out of his trunk.

The hobby of writing became much more than that with his second novel, *The Firm*. The success of that book, as well as his next two novels, *The Pelican Brief* and *The Client*, cemented Grisham's place as master of the legal thriller. This even sparked renewed interest in *A Time to Kill*.

Grisham has written one book a year since publishing *A Time to Kill* in 1988, all of which have been international bestsellers. His novels have been translated into 40 languages, and nine of them have been turned into films. He has also written a screenplay, *The Gingerbread Man*, as well as a non-fiction book (*The Innocent Man*) and a collection of short stories (*Ford County*).

Grisham contributes time and money to several charitable causes. Most recently he helped create the Rebuild the Coast Fund, which raised almost nine million dollars to help the Gulf Coast after Hurricane Katrina. He also finds time for his first love-baseball. He built six baseball fields on his property, and serves as Little League Commissioner.

A TIME TO KILL ADAPTATION

The adaptation of *A Time to Kill* that you'll see is an adaptation of John Grisham's novel by Rupert Holmes. A theatrical adaptation is the playwright's interpretation of a story, often written by another writer. The play that you will see will not be exactly the same story as the book. Some parts and characters may be omitted, and places, chronology, and other elements of the story may be altered to fit the stage and the playwright's vision of the story. It would be possible to see multiple adaptations of the same story by different playwrights that would vary greatly. Throughout the history of the stage, it has remained the artistic license of the playwright to adapt the story as he or she sees fit. In 1996, *A Time to Kill* was adapted as a film directed by Joel Schumacher and starring Matthew McConaughey as Jake Brigance, Samuel L. Jackson as Carl Lee Hailey, Kevin Spacey as Rufus Buckley and Sandra Bullock as Ellen Roark. The movie was filmed in nearby Canton, Mississippi, and is partial for the "movie boom" that is still occurring in the Jackson Metropolitan area.



Matthew McConaughey and Sandra Bullock in the 1996 film adaptation of *A Time to Kill*.

A TIME TO KILL SYNOPSIS

ACT I

The play opens with the voice of a frightened little girl screaming for her daddy. We then find ourselves in a courtroom in the Ford County Courthouse. Young lawyer Jake Brigance learns from Sheriff Ozzie Walls that the ten year old daughter of Carl Lee Hailey has been savagely beaten and raped by Billy Ray Cobb and Pete Willard. Judge Omar Noose allows Carl Lee to witness the arraignment so that no one will think anything underhanded happened in the courtroom. District Attorney Rufus Buckley is present as prosecutor, and the two men are represented by Public Defender Tyndale. During the arraignment, it is discovered that Pete Willard signed a confession, which angers Billy Ray. The judge refuses to set bail, and a bond hearing is set for two day later. The courtroom clears, leaving Jake alone with Carl Lee. Carl Lee asks Jake if he will defend him after he kills those two boys. Jake tries to reason with Carl Lee, and thinking he has been successful, lets Carl Lee leave.

The bond hearing occurs, and as the men are being escorted out of the courthouse, Carl Lee shoots both of them dead and accidentally wounds the deputy who is guarding them. He then turns himself over to Sheriff Walls. Jake comes to the jail to meet with Carl Lee and discuss the case and Jake's fee. Later, at Jake's office, we meet Lucien Wilbanks, Jake's disbarred, alcoholic mentor, who has come to assist Jake in any way he can, suggesting he go for an insanity plea. Their conversation is interrupted by Jake's wife calling to tell him about threatening phone calls she has received.

At the arraignment for Carl Lee, we meet Ellen Roark, an Ole Miss law student interning in Buckley's office. The District Attorney is very disrespectful and condescending to Roark, and her disdain for Buckley is not hard to see. During the arraignment, we learn that the state will be seeking the death penalty for Carl Lee. After the arraignment, Roark attempts to convince Jake to take her on as a law clerk, but Jake declines. Back at the jail, Carl Lee's wife Gwen comes to visit him and convince him to fire Jake in favor of NAACP lawyers.

A few nights later, Jake is in his office, constantly being harassed by phone calls which can only be coming from the KKK, or "the Klan." Lucien shows up bearing gifts—Roark, a psychiatric expert who will testify for them, and the summons list for the jury pool. As they are discussing all of this, a cross begins to burn in front of Jake's office: a message from the Klan.

