

# Class Starters & Enders

## Making the Most of Instructional Time Five Minute Lessons

Class Starters and Enders help utilize the last minutes of class when a lesson ends but there is not enough time to start another, or for an interest approach at the beginning of class. Mini-lessons correlate to GPS in the programs areas below.

### It Wasn't Me—Nolo Contendere

Program Areas: Law and Justice

**Instructions:** Read the material and make notes of important points, answer questions, and be ready to discuss this topic.

“How do you plead?” Thousands of Americans hear these four words each year. While everyone is familiar with the pleas “guilty” and “not guilty,” many people are unfamiliar with a third plea.

**Nolo Contendere**, or a plea of no contest, is a legal term that is Latin for “I do not wish to contend.” In criminal trials, it is a plea where the defendant neither admits nor disputes a charge. While not technically a guilty plea, it has the same immediate effect as a guilty plea and is often offered as part of a **plea bargain**. The opportunity to offer this plea, however, is not an inherent right and carries various restrictions on its use.



In the United States, state law determines whether, and under what circumstances, a defendant may plead no contest. This is unusual for a **common law country**—many countries with similar legal systems prohibit the plea altogether. The Federal Rules of Criminal Procedure in the U.S. only allow a *nolo contendere* plea to be entered with the court's consent. Before accepting the plea, the court is required to “consider the parties' views and the public interest in the effective administration of justice.”

*Nolo contendere* may have different long-term effects or consequences in future actions. A **conviction** arising from a *nolo contendere* plea is subject to any and all penalties, fines, and forfeitures of a conviction from a guilty plea in the same case.

A person who pleads no contest but is still convicted of a crime is just as guilty as if he or she pleaded guilty. However, a plea of nolo is useful in specific cases for legal maneuvering. One example might be when the defendant asserts his/her innocence, but the circumstances are such that their case cannot be won in court. He/she might choose to plead nolo so he/she can plea bargain. In such circumstances, a reduced punishment is likely, such as probation or a shorter term of imprisonment; this may be more attractive than facing a trial and the possibility of much harsher sentencing.

#### Review

1. Why would one wish to plead *nolo contendere*?
2. What conditions must be met before a court will accept a plea of no contest?
3. Is the ability to plea *nolo contendere* an inherent right?
4. What are the three pleas?
5. What is the difference between a guilty plea and a plea of no contest?
6. True or False: An individual found guilty who pled nolo is subject to the same penalties as a person who pled guilty.

#### Language Connection

Define the following terms.

Nolo Contendere	No Contest	Common Law Country
Conviction	Plea Bargain	Civil Proceedings

#### History Connection

Prepare a written report on *North Carolina v. Alford*. Does this constitute a plea of no contest? Why or why not?

#### Latin Connection

Many commonly used legal terms are Latin terms. Research and write a one page paper on the use of Latin in law and justice.