2020
UTAH
MOCK TRIAL HANDBOOK

Sponsors

UTAH STATE BAR
UTAH BAR FOUNDATION
UTAH ADMINISTRATIVE OFFICE OF THE COURTS

Salt Lake City, Utah
FOREWORD

Law-Related Education (“LRE”) has become an integral part of elementary and secondary school curriculum. LRE emphasizes fundamental issues and concepts in democratic governance. LRE focuses upon law, its sources, meaning, and consequences. LRE helps provide the skills necessary for making moral and ethical decisions.

Since its inception, the goal of Utah Law Related Education has been to encourage students to be more active, concerned, and knowledgeable citizens. The Utah Mock Trial Program provides an excellent opportunity for secondary students to practice citizenship and legal skills in a judicial setting.

The Utah Mock Trial Program thanks:

- **teachers** who field teams,
- **attorneys** who coach those teams,
- **judges and court personnel** who allow mock trials to be held in their courtrooms,
- judges, attorneys, and community members who judge the mock trials, and
- **students** whose hard work gives adults hope for the future.
THE UTAH MOCK TRIAL PROGRAM

The Utah Mock Trial Program was established in 1980 to teach students their legal rights and responsibilities as citizens. Each year volunteer attorneys write the case or revise and adapt a legally authentic case involving issues relevant to students’ own personal experiences:

- Plaintiff filed a lawsuit against the Defendants, Strikers Soccer Coach, Strikers Soccer Club Director, and Strikers Soccer Club, Inc., arguing that they were negligent in returning Plaintiff to play too soon after an earlier concussion and are, therefore, liable for the damages Plaintiff sustained.
- Defendant, Detective Zabriskie, was arrested for the murder of Orson Hayes, a repeat criminal offender and suspected drug dealer. According to eye-witness testimony from the victim’s cousin, Zabriskie was the murderer. Evidence analyzed by a forensic specialist supported the cousin’s claim. Zabriskie claimed innocence, and a fellow police officer and eyewitness supported his story.
- Defendant, Lee Morgan Hatch, built a fire on his/her property. Given the windy conditions that evening, the prosecution alleged that sparks flew from Hatch’s fire into the air; specifically, into the State Park Campground. The fire destroyed 1,875 acres in the State Park, including the campground, RV’s, boats, ATV’s, trucks, automobiles, and tents. Over 50 individuals were treated for smoke inhalation and burns. The Prosecutor stated on information and belief that the defendant committed the following: Causing a Catastrophe or, in the alternative, the lesser included offenses of Reckless Burning and Abandoning a Fire.
- Plaintiff, Justin Hall, a minor child and the only son of Jesse Hall, sustained serious injuries while attending ForensiTech forensic science camp. A camp counselor led Justin and other students on an off-campus hike, but the group became lost and ended up spending the night on a mountain in a rain storm. Justin awoke in a confused state, fell down the mountain, and struck his head. As a result, Justin sustained a spinal cord injury resulting in quadriplegia and a serious concussion leading to long-term impairment. Justin filed a lawsuit against ForensicTech, Inc., arguing gross negligence in sending the students on an unfamiliar hike. The Defendant denies gross negligence, claiming that Justin's own actions in hiding his Type I diabetes from the camp staff led to his confusion and ensuing injuries.
- An excessive force action was brought by Plaintiff, Savea Tuvalle, against Defendant, Emigration Police Department, for the use of pepper spray by Defendant’s agent, a school resource officer at Emigration High School. Savea, a minor who was diagnosed with Asperger’s Syndrome, was ordered by the Officer to hand over his backpack in which it was later determined to contain a 3D non-functional model of a gun.

The program generates significant community interest. Over 250 attorneys and community members throughout the state assist in coaching, making arrangements for the use of actual courtrooms, securing judges, and judging the mock trials. The Utah Mock Trial Program is open to all students in public and private junior high, middle, and senior high schools in Utah. In the 2019 Mock Trial Program, more than 700 junior and senior high school students on 60 mock trial teams participated.
PROGRAM OBJECTIVES

The Utah Mock Trial Program is designed to give people an understanding of the law, the legal system, and their rights and responsibilities as engaged citizens. Our objectives include the following:

● To recognize the vital importance of our United States Constitution and the Utah State Constitution.

● To further an understanding of the law, court procedures, and our legal system.

● To encourage students to be engaged citizens endowed with the knowledge, skills, attitudes, and confidence to participate fully in democratic life.

● To increase students’ proficiency in basic life skills, such as listening, speaking, reasoning, and responsive thinking.

● To heighten career consciousness of law-related professions.

● To promote increased communication, civility, and cooperation among legal professionals, educators, students, and community participants.

● To give teachers and student participants, as well as the many friends, parents, and community members who attend the mock trials, an increased understanding and appreciation of the dynamic nature of the law and the legal system.

For Further Information, Contact:

Utah Law Related Education
645 South 200 East, Suite 101
Salt Lake City, Utah 84111
801.322.1802
Fax: 801.323.9732
E-mail: lawrelated@xmission.com
www.lawrelatededucation.org
ACKNOWLEDGMENTS

The Utah Mock Trial Program is made possible by funds and support from the Utah State Bar, the Utah Bar Foundation, the Utah Administrative Office of the Courts, and participating teams.

Through its leadership and members, the Utah State Bar assists Utah LRE in securing attorney coaches, judges, and courtrooms for various rounds of the competition, providing certificates of merit for participating students, and honoring the winning teams. Utah LRE wishes to thank the Utah State Bar for its strong support over the past forty (40) years.

Over 250 volunteers from the Utah State Bar and Utah communities act as coordinators, judges, coaches, and advisors for the Mock Trial Competition. The program is indebted to them for their support and guidance. The judges and court personnel who graciously permit the use of their courtrooms deserve special thanks.

The 2020 mock trial case was co-authored by Elise Wilson and Susan H. Johnson, the State Coordinator of the Carolina Center for Civic Education. Kristina Kindl, past Chair of the Utah Law Related Education Board, made significant revisions and updated the case. Utah LRE expresses its gratitude to our dedicated Board of Directors for their comments and outstanding commitment to the legal education of youth in the State of Utah.
## CALENDAR OF EVENTS

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<tr>
<th>Date</th>
<th>Event Description</th>
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<tr>
<td>September 5, 2019</td>
<td>Teacher/Coach Round Table</td>
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<tr>
<td>December 2019</td>
<td>Mock Trial Strategy Workshops for Students</td>
</tr>
<tr>
<td>December 2, 2019</td>
<td>Mock Trial Registration due</td>
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<tr>
<td>January, February, March 2020</td>
<td>Judges recruited</td>
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<tr>
<td>January 8 (4:00 - 5:30 p.m.)</td>
<td>Teacher Meeting (Attorney-coaches also are invited.)</td>
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<tr>
<td>January 8 (5:30 - 7:30 p.m.)</td>
<td>Attorney CLE Meeting (Mock trial teachers also are invited.)</td>
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<tr>
<td>February 12 to March 19</td>
<td>Playoff Rounds</td>
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<tr>
<td>March 3</td>
<td>High School Round of Sixteen</td>
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<td>March 5</td>
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<td>March 13</td>
<td>Semi-final Rounds</td>
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<tr>
<td>March 18</td>
<td>High School Finals</td>
</tr>
<tr>
<td>March 19</td>
<td>Junior High School Finals</td>
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<tr>
<td>May 6-9, 2020</td>
<td>National Mock Trial Competition</td>
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<td>Evansville, Indiana</td>
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Each team will participate in a minimum of two trials in the playoff rounds. Because participating schools come from areas throughout the state, teams should expect to travel for their trials. It is the responsibility of the teacher-sponsor to handle permission and logistics for travel.

Above all else, we hope that the benefits of participating in this year’s competition will go far beyond the rewards associated with competing against one’s peers and perhaps winning a round or two. Please stress cooperative planning, civility, courtesy, and teamwork among participants.
MOCK TRIAL SIMPLIFIED STANDARDS OF PROFESSIONALISM

A lawyer’s conduct should be characterized at all times by personal courtesy and professional integrity in the fullest sense of those terms. In fulfilling a duty to represent a client vigorously as lawyers, we must be mindful of our obligations to the administration of justice, which is a truth-seeking process designed to resolve human and societal problems in a rational, peaceful, and efficient manner.

Conduct that may be characterized as uncivil, abrasive, abusive, hostile, or obstructive impedes the fundamental goal of resolving disputes rationally, peacefully, and efficiently. Lawyers should exhibit courtesy, candor, and cooperation in dealing with the public and participating in the legal system. Civility and professionalism are hallmarks of a learned profession dedicated to public service. To that end, the following principles shall be observed:

1. Lawyers shall advance the legitimate interests of their clients, without reflecting any ill-will that clients may have for their adversaries, even if called upon to do so by another. Instead, lawyers shall treat all other counsel, parties, judges, witnesses, and other participants in all proceedings in a courteous and dignified manner.

2. Lawyers shall advise their clients that civility, courtesy, and fair dealing are expected.

3. Lawyers shall not, without an adequate factual basis, attribute to other counsel or the court improper motives, purpose, or conduct. Lawyers should avoid hostile, demeaning, or humiliating words in written and oral communications with adversaries. Neither written submissions nor oral presentations should disparage the integrity, intelligence, morals, ethics, or personal behavior of an adversary.

4. Lawyers shall never knowingly attribute to other counsel a position or claim that counsel has not taken.

5. Lawyers shall make good faith efforts to resolve by stipulation undisputed relevant matters, particularly when it is obvious such matters can be proven, unless there is a sound advocacy basis for not doing so.
Please review the following Code of Conduct carefully . . . Each teacher-coach is required to familiarize team members, parents, and other guest-observers with the content of this Code of Conduct.

CODE OF ETHICAL CONDUCT

- All Participants shall do their part during the Mock Trial competition to achieve the following specific goals:
  1. Promote cooperation, academic integrity, honesty, and fair play among students.
  2. Promote good sportsmanship and respect for others in both victory and defeat. Teachers/coaches should focus attention on the educational value of the mock trial competition.
  3. Adhere to the Utah Mock Trial rules and procedures.
  4. Adherence to these principles is the responsibility of each teacher-coach and all team members. Any matter that arises regarding students shall be referred to the teacher-coach of the team involved. Adult coaches and judging panel members shall not chastise the students of the involved team privately or in front of the students.
  5. Improve proficiency in speaking, listening, reading, critical thinking, reasoning, and analytical skills.
  6. Promote respect for the judicial system and instill the use of proper courtroom decorum.
  7. Promote the exchange of ideas among students while providing a fun, rewarding, and memorable experience.
  8. Foster teamwork, collaboration, and cooperation among young people of diverse interests and abilities.
  9. Promote communication and cooperation among community members, including students, teachers, government leaders, law professionals, and others.
  10. Abstain from making disparaging, demeaning, or sarcastic remarks or comments about one another. Focus on courtesy and good manners toward others.
  11. Participants and observers should demonstrate exemplary conduct both in and out of the courtroom during all mock trial related events.
  12. Participants should focus on accepting defeat and success with dignity and restraint.
  13. Trials shall be conducted honestly, fairly, and with the utmost civility.
  14. Attorney-coaches shall uphold the highest standards of the legal profession and shall encourage fair play. They are in a position of authority and thus serve as positive role models for the students.

SPECIFICALLY PROHIBITED BEHAVIOR

- Participants are expected to conduct themselves with civility and respect in accordance with the Mock Trial rules. The following list of behaviors that are contrary to the goals
and objectives of the Mock Trial competition rules MAY constitute grounds for disciplinary action by the Mock Trial Coordinator and the Mock Trial Committee.

1. Use of communications technology (audio recording, visual recording, text-messaging, cell phones, smart phones, other communications devices, e-mail or social networks) by a team member (a) to communicate with any member of his/her team during a round, or (b) to record or in any way memorialize any portion of a round of the competition in which the team is not a participant.

2. Accept an audiotape, videotape, DVD recording, CD recording, or other transcription of the performance of another team in a round where the recipient did not participate.

3. Plagiarism by any member of a team or any team’s use of material plagiarized by the teacher-coach, attorney-coach, parents, or guest-observers of team members.

4. Direct verbal or written communication outside of the courtroom with a volunteer mock trial judge by any team, teacher-coach, attorney-coach, parents, or guest-observers of team members, except as permitted after the trial is completed, and the judge has rendered his/her decision.

5. Participants may not go into parts of the courthouse or courtrooms not designated as part of the competition.

6. Coaches, team members, and observers may not discuss any other team’s performance with coaches from other schools and other teams (including their own).

