

## High School Mock Trial Performance Rating Standards

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Please use a scale of 1-10 (where 10 = the best) to rate each student in each category listed on the score sheet. Each judge should rate the student performances according to the Evaluative Criteria below, not the legal merits of the case. *Do not award fractional points since they will not be counted.*

### ATTORNEYS: Opening Statement & Closing Argument

**Extremely Unprofessional Conduct (1-3):** Student presents him/herself in an unprofessional manner without regard to the professionalism aspirations presented in the case materials. Fails to observe proper courtroom decorum and/or fails to observe important competition rules.

**Below Average (4):** Disorganized presentation. Inadequate preparation. Communication lacks clarity or is ineffective. Lacks depth in terms of knowledge of task and materials. Reads consistently, obviously, and directly from written notes.

**Average/Good (5-6):** Communication is clear and understandable, but could be stronger in fluency/persuasiveness. Makes some main points for the team's case. Partially successful in attaining objectives. Relies on written notes.

**Very Good (7-8):** Fluent, persuasive, clear & understandable. Confident delivery. Very good organization of material and thought. Makes many of the main points for the team's case. Successful in attaining objectives. Limited reliance of written notes.

**Excellent (9-10):** Exhibits mastery of case and materials. Clearly outlines team's case or position. Thinks well on his/her feet. Thorough understanding of issues & very persuasive on all main points. If responsible for Closing, his/her arguments incorporate examples from actual trial. Demonstrates spontaneity, not entirely based on prepared text (especially relevant to the closing). Does not rely on written notes.

### ATTORNEYS: Direct Examination of Witness

**Extremely Unprofessional Conduct (1-3):** Student presents him/herself in an unprofessional manner without regard to the professionalism aspirations presented in the case materials. Fails to observe proper courtroom decorum and/or fails to observe important competition rules.

**Below Average (4):** Clearly inadequate preparation. Lacks poise; poor interaction with witnesses. Improper phrasing/rephrasing of questions (e.g., asks leading &/or narrative questions). Poor knowledge of mock trial rules & case. Can't elicit key information for team's side of case. At a loss with respect to objections. Relies consistently, obviously, and directly on written notes.

**Average/Good (5-6):** Most questions are properly phrased. Somewhat effective in asking straight-forward questions & eliciting information for team's side. Generally appropriate response to objections. Adequate use of objections on cross. Observes proper courtroom decorum. Good interaction with witnesses. Relies on written notes.

**Very Good (7-8):** Properly phrases most questions. Quite effective in asking straight-forward questions & eliciting information for team's side. Correct responses to objections. Good use of objections during cross-exam. Makes good use of time during questioning. Delivery is poised, articulate, & confident. Limited reliance of written notes.

**Excellent (9-10):** Very effective in asking straight-forward questions and eliciting information. Shows ability to think fast on his/her feet. Sorts out essential from non-essential & uses time effectively to accomplish major objectives. Clear understanding of fact issues & law. Superior qualities of fluency & clarity. Excellent in using & responding to objections. Does not rely on written notes.

### ATTORNEYS: Cross-Examination

**Extremely Unprofessional Conduct (1-3):** Student presents him/herself in an unprofessional manner without regard to the professionalism aspirations presented in the case materials. Fails to observe proper courtroom decorum and/or fails to observe important competition rules.

**Below Average (4):** Improperly phrased or ineffective questions; can't effectively rephrase questions. Makes inappropriate or ineffective objections to direct examination of witnesses s/he crossed. Unsure of self. Performance lacks depth in terms of knowledge of tasks & materials. Reads consistently, obviously, and directly from written notes.

**Average/Good (5-6):** Some skill in using leading questions. Generally proper rephrasing of questions. Some proper objections to direct examination but misses or is inappropriate as to some objections. Grasps major aspects of case but does not convey mastery. Relies on written notes.

**Very Good (7-8):** Demonstrates skills in using leading questions in most instances. Good rephrasing of questions. Very effective use of objections to direct examination. Demonstrates good understanding of Rules of Evidence, trial procedure, & issues. Shows poise & good preparation; delivery is articulate & confident. Exposes contradictions in testimony & weakens other side's case. Limited reliance of written notes.

**Excellent (9-10):** Creative, organized, & convincing presentation. Demonstrates skill in using leading questions & properly rephrases questions. Very effective use of objections to direct exam. Very effectively exposes contradictions in testimony & weakens other side's case. Able to think fast on his/her feet. Deals confidently & appropriately with difficult witness. Does not rely on written notes.

#### **WITNESSES: Direct Examination**

**Extremely Unprofessional Conduct (1-3):** Student presents him/herself in an unprofessional manner without regard to the professionalism aspirations presented in the case materials. Fails to observe proper courtroom decorum and/or fails to observe important competition rules.

**Below Average (4):** Responses are not thorough. Does not get into role effectively. Characterization is not believable. Inadequate/minimal preparation, forgets testimony, and makes major errors.

**Average/Good (5-6):** Responses show only adequate preparation. Characterization is adequate, but not always believable. Sounds rote. Good but uninspired performance.

**Very Good (7-8):** Responses show good preparation. Good characterization; realistic; stays in role; sounds spontaneous at times. Convincing & persuasive testimony, but doesn't "advocate" for own team's side. Demonstrates understanding of trial rules & procedures (e.g., doesn't answer questions that have been objected to until instructed to do so).

**Excellent (9-10):** Knowledgeable about case facts & theory of team's case. Very effective in responding to questions, sounds spontaneous and genuine. Poised & confident. Very articulate & persuasive in role. Excellent characterization & convincing testimony. Maintains role throughout trial. Demonstrates mastery of mock trial rules/procedures.

#### **WITNESSES: Cross-Examination**

**Extremely Unprofessional Conduct (1-3):** Student presents him/herself in an unprofessional manner without regard to the professionalism aspirations presented in the case materials. Fails to observe proper courtroom decorum and/or fails to observe important competition rules.

**Below Average (4):** Unable to field questions with confidence & poise. Doesn't think fast on his/her feet. Evasive or overly argumentative. Forgets testimony, makes major errors. Lacks credibility.

**Average/Good (5-6):** Maintains confidence & poise, but has difficulty fielding questions effectively & in maintain credibility. May be somewhat evasive, non-responsive and/or argumentative.

**Very Good (7-8):** Able to respond well to questions posed. Maintains credibility for the most part. Obviously knowledgeable about mock trial rules/procedures.

**Excellent (9-10):** Excellent responses to questions. Skillful in thinking quickly on his/her feet. Fields questions with confidence & poise. Highly credible in role.