The day of the trial has arrived. As Jake and Roark arrive to prepare Carl Lee, Gwen and Carl Lee ambush them with the news that they want to replace Jake with the NAACP lawyers. Jake successfully convinces Carl Lee to keep him as counsel, and they all start to enter the courtroom as Act One comes to a close.

ACT II

The act opens where Act One left off, with all the parties making their way into the courtroom. The trial starts with opening statements from each side, with Buckley championing reason and Jake appealing to the jury's humanity. Buckley calls his first witness, Cora Cobb, Billy Ray's mother, and Jake uses this as a chance to show his fearlessness to the entire court. Later that night, we find that Lucien's "psychiatric expert" is a drunk buddy of Lucien's. Jake tasks Lucien with getting him ready to testify. Then, with Roark's help, Jake finds a way to get Willard's confession, and also the rape, into the trial.

The next afternoon, Carl Lee reads Willard's confession in court. Jake then questions Carl Lee about his mental state at the time of the killings. Buckley then uses his cross examination to get Carl Lee to say that he enjoyed killing the men, and he "wished he could have killed them more". That night, Sheriff Walls finds a Klansman named Grist trying to plant a bomb under Jake's house.

The next day, it is time for Dr. Bass's expert testimony. Lucien seems to have done his job, as Bass comes off as a legitimate expert. But Buckley uncovers some unfortunate information about the doctor's past that pulls the rug out from under Jake. That night, Roark finds Jake at his office, drinking and wondering what to do. Roark gives Jake information she has discovered about Dr. Rodeheaver, the state's expert witness and head of Whitfield Mental Hospital. The sheriff then shows up to tell Jake that his house is on fire. The house burns down.

The next day in court, DA Buckley questions Dr. Rodeheaver about Carl Lee's mental state, which the doctor claims is "perfectly normal". But as Jake cross-examines him, it is discovered that he never finds a person insane when testifying for the state, yet has taken in four patients who were found insane by the jury even after he said they were sane. Jake then puts DA Buckley on the stand, exposing his dubious behavior while assassinating the character of Dr. Bass. We then are given the closing arguments, and the jury goes to deliberate.

While everyone is waiting for the jury's verdict, Lucien tells a story from his youth that impacted his open-mindedness as an adult. The jury comes back with a verdict of not guilty by reason of insanity. Jake and Carl Lee have one last moment before they go out to face the press.



CHARACTERS

Jake Brigrance: Young, idealistic lawyer who takes on Carl Lee Hailey's case.

Mr. Pate: Courtroom deputy/bailiff, he has held that position for many years.

Sheriff Ozzie Walls: No-nonsense Sheriff of Ford County. Friends with Carl Lee and Jake.

Judge Omar Noose: Ford County judge who is tasked with adjudicating (and refereeing) the Carl Lee Hailey trial

Tyndale: The public defender assigned to Cobb and Willard.

Carl Lee Hailey: Father of Cobb and Willard's victim who takes the law into his own hands and is put on trial.

Rufus Buckley: District Attorney who represents the State against Carl Lee Hailey. Has aspirations beyond District Attorney.

Billy Ray Cobb and Pete Willard: The two men who rape Carl Lee's daughter and set the story in motion.

Lucien Wilbanks: Jake's mentor who was disbarred due to his alcoholism. He arrives to help Jake, perhaps by any means necessary.

Ellen Roark: Young Ole Miss law student from the North. While she begins the play interning with Buckley, she agrees to assist Jake with the case.

Musgrove: The Assistant District Attorney under Buckley.

Gwen Hailey: Carl Lee's wife, she keeps the family together while Carl Lee is on trial. Thinks Carl Lee should fire Jake and use NAACP attorneys.

Cora Cobb: The mother of Billy Ray Cobb.

Dr. W. T. Bass: The defense's expert witness for their insanity plea. He has the same problem with drink as Lucien, and a secret that comes out during the trial.

Dr. Wilbert Rodeheaver: The head of the State Hospital at Whitfield, he is the prosecution's expert witness. He too has unexpected information during the trial.

Stump Sisson: The Imperial Wizard of the Mississippi Ku Klux Klan, Stump Sisson is the leader of the Klan demonstration in Clanton Square.