7. **Use of any type of electronic device or social media is considered a form of discussion.**

8. Team members, including parents and observers, may not contact a judge or member of the judging panel during or after the competition.

**USE OF SOCIAL MEDIA AND RESTRICTIONS DURING COMPETITION**

1. Participants in the Mock Trial competition, including coaches, team members, and observers shall not use any electronic devices, including computers or phones, to communicate with anyone concerning the conduct of any trial round. This applies to communication by blog, e-mail, text message, Twitter, etc. on any device.

2. Use of an electronic device to solely disseminate coordinator-posted information, including the location and time of a round, is permissible.

**ACCOUNTABILITY FOR ENGAGING IN PROHIBITED CONDUCT**

All Participants, including parents, and guest-observers, must adhere to all the Utah Mock Trial rules and procedures written or modified by the Mock Trial Coordinator or the Mock Trial Committee. Failure to abide by the Mock Trial Code of Conduct is sufficient grounds for disqualification of the team with which the offender is directly or indirectly connected at the discretion of the Mock Trial Coordinator and the Mock Trial Committee.
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COMPETITION INFORMATION
SECTION I

RULES OF COMPETITION

The Utah Mock Trial Program is governed by the rules set forth below. These rules are designed to ensure excellence in presentation and fairness in judging all competition trials. The competition is, first of all, an exposure to the function of our legal system. It also is an exercise in communication and the art of advocacy, which are the bases of our adversary system of justice. Our judicial system is based upon the belief that a court will be better able to make a well-informed decision by hearing a vigorous presentation of each side of a case.

This is not a speech or debate tournament, and it is not a dramatic presentation, although some lawyers may utilize elements of all three. First, understand the mechanics of a trial and the function of each part. Then blend the parts into an overall presentation that effectively communicates your position. Style, voice, diction, and the like are valuable tools—but their impact is lost unless the court understands your overall message and is persuaded to agree with you. It is important to remember that our judicial system, just as this competition, is run by people and, therefore, is subject to individual interpretations. Unexpected obstacles in the course of a trial are the rule rather than the exception in real life as well as in this competition. Being prepared to deal with the unexpected obstacles that will inevitably arise is an important part of being prepared for the competition.

A. TEAM PRESENTATIONS

1. Witness’ Voluntary Statements comprise the sole source of information for testimony. The Statement of the Case provides an overview, but should not be used as a basis for any witness’ testimony. Judges may deduct points for deviating from the facts in the affidavits.

2. Each witness is bound by his/her individual statement or affidavit. All participants agree that the witness statements are signed and sworn affidavits.

   a. If an attorney believes that a witness has contradicted that witness’ prior affidavit, that testimony may be impeached during cross-examination of the witness through correct use of the affidavit.

   b. Witness affidavits are subject to all of the human errors of judgment or opinion that people may make in similar situations.

   c. A witness may only be questioned about facts contained in her/his affidavit.
d. It is virtually impossible to provide witnesses with detailed answers to every conceivable question that lawyers can ask. If a witness invents an answer, the opposition may object. The judges will decide whether to allow or exclude the testimony. *The judges may consider such inventions of fact in making the decision to deduct presentation points.*

e. Only exhibits provided in the case materials may be introduced into evidence.

3. Consistent with principles of professionalism and civility, all participants are expected to display proper courtroom decorum and good sportsmanlike conduct.

4. The trial proceedings are governed by the Mock Trial Simplified Rules of Evidence. *Other more complex rules may not be raised in the trial.* Voir dire is not permitted.

5. During the actual trial, *teachers, attorney coaches,* and *all other observers may not talk to or otherwise communicate with the teams.*

   a. The only communication allowed during the actual trial is between trial attorneys. Communication between attorneys must be non-disruptive to the trial.
   
   b. *All participating team members shall sit in the front of the courtroom,* including the clerks/bailiffs who must remain with the team during trials.
   
   c. Team members not participating in the actual trial should sit with the audience and may not communicate with team members participating.
   
   d. The purpose of this rule is to eliminate complaints about coaching; it is not intended as a device to disqualify an opposing team.

6. *Cell phones must be turned off before the trial begins. Electronic devices may not be used in the courtroom.* *(This includes all spectators.)*

7. Observations of playoff, round of 16, quarter-final, and semi-final rounds by noncompeting mock trial teams will be allowed, as follows, *provided the Mock Trial Coordinator consents, in advance, to the increased number of observers,* and the opposing team is notified in advance.

   a. Junior high teams may observe senior high teams;
   
   b. Senior high teams may observe junior high teams.

8. *Videotaping of trials is allowed upon approval by the opposing team prior to the trial date.*
9. Teams must prepare both plaintiff’s/prosecution’s and defense’s cases. Teams will reverse roles for the second playoff round. Teams will be informed of which side they will be presenting one or two days before any round of 16, quarter-final, semi-final, or final round.

10. Witnesses are not permitted to use notes in testifying during the trial. Attorneys may use notes in the presentation of their material.

11. Redirect and recross examination will be allowed in both divisions. The time for recross and redirect will be included in the team’s overall time for examination of witnesses. Witnesses may not be called by the opposing party’s attorneys, and once excused from the stand, a witness cannot be recalled.

12. Each clerk/bailiff is responsible for ensuring compliance with the time limits established in these rules and shall be familiar with time limits before the mock trial begins.

13. The clerks/bailiffs will keep track of times on time sheets. If a team reaches the end of its allotted time for any trial category, the clerk/bailiff shall immediately rise and clearly inform the presiding judge that the team’s time has expired by saying, “Your Honor, Team X’s time has expired,” or similar language. All participants shall cease their presentation. The presiding judge shall consult with the other team’s clerk/bailiff to confirm that both clerks/bailiffs agree that time has expired.

If time has expired, the presiding judge may provide a short extension to the presenting team to finish its presentation, if the presenting team so requests. If a team disregards the presiding judge’s decision, exceeds the extension provided, or if the team’s bailiff fails to alert the presiding judge that the time has expired, each judge may deduct one point from his or her ballot for the team’s failure to follow the time rules. (See “Guidelines for Students Acting as Clerk/Bailiff,” pp. 36-37.)

14. The time limits for each side are as follows:
<table>
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<tr>
<th>TRIAL CATEGORIES</th>
<th>TIME SEQUENCE</th>
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<tbody>
<tr>
<td>Opening Statements</td>
<td>5 minutes</td>
</tr>
<tr>
<td>Direct and Optional Redirect Examination</td>
<td>25 minutes total</td>
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<tr>
<td>Cross- and Optional Recross Examination</td>
<td>20 minutes total</td>
</tr>
<tr>
<td>Closing Arguments and Optional Plaintiff/Prosecution Rebuttal</td>
<td>5 minutes</td>
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15. The Plaintiff/Prosecution gives the opening statement and the closing argument first. The Plaintiff’s Opening Statement must be given at the beginning of the trial. The Defense may choose to postpone its Opening Statement until after the conclusion of the Plaintiff’s/Prosecution’s case-in-chief. Attorneys are not required to use the entire time allotted to each part of the trial. Time remaining in one part of the trial may not be transferred to another part of the trial. The Plaintiff/Prosecution may reserve any of its five minutes allotted for closing argument for rebuttal to be given after Defense’s closing argument.

16. Timing begins with the first word an attorney speaks as part of her/his presentation during the opening statement or closing argument and with the first question asked a witness in direct or cross-examination. Timing will halt during objections and responses thereto. Timing will resume when the presiding judge finishes issuing her/his ruling on an objection, or the questioning attorney asks her/his next question following the stoppage of time.

17. Timing does not halt during the presentation of an exhibit to a witness, during an attorney’s motion for the admission of an exhibit as evidence (unless an objection is lodged), when an attorney receives, from the Court, a moment to consult with co-counsel, or during any time taken by an attorney to move about the courtroom after the first question has been asked. The presiding judge may, in his/her discretion, grant time extensions in the interest of fairness.

18. Teams are expected to be present in the courtroom no earlier than 20 minutes prior to and no later than 10 minutes after the starting time of the trial. The judges may deduct points for a team that arrives more than 10 minutes after the trial should have started or may determine that the team has forfeited the match. Incomplete teams may have to begin without some of their members.

19. Judges also may deduct points for a team that demonstrates improper decorum or lack of civility (specific behavior included in Simplified Standards of Professionalism and Code of Conduct); strays from the facts; or divides the attorney responsibilities unevenly.
20. Neither team may introduce surprise witnesses or call any witness from the other side. Three witnesses for each side must take the stand.

21. Witnesses shall not be excluded from the courtroom during the trial. Therefore, witnesses may not testify or respond to another witness’ testimony.

B. TEAM COMPOSITION

1. **Teams will consist of a maximum of twelve students, any of whom may participate in actual trials.** ULRE compares each team’s roster to verify consistent team composition. *A disparity between Plaintiff/Prosecution and Defense team composition may result in disqualification.*

   a. Teams will consist of no more than four nor less than three attorneys, unless cleared with ULRE staff and the opposing team. *Attorneys shall evenly divide attorney point responsibilities.* (See below.) *Judges may score lower for unequal division of point responsibilities among attorneys.* Attorneys may devise any division of duties *so long as each attorney’s point responsibility load is roughly equal.*

   1) If four attorneys are used, each should be responsible for 20 maximum points (out of 80 maximum points possible for attorneys; see score sheet).

   2) If three attorneys are used, two should be responsible for 30 maximum points and one for 20 maximum points (out of 80 maximum points possible for attorneys; see score sheet).

   3) *Only the attorney examining a particular witness shall make the objections to that witness’ cross-examination, and the attorney who cross-examines a witness shall be the only one to make objections on that witness’ direct examination.*

   b. The Plaintiff/Prosecution team will consist of three witnesses and the Defense team of three witnesses. The names of characters are gender neutral to allow any student to play the role using the names provided in the case.

   c. Each team also will include one clerk/bailiff who shall keep time for his/her own team.

2. A team may use its members to play different roles in different rounds. Some substitution of team members is allowed i.e., an attorney may become a witness or a clerk/bailiff may become an attorney.
3. The **COURTROOM ART CONTEST** is a competition that allows artistically-talented students the opportunity to participate in the Mock trial Program. Contestants observe their schools’ mock trials and create drawings of the courtroom scenes. Each Mock Trial team may enter one (1) courtroom artist.

   a. Contestants must be affiliated with a participating Mock Trial team and enrolled at the team’s school.

   b. The drawing must be on paper of the dimensions 11” X 14”, with a horizontal format. Any dry medium may be used.

   c. The sketch must depict an actual courtroom scene observed in Round two (2) of the playoff rounds.

4. The **JOURNALIST CONTEST** is a competition that allows students the opportunity to experience a courtroom setting from the perspective of a news reporter. Each Mock Trial team may enter one (1) courtroom journalist.

   a. Contestants must be affiliated with a participating Mock Trial team and enrolled at the team’s school.

   b. Participants must write a 500-700-word article about their experience with their Mock Trial team during Round two (2) of the playoff rounds.

   c. The Mock Trial Coordinator must receive all completed entrees by e-mail by 5:00 p.m. on the day after their team’s Round two (2) trial.

C. **JUDGING AND COMPETITION ADVANCEMENT**

1. Judging of each round will be done by a panel of three, or possibly two, judges. Attorneys and judges will play the roles of the presiding judge and/or one panel judge. One judge may be a community representative. **If there are only two judges, those judges’ total scores will be averaged to obtain the score of a third judge.**

2. Judges will receive the Mock Trial Handbook prior to the trial they are judging, so they may study the case and rules.

3. Judges are asked to make two decisions: a) the legal merits of the case, and b) the best team presentation. The first decision, on the merits, will be decided by the presiding judge who may confer with the other judge(s) in reaching this decision.
This will be a decision based on what would happen in an actual court of law according to the facts presented. [In a jury trial, the presiding judge will ask the jury foreperson to read the jury’s verdict.]

The second decision will be on team presentation. Judges will score the teams on performance using the Performance Rating Ballot as found in the Forms section. The decision on the legal merits of the case lends realism to the competition; however, teams will advance based only on ballots won. The decisions of the judges are final in most cases. (See Mock Trial Rule Violation form in the Forms Section.)

4. Questions by judges regarding judging may be directed to the Mock Trial Coordinator at lawrelatedvictoria@xmission.com or at 801.322.1850.

