



## The New Mexico Supreme Court Rule of Law Program 2026 *State v. Mendez: Lesson Plan*

### A. Objective

To introduce New Mexico students and adults to the judicial system and legal ideas through case law analysis and discussion. By holding oral arguments outside of the Supreme Court's courtroom, we hope to engage citizens in the democratic process and promote an understanding of the rule of law.

### B. Grade Level

9-12+

### C. Time

One class period (50 Minutes)

### D. Before Class

Review the 2026 Rule of Law Program education materials, including this Lesson Plan, the Discussion, and the Glossary.

### E. Activity Ideas

#### Activity 1

Both the New Mexico and United States Constitutions protect the right to a jury trial. Have students read Article II, §§ [12](#) and [14](#) of the New Mexico Constitution and the [Sixth Amendment](#) to the United States Constitution. *See* Section H. In this activity, students will participate in a debate in which they argue either the positive or negative aspects of a trial by jury.

1. Divide students into two groups. One group will argue for jury trials and one will argue against jury trials. Either the teacher or selected student(s) may moderate.
2. Use the following questions to guide the debate between the two groups.
  - a. Juries deliberate and reach verdicts in secrecy. Debate the advantages and disadvantages of this secrecy.
  - b. Typically, jurors have no legal training, which may affect how well they understand the legal proceedings before them. Debate how this impacts a trial's fairness.
  - c. The jury selection process (*voir dire*) aims to create a fair and representative jury. Debate the extent to which *voir dire* achieves this goal.

If desired, students may create posters or presentations to represent their assigned group's arguments. *See* Section I (Images).

## Activity 2

In this activity, students participate in a mock jury selection. First, have students read the definitions of “peremptory challenge” and “challenge for cause” in the Glossary. Answer any questions that they may have. Then, have students read Rule [5-606](#) NMRA for information on jurors in criminal cases in New Mexico’s district courts, including peremptory challenges to them.

1. Divide students into groups. Some students will be potential jurors; the rest will represent either the State or the Defense.
2. Present students with the case details. *See* Section J.
  - a. Hand out blank [Juror Questionnaire Forms](#) to the potential jurors. Have them complete the Forms as themselves or as imaginary characters. *See* Section K.
3. Have the State and the Defense identify the potential jurors that they would challenge for cause.
  - a. Each group will then discuss their choices with the class.
4. Have the State and the Defense identify the potential jurors on whom they would use a peremptory challenge. For the purposes of this activity, the State gets three peremptory challenges, while the Defense gets five.
  - a. Each group will then discuss their choices with the class.
5. Did the students have any questions during this process? To stimulate discussion, some suggested questions include:
  - a. Do you think this process creates a fair and unbiased jury? Why or why not?
  - b. How would you change the jury selection process?

## F. Discussion Questions

1. What does the Supreme Court have to decide in this case?
2. How is the Supreme Court’s role different from the trial court’s role in this case?
3. Describe the differences between what a trial court does and what an appellate court does.
4. How might the decision in this case affect future cases?
5. During the oral argument, did the lawyers and the Supreme Court Justices behave the way you expected?
6. How did the oral argument compare to what you have seen in television shows and movies?
7. What are some examples of prejudice or bias that a juror might have that could influence deliberations?

## G. Resources for More Information

American Bar Association, *Voir Dire Simulation*,  
[https://www.americanbar.org/groups/public\\_education/resources/lesson-plans/middle-school/voir-dire-simulation/](https://www.americanbar.org/groups/public_education/resources/lesson-plans/middle-school/voir-dire-simulation/) (last visited Feb. 27, 2026).

Colorado Judicial Branch, *Community and Educational Resources*,  
<https://www.coloradojudicial.gov/community-and-educational-resources/lesson-plans> (last visited Feb. 27, 2026).

Federal Judicial Center, *U.S. v. Dellinger: The Chicago Seven Conspiracy Trial*,  
<https://www.fjc.gov/history/cases/famous-federal-trials/us-v-dellinger-chicago-seven-conspiracy-trial> (last visited Feb. 27, 2026).

Judicial Learning Center, *How the Federal Courts Work*,  
<https://judiciallearningcenter.org/educator-how-courts-work/> (last visited Feb. 27, 2026).

Nancy Gertner, Judith H. Mizner & Joshua Dubin, *The Law of Juries* (11th ed. 2020),  
<https://n10045.eos-intl.net/N10045/OPAC/Details/Record.aspx?BibCode=201926700>.

New Mexico Courts, *About Jury Duty*, <https://jury.nmcourts.gov/about-jury-duty/> (last visited Feb. 27, 2026).

TeachLaw, *Advantages and Disadvantages of Using a Jury*,  
<https://www.teachlaw.net/post/advantages-and-disadvantages-of-using-a-jury> (last visited Feb. 27, 2026).