THE INSANITY DEFENSE

Although most people can choose to obey the law most of the time, a mental disease or disability can hinder a person's ability to distinguish between right and wrong. The insanity defense attempts to reconcile the potentially conflicting beliefs that criminals should be punished and that mentally unstable people should receive treatment. In short, it offers a compromise on which both the law and society at large can agree.

What is the insanity defense?

At its core, the insanity defense is a defense strategy in a criminal case. When the insanity defense is used, the defendant has to prove he can't be held liable for his actions because he was insane or unaware of his actions at the time the crime occurred. Definitions of insanity vary depending on a specific jurisdiction's case law and are not dependent on the medical symptoms of mental illness. For a defendant to successfully plead the insanity defense, he must undergo a complete mental evaluation by the proper medical officials, who will then testify to the defendant's likely mental state at the time of the crime. Since insanity, in this case, is a legal term, it is ultimately up to the judge and jury to decide the defendant's fate based on the medical testimony and supporting evidence.

A Brief History of the Insanity Defense

The earliest instance of the insanity defense was the 1843 trial of Daniel M'Naghten in England. M'Naghten attempted to assassinate British then-Prime Minister Robert Peel and in a premeditated act killed one of the prime minister's assistants. He pled insanity at his trial, and several medical officials testified to corroborate his plea without ever examining M'Naghten. The prosecution tried to counter this plea by arguing that only someone of sane mind could carry out a premeditated act, but the judge gave more weight to the medical testimonies, and M'Naghten was declared insane – a verdict condemned by Queen Victoria and the House of Lords. Their negative responses to the verdict prompted the M'Naghten Rules, a specific test to be applied by a jury during an insanity case. Also called the right-wrong test, the M'Naghten Rules state that a person is not criminally responsible if, at the time of the crime, he did not know the nature of the act or that it was wrong. With this test the jury must answer two questions:

1. Did the defendant know what he was doing when he committed the crime?
2. Did the defendant understand his actions were wrong?

The M'Naghten Rules were widely used until 1962, when a group of medical and legal professionals at the American Law Institute developed what became known as the American Law Institute test. Immediately adopted in most states, the A.L.I. test (formally, the Model Penal Code) was a combination of the "right-wrong test" and the "irresistible impulse test." It prompted a broader and more expansive test of insanity by lowering the standards that define insanity. While the M'Naghten Rules required an absolute knowledge of right from wrong, the A.L.I. test determined that a substantial incapacity to appreciate the difference between right and wrong was enough to declare a person criminally insane. With the A.L.I. test, medical examination of the defendants was given more standing in court.

The Trial of John Hinckley and Insanity Defense Reform

In 1981, the insanity defense was thrust into the national spotlight, when John Hinckley shot President Ronald Reagan, as well as a secret service agent, police officer, and Press Secretary James Brady. Hinckley said he did all this in an attempt to impress actress Jodie Foster. Hinckley described the incident as “the greatest love offering in the history of the world.” On June 21, 1982, Hinckley was declared not guilty by reason of insanity and acquitted of 13 murder, assault, and weapon counts. Hinckley’s acquittal sparked public outrage; the insanity defense seemed to serve as a legal loophole that allowed clearly guilty parties to be deemed innocent.

Congress quickly responded to the public’s displeasure with the Hinckley verdict. Twenty-six new pieces of legislation were introduced to abolish or modify the A.L.I. test used to measure “substantial capacity.” Most of the new legislation suggested ways of making a clearer and stricter template to define insanity that would prevent acquittals like Hinckley’s in the future. In 1984, the Insanity Defense Reform Act eliminated the A.L.I. test altogether and returned to the “right-wrong” standard of the 19th century. In recent years, at least 20 states have implemented “guilty but mentally ill” statutes, which entitle those convicted to receive mental health treatment while institutionalized – the latest development in the evolving relationship between mental health and the law.



THE KU KLUX KLAN

Founded in 1866 in Pulaski, Tenn., the Ku Klux Klan was originally formed as a social fraternity by six young veterans of the Confederate army. These soldiers adopted their name from the pre-Civil War college fraternity Kuklos Adelpthon (from the Greek word *kuklos* meaning “circle”). Although women were not originally admitted as members, auxiliary chapters were formed in later years, including Ladies of the Golden Den, Ladies of the Invisible Eye, and Women of the KKK.

