

# Mock Trial Judging Process Sheet

Arrive in the courtroom 15 minutes early. If both sides are present and ready the trial may start up to 15 minutes early. No delay more than 10 minutes after scheduled start time.

**Introduce self and other judges.** Tell your name, role (presiding or scoring), whether you are a lawyer or judge and a bit about what you do for a living.

**Announcements.** Plaintiff teams sits nearest the jury box. Turn off cell phones. No contact between coaches and judges until after trial. Video can't be shared with any other team. No verbal or written communication between team members and coaches, spectators or anyone else including during any recesses, only after I announce the trial is complete. Attorneys may use a computer at the table to refer to in lieu of a hard copy of the Case.

**Pretrial matters: Ask each side if ready.** (A person may play 2 roles but there is a 2 point deduction for each person playing 2 roles. This includes missing timekeeper.) **-Are there any other pretrial matters?** Objections, # and short name, no deduction for referring to notes for number. Permission to approach witness only, water at tables, use well of the court, videotape, etc. **Finally is there anything else to bring to the court's attention?** Judge state: **"The parties' motions are granted and the advisories are accepted."** (Rule 4.1(a), pg 67)

**Ask for copies of plaintiff team roster, then defense. Have teams introduce themselves.**

**Plaintiff opening 5 min.**

**Defense opening 5 min.**

**Plaintiff direct/re-direct 25 min** (Remember to ask timekeeper to stop time for objections.)

**Defense cross/re-cross 18 min**

**Defense direct 25 min**

**Plaintiff cross 18 min**

**Time for teams to prep for closing 2 min.** (Do preliminary addition of points while waiting.)

**Closing Argument and Rebuttal 7 min.** All time not used by the prosecution/plaintiff attorney will automatically be reserved for rebuttal, up to 3 minutes. Rebuttal is not required. Flip charts may be used during close. (pg 70) **Defense close 7 min.**

**Team conference** regarding any rule breach or other issues **2 min.** Then ask, **"Does either team wish to report any significant rules violations?"** If yes 2 min. to describe. 2 min. to rebut. Up to 5 min. further discuss. Then each judge makes individual point deductions. (Rule 4.24, pg 74)

**Announce: The trial is complete.**

**Time for judges to debrief/score up to 10 min.** (If there are 3 judges, only two will score and the other/presiding will break a tie, if necessary.) All judges should make sure to double check their math and make sure all boxes have a score.

**Time for constructive comments for students** (3 comments for each side) **15 min.**

- Ruling 1 **"On the merits of the legal case and applicable law I would have ruled the defendant liable/not liable."**

- Ruling 2 **"The quality of performance, i.e., the nature/success of the team's strategy, level of preparedness, individual student performance, etc..."** (Rule 4.24, pg 74)

- **DO NOT ANNOUNCE A WINNER. Final verification is completed at the MSBA.**

**Please pick up trash and personal belongings and return the courtroom to order. I will be available for comments.**