Texas Law-Related Education, *Pick Twelve: An Interactive Jury Game for Secondary Students*,  
<https://texaslre.org/wp-content/uploads/2019/07/Pick-12-Jury-Game-Script-7-22-19.pdf> (last visited Feb. 27, 2026).

## **H. Constitutional Provisions**

### **N.M. Const. art. II, § 12**

The right of trial by jury as it has heretofore existed shall be secured to all and remain inviolate. In all cases triable in courts inferior to the district court the jury may consist of six. The legislature may provide that verdicts in civil cases may be rendered by less than a unanimous vote of the jury.

### **N.M. Const. art. II, § 14**

No person shall be held to answer for a capital, felonious or infamous crime unless on a presentment or indictment of a grand jury or information filed by a district attorney or attorney general or their deputies, except in cases arising in the militia when in actual service in time of war or public danger. No person shall be so held on information without having had a preliminary examination before an examining magistrate, or having waived such preliminary examination.

A grand jury shall be composed of such number, not less than twelve, as may be prescribed by law. Citizens only, residing in the county for which a grand jury may be convened and qualified as prescribed by law, may serve on a grand jury. Concurrence necessary for the finding of an indictment by a grand jury shall be prescribed by law; provided, such concurrence shall never be by less than a majority of those who compose a grand jury, and, provided, at least eight must concur in finding an indictment when a grand jury is composed of twelve in number. Until otherwise prescribed by law a grand jury shall be composed of twelve in number of which eight must concur in finding an indictment. A grand jury shall be convened upon order of a judge of a court empowered to try and determine cases of capital, felonious or infamous crimes at such times as to him shall be deemed necessary, or a grand jury shall be ordered to convene by such judge upon the filing of a petition therefor signed by not less than the greater of two hundred registered voters or two percent of the registered voters of the county, or a grand jury may be convened in any additional manner as may be prescribed by law.

In all criminal prosecutions, the accused shall have the right to appear and defend himself in person, and by counsel; to demand the nature and cause of the accusation; to be confronted with the witnesses against him; to have the charge and testimony interpreted to him in a language that he understands; to have compulsory process to compel the attendance of necessary witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed. (As amended November 4, 1924, effective January 1, 1925, November 4, 1980, and November 8, 1994.)

### **U.S. Const. amend. VI**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

## I. Images

**Note:** Please refer to the Bibliography in the 2026 Rule of Law Program education materials for citation information.

### 1. The Jury



Source #14.

### 2. War Jury



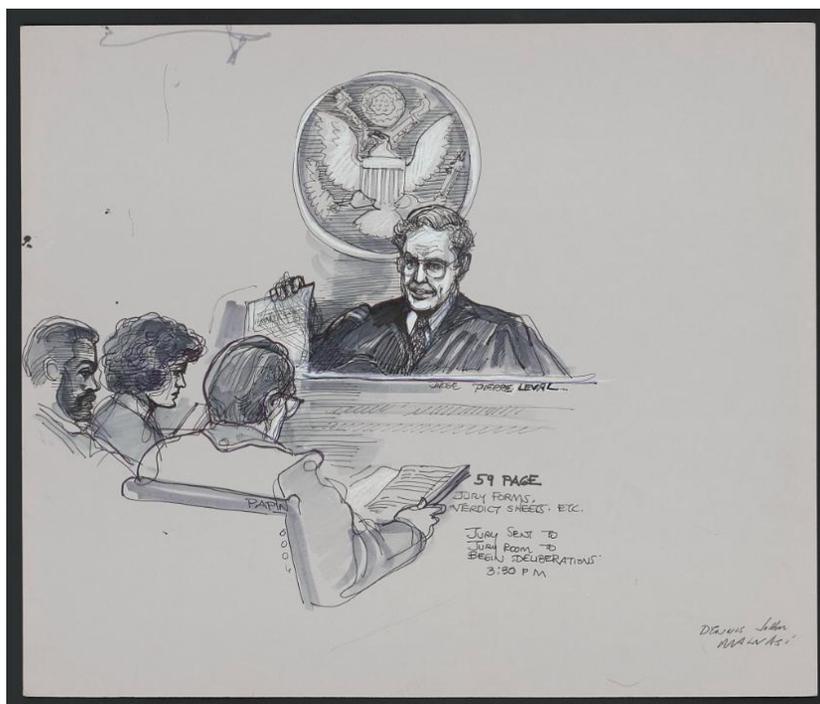
Source #10.

### 3. Called for Jury Duty



Source #8.

### 4. Jury Sent to Jury Room to Begin Deliberations



Source #9.