5. Each team will participate in a minimum of two playoff trials. Sixteen teams from each division will advance from the playoff rounds. Eight teams in each division will advance to the quarter-finals and four in each division to the semi-final rounds. Winners of each division’s semi-final rounds will meet in a final round.

6. After the playoff rounds, further advancement will be determined by “power-matching.” Power-matching is done on the basis of the cumulative ballot win-loss groupings and points within each ballot win-loss grouping. An example of power-matching is as follows:

   a. Ballot win-loss groupings are determined, such as 6-0, 5-1, and 4-2 (win-loss record).

   b. Within each ballot win-loss grouping, the teams are ranked according to total points received.

   c. The 6-0 team with the highest points is matched with the 4-2 team with the least points.

D. MISCELLANEOUS RULES

1. Binders may not be provided for the judges.

2. The following forms are to be given to the judges.

   a. Performance Rating Ballot

   b. Plaintiff/Prosecution and Defense Rosters
3. Electronic Devices may not be used in the courtroom, with the exception of video recording as otherwise permitted in the rules. (This includes all spectators.)

4. Divisions
   a. Division I: High school students (9th, 10th, 11th, and 12th grades)
   b. Division II: Junior high/middle school students (7th, 8th, and 9th grades)
   c. 9th grade students must choose the Division in which they will participate and may not participate in both.
   d. For any questions concerning age qualifications, please contact the Mock Trial Coordinator at lawrelatedvictoria@xmission.com or 801.322.1850.

5. Regulations for Each Participating School
   a. Each sponsoring teacher may enter three teams in the competition.
   b. Each school must submit an official entry form and entry fee ($75) for each team by the date noted on the entry form; $95 for late registration. The $75/$95 entry fee is non-refundable.
   c. Each sponsor must contact the appropriate authorities regarding transportation to trial sites, release of students from class, substitutes, etc.
   d. Utah LRE discourages rehearsal in actual courtrooms since the courts hold ULRE staff responsible for the condition of courtrooms used by mock trial students.

6. Courtroom Dress and Conduct of Participants
   a. No costumes or props for witnesses will be allowed, including laser pointers and markers.
   b. Judges will not score lower for attire worn, but team members should be aware that appearance creates an impression and should dress accordingly.
   c. Remember, no gum chewing, food, drink (water only), or unruly or loud behavior is allowed in courtrooms.

7. Exhibits may be copied and enlarged to 24" x 36" for demonstrative purposes only.
SECTION II

MOCK TRIAL PROCEDURES

Before participating in a mock trial, it is important to be familiar with the general physical setting of the courtroom, the events that generally take place during the exercise, and the order in which they occur. This section outlines basic steps in a “bench” trial before a judge. [Additional steps in a Saturday jury trial are in brackets.]

A. COURTROOM LAYOUT

B. PARTICIPANTS

1. The Judge

2. The Attorneys

   For Plaintiff(s)/Prosecution
   For Defense

3. The Witnesses

   For Plaintiff(s)/Prosecution
   For Defense

4. The Bailiff
C. STEPS IN A MOCK TRIAL

1. The Opening of the Court

The clerk/bailiff will call the Court to order by saying, “All rise for the Honorable Judges _______________________, __________________________, and __________________________. The Mock Trial Court, Snow Canyon County, State of Zion, is now in session, the Honorable Judge __________________________ presiding.” After the judges are seated, everyone may sit down. The presiding judge may ask the bailiff to announce the case: “Your Honors, today’s case is State of Zion v. Alex Buckley, Case Number 19-CRM-0803.” The presiding judge will then ask the attorneys for each side if they are ready.

[Presiding judge welcomes jury, tells them their role, and instructs them to pay close attention to the evidence to be presented.]

2. Opening Statements

Statements should strategically “tell the story,” not argue the case.

a. Plaintiff (Civil Case)/Prosecution (Criminal Case)

After introducing himself/herself and colleagues to the judges, the plaintiff’s attorney in a civil case or the prosecution’s attorney in a criminal case tells the story plaintiff’s/prosecution’s evidence will show the Court, mentions key witness testimony, and tells the judges what relief is being requested.

b. Defense (Civil or Criminal Case)

After introducing himself/herself and colleagues to the judges, the defense’s attorney in a civil or criminal case identifies inadequacies in the plaintiff’s/prosecution’s evidence, tells the story defense’s evidence will establish, mentions key witness testimony, and tells the judges what outcome the defense wants. The defense may choose to wait until the plaintiff/prosecution has put on its case before making defense’s opening statement.

c. Each team’s goal is to provide an overview of the case from their party’s perspective and to provide a roadmap to the Court of what to expect during the trials. Teams should avoid excessive detail, exaggeration, and overstatement. Arguing the law is not permitted here, though it is permissible to mention what the charges or causes of action are, briefly
describe the elements of the cause of action, and note who shoulders the burden of proof. *The best presentations do not involve reading.*

3. **Direct Examination by the Plaintiff’s/Prosecution’s Attorneys**

The plaintiff’s/prosecution’s attorneys conduct direct examination (questioning) of each of their own witnesses. At this time, testimony and other evidence to prove the plaintiff’s/prosecution’s case will be presented. The purpose of direct examination is to allow the witness to **present the facts** that support plaintiff’s/prosecution’s view of the case. Show your own witnesses at their best.

The attorneys for both sides, on both direct and cross-examination, should remember that their *only function is to ask questions*. An objection may be made if an attorney *testifies or gives evidence*.

4. **Cross-examination by the Defense’s Attorneys**

After the attorney for the plaintiff/prosecution has completed questioning a witness, the judge then allows the defense’s attorney to cross-examine the witness. By asking short, careful questions to which the witness can answer only “yes” or “no,” the cross-examining attorney leads the witness to “tell” the defense’s version of what happened. The cross-examining attorney seeks to discredit, clarify, or point out inconsistencies in the witness’ testimony on direct. The cross-examiner seeks to establish that the witness has a bias, an interest to further, or a motive that motivated the witness’ testimony on direct. It is important to act in a courteous and professional manner at all times.

a. Cross-examination questions should be “leading.” That means the answer is suggested in the question itself. Most of the time, questions that can be answered “yes” or “no” are leading questions. On the other hand, an attorney should almost never ask who, what, where, when, why, or how questions on cross-examination.

b. Avoid hostility toward the witness. Be insistent but courteous. When you receive a favorable answer, stop and go on to another matter. Wait for your closing argument to emphasize the favorable answer you obtained. Do not give the witness a chance to “explain away” the favorable answer.

c. Impeachment: If direct testimony is given, and you feel it contradicts the witness’ affidavit, wait until cross-examination. *Then confront the witness with the affidavit and bring out the inconsistencies.*
5. At the close of plaintiff’s/prosecution’s case, the defense may make a motion to dismiss on the grounds that plaintiff/prosecution has failed to present evidence establishing any necessary element of the claim. Judges may award higher points to an attorney making such a motion, but they will not grant the motion.

6. **Direct Examination by the Defense’s Attorneys**

Direct examination of each defense witness follows the same pattern as in number 3, page 13.

7. **Cross-examination by the Plaintiff’s/Prosecution’s Attorneys**

Cross-examination of each defense witness follows the same pattern as in number 4, page 13.

8. **Redirect Examination** (optional)

**NOTE:** Redirect examination is allowed in both divisions.

If the credibility or reputation for truthfulness of the witness has been attacked on cross-examination, the attorney whose witness has been damaged may wish to ask several more questions. These questions should be limited to the damage the attorney thinks has been done and should be phrased so as to try to “save” the witness’ truth-telling image in the eyes of the court. Redirect examination is limited to issues raised by the attorney on cross-examination. It is not a chance to ask questions an attorney forgot to ask on direct.

**Time for redirect and recross questioning shall be included in the team’s overall direct and cross-examination time.**

9. **Recross Examination** (optional)

The cross-examining attorney may ask questions pertaining only to the preceding rehabilitative redirect examination.

**Time for redirect and recross questioning shall be included in the team’s overall direct and cross-examination time.**

**NOTE:** When the plaintiff/prosecution has finished presenting its witnesses, plaintiff’s/prosecution’s counsel should state, “The plaintiff/prosecution rests, Your Honors.” When the defense finishes with its witnesses, defense’s counsel should state, “The defense rests, Your Honors.” This lets the court know to proceed to the next phase of the trial.
10. **Closing Arguments**

Arguments must not include discussion of evidence not introduced during the trial.

a. **Plaintiff/Prosecution**

Closing argument is a review of the evidence presented. This is where you put the pieces together for the judges. It should point out testimony which supports your case and damages your opponent’s. It must indicate how the evidence has satisfied the elements of the charge or claim, point out the law applicable to the case, and ask for a verdict of guilty (criminal case) or a judgment for the plaintiff (civil case). The burden of proof rests with the plaintiff/prosecution. Argue what you feel is important and discard the unimportant. Be an advocate--forcefully urge your point of view. Be dynamic--avoid a boring review of the facts. State your case simply. Correct any misunderstanding the judges may have. You may use all exhibits which have been admitted into evidence at this point. Point out bias, credibility, self-interest, or prejudice of witnesses.

Do not assume the judges have understood the full impact of all the testimony. Avoid ridicule; it may seem effective, but it is not. Indeed, it is considered unprofessional. Be clear and logical. Organize your closing argument as the trial proceeds. Anticipate your opponent’s argument. Be assertive: “The evidence proves . . . .”

NOTE: Asking the judges to put themselves in your client’s position is improper. Appeals to sympathy and prejudice of judges also are improper and subject to objection.

Plaintiff’s/Prosecution’s rebuttal (opportunity to have the last word), if any, is limited to the scope of defense’s closing argument. Rebuttal is optional. (See “Trial Categories and Time Sequence,” p. 6.)

b. **Defense**

The closing argument for the defense follows the same pattern and directives. Counsel for the defendant reviews the evidence actually presented, indicates how the evidence does not satisfy the elements of the claim or charge, stresses the facts favorable to the defense, and asks for a verdict of not guilty (criminal case) or judgment for the defendant (civil case).

[Presiding judge reads jury the prepared jury instructions which will be provided at the time of the trial. Bailiffs escort jury to jury room. While judges finalize performance scoring, jury decides merits of case (usually about 15 minutes). Bailiffs return jury to courtroom. Judges return to courtroom.]
11. Deliberation and Decision

The presiding judge calls for a short recess to confer with other judges to make two decisions: a) the legal merits of the case, and b) the best team presentation. The judges return, and the presiding judge gives the decision on the merits. The judges then briefly debrief the trial (5 minutes per judge) and announce their decision on team presentation, which determines whether or not a team advances.

[After the judges and jury have returned to the courtroom and everyone has been seated, the presiding judge asks the jury foreperson to read the jury’s verdict to the judges. The presiding judge will a) set the matter for the next phase of trial, or b) dismiss the defendant(s). The judges will then briefly debrief the teams.]

12. Closing Court

Following the judges’ debriefing session, the clerk/bailiff closes official proceedings: “All rise. This Honorable Court is hereby adjourned.”

13. Wrap-up

Teams review score sheets, verify addition and totals, and sign the sheets. The teacher/sponsor of the Plaintiff/Prosecution team must:

a. obtain Performance Rating Ballots from judges and give them to the Mock Trial Coordinator;

b. keep pink copy and give Defense yellow copy; and

c. clean courtroom and put back in original order under the supervision of the courtroom observer.

D. THE JUDGES’ ROLE AND DECISION

The judges preside over the trial to ensure that the parties’ rights are protected and that the attorneys follow the rules of evidence and trial procedure. In trials held without a jury, the presiding judge also has the function of rendering a decision on the merits, based upon the evidence actually presented and the applicable law although the winner is not determined by this decision. The judges determine the winner from the Performance Rating Ballots.
For purposes of the mock trial competition, the Rules of Evidence have been modified and simplified. They are based on the National Rules and the Federal Rules of Evidence, and its numbering system. Where rule numbers or letters are skipped, those rules were not deemed applicable to mock trial procedure.

The application of these rules is found in the Guidance Section of the Mock Trial Handbook (Appendix). However, those instructions are considered informational and not binding on presiding judges. These rules, along with any case-specific law that has been provided in the packet, govern the admission of evidence in Mock Trials. Not all judges will interpret the Rules of Evidence (or procedure) the same way, and mock trial attorneys should be prepared to point out specific rules (quoting, if necessary, the rule and number) and to argue persuasively for the interpretation and application of the rule they think appropriate.

**Article I. General Provisions**

**Rule 101. Scope**

These Simplified Mock Trial Rules of Evidence govern the trial proceedings of the Mock Trial Program.