The Klan’s evolution from social fraternity to a vehicle of social, political, and ideological deviance was spurred by the era of Reconstruction (1863-77), the period defined by efforts to reunify American government and society in the aftermath of the Civil War. The Klan’s commitment to combating this Reconstruction and keeping Republicans (both black and white) out of office made them popular among those white people struggling with poverty, lack of high-quality education, and general devastation of the post-war South. Masked Klansmen instilled fear through public lynchings and other forms of violence – at least 10% of the black legislators elected in the 1867-68 constitutional conventions were victims of violence during Reconstruction.

Mississippi

The Klan’s presence in Grisham’s fictional town of Clanton, Miss., is based on a long history in that state. Like many states across the southern U.S., Mississippi was a hotbed for racial tension and violence. Klan activity in Mississippi dates back to 1868 and is generally concentrated along the eastern border, where support from Alabama was readily available. During the years of Reconstruction, James Holt Clanton was the grand dragon, or the leader, of the KKK in Alabama and served as chairman of the state’s Democratic Party.

This legacy of violence and racial strife continued into the next century. One of the more famous cases involving the Klan was the murder of three civil rights activists – James Chaney, Andrew Goodman, and Michael Schwerner – during the Summer Freedom campaign of 1964. On June 21, 2005 – more than four decades after the murder – Edgar Ray Killen was convicted as the mastermind of the plot to murder the activists and sentenced to 60 years in prison. Killen, a self-ordained Baptist minister and kleagle (an officer of the KKK whose main role is to recruit new members) for the White Knights of the KKK of Mississippi (WKKKKM), was also a leader of a “wrecking crew,” a secret squad in the KKK assigned to commit acts of violence.





Yesterday, Today, Forever

It is difficult to know the exact number of members in the Ku Klux Klan due to its levels of secrecy and because its size has remained in a constant state of flux throughout its history. During Reconstruction, the Klan was known to be at least 500,000 members strong. However, with the 1871 Ku Klux Klan Act increasing the scope of federal authority to prosecute certain crimes perpetrated by Klansmen, Southern Democrats and many Republicans grew angry over the increase of federal power, contributing to a resurgence of white supremacist sentiment that made the KKK's role less necessary. A second generation of Klansmen, 20 million strong at its height in the 1920s, took a stand not only against African-Americans but also against Jews, foreigners, Roman Catholics, and labor. Membership ebbed again during the Great Depression but grew dramatically during the Civil Rights movement of the 1960s, despite President Johnson's vocal condemnation of the organization. Since the 1970s, Klan violence has waned nationally and is mostly associated with neo-Nazi or other extremist organizations. However, the Knights of the Ku Klux Klan, formed as a political vehicle for the Klan in 1975, continue to put forth a political platform today.

VIGILANTES

A vigilante is a person or group of persons who undertake the enforcement of laws into their own hands. In *A Time to Kill*, Carl Lee Hailey becomes a vigilante by executing the rapists of his daughter before they are tried by the legal system.

Vigilantism can trace its beginnings to ancient times, as there is an instance of vigilantism in Genesis. Jacob's daughter Dinah is kidnapped and raped by the prince of Shechem, and her brothers Levi and Simeon kill all the men of the city as revenge during their sister's rescue. Vigilantes and outlaws have repeatedly be the heroes of folk tales and legends, with Robin Hood being the most famous.

Vigilantes are even present in modern times. The Guardian Angels, a group of vigilantes form in New York City in 1979, is still going strong with chapters all over the world. In 1984, the year before the fictional events in *A Time to Kill* take place, Bernhard Goetz shot three would be muggers on a NYC subway, earning the nickname "the Subway Vigilante." There has also been instances of individuals taking on super-hero personas to fight crime.

Hollywood has certainly done its part to glamorize being a vigilante, from the *Death Wish* movies in the Eighties to the current crop of superhero films to TV shows such as *Dexter* and *Arrow*.



LEFT: Bernhard Goetz was known as the "Subway Vigilante" in New York in the Eighties.

RIGHT: From folk tales and legends, like Robin Hood, to modern day superhero films, the vigilante has been seen as a hero.



LEGAL GLOSSARY

Acquittal: A verdict in a criminal trial in which the defendant is found not guilty of the charge.

Arraignment: The proceeding in criminal cases where the accused is formally and officially charged and made aware of the charge(s).

Bail: Security, usually a sum of money, exchanged for the release of an arrested person as a guarantee of that person's appearance for trial.