## **J. Case Details for Activity 2**

**Note:** This case summary was created by the New Mexico Supreme Court Law Library for the purposes of this activity.

This case involves the prosecution of the crime of robbery. Brian Jones, the defendant, has been accused of stealing a purse from Sally Warner, the victim. Sally reports that she was walking from her car towards the front door of a store when someone approached her from behind, grabbed her purse, and ran. The victim states that she did not get a good look at who robbed her. Shortly thereafter, a police officer observed the defendant dumping out a handbag behind a neighboring store. The officer approached the defendant, and when questioned, the defendant stated that he had found the bag behind the store and was looking for identification so he could return it to the owner. The defendant faces a robbery charge. It is your task to select a jury to hear his case.

## K. Juror Questionnaire Form

### 9-513C. Juror questionnaire.

[For use with Rules 5-606, 6-605, 7-605 NMRA]

### JUROR QUESTIONNAIRE FORM

*Juror ID Number:* \_\_\_\_\_

Please answer all questions, 1-20, and **SIGN**. The Juror Questionnaire will be provided to the attorneys, parties, and judges in all cases you may be selected to hear as a juror. The answers you provide will aid in the process of selecting a jury. If you do not understand a question, please place a question mark (?) next to the question. **If you do not have enough room to answer the question, please use the space provided after question 20 or a separate sheet of paper.** If there is a question you would rather discuss with the judge and attorneys in private, please indicate with an asterisk (\*). Thank you for your cooperation.

1. Salutation (*optional - Ms./Mrs., Mr., or Mx.*), legal name, and former names:  
\_\_\_\_\_  
\_\_\_\_\_
2. Pronouns (*optional - he/him/his, she/her/hers, or they/them/theirs*) and gender:  
\_\_\_\_\_  
\_\_\_\_\_
3. Birth year: \_\_\_\_\_
4. What is your race or ethnic background? \_\_\_\_\_
5. In which Neighborhood and/or Area do you live? \_\_\_\_\_  
Where else have you lived (*city, state, country*)? \_\_\_\_\_
6. What is your marital status?  **Single**  **Married**  **Domestic partner**   
**Separated**  **Divorced**  **Widowed**
7. If you are married or in a domestic partnership, please provide spouse's/partner's full name and occupation. \_\_\_\_\_  
\_\_\_\_\_
8. Do you have any children or step children?  **Yes**  **No**  
How many? \_\_\_\_\_ ages \_\_\_\_\_ occupations \_\_\_\_\_
9. Name of current or most recent employer and place of work: \_\_\_\_\_  
Occupation/job title and duties: \_\_\_\_\_

Dates of employment: \_\_\_\_\_

10. How many years of schooling have you completed? \_\_\_\_\_  
Highest level completed/degree \_\_\_\_\_  
Major areas of study: \_\_\_\_\_
11. Do you belong to or participate in any religious, civic, social, union, professional, fraternal, political, or recreational organizations? Please list all:  
\_\_\_\_\_
12. Current political party affiliation: \_\_\_\_\_
13. Have you or any member of your immediate family been the victim of a crime?  
 **Yes**  **No** If **yes**, who was the victim? \_\_\_\_\_  
What crime? \_\_\_\_\_ When? \_\_\_\_\_ Was an arrest made?  
 **Yes**  **No**
14. Have you ever served as a juror?  **Yes**  **No**  
(If **yes**, please check)  **Grand Jury**  **Civil**  **Criminal**
15. Have you or anyone close to you ever sued anyone, or been sued?  
 **Yes**  **No**  
If **yes**, please explain: \_\_\_\_\_
16. Have you or an immediate family member ever been an agent, employee, or representative of an insurance company?  **Yes**  **No**
17. Have you or an immediate family member been a defendant in a criminal case?  
 **Yes**  **No**  
If **yes**, please explain: \_\_\_\_\_
18. Have you or any family member ever been employed by a Court, law enforcement agency, jail or prison, or any attorney's office?  
 **Yes**  **No**  
If **yes**, name of employer: \_\_\_\_\_
19. Do you have a physical or mental disability of which we need to be aware?  
 **Yes**  **No**  
Are you presently taking any medication that may affect your ability to serve as a juror?  **Yes**  **No**  
If **yes**, are there any special accommodations, services, or assistance we can provide during your jury service? \_\_\_\_\_
20. Is there any reason you could not serve as a juror?  **Yes**  **No**

(If you are requesting an excusal or postponement for this reason, you must complete and submit the Request for Postponement, Excusal, or Exemption Form)

If yes, please explain: \_\_\_\_\_

Use this space for any additional comments: \_\_\_\_\_

\_\_\_\_\_

**I SWEAR OR AFFIRM THAT THE INFORMATION I HAVE PROVIDED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

\_\_\_\_\_  
Signature of prospective juror, or preparer (if different than prospective juror)

\_\_\_\_\_  
Date

[Approved by Supreme Court Order No. 17-8300-016, effective December 31, 2017; as amended by Supreme Court Order No. 19-8300-022, effective December 31, 2019; as amended by Supreme Court Order No. S-1-RCR-2024-00063, effective for all cases pending or filed on or after October 7, 2024.]