**Rule 102. Purpose and Construction**

These Rules are intended to secure fairness in administration of the trials, eliminate unjust delay, and promote the laws of evidence so that the truth may be ascertained.

**Article II. Judicial Notice**

**Rule 201. Judicial Notice**

The Court may judicially notice a fact that is not subject to reasonable dispute because it is a matter of mathematical or scientific certainty. For example, the Court could take judicial notice that $10 \times 10 = 100$ or that there are 5,280 feet in a mile.

**Article III. Presumptions in Civil Actions and Proceedings [Not applicable]**

**Article IV. Relevancy and its Limits**

**Rule 401. Definition of "Relevant Evidence"**

Evidence is relevant if:

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(a) it has any tendency to make a fact more or less probable than it would be without the evidence; and
(b) the fact matters in determining the action.

Rule 402. General Admissibility of Relevant Evidence

Relevant evidence is admissible, except as otherwise provided in these rules. Irrelevant evidence is not admissible.

Rule 403. Exclusion of Relevant Evidence for Prejudice, Confusion, or Waste of Time, or Other Reasons. [NEW to UTAH]

The Court may exclude relevant evidence if its value in the trial is substantially outweighed by a danger of unfair prejudice, confusing the issues, misleading the finder of fact, wasting time, or needlessly presenting cumulative evidence.

Rule 404. Character Evidence; Crimes or Acts

(a) Character Evidence.
   (1) **Prohibited Uses.** Evidence of a person's character or character trait is not admissible to prove that on a particular occasion the person acted in accordance with the character or trait.
   (2) **Exception.** A Defendant may offer evidence of the defendant’s character trait, and the prosecution may introduce evidence to rebut that evidence.
   (3) **Exception for witnesses.** Evidence of a witness’ character may be admitted under Rule 608.

(b) Crimes, Wrongs, or Other Acts.
   (1) **Prohibited Uses.** Evidence of a crime, wrong, or other act is not admissible to prove a person’s character in order to show that on a particular occasion the person acted in accordance with the character.
   (2) **Permitted Uses.** This evidence may be admissible for another purpose, such as proving motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident.

Rule 405. [Not applicable]

Rule 406. Habit; Routine Practice

Evidence of a person’s habit or an organization’s routine practice is not excluded by Rule 404(a).

Rules 407 – Rule 415. [Not applicable]

Article V. Privileges

Rule 501. General Rule
(a) The following communications, when made during circumstances which the parties had a reasonable expectation of privacy, are privileged, and the contents of the communications may not be compelled:
   (1) Between a husband and a wife;
   (2) Between a cleric and a parishioner;
   (3) Between an attorney and her client; and
   (4) Between a psychiatrist and a patient.
(b) If any privileged communications are voluntarily disclosed, the witness may be cross-examined regarding the substance of the communication.

Rules 502 - 510. [Not applicable]

Article VI. Witnesses

Rule 601. General Rule of Competency

Every person is competent to be a witness.

Rule 602. Need for Personal Knowledge

Unless the person is an expert witness and providing an option pursuant to Rule 703, a witness may not testify to a matter unless the witness has personal knowledge of the matter.

Rules 603 - 606. [Not applicable]

Rule 607. Who may Impeach (i.e., show that a witness should not be believed)

Any party, including the party who called the witness, may attack the witness’ credibility.

Rule 608. Impeachment Evidence

(a) A party may impeach the witness by eliciting evidence of:
   (1) An opinion relating to the issue of the witness’ credibility (truth-telling ability).
   (2) Convictions of crimes punishable by more than one year in prison, so long as the conviction occurred within the last 10 years or was related to a crime of dishonesty or a false statement.
   (3) A prior inconsistent statement made in a statement in the proceeding.
(b) Impeachment evidence may be introduced in the form of reputation, opinion, or reference to specific instances of conduct, but its admissibility is subject to the other Rules of Evidence. [New, but implied in our rules, and different from URE and FRE.]
(c) The credibility of a witness may be attacked through evidence demonstrating the witness’ bias, motive, or interest to testify in the way the witness has testified.
(d) Evidence of a witness’ religious beliefs or opinions is not admissible to attack or support the witness’ credibility.
Rule 609. Impeachment by Evidence of a Criminal Conviction

Convictions of crimes punishable by more than one year in prison, so long as the conviction occurred within the last 10 years or was related to a crime of dishonesty or a false statement.

Rule 610. Religious Beliefs or Opinions

Evidence of a witness' religious beliefs or opinions is not admissible to attack or support the witness' credibility.

Rule 611. Mode and Order of Examining Witnesses and Presenting Evidence

(a) **Control by Court.** The Court may exercise control over the manner of examination, as provided by the Rules of the Competition. The Court shall not permit argumentative or unduly repetitive examinations, and all examination shall proceed in a question-and-answer format.

(b) **Scope of Examinations.** Except as allowed by the Court, cross-examination may include the subject matter of direct testimony as well as any relevant facts or matters contained in the witness' statement, including all reasonable inferences that can be drawn from those facts and matters. Redirect and recross examinations should be limited to the scope of the immediately preceding examination.

(c) **Leading Questions.** Leading questions should not be used on direct or redirect examination except as otherwise necessary to develop the witness' testimony. Ordinarily, the Court should allow leading questions on cross- and recross examination.

Rule 612. Writing Used to Refresh Memory

If a witness is unable to recall a statement made in a previous writing, it may be provided to the witness while testifying. The previous written statement is not itself evidence and need not be entered into evidence, but the adverse party may cross-examine the witness on the material.

Rule 613. [Not applicable]

Rule 614. Invention of Fact (Mock Trial only)

(a) **On Direct Examination.** In answering a question on direct examination, a witness may not provide a fact not in the witness’ statement or a fact which is likely to affect the outcome of the trial. The opposing party may object to such evidence.

(b) **On Cross-Examination.** [NEW] If a witness is asked about information on cross-examination not contained in the witness’ statement, the answer must be consistent with the statement and may not materially affect the witness’ testimony or any substantive issue of the case.
(c) If a witness testifies contrary to the witness’ statement, the examining attorney may attempt to refresh the witness’ recollection, as provided by Rule 612, or impeach the witness, as provided by Rule 608.

Article VII. Opinions and Expert Testimony

Rule 701. Opinion Testimony by Lay Witness

If the witness is not testifying as an expert, the witness' testimony in the form of an opinion is limited to one that is (a) rationally based on the perception of the witness; (b) helpful to a clear understanding of the witness' testimony or the determination of a fact in issue; and (c) not based on specialized or technical knowledge.

Rule 702. Testimony by Experts

(a) A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion if:
   (1) the expert’s specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;
   (2) the testimony is based on sufficient facts or data;
   (3) the testimony is the product of reliable principles and methods; and
   (4) the expert has reliably applied the principles and methods to the facts of the case.

(b) An attorney shall not ask the Court to qualify an expert in any particular field prior to offering an expert opinion. However, the opposing party may object to any opinion provided by an expert if the expert, or the opinion, does not conform to subsection (a).

Rule 703. Bases of Opinion Testimony by Experts

The expert need not rely upon admissible facts to formulate the expert’s opinion.

Rule 704. Opinion on Ultimate Issue

Testimony from a witness about how the case is to be decided, including the guilt or innocence of a defendant, is not admissible. However, opinion or inference testimony otherwise admissible is not objectionable merely because it embraces an issue to be decided by the trier of fact.

Rule 705. Disclosing the Facts or Data Underlying an Expert's Opinion

The expert may, on cross-examination, be asked about the facts underlying the opinion.
Article VIII. Hearsay

Rule 801. Definitions. The following definitions apply:

(a) Statement. “Statement” means a person’s oral assertion, written assertion, or nonverbal conduct if the person intended it as an assertion.

(b) Declarant. “Declarant” means the person who made the statement.

(c) Hearsay. "Hearsay" means a statement that:
   (1) the declarant does not make while testifying at the current trial or hearing; and
   (2) a party offers in evidence to prove the truth of the matter asserted in the statement.

(d) Statements that are not hearsay. A statement that meets the following conditions is not hearsay:
   (1) The prior statement of a declarant under oath or given in writing in the current proceeding.
   (2) The statement of an opposing party (the Plaintiff in a civil case, or the Defendant in a criminal or civil case), or the party’s agent or employee, if acting on behalf of the party.

Rule 802. Hearsay Rule

Hearsay is not admissible, except as provided by these rules.

Rule 803. Hearsay Exceptions

The following are not excluded by rule against hearsay:

(a) [Not applicable]

(b) Excited utterance. A statement relating to a startling event or condition, made while the declarant was under the stress of excitement that it caused.

(c) Then existing mental, emotional, or physical condition. A statement of the declarant’s then-existing state of mind, or emotional, sensory, or physical condition, but not including a statement of memory or belief to prove the fact remembered.

(d) Statements for purposes of medical diagnosis or treatment. A statement that is made for--and is reasonably pertinent to--medical diagnosis or treatment; and describes medical history, symptoms, or the causes of the symptoms.

(e) [Not applicable]

(f) Records of regularly conducted activity. A memorandum, or other record if made at or near the time by, or from information transmitted by, a person with knowledge, kept in the course of a regularly conducted activity of business.

(g) [Not applicable]
(h) **Statements in Learned Treatises, Periodicals, or Pamphlets.** A statement in a treatise, periodical, or pamphlet, if the statement is called to the attention of an expert witness on cross-examination, if the expert establishes the authority as reliable.

(i) [Not applicable]

(j) **Judgment of previous conviction.** Evidence of a judgment finding a person guilty of a crime, if properly used to impeach the witness.

**Rule 804. Hearsay Exceptions; Declarant Unavailable**

(b) **The Exceptions.** The following are not excluded by the hearsay rule if the declarant is unavailable as a witness.

1. **Former testimony.** Testimony that:
   (A) was given as a witness at a trial, hearing, or lawful deposition, whether given during the current proceeding or a different one; and
   (B) is now offered against a party who had--or, in a civil case, whose predecessor in interest had--an opportunity and similar motive to develop it by direct, cross- or redirect examination.

2. **Statement under belief of imminent death.** In a prosecution for homicide or in a civil case, a statement that the declarant, while believing the declarant's death to be imminent, made about its cause or circumstances.

3. **Statement against interest.** A statement that:
   (A) a reasonable person in the declarant's position would have made only if the person believed it to be true because, when made, it was so contrary to the declarant's proprietary or pecuniary interest or had so great a tendency to invalidate the declarant's claim against someone else or to expose the declarant to civil or criminal liability; and
   (B) is supported by corroborating circumstances that clearly indicate its trustworthiness, if it is offered in a criminal case as one that tends to expose the declarant to criminal liability.

4. **Statement of personal or family history.** A statement about:
   (A) the declarant's own birth, adoption, marriage, divorce, legitimacy, relationship by blood, adoption or marriage, ancestry, or other similar fact of personal or family history, even though declarant had no way of acquiring personal knowledge about that fact; or
   (B) another person concerning any of these facts, as well as death, if the declarant was related to the person by blood, adoption, or marriage, or was so intimately associated with the person's family that the declarant's information is likely to be accurate.

5) [Not Applicable]

6. **Statement Offered Against a Party That Wrongfully Caused the Declarant's Unavailability.** A statement offered against a party that wrongfully caused--or acquiesced in wrongfully causing--the declarant's unavailability as a witness, and did so intending that result.
Rule 805. Hearsay within Hearsay

Hearsay within hearsay is not excluded by the rule against hearsay if each party of the combined statements conforms with an exclusion or exception to the rule.

Rules 806 - 807. [Not applicable]

Article IX. Authentication and Identification

Rule 901. Authentication and Identification

A witness is prohibited from denying the authenticity of any complete, unaltered, case material.

Rules 902 - 903. [Not applicable]

Article X. Contents of Writing, Recordings and Photographs

Rules 1001 - 1002. [Not applicable]

Rule 1003. Contents of Writing, Recordings and Photographs

A complete, unaltered duplicate writing, recording, or photograph is admissible to the same extent as an original.

Rules 1004 - 1008. [Not applicable]

ARTICLE XI. Other

Rules 1101 – 1102. [Not applicable]

Rule 1103. Title.

These rules may be known and cited as the Utah Simplified Mock Trial Rules of Evidence.
SECTION IV

GUIDELINES

A. GUIDELINES FOR TEACHERS

1. The role of the teacher includes acting as the sponsor for the team. The teacher is expected to field a team, decide which students will play the parts in the mock trial, and train the students to play those roles.

