

MOCK TRIAL DEBATE

Political Involvement

BEFORE THE COMMUNITY COURT OF THE LATINO COMMUNITY

THE LATINO COMMUNITY

v.

U.S. LATINO BELIEFS
TOWARD
POLITICAL PARTICIPATION

Cause No. LCC-08-06012-S |



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AGREED JOINT PRE-TRIAL ORDER AND STATEMENT OF STIPULATED FACTS

The Court enters and approves this Agreed Joint Pre-Trial Order and Statement of Stipulated Facts as binding in the above titled and numbered case.

I Parties and Attorneys

The Prosecution, Latino Community, "The Community," is represented by the Office of Latino Community Prosecutor (OLCP).

The Defendant Beliefs are represented through the Office of Latino Community Defender (OLCD).

II. Background

The Office of the Latino Community prosecutor in January 2008 filed a Complaint for Declaratory Judgment against the dominant beliefs that the members of the Latino Community have toward political involvement. The OLCP alleges that these beliefs are inconsistent with the values and goals of the Latino community found in Article Two of the Latino Code. The Office of the Latino Community Defender filed an Original Answer on behalf of the Defendant Beliefs generally denying the Prosecution's allegations and responding that the beliefs are consistent with Article Two.



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III. Issue Proper for Trial

It is the finding and order of the court that the only issue proper for trial is whether or not the dominant beliefs that members of the U.S. Latino Community have toward political participation are consistent with the values and goals of the U.S. Latino Community found under Article Two. The beliefs are:

That being elected to political office is the primary way a community member can effect the direction of public policy.

That loyalty to one of the two major political parties is the most effective way to achieve the U.S. Latino Community's political agenda.

The Court rules that both must be viewed together and both must comply with the social value code. The court admonishes the parties that these are the only issue that will be considered in the trial.

Furthermore, the Court rules that the scope of this trial is limited to the impact that these beliefs will have on the future generations of the U.S. Latino Community. Argument and testimony related to the current state of affairs and position of the Community is only within the scope of this trial when it used to illustrate an impact on the future capacities of the U.S. Latino Community. Relevant argument is restricted to subject that matter that relates to the consistency or inconsistency that these beliefs have on the values and goals of the community found under Article Two. Any other matters—including the specific acts of anyone are irrelevant and inadmissible in trial.

The Court further admonishes the parties that this case only involved U.S. Latinos.

IV. Applicable Law

The parties agree and the court rules that the applicable law in this case is Article Two of the Latino Community Code as set forth below. The Latino Community created the Latino Community Code to apply in these situations and in these lawsuits. The applicable sections are listed as follows.

§ 2.01. Latino Social Value Code.

All beliefs, motives, attitudes, and practices shall be consistent with the dominant values of the Latino Community.

Beliefs, motives, and attitudes comply with the values of the Latino Community when they encourage further growth and development of the entire community. Above all, these beliefs, motives, and attitudes must encourage behaviors that induce growth in the spiritual, social, political, economic, and/or intellectual capacities of the community. If a belief, motive, or attitude encourages behaviors that have potential not to produce growth and could possibly lead to a regression of these capacities then they shall be considered in contradiction with the values and goals of the Latino Community.



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§ 2.10. Criteria concerning beliefs towards political and civic participation.

When preparing their cases for trials concerning beliefs toward political and civic participation under §2.01, the parties should consider the following value statements:

Beliefs should direct members of the community towards becoming actively engaged citizens to the extent that they actively and consistently participate in politics.

Beliefs should encourage members to exercise political influence upon the local and national levels.

Beliefs should drive members of the community to participate in the political arena beyond the formal procedures of the political process.

Beliefs should promote members to actively construct a Latino Community Political Agenda that is based in the values and goals of that community.

Beliefs should first and foremost contribute to the cause of unifying the voice of the Latino Community.

§2.26. Definitions.

All words in this Article shall be interpreted to have their plain language meaning

§2.27. Standard of Proof.

Required Proof. In a prosecution brought under this article, the Prosecution shall be required to prove its case by clear and convincing proof. This standard is a qualitative standard of decision and not a quantitative standard.

Definitions. For the purpose of this section:

- (1) The term proof includes both evidence and argument.
- (2) Clear and Convincing Proof means the measure or degree of proof that produces a firm belief or conviction of the truth of the allegations sought to be established.

V.

Other Rulings and Orders of the Court.

The Court rules that it has jurisdiction in this case, that all parties are properly before the court and have standing to proceed. The Court also ruled that the case constituted a proper class action lawsuit. The Court finds and orders that the only rules of decision and applicable law shall in this case be Article Two as stated above and that no other portions of the Latino Code apply. The Court assigns this matter for the trial on the merits during the appropriate Young Leaders Conference Great Debate.

