# General Mock Trial Tips

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# Trial Strategy

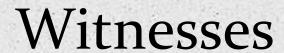
- Theory
- **o**Theme
- Witnesses
- **©**Exhibits

## Case Theory

- Trials are story-battles
- Theory is your story of the case
- Complete set of facts you must prove to justify the outcome you want
- Must include all essential legal elements
- Brainstorm
  - Facts
  - Law
  - Emotions
  - Motives

#### Case Theme

- Recurring pattern used throughout trial
- Title or label (attention step)
- Catchy phrase, alliteration, movie quotes, etc.
- Strongest argument on pivotal element
- Common thread that unifies the case
- Used as often as possible
- Weaved throughout all stages of trial
- Brainstorm



- Primacy/Recency
  - People tend to remember what they hear first and what they hear last
    - Order of witnesses and testimony
    - Unfavorable facts
    - Bias/Credibility

### Witnesses, etc.

- Word choice
  - "how far" vs. "how close"
  - "how light" vs. "how dark"
  - "how long" vs. "how short"
  - "perpetrator" vs. "robber"
  - passive voice vs. active voice

#### **Exhibits**

- MIRA
  - Mark
  - Identify
  - Relevance
  - Authenticate (already established here)
- Triangle
  - Opposing Counsel
  - Witness
  - Judge