As part of the sizeable responsibility of acting as team sponsors, teachers are responsible for the following areas:

a. Rules of the Program

All teachers and teams are expected to adhere to the Mock Trial Rules of Evidence and the facts, law, and other materials provided in the Mock Trial Program Handbook.

b. Team Selection

While the ultimate decision of team selection is up to the teacher, teachers are strongly encouraged to select students based on their interests and abilities, not on the basis of any gender or cultural stereotypes which might be drawn from the characterizations in the fact pattern. Note that roles may be played by males or females, and gender neutral names are provided.

c. Team Preparation

Teachers should find a local attorney to help coach each team. Classes should prepare both sides of the case and, if possible, conduct a regular in-class mock trial prior to meeting another school in a competitive trial.

d. Education

Education is the primary goal of the Mock Trial Competition. Healthy competition helps to achieve this goal. However, teachers are encouraged to keep the competitive spirit at a reasonable level. The reality of the adversary system is that one party wins and the other loses. Teachers must prepare their students to accept either outcome in a mature manner. Teachers can help prepare students for either outcome
by placing the highest value on excellent preparation and presentation, civility, and personal courtesy, rather than winning or losing.

e. **Travel Arrangements**

Travel arrangements should be made with your school and district as soon as your trial dates are announced. If the Mock Trial Coordinator consents, other students, parents, and friends of the participants are welcome to attend the trials. Teachers and students are encouraged to invite parents, other teachers, and principals. Members of other mock trial teams in the same division and from the same school should not attend. (Please refer to p. 4, number 7.)

f. **Team Rosters and Performance Rating Ballots**

Each teacher is solely responsible for preparing four copies each of the respective Plaintiff/Prosecution or Defense Team Rosters identifying the students playing each role in the order the witnesses will be called. (See Forms Section.) Each judge and the other team shall be given Team Rosters before the start of a mock trial.

Each teacher also is responsible for having the attorneys’ and witnesses’ names filled in on the Performance Rating Ballot before they are given to the judges. The witnesses’ names should be written in the order they will be called.

g. **Binders may not be provided for the Judges.**

h. **Arrival Times and Plaintiff’s/Prosecution’s Courtroom Responsibility**

Teachers are held responsible for getting their teams to the assigned courtroom no earlier than 20 minutes prior to and no later than 10 minutes after the starting time of the trial. (See page 6, number 18.) The Plaintiff/Prosecution team’s teacher/sponsor will be responsible for opening the mock trial.

i. **Courtroom Observer/Chaperone**

Both Plaintiff/Prosecution and defense teams are required to designate an adult to serve as the official Courtroom Observer/Chaperone. No one should enter the courtroom until the observers have entered and completed a survey of the room. The general rule is that nothing in the courtroom should be touched or moved by mock trial participants. However, under the supervision of the Courtroom Observer, mock trial participants may move chairs, etc., before the trial and replace them to their original positions after the trial. (See Courtroom Observer/Chaperone form in the Forms Section.)
j. **Name Tags**

Each student attorney will need to wear a *large name tag* with his/her own name printed on it. Students playing the roles of witnesses should wear the witness’ name on their name tags. It is the teacher’s responsibility to supply the name tags for each trial. Name tags should **not** identify the team’s school nor should any other school identification occur until after the judges have completed their ballots.

k. **Signed Certificates**

Signed certificates will be distributed by Utah LRE. Each teacher will be responsible for filling in the names and distributing the certificates to student participants.

l. **Ballots**

*Teams must examine the ballots, and the teacher or coach must sign them.* Following the debriefing session, the Plaintiffs/Prosecution team’s teacher/sponsor will collect the **white score sheet**, together with one each of the Plaintiffs/Prosecution’s and Defense’s Team Roster sheets, and give them to the Mock Trial Coordinator. Plaintiffs/Prosecution’s team shall receive the pink ballot copies; Defense’s the yellow.

m. **Mock Trial Rule Violation Form**

Alleged rule violations must be in writing by the teacher/sponsor and submitted to the Mock Trial Coordinator immediately following the trial. (See Mock Trial Rule Violation form in the Forms Section.)

2. Teachers will want to accomplish the following in training their students:

   a. Teach trial procedure.
   b. Teach rules of evidence.
   c. Teach facts and issues of the case.
   d. Teach the law involved in the case.
   e. Develop student understanding of strategies for each side.
   f. Organize students to prepare the case.
   g. Assign roles.
   h. Rehearse individual parts of the trial.
   i. Conduct an in-class mock trial.
   j. Debrief after the in-class mock trial.
   k. Evaluate students’ performances.
   l. Select team(s) that will compete.
   m. Practice proper courtroom decorum, including civility and personal courtesy.
n. Make sure name tags, team roster sheets, and ballots are properly prepared for trial.
o. Introduce and conclude Plaintiff/Prosecution mock trial.
p. Debrief and evaluate team’s mock trials.

After the case is discussed, have students work in groups to prepare their roles. Break the class into two teams: 1) Plaintiff/Prosecution, and 2) Defense. Designate students to be attorneys who will conduct the various parts of their case. These students can work with the witnesses to whom they are assigned or work separately if they are assigned the opening or closing statement. During the preparation, the attorneys for each team must closely coordinate their opening and closing statements with the testimony of each witness.
3. **Charting Groups and Activities**

<table>
<thead>
<tr>
<th>Tasks for Entire Class</th>
<th>Tasks for Small Groups</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distribute materials</td>
<td>Outline/write opening statement.</td>
</tr>
<tr>
<td>Read facts and statements.</td>
<td>Organize/write direct examination.</td>
</tr>
<tr>
<td>Discuss facts (important, conflicting, damaging).</td>
<td>Organize/write cross-examination.</td>
</tr>
<tr>
<td>Plot facts on a time line.</td>
<td>Outline/write closing argument.</td>
</tr>
<tr>
<td>Discuss issues of law.</td>
<td>Drill witnesses on facts.</td>
</tr>
<tr>
<td>Teach:</td>
<td>Drill attorneys on statements and questions.</td>
</tr>
<tr>
<td>• steps in a trial</td>
<td>Discuss strategies for each segment of case.</td>
</tr>
<tr>
<td>• rules of law</td>
<td>Discuss possible objections to questions asked by other side.</td>
</tr>
<tr>
<td>• evidence</td>
<td></td>
</tr>
<tr>
<td>• burden of proof</td>
<td></td>
</tr>
<tr>
<td>• precedent cases</td>
<td></td>
</tr>
<tr>
<td>Brainstorm arguments for each side.</td>
<td></td>
</tr>
<tr>
<td>Brainstorm opening statements.</td>
<td></td>
</tr>
<tr>
<td>Brainstorm questions for witness examinations.</td>
<td></td>
</tr>
<tr>
<td>Prepare trial materials and, if Plaintiff/Prosecution, conduct trial.</td>
<td></td>
</tr>
<tr>
<td>Debrief.</td>
<td></td>
</tr>
</tbody>
</table>
4. **Team Tasks in a Mock Trial to Be Assigned to Team Members**  
(See “Team Composition,” p. 7.)

<table>
<thead>
<tr>
<th><strong>Plaintiff/Prosecution</strong></th>
<th><strong>Defendant/Defense</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening Statement</td>
<td>Opening Statement</td>
</tr>
<tr>
<td>Direct Examination of</td>
<td>Cross-examination of</td>
</tr>
<tr>
<td>Plaintiff’s/Prosecution’s</td>
<td>Plaintiff’s/Prosecution’s</td>
</tr>
<tr>
<td>Witness #1</td>
<td>Witness #1</td>
</tr>
<tr>
<td>Direct Examination of</td>
<td>Cross-examination of</td>
</tr>
<tr>
<td>Plaintiff’s/Prosecution’s</td>
<td>Plaintiff’s/Prosecution’s</td>
</tr>
<tr>
<td>Witness #2</td>
<td>Witness #2</td>
</tr>
<tr>
<td>Direct Examination of</td>
<td>Cross-examination of</td>
</tr>
<tr>
<td>Plaintiff’s/Prosecution’s</td>
<td>Plaintiff’s/Prosecution’s</td>
</tr>
<tr>
<td>Witness #3</td>
<td>Witness #3</td>
</tr>
<tr>
<td>Cross-examination of</td>
<td>Direct Examination of</td>
</tr>
<tr>
<td>Defense’s Witness #1</td>
<td>Defense’s Witness #1</td>
</tr>
<tr>
<td>Cross-examination of</td>
<td>Direct Examination of</td>
</tr>
<tr>
<td>Defense’s Witness #2</td>
<td>Defense’s Witness #2</td>
</tr>
<tr>
<td>Cross-examination of</td>
<td>Direct Examination of</td>
</tr>
<tr>
<td>Defense’s Witness #3</td>
<td>Defense’s Witness #3</td>
</tr>
<tr>
<td>Closing Argument</td>
<td>Closing Argument</td>
</tr>
<tr>
<td>Role of</td>
<td>Role of Defense’s</td>
</tr>
<tr>
<td>Plaintiff’s/Prosecution’s</td>
<td>Witness #1</td>
</tr>
<tr>
<td>Witness #1</td>
<td></td>
</tr>
<tr>
<td>Role of</td>
<td>Role of Defense’s</td>
</tr>
<tr>
<td>Plaintiff’s/Prosecution’s</td>
<td>Witness #2</td>
</tr>
<tr>
<td>Witness #2</td>
<td></td>
</tr>
<tr>
<td>Role of Plaintiff’s/</td>
<td>Role of Defense’s</td>
</tr>
<tr>
<td>Prosecution’s</td>
<td>Witness #3</td>
</tr>
<tr>
<td>Witness #3</td>
<td></td>
</tr>
<tr>
<td>Role of Clerk-Bailiff</td>
<td>Role of Clerk-Bailiff</td>
</tr>
</tbody>
</table>
5. **Key Points to Remember**

a. Students should prepare their own questions, with the teacher and attorney coach giving the team continual feedback and assistance on the assignment as it is completed.

b. As soon as possible, student attorneys should begin formulating questions for use in examination of witnesses, and student witnesses should practice their testimony. Student preparation will progress more rapidly by simulating actual conduct of the trial than by merely conducting general classroom discussion of the steps in the trial.

c. After the student attorneys prepare questions for witnesses, a team should hold several practice sessions where its attorneys question individual witnesses. The rest of the students or team should evaluate which questions are good and which might be dropped or added in order to bring out favorable evidence.

d. Opening and closing statements should be written by students with editing assistance from the attorney-coach and teacher. *Closing arguments should not be totally composed before trials.* They are supposed to highlight the important prosecution and defense developments which have actually occurred during the trial.

e. The ability of a team to adapt to different situations is always a key part in a mock trial enactment since each judge—or lawyer acting as a judge—has his/her own way of doing things. Since the proceeding or conduct of the trial depends on the judge who presides, student attorneys and other team members should always be prepared to adapt to judicial rulings and requests, even if they appear contrary to outlined procedures and rules.

f. Courtroom etiquette, decorum, and especially civility should be stressed at practice and observed at trial i.e., standing when addressing the Court and when the judges enter or leave the courtroom, calling judges “Your Honor,” and treating opposing counsel with respect.

g. All participants should speak loudly and clearly. PLEASE DO NO TOUCH MICROPHONES OR ANY SOUND EQUIPMENT IN THE COURTHOUSE.

h. Credibility of witnesses is very important and, therefore, students acting as witnesses should be encouraged to “get into” the roles and to attempt to think and act like the person they are playing. These students should read over their statements many times and have other people ask them questions about the
facts until they know them “cold.” NOTE: Witnesses are not permitted to refer to their statements during the trial unless an attorney attempts to refresh recollection (direct) or impeach (cross).

i. During practice sessions, students on the competition team should present both sides even though the team is representing one side during the first round of competition.

B. GUIDELINES FOR ATTORNEY COACHES

1. Experience has shown that students and teachers develop a better understanding of the case and learn more from the experience if the attorney advisors do not dominate the preparation phase of the competition.

2. The preparation phase is intended to be a cooperative effort among students, teacher, and attorney coach.

3. The first session with a student team should be devoted to the following tasks:
   a. Answering questions which students may have concerning general trial practices.
   b. Explaining the reasons for the sequence of events/procedures found in a trial.
   c. Listening to the students’ approach to the assigned case.
   d. Discussing general strategies as well as raising key questions regarding the enactment.

4. Second and subsequent sessions with students should center on the development of proper questioning techniques by the student attorneys and sound testimony by the witnesses. Here, an attorney can best serve as a constructive observer and critic by teaching, listening, suggesting, and demonstrating to the team. Use questions to teach students how to ask questions.

5. Finally, it is important that participating attorneys help discourage a “win-at-all-costs” attitude among their team members. Indeed, consistent with the direction to the Utah State Bar by the Utah Supreme Court, principles of professionalism and civility should receive emphasis.
C. GUIDELINES FOR STUDENTS ACTING AS WITNESSES AND ATTORNEYS

1. Attorney Opening Statement
   a. The attorneys giving the opening statement should introduce themselves and their colleagues to the judge/jury with whom the attorneys should keep eye contact.
   b. The purpose of the opening statement is to acquaint the judge/jury with the case and outline what you will prove through witness testimony and the admission of evidence. Tell the story in short sentences.
   c. The opening statement should include:
      1) A short summary of the facts.
      2) The burden of proof (the amount of evidence needed to prove a fact). In a criminal case, the state has the burden of proof, and guilt must be proven “beyond a reasonable doubt.” This is a more difficult standard than in a civil case where the Plaintiff must generally prevail by a “preponderance of the evidence.”
      3) A clear and concise overview of the witnesses and physical evidence you will present and how each will contribute to proving your case.

2. Attorney Direct Examination
   a. The purpose of direct examination is to elicit “bite-sized” information from favorable witnesses you call in order to prove the facts of your case.
   b. Isolate exactly what information each witness can contribute to proving your case and prepare a series of questions designed to obtain that information. Be sure all items you need to prove your case are presented through all your witnesses. Using notes is appropriate, but do not read.
   c. Keep to the limited questions you’ve practiced with your witnesses. Listen to the answers. Think and act quickly if the witness gives you an unexpected answer; follow through to be sure you obtain the testimony you want.
   d. If you need a moment to think, ask the judge if you can confer with co-counsel; these requests will count as time.
3. **Witness Direct Examination**

   a. Learn the case inside out, especially your witness statement. *A witness should never refer to notes or the witness statement, unless given the part under emergency circumstances.*

   b. Practice with your attorney the questions your attorney will ask you and prepare responsive answers that are consistent with your witness statement.

   c. Appear relaxed, confident, and trustworthy. Speak clearly, slowly, and project your voice.

4. **Attorney Cross-examination**

   a. The purpose of cross-examination is to make the other side’s witnesses appear less believable in the eyes of the judge/jury.

   b. Be courteous to the witness.

   c. Ask short, simple, leading ("Yes"/"No") questions to **establish only what you already know**, such as:

   1) The witness is not telling the truth on important points;

   2) The witness is prejudiced or biased;

   3) The witness’ power of observation or competency is questionable;

   4) An expert witness is not competent or qualified to offer an opinion outside the specific area of training or experience; or

   5) The witness is not credible and has given a contrary statement at another time.

   d. Anticipate each witness’ testimony and prepare your questions accordingly. Listen to the witness’ answers on direct and cross. *Be ready to adapt your questions at trial depending on the actual testimony.*

   e. Use of notes is allowed, but maintain eye contact with the witness and judges/jury.

   f. *Never allow the witness to say anything you don’t want the witness to say.* Keep the witness to “yes” or “no” answers. If the witness attempts to explain, you may politely interrupt and thank the witness for having already answered the question. If the witness persists in explaining, politely ask the judge to instruct the witness to limit his/her answer to the question asked.
5. **Witness Cross-examination**

   a. Learn the case thoroughly, especially your witness statement.

   b. Anticipate what you will be asked on cross-examination and practice answers consistent with your statement. Isolate all the possible weaknesses, inconsistencies, and problems in your statement and practice explaining them.

   c. Appear relaxed, confident, and trustworthy. Speak clearly, slowly, and project your voice.

6. **Attorney Closing Argument**

   a. The purpose of the closing argument is to persuade the judges/jury that

      1) specific evidence actually presented at trial meets/does not meet the burden of proof in establishing the elements of the relevant law, and

      2) the other side has failed to prove/defend its case.

   b. Isolate the issues and describe briefly how specific evidence resolved these issues.

   c. Review each witness’ testimony. Outline the strengths of your side’s witnesses and also the weaknesses of the other side’s witnesses as they relate to the relevant law.

   d. Ask the judges/jury specifically to decide the case the way you want it decided.

   e. Object only when the other side argues evidence that was not actually presented during trial.

   f. Maintain strong eye contact with the judges/jury.

   g. Thank the judges/jury for their time and attention.
D. GUIDELINES FOR STUDENTS ACTING AS CLERKS/BAILIFFS

1. The clerks/bailiffs are responsible for a) calling the Court to order, b) swearing in witnesses, c) passing exhibits from attorneys to judges, d) shepherding any jury, and e) time keeping. Clerk/bailiffs should remain with team members during the trial.

2. Example of Opening the Court

As the judges enter the courtroom, the clerk/bailiff for the Plaintiff/Prosecution calls out: “All rise for the Honorable Judges ___________________________, ___________________________. The Mock Trial Court, Snow Canyon County, State of Zion, is now in session, the Honorable Judge ______ presiding.

All participants remain standing until the judges are seated. The judge asks the bailiff to call the day’s calendar, at which point the clerk/bailiff says, “Your Honor, today’s case is State of Zion v. Alex Buckley, Case Number 19-CRM-0803.” The judge asks if the attorneys for each side are ready.

3. Presiding Bailiff and Reconvening after Recess

The clerk/bailiff for the plaintiff/prosecution will preside for the opening statements and the direct and cross-examination of Plaintiff’s/Prosecution’s witnesses. The clerk/bailiff for the Defense will preside at the direct and cross-examination of defense’s witnesses and closing arguments.

The clerk/bailiff who is presiding should instruct the audience to rise whenever the judges leave or enter the courtroom: “All rise.”

4. Each clerk/bailiff swears in all witnesses on his/her team. Depending on the wishes of the presiding judge, this can be done individually as each witness is called or collectively at the beginning of the trial. Before the trial begins, the clerks/bailiffs should ask the presiding judge his/her swearing in preference.

Example of Swearing In Witness(es)

Clerk/bailiff stands, holds up his/her right hand and says, “Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth in this mock trial?”

5. Each clerk/bailiff hands all admitted exhibits for his/her team from the attorneys to the judges.
6. The clerks/bailiffs maintain order in the courtroom, particularly if a disruption occurs.

7. The clerks/bailiffs keep time and should familiarize themselves with the time guidelines found in the Rules of Competition. Both clerks/bailiffs should meet with the panel judges prior to each trial to clarify timing and other trial procedures.

   a. The clerks/bailiffs should each have a stop watch (with a second hand) to enforce time. At the conclusion of the closing arguments, each clerk/bailiff shall tell the judges whether his/her team went over time in any of the trial categories. Time should be calculated to the nearest half-minute. *Bring your own time sheets to each trial.*

   b. Timing begins with the first word an attorney speaks as part of her/his presentation during the opening statement or closing argument and with the first question asked a witness in direct or cross-examination. Timing will halt during objections and responses thereto. Timing will resume when the presiding judge finishes issuing her/his ruling on an objection, or the questioning attorney asks her/his next question following the stoppage of time.

   c. Timing does not halt during the presentation of an exhibit to a witness, during an attorney’s motion for the admission of an exhibit as evidence (unless an objection is lodged), when an attorney receives, from the Court, a moment to consult with co-counsel, or during any time taken by an attorney to move about the courtroom after the first question has been asked.

   d. Time cards are included in SECTION V of the Handbook. These cards should be used during the trial to indicate to team members and panel judges how much time is remaining. Cards indicate the following: half time used, 1 minute left, 30 seconds left, time.

   e. Clerks/Bailiffs may refer the judges to performance scoring on p. 41 and the judging resources on pp. 44-50 in order to clarify judging criteria.

8. *If a team reaches the end of its allotted time for any trial category, the Clerk/Bailiff shall immediately rise and clearly inform the presiding judge that the team’s time has expired by saying, “Your Honor, Team X’s time has expired.”* At the conclusion of the trial, each clerk/bailiff will inform the judges whether there has been any overtime for his/her team.

9. At the conclusion of the judges’ debriefing, the defense’s clerk/bailiff will close the proceeding: “All rise. *This Honorable Court is hereby adjourned.*”
E. GUIDELINES FOR THOSE ACTING AS JUDGES

Judging is done by a panel of two or three individuals: the “presiding judge” is an attorney or judge; the other panel judge(s) is an/are attorney(s) and/or a community representative.

1. Responsibilities of Judges

a. Be considerate and supportive of the students. **However, please do not coach from the bench.**

b. Grade generously since the winning team is determined by the number of ballots won not the points received. Points are only used to determine the match-up of teams within ballot win-loss groupings for the round of 16, quarter-final and semi-final rounds.

c. **Please become familiar with the following:**

1) Mock Trial Rules of Competition, pp. 3-10, including:

   a) **Time allotment, p. 6.**

<table>
<thead>
<tr>
<th><em>TRIAL CATEGORIES</em></th>
<th><em>TIME SEQUENCE</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening Statements</td>
<td>5 minutes</td>
</tr>
<tr>
<td>Direct and Optional Redirect Examination</td>
<td>25 minutes total</td>
</tr>
<tr>
<td>Cross- and Optional Recross Examination</td>
<td>20 minutes total</td>
</tr>
<tr>
<td>Closing Arguments and Optional</td>
<td>5 minutes</td>
</tr>
<tr>
<td>Plaintiff/Prosecution Rebuttal</td>
<td></td>
</tr>
</tbody>
</table>

   *Attorneys are not required to use the entire time allotted to each part of the trial. Time remaining in one part of the trial may not be transferred to another part of the trial. The Plaintiff/Prosecution may reserve any of its five minutes allotted for closing argument for rebuttal to be given after Defense’s closing argument.*

   *Timing begins with the first word an attorney speaks as part of her/his presentation during the opening statement or closing argument and with the first question asked a witness in direct or cross-examination. Timing will halt during objections and responses thereto. Timing will resume when the presiding judge finishes issuing her/his ruling on an objection, or the questioning attorney asks her/his next question following the stoppage of time.*

   *Timing does not halt during the presentation of an exhibit to a witness, during an attorney’s motion for the admission of an exhibit as evidence (unless an objection is lodged), when an attorney receives, from the Court, a moment to consult with co-counsel, or during any time taken by an attorney to move about the courtroom after the first question has been asked. The presiding judge may, in his/her discretion, grant time extensions in the interest of fairness.*
b) Division of Point Responsibilities Among Attorneys, p. 7.

Teams will consist of no more than four nor less than three attorneys. *Attorneys shall evenly divide attorney point responsibilities. Judges may score lower for unequal division of point responsibilities among attorneys.* Attorneys may devise any division of duties, *so long as each attorney’s point responsibility load is roughly equal.*

1) If four attorneys are used, each should be responsible for 20 maximum points (out of 80 maximum points possible for attorneys; see score sheet).

2) If three attorneys are used, two should be responsible for 30 maximum points and one for 20 maximum points (out of 80 maximum points possible for attorneys; see score sheet).

c) Competition Advancement, p. 8.

J udges are asked to make two decisions: a) the legal merits of the case, and b) the best team presentation. The first decision, on the merits, will be decided by the presiding judge who may confer with the other judge(s) in reaching this decision. This will be a decision *the presiding judge will ask the jury foreperson to read the verdict.*

The second decision will be on team presentation. Judges will score the teams on performance using the Performance Rating Ballot. (See pp. 44-50) for a sample performance rating ballot, completed sample ballot, and other judging resources.) *The decision on the legal merits of the case lends realism to the competition; however, teams will advance based only on ballots won.*


The trial proceedings are governed by the Mock Trial Simplified Rules of Evidence. *Other more complex rules may not be raised in the trials. Voir dire is not permitted.*

3) Performance Scoring
**PERFORMANCE SCORING**

Participants will be rated in the trial categories on the Ballot on a scale of 5 - 10 (with 10 being the highest) according to their roles in the trial. Each judge is scoring student performance in each trial category. No judge is scoring the legal merits of the case. Each trial category is to be evaluated separately, and fractional points are not to be awarded. Sign your Ballot, and please check the box of the team point winner before turning the Ballot over to the teacher/coordinator. Please also give your Team Roster to the teacher/coordinator.

<table>
<thead>
<tr>
<th>POINTS</th>
<th>PERFORMANCE</th>
<th>CRITERIA FOR EVALUATING STUDENT PERFORMANCE</th>
</tr>
</thead>
</table>
| 5 - 6  | Fair        | ● Exhibits minimal clarity and understanding of the case materials and trial procedures i.e., entering evidence and objections.  
          |
|        |             | ● Presentation and communication minimally clear and organized. Eye contact minimal.  
          |
|        |             | ● Presence and maintenance of character role minimal. |
| 7 - 8  | Good        | ● Exhibits adequate clarity and understanding of the case materials and trial procedures i.e., entering evidence and objections.  
          |
|        |             | ● Presentation and communication are clear and organized, but could be stronger in fluidity and persuasiveness. Eye contact adequate.  
          |
|        |             | ● Presence and maintenance of character role adequate. |
| 9 - 10 | Excellent   | ● Exhibits excellent clarity and understanding of the case materials and trial procedures i.e., entering evidence and objections.  
          |
|        |             | ● Presentation and communication are clear, organized, fluid, and persuasive. Eye contact excellent.  
          |
|        |             | ● Presence and maintenance of character role excellent. |

Points may be deducted for the following:

- Going over the time limit (three points total; one point from each judge’s ballot);
- Demonstrating improper decorum or lack of civility;
- Arriving more than 10 minutes after the starting time of the trial;
- Straying from the facts; and/or
- Dividing attorney responsibilities unevenly.
d. Please arrive 15 minutes prior to the time identified in the judge confirmation letter to meet with the Mock Trial Coordinator and the Clerks/Bailiffs to clarify questions. (Judges also are encouraged to contact the Mock Trial Coordinator at lawrelatedvictoria@xmission.com or at 801.322.1850 with any questions prior to this pre-trial meeting.)

e. If you are unable to attend your scheduled trial, please obtain a substitute and call 801.322.1850 to report any changes as far in advance as possible.

f. Discuss timing procedures with both clerks/bailiffs prior to the trial. Before the trial, verify with clerks/bailiffs that they understand time limits (p. 6) and duties (pp. 36-37), including the following:

1) Timing begins with the first word an attorney speaks as part of her/his presentation during the opening statement or closing argument and with the first question asked a witness in direct or cross-examination. Timing will halt during objections and responses thereto. Timing will resume when the presiding judge finishes issuing her/his ruling on an objection, or the questioning attorney asks her/his next question following the stoppage of time.

2) Timing does not halt during the presentation of an exhibit to a witness, during an attorney’s motion for the admission of an exhibit as evidence (unless an objection is lodged), when an attorney receives, from the Court, a moment to consult with co-counsel, or during any time taken by an attorney to move about the courtroom after the first question has been asked.

3) If a team reaches the end of its allotted time for any trial category, the Clerk/Bailiff shall immediately rise and clearly inform the presiding judge that the team’s time has expired by saying, “Your Honor, Team X’s time has expired.” At the conclusion of the trial, each clerk/bailiff will inform the judges whether there has been any overtime for his/her team.

g. The presiding judge will rule on all objections, answer and make the decision on the merits unless he/she elects to confer with the other panel judge(s).

h. The purpose of the non-attorney panel member is to judge the students on non-legal criteria: presence, organization, speaking skills, clarity of presentation, ability to think on their feet, etc. The contributions of attorneys and non-attorneys are equally valued and important to the teams.
i. Any Defense motion to dismiss/for directed verdict at the end of the Plaintiff’s/Prosecution’s case is not to be granted.

j. To the extent possible, each judge should score his/her Performance Rating Ballot during the trial. Use whole numbers only. Judges may elect to take two short recesses to facilitate marking of the rating sheets: one following cross-examination of the Plaintiff’s/Prosecution’s witnesses and the other prior to closing arguments.

k. At the conclusion of closing arguments/jury instruction, the judges should meet privately outside the courtroom to complete their ballots and to determine the winner. If there are only two judges, those judges’ total scores will be averaged to obtain the score of the third judge. Each judge, based solely on the points awarded by that judge only, must check the box of the winner on points at the bottom of that judge’s ballot.

l. The judges will return to the courtroom, and the presiding judge will render the decision on the merits [or the presiding judge will ask the jury foreperson to read the jury’s verdict]. This should include a short discussion of the merits of the case and the decision he/she would make if it were an actual trial.

m. Judges should then proceed briefly to debrief the trial, giving their comments on each team’s performance and announcing the winning team based on the performance rating ballots. Each judge may constructively point out particular strengths and weaknesses of both the winning and losing teams. Please include student attorneys, witnesses, and bailiffs in the debriefing. The complete debriefing by all judges should last only 10-15 minutes (approximately 5 minutes per judge).

n. Evening trials at the Scott M. Matheson Courthouse should end at the scheduled time since everyone must be out of the building no later than 9:00 p.m.

o. Judges have discretion regarding the following matters:

1) Normal courtroom procedure and decorum. However, judges are asked to be tolerant of mistakes which students will make due to their inexperience.

2) Length of trial. Judges should move the trial along, if necessary; the trial itself should last approximately 2 to 2-1/2 hours.
3) Tournament guidelines/rules. *If one team challenges the other regarding tournament guidelines/rules, the judges may decide the matter as they see fit.*

4) Deduction of points. Each judge may deduct a reasonable number of points for breaches of decorum or competition guidelines/rules.

a) The teams and their teachers/sponsors are instructed to arrive at the assigned courtroom no sooner than twenty minutes before the scheduled start time and no later than ten minutes after the starting time of the trial. Judges may deduct points for a team that arrives more than ten minutes after the trial should have started or may determine that a team has forfeited the match.

b) Judges also may deduct points for a team that goes over the time limit (three points total; one point from each judge’s ballot), demonstrates improper decorum or lack of civility, strays from the facts, and/or divides attorney responsibilities unevenly.

2. The **Plaintiff/Prosecution** team’s teacher/sponsor will be responsible for opening the mock trial.

3. Each teacher also is responsible for having the attorneys’ and witnesses’ names filled in on the Performance Rating Ballot before they are given to the judges. The witnesses’ names should be written in the order they will be called.

4. Following the debriefing session, teams must examine and the teacher or coach must sign the ballots. **Plaintiff/Prosecution** team’s teacher will collect the white score sheets and the team roster sheets and give them to the Mock Trial Coordinator. Plaintiff’s/Prosecution’s team shall receive the pink ballot copies and Defense’s team the yellow.

5. Judging Resources

a. Performance Rating Ballot

b. Sample Performance Rating Ballot

c. Plaintiff/Prosecution and Defense Notes

d. Plaintiff/Prosecution and Defense Performance Scoring Worksheets

44
<table>
<thead>
<tr>
<th>Prosecution Notes</th>
<th>Sequence</th>
<th>PROSECUTION</th>
<th>ID NUMBER</th>
<th>P</th>
<th>DEFENSE</th>
<th>ID NUMBER</th>
<th>D</th>
<th>Defense Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening Statement</td>
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<td>Prosecution Witness 1</td>
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<td>Attorney's direct/redirect examination</td>
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</tr>
<tr>
<td>Prosecution Witness 2</td>
<td></td>
<td>Attorney's direct/redirect examination</td>
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<tr>
<td></td>
<td></td>
<td>Witness' performance</td>
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<td>Prosecution Witness 3</td>
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<td></td>
<td>Witness' performance</td>
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</tr>
<tr>
<td>Defense Witness 1</td>
<td></td>
<td>Attorney's cross-examination</td>
<td></td>
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<td>Defense Witness 3</td>
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<td></td>
<td>Witness' performance</td>
<td></td>
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</tr>
<tr>
<td>Closing Argument</td>
<td></td>
<td>Barrief</td>
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<tr>
<td>COLUMN TOTAL:</td>
<td>Add scores in column.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>REDUCTION (over time, decorum, lack of civility, ken,</td>
<td>Add scores in column.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>staying from facts, inattentive, lack of responsibility)</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FINAL SCORES</td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date: Time: Location:  

PERFORMANCE RATING BALLOT  

On a scale of 5 to 10, rate the Prosecution (P) and Defense (D) in the trial categories below (no fractions):  

* Each (_) slot has a possibility of 10 points  

Fair Good Excellent  
5 6 7 8 9 10  

Best Prosecution Attorney:  
Best Defense Attorney:  

Best Prosecution Witness:  
Best Defense Witness:  

Judge: Please check box of team joint winner. P D D
### PERFORMANCE RATING BALLOT

On a scale of 1 to 10 rate the Prosecution (P) and Defense (D) in the trial categories below (10 excellent, 1 poor).

<table>
<thead>
<tr>
<th>Prosecution Notes</th>
<th>Sequence</th>
<th>PROSECUTION ID NUMBER</th>
<th>P</th>
<th>Defense Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Logical, clear</td>
<td>Opening Statement</td>
<td>Ann Archer</td>
<td>(8)</td>
<td>Ben Brown (7)</td>
</tr>
<tr>
<td>Nice strategy</td>
<td>Prosecution Witness</td>
<td>Carol Cox, Attorney’s direct examination</td>
<td>(8)</td>
<td>Only ask yes/no questions for which you know the answers</td>
</tr>
<tr>
<td>Convincing</td>
<td>Benares</td>
<td>Ed Engle</td>
<td>(9)</td>
<td>Great impeachment of witness</td>
</tr>
<tr>
<td>Avoid staged</td>
<td>Prosecution Witness</td>
<td>Ann Golden</td>
<td>(7)</td>
<td>Great questions</td>
</tr>
<tr>
<td>Questioning</td>
<td>C-Ballard</td>
<td>George Grant</td>
<td>(10)</td>
<td>Needs to look at judges questions told story well done</td>
</tr>
<tr>
<td>Good conversational style</td>
<td>Prosecution Witness</td>
<td>Harry Hsu</td>
<td>(9)</td>
<td>Good objections</td>
</tr>
<tr>
<td>Not familiar with Storva</td>
<td>R-Verderza</td>
<td>Ian Winters</td>
<td>(7)</td>
<td>Nice speaking voice</td>
</tr>
<tr>
<td>Should follow up on surprise answers</td>
<td></td>
<td></td>
<td></td>
<td>Speak up</td>
</tr>
<tr>
<td>Well prepared</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Great weaving of testimony &amp; Law</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Defense Notes</th>
<th>Sequence</th>
<th>DEFENSE ID NUMBER</th>
<th>D</th>
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</thead>
<tbody>
<tr>
<td>Avoid reading: only ask yes/no questions for which you know the answers</td>
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<tr>
<td>Great impeachment of witness</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Great questions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Needs to look at judges questions told story well done</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Good objections</td>
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<tr>
<td>Nice speaking voice</td>
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<td></td>
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<tr>
<td>Speak up</td>
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<table>
<thead>
<tr>
<th>Closing Argument</th>
<th>Joe James</th>
<th>(8)</th>
<th>Ben Brown (8)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lisa Lem</td>
<td>(10)</td>
<td>Penny Plum</td>
<td>(8)</td>
</tr>
<tr>
<td>Bailiff calling Grant to order, appearing awkward, not handling exhibit, misjudging</td>
<td>Bailiff calling Grant to order, appearing awkward, not handling exhibit, misjudging</td>
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<td></td>
</tr>
<tr>
<td>COLUMN TOTAL: Add scores in column</td>
<td>91</td>
<td>COLUMN TOTAL: Add scores in column</td>
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<tr>
<td>97</td>
<td>97</td>
<td></td>
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<tr>
<td>DEDUCTION (deniability, extremity, lack of merit, misjudgment, failure to present properly)</td>
<td></td>
<td>DEDUCTION (deniability, extremity, lack of merit, misjudgment, failure to present properly)</td>
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**FINAL SCORES**

<table>
<thead>
<tr>
<th>Best Prosecution Attorney</th>
<th>Best Prosecution Witness</th>
<th>Best Defense Attorney</th>
<th>Best Defense Witness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warren Hunt</td>
<td>George Grant</td>
<td>Kerri King</td>
<td>Nina Nadie</td>
</tr>
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</table>

**Judge:** Please check box of team point winner. P D
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Opening Statement</td>
<td></td>
</tr>
<tr>
<td>Plaintiff/Prosecution</td>
<td></td>
</tr>
<tr>
<td>Witness #1</td>
<td></td>
</tr>
<tr>
<td>Plaintiff/Prosecution</td>
<td></td>
</tr>
<tr>
<td>Witness #2</td>
<td></td>
</tr>
<tr>
<td>Plaintiff/Prosecution</td>
<td></td>
</tr>
<tr>
<td>Witness #3</td>
<td></td>
</tr>
<tr>
<td>Defense</td>
<td></td>
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<tr>
<td>Witness #1</td>
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<tr>
<td>Defense</td>
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<tr>
<td>Witness #2</td>
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<tr>
<td>Defense</td>
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<tr>
<td>Witness #3</td>
<td></td>
</tr>
<tr>
<td>Closing Argument</td>
<td></td>
</tr>
</tbody>
</table>