Bail hearing: A conference held to determine whether a criminal defendant is entitled to bail or release pending trial; bail may be denied for several reasons, including the risk the defendant will commit additional crimes and the risk of flight. A court also may deny bail for the defendant's protection.

Capital case: A criminal prosecution in which the jury is asked to decide if the defendant is guilty and, if so, whether the defendant should be put to death. When a prosecutor brings a capital case (also called a death penalty case), the prosecutor must charge one or more "special circumstances" that the jury must find to be true to sentence the defendant to death. Each state (and the federal government) has its list of special circumstances, but common ones include multiple murders, use of a bomb, or a finding the murder was especially heinous, atrocious or cruel.

Courtroom deputy: A court employee who assists the judge by keeping track of witnesses, evidence, and other trial matters.

District attorney: An elected or appointed government official who represents the government in the prosecution of criminal offenses.

Disbarment: The removal of a lawyer from a bar association or the practice of law, thus revoking his or her law license or admission to practice law.

Due process: The concept that those subject to legal proceedings, notably persons charged with committing crimes, should have their rights under the law respected through the process, from arrest through to trial and sentencing, and should receive the full benefit and protections that those rights entail.

Expert witness: A witness who has knowledge not normally possessed by the average person concerning the topic about which he is to testify. To present testimony by an expert witness, a party first must establish that the witness has sufficient expertise on the topic to qualify as an expert.

Felony: A serious criminal offense, generally punishable by imprisonment for a term exceeding one year or, in capital cases, death.

F. Lee Bailey: A famous lawyer who has been involved in a number of well-known cases, such as the trials of Patty Hearst, Boston Strangler, and O.J. Simpson.

First appearance: A court event where the offender is first notified of his rights and the charges filed against him. Usually takes the form of an arraignment.

Grand jury: In criminal cases, a group of citizens designated to hear arguments and decide whether to charge an individual with a crime. A grand jury indictment is the first step, after arrest, in any formal prosecution of a felony. Grand juries are most commonly used in the federal courts, though they are also used by some state courts.

Hearsay: Evidence offered by a trial witness of which they do not have direct knowledge but have based on what others have said to them. Most hearsay evidence is not allowed as evidence in court.

Indictment: A formal accusation by a grand jury that sets forth charges against a defendant and states when the alleged crime occurred.

Insanity defense: In criminal trials, when defendants argue they should not be held criminally liable for breaking the law because they were legally insane at the time of the commission of alleged crimes. A defendant attempting such a defense will often be required to undergo a mental examination beforehand. The legal definition of "insane" is not synonymous with psychiatric definitions of "mentally ill." When the insanity defense is successful, the defendant is usually committed to a psychiatric hospital.

Hung jury: Occurs when jurors cannot unanimously agree on a verdict of guilty or not guilty, followed by the judge declaring a mistrial. The case may or may not be retried, at the discretion of the prosecutor.

Law clerk: Assistant to an attorney or a judge who helps to research and draft legal documents.

Malice aforethought: Specifically in the criminal law, malice aforethought is the element of *mens rea* (Latin for "guilty mind"), or criminal intent, required to secure a conviction for premeditated murder. For example, a determination that a defendant on trial for murder was legally insane at the time of the act negates the required criminal intent for premeditated murder, as it reflects the defendant did not possess malice aforethought when committing the act.

Mississippi State Court System: Felony trials in Mississippi are held in circuit courts. There are 22 circuit court districts and 53 circuit court judges. Circuit court judges are selected in nonpartisan elections to serve four-year terms. Trials are heard by a 12-member jury. If a defendant chooses to appeal his conviction, the appeal is heard by a court of appeals, then by the Mississippi Supreme Court (if it grants review). Convictions for capital crimes are often appealed to the federal court system as well, up to and including the U.S. Supreme Court.

Mistrial: A trial terminated and declared void before reaching a verdict, due to extraordinary circumstance, serious prejudicial misconduct, or a hung jury. A mistrial does not result in a judgment for any party but merely indicates a failure of trial. Criminal defendants may be tried again after a mistrial at the discretion of the prosecutor.

Objection: A formal protest raised in court during a trial to disallow a witness' testimony or other evidence that would be in violation of the rules of evidence or other procedural law.

