

MEMORANDUM

To: The AMTA Community
From: The Civil Case Committee
Date: December 5, 2014
Re: *Park v. Duran* Fall Invitational Case Data

The Civil Case Committee has collected and analyzed data from the fall invitational season. *Park v. Duran* is a balanced case, and teams have used varying plaintiff theories, defense strikes, and witness calls.

The data come from two sources. First, to determine whether teams have been systematically advantaged when presenting the plaintiff or defense side of the case, we collected data from twenty-seven tab summaries. Second, we requested aggregate information from fall tournament hosts regarding plaintiff theories, defense strikes, and witness calls. We told hosts that the data—which was not team specific—would be further aggregated and the results provided to the AMTA community. We received information from the hosts of ten fall invitational tournaments; most hosts provided data from the first two rounds of competition while others provided data from all four rounds.

Case Balance

Park v. Duran is a balanced case. Across more than 2,500 ballots, the teams representing the defense won only 1% more ballots than teams representing the plaintiff. Looking to only the final two rounds of competition—mitigating the effects of first-round challenges and leveraging the random side assignment resulting from the third-round coin flip—the balance is even starker, with the Plaintiff having an advantage of less than one-fifth of one percent.

	Plaintiff Win	Defense Win	Tied Ballot	Defense Advantage
Overall	47.48%	48.57%	3.95%	1.09%
Rounds 3 and 4	48.05%	47.89%	4.06%	-0.15%

Plaintiff Theories

Both plaintiff theories have been widely used by teams. Teams argued Intentional Shooting in 60% of trials and Negligent Parental Supervision in 40% of trials.

Defense Strikes

Defense teams preferred to strike Brooks. Teams prohibited Brooks's testimony in 64% of trials. Teams prevented Chapin from testifying in 20% of trials and barred Williams from taking the stand in the remaining 16% of trials.

Witness Calls

All twelve witnesses in *Park v. Duran* have been widely used by teams. DeRosa is the most-used witness, appearing in nearly 90% of trials. Three witnesses—Park, Sebastian, and Jesse Duran—appeared in about three-quarters of trials. The least-used witness in the case, Bashir, appeared in nearly one-fifth of trials. When teams called Jesse Duran, Jesse’s August 2nd deposition was used in 59% of trials; the August 1st was used in the other 41% of trials in which Jesse testified. When not stricken, Brooks testifies in 75% of trials, Chapin is called in 55% of trials, and Williams takes the stand in 62% of trials.

	Overall	Plaintiff	Defense
Bashir	19.18%		19.18%
Brooks	26.97%	15.46%	11.51%
Chapin	43.90%	21.39%	22.51%
Couples	50.77%	50.77%	
DeRosa	87.47%		87.47%
Hayden Duran	54.22%		54.22%
Jesse Duran	78.26%		78.26%
Park	74.23%	74.23%	
Sebastian	73.45%	73.45%	
Solo	39.43%	39.43%	
Williams	52.11%	25.26%	26.85%