These notes may be given to the Plaintiff/Prosecution Team’s Teacher Advisor after trial.
<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>Opening Statement</strong></td>
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</tr>
<tr>
<td><strong>Plaintiff/Prosecution</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Witness #1</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Plaintiff/Prosecution</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Witness #2</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Plaintiff/Prosecution</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Witness #3</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Defense</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Witness #1</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Defense</strong></td>
<td></td>
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<tr>
<td><strong>Witness #2</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Defense</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Witness #3</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Closing Argument</strong></td>
<td></td>
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*These notes may be given to the Defense Team’s Teacher Advisor after the trial.*
# PERFORMANCE SCORING WORKSHEET

**PLAINTIFF/PROSECUTION**

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<thead>
<tr>
<th>STUDENT</th>
<th>CLARITY/UNDERSTANDING</th>
<th>PRESENCE MAINTAINED CHARACTER ROLE</th>
<th>VOICE</th>
<th>EYE CONTACT</th>
<th>COMMENTS</th>
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<tr>
<td></td>
<td>● Case Materials</td>
<td></td>
<td>Volume Rate Tone</td>
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<tr>
<td></td>
<td>● Trial Procedures i.e., entering evidence and objections</td>
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<tr>
<td>Attorney 1</td>
<td></td>
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<td>Attorney 2</td>
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</tr>
<tr>
<td>Attorney 3</td>
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<tr>
<td>Witness 1</td>
<td></td>
<td></td>
<td>Volume Rate Tone</td>
<td></td>
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</tr>
<tr>
<td>Witness 2</td>
<td></td>
<td></td>
<td>Volume Rate Tone</td>
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</tr>
<tr>
<td>Witness 3</td>
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<td>Volume</td>
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Judge __________________________
# PERFORMANCE SCORING WORKSHEET

## DEFENSE

<table>
<thead>
<tr>
<th>STUDENT</th>
<th>CLARITY/UNDERSTANDING</th>
<th>PRESENTATION ORGANIZATION</th>
<th>PRESENCE MAINTAINED CHARACTER ROLE</th>
<th>VOICE</th>
<th>EYE CONTACT</th>
<th>COMMENTS</th>
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<tbody>
<tr>
<td>Attorney 1</td>
<td></td>
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<td>Volume Rate Tone</td>
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<tr>
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<tr>
<td>Witness 3</td>
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<td>Volume</td>
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Judge ________________________________
SECTION FIVE

FORMS

BAILIFF’S TIME SHEET
BAILIFF’S TIME CARDS
PLAINTIFF/PROSECUTION TEAM ROSTER
DEFENSE TEAM ROSTER
PERFORMANCE RATING BALLOT
MOCK TRIAL JUDGE IDENTIFICATION FORM
PLAINTIFF/PROSECUTION TABLE IDENTIFICATION CARDS
DEFENSE TABLE IDENTIFICATION CARDS
MOCK TRIAL RULE VIOLATION COURTROOM
COURTROOM OBSERVER/CHAPERONE
<table>
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<tr>
<th>Event Description</th>
<th>Plaintiff/Prosecution</th>
<th>Defense</th>
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<tr>
<td>OPENING STATEMENT; 5 minutes</td>
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<tr>
<td>Cross- and Recross Examination; 20 minutes total</td>
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<tr>
<td>Plaintiff/Prosecution Witness #1</td>
<td>D</td>
<td>C</td>
</tr>
<tr>
<td>Direct and Optional Redirect Examination</td>
<td>RD</td>
<td>RC</td>
</tr>
<tr>
<td>Cross- and Optional Recross Examination</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plaintiff/Prosecution Witness #2</td>
<td>D</td>
<td>C</td>
</tr>
<tr>
<td>Direct and Optional Redirect Examination</td>
<td>RD</td>
<td>RC</td>
</tr>
<tr>
<td>Cross- and Optional Recross Examination</td>
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<td></td>
</tr>
<tr>
<td>Plaintiff/Prosecution Witness #3</td>
<td>D</td>
<td>C</td>
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<tr>
<td>Direct and Optional Redirect Examination</td>
<td>RD</td>
<td>RC</td>
</tr>
<tr>
<td>Cross- and Optional Recross Examination</td>
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<td></td>
</tr>
<tr>
<td>Total Plaintiff/Prosecution Direct</td>
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</tr>
<tr>
<td>Total Defense Cross</td>
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<td>Direct and Redirect Examination; 25 minutes total</td>
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<td></td>
</tr>
<tr>
<td>Cross- and Recross Examination; 20 minutes total</td>
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</tr>
<tr>
<td>Defense Witness #1</td>
<td>C</td>
<td>D</td>
</tr>
<tr>
<td>Direct and Optional Redirect Examination</td>
<td>RD</td>
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<tr>
<td>Cross- and Optional Recross Examination</td>
<td>RC</td>
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<tr>
<td>Defense Witness #2</td>
<td>C</td>
<td>D</td>
</tr>
<tr>
<td>Direct and Optional Redirect Examination</td>
<td>RD</td>
<td></td>
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<tr>
<td>Cross- and Optional Recross Examination</td>
<td>RC</td>
<td></td>
</tr>
<tr>
<td>Defense Witness #3</td>
<td>C</td>
<td>D</td>
</tr>
<tr>
<td>Direct and Optional Redirect Examination</td>
<td>RD</td>
<td></td>
</tr>
<tr>
<td>Cross- and Optional Recross Examination</td>
<td>RC</td>
<td></td>
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<tr>
<td>Total Plaintiff/Prosecution Cross</td>
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<tr>
<td>Total Defense Direct</td>
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<tr>
<td>CLOSING ARGUMENT and Optional Plaintiff/Prosecution Rebuttal; 5 minutes</td>
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</table>

As Bailiff/Timekeeper for the Plaintiff/Prosecution Defense team, I certify that I understand the time limitations and that the above recorded times are correct to the best of my ability.

Signature

(ROUND OFF ALL TIMES TO NEAREST ½ MINUTE.)
1 MINUTE       30 SECONDS

2 MINUTES       10 SECONDS
PLAINTIFF/PROSECUTION TEAM ROSTER

Utah Mock Trial Program

DATE: ________________
TIME: ________________
LOCATION: ____________
TEAM # ____________

PLAINTIFF/PROSECUTION TEAM MEMBERS

Teacher/Sponsor __________________________________________

Attorney Coach(es) ________________________________________

PLAINTIFF/PROSECUTION TEAM MEMBERS

<table>
<thead>
<tr>
<th>Student Attorneys</th>
<th>Duties to be Performed</th>
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<tbody>
<tr>
<td>1. _______________</td>
<td>______________________</td>
</tr>
<tr>
<td>2. _______________</td>
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<tr>
<td>3. _______________</td>
<td>______________________</td>
</tr>
<tr>
<td>4. _______________</td>
<td>______________________</td>
</tr>
</tbody>
</table>

Witness #1 ______________________________________________
Witness #2 ______________________________________________
Witness #3 ______________________________________________
Bailiff ____________________________________________

One copy of this Team Roster must accompany white copies of Performance Rating Ballot.
DEFENSE TEAM ROSTER
Utah Mock Trial Program

DATE: ________________
TIME: ________________
LOCATION: ____________
TEAM # _____________

Teacher/Sponsor ________________________________

Attorney Coach(es ) ________________________________

DEFENSE TEAM MEMBERS

<table>
<thead>
<tr>
<th>Student Attorneys</th>
<th>Duties to be Performed</th>
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<tbody>
<tr>
<td>1. _______________</td>
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<td>4. _______________</td>
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Witness #1 ________________________________

Witness #2 ________________________________

Witness #3 ________________________________

Bailiff ________________________________

One copy of this Team Roster must accompany white copies of Performance Rating Ballot.
### PERFORMANCE RATING BALLOT

On a scale of 5 to 10, rate the Prosecution (P) and Defense (D) in the trial categories below (no fractions).

* Each (_) slot has a possibility of 10 points

<table>
<thead>
<tr>
<th>Prosecution Notes</th>
<th>Sequences</th>
<th>PROSECUTION</th>
<th>ID NUMBER</th>
<th>P</th>
<th>DEFENSE</th>
<th>ID NUMBER</th>
<th>D</th>
<th>Defense Notes</th>
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**COLUMN TOTAL:** Add scores in column.

**REDUCTION (overemphasizes, suggests lack of civility, bias, failing from facts, uneven attorney responsibility):**

|                     |           |             |           |   |         |           |   |               |

|                     |           |             |           |   |         |           |   |               |

**FINAL SCORES:**

**Best Prosecution Attorney:**
**Best Prosecution Witness:**
**Best Defense Attorney:**
**Best Defense Witness:**

Verification: Prosecution: _____________ Defense: _____________ Judge: _____________

**Judge:** Please check box of team point winner, P D O
MOCK TRIAL JUDGE IDENTIFICATION FORM

Utah Mock Trial Program

DATE: ___________________
TIME: ___________________
LOCATION: ________________

Plaintiff/Prosecution Team ID: _______ Defense Team ID: _______

Presiding Judge: ________________________________
Position: _______________________________________
Firm: __________________________________________
City: ___________________________________________

Panel Judge: _________________________________
Position: _______________________________________
Firm: __________________________________________
City: ___________________________________________

Community Representative: _______________________
Position: _______________________________________
Firm: __________________________________________
City: ___________________________________________
Date: ____________________  Round (Circle One)  1  2  R/16  Qtr  Semi  Final
Prosecution:____________________  Defense:____________________
Person / Team Lodging Alleged Rule Violation:____________________
Courtroom: _______  Presiding Judge:____________________
Nature of Rule Violation:  (Please Print)

Form MUST be filed immediately with the Mock Trial Coordinator following the trial by the faculty advisor.

The alleged rule infractions will be reviewed by a Mock Trial Panel, and you will be notified by e-mail of our decision and whether or not a change in score is justified.

NOTE: Prior to the Mock Trial Panel’s decision, the Panel, at their discretion, may contact the presiding judge, the panel of judges, or others prior to the Panel’s decision.
Each team (both prosecution and defense) is required to designate an adult to serve as official Courtroom Observer/Chaperone. No one should enter the courtroom until the observers have entered and completed a survey of the room. The general rule is that nothing in the courtroom should be touched or moved by Mock Trial participants. However, under the supervision of the Courtroom Observer, Mock Trial participants may move chairs, easels, etc. before the trial and replace them to their original positions after the trial.

The observer’s responsibilities include:

- Before teams enter the courtroom, make note of where chairs, easels, or other items are arranged. You may take photos of the courtroom or you may use the diagram on the back of this form, so you know how things were originally placed;
- After each trial, ensure that all furniture and courtroom items are replaced to their original positions and conditions; and
- During the trial, watch for proper treatment of courtroom by participants and spectators.

The observer’s responsibilities DO NOT include watching for rule or procedural violations.

**CHECKLIST**

Courtroom # ______  Round # ______  Prosecution Code ______  Defense Code ______

Number of chairs in courtroom ______

- Are there documents (papers/notebooks) in the jury box?  □ YES  □ NO  
  (If yes, the documents cannot be touched.)

- Are there items (papers/notebooks) on the clerk desk?  □ YES  □ NO  
  (If yes, do not move or remove anything from the desk.)

- Are the chalkboards/whiteboards blank?  □ YES  □ NO  
  (Do not use and do not erase.)

Make sure:

- □ All items (chairs, easels, etc.) that were moved were replaced to their original location.
- □ All trash was picked up and removed from the courtroom.

COMMENTS: ___________________________________________________________
I, ________________________, the Official Courtroom Observer for team #______ hereby certify that the above information is accurate and true.

SIGNATURE ___________________________________________ DATE __________

Return completed form to Mock Trial Coordinator at the end of the trial.

Courtroom Diagram

Judge's Bench

Counsel Table  Counsel Table

Spectators  Spectators

NOTES:
CASE MATERIALS
Official 2020 Mock Trial Materials
for the
FORTIETH ANNUAL
UTAH LAW RELATED EDUCATION
MOCK TRIAL PROGRAM

State of Zion
v.
Alex Buckley

Case No. 19-CRM-0803

Rewritten and Updated
by Kristina Kindl

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