Order to show cause: A court order telling a person to appear in court and explain why a certain judgment should not be entered by the court.

Overruled: The rejection by the court of a party's objection.

Premeditated murder: The crime of wrongfully causing the death of another person after rationally considering the timing or method of doing so, to increase the likelihood of success or to evade detection or apprehension.

Preliminary hearing: A proceeding held after a criminal complaint has been filed to determine whether there is enough evidence to require a trial.

Prosecutor: A government official who conducts criminal prosecutions on behalf of the state. A district attorney is a specific type of prosecutor.

Public defender: A lawyer appointed by the court and paid by the county, state, or federal government to represent clients charged with violations of criminal law who are unable to pay for their defense.

Subpoena duces tucum: A court summons ordering a named party to appear before the court and produce documents or other tangible evidence for use at a hearing or trial.

Sustained: In court, to "uphold the validity or correctness of." When a party objects to testimony, the entry of evidence, or other trial procedure, the court decides whether to overrule the objection (reject it) – or sustain it – that is, declare the objection valid.



Audience Etiquette

For many of your students, a visit to New Stage Theatre to see *A Time to Kill* may be their first theatre experience. It may be helpful to discuss with them the expected behavior of an audience. New Stage asks that prior to the performance, students are made aware of the following:

- Stay with your group at all times and pay attention to your teachers and chaperones.
- Listen to the New Stage staff member who will board your bus and escort your group to the lobby.
- Be sure to go to the bathroom before the performance begins. It is hard to leave once the performance begins.
- Make yourself comfortable while keeping movement to a minimum.
- Please do not stand up, walk around or put your feet on the seat in front of you.
- Absolutely no gum chewing, eating or drinking in the theatre.

Noise

Live theatre means live actors who can hear not only what is happening on the stage, but in the audience as well. While laughter and applause at appropriate time are appreciated by the actors, excessive noise and talking is not. Even whispering voices can be distracting to the actors and others in the audience.

- Do not talk during the performance.
- Cell phones are prohibited in the theatre. If you have one turn it off and put it away and do not bring it out during the performance.

Applause

Applause is used to acknowledge the performers and to voice appreciation or approval. Traditionally, applause comes before intermission and at the performance's conclusion. Dimming the lights on the stage and bringing up the house lights usually signals these intervals. A curtain call in which the cast returns to the stage for bows usually follows a performance.

TOPICS FOR DISCUSSION

1. This novel describes in detail the judicial proceedings of a capital murder case. How do the proceedings relate to the issue of justice? Do the proceedings produce justice? How does skill at law figure the accomplishment of justice? How does the book impact your beliefs in the American system of criminal justice?
2. Who are the "good" lawyers in the book? What does "good" mean in this context — adept at legal tactics, or morally upstanding, or both?
3. How comfortable are you with the resolution of Carl Lee's case?
4. What aspects of the book do you think you will recall when you read about or discuss other court cases?
5. How would you define race relations in Clanton?
6. Compare *A Time to Kill* with *To Kill A Mockingbird* by Harper Lee, another book set in the South with race relations and the legal system as key elements of the book. How are the two books similar? How do they differ? Specifically, compare and contrast Jake Brigance with Atticus Finch, the defense lawyer in *To Kill A Mockingbird*.



Student Evaluation Form—*A Time to Kill*

Name: _____

School: _____

What was your overall reaction to the play?

What was your reaction to the production values of the play (costumes, scenery, acting, etc.)?

What was your favorite part of the play?

Did you learn anything from this production? If so, what?

What other stories would you enjoy seeing staged by live actors?

Please list other comments and observations?

Please help New Stage by sharing your thoughts with us! Return this form to
Chris Roebuck/ Education Director/ New Stage Theatre/ 1100 Carlisle St/ Jackson, MS
39202 or fax to 601.948.3538

Teacher Evaluation Form—*A Time to Kill*

Name: _____ School: _____
_____ What is your overall reaction to the production?

How do you feel about the production values of the performance (costumes, set, performers, etc?)

How did your students react to the production? (We would appreciate any written response from your students)

Please comment on the educational value of the program.

What is your overall reaction to the question and answer (talk-back) session?

How did you hear about the New Stage production of *A Time to Kill*?

What other plays would you like for your students to see?

Please list other comments and observations.

Please help New Stage by sharing your thoughts with us! Return form to:
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