

PRESENTATION FOR JUDGES

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AGENDA

- Trial Structure & The Case
- Scoring, Presiding, & Commenting
- Timekeeping & Other Rules

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TRIAL STRUCTURE & THE CASE

Learning about the mock trial world

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What is mock trial?

Mock trial is a simulation of a **criminal jury trial** where students **portray attorneys and witnesses**. The trial happens in the fictional jurisdiction of **Midlands**, which has its own:

- Case Law
- Statutes
- Rules of Evidence (similar to FRE)

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National Championship Case:
State of Midlands v. Jean Riggs

A lab technician, Casey Bartholomew was found dead of an apparent drug overdose caused by drugs from the crime lab. Over the next few months, investigators uncovered a scheme whereby state employees were skimming money and drugs seized in criminal investigations and mis-entering information about the seizures on lab slips.

Defendant Jean Riggs has been implicated in that scheme and charged with felony counts of falsifying state records and theft of state property.


The trial will deal with guilt only, not sentencing.

No affirmative defenses are available.

The state must argue both charged counts at trial and the defendant must dispute both counts.

The Defendant may elect whether to testify.

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If the defendant decides to testify . . .

The defendant does not have an affidavit and may invent facts outside of the case documents. The case materials include a transcription of an interview of the defendant. That transcription may be used, along with the other case exhibits and materials, during cross examination of the defendant.

The defendant's interview transcription is not an "affidavit" for the purposes of AMTA's invention of fact rule or its rule regarding witness admission.

As discussed later in this presentation, any inventions of fact by the defendant must comply with all other Stipulations and Special Instructions.

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If you've heard this case before...

Witness selection varies from round to round.

Do not score on these strategic choices, only on performance of what was actually presented.

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Scoring Considerations and the Student Experience


AMTA seeks to be inclusive and accessible to everyone. We have students representing a diversity of cultural, religious, ethnic, and socioeconomic communities, including members of the LGBTQ community and students from abroad. Over 50% of participants are women.

Along those lines, attorneys and witnesses alike should be judged only on the quality and competency of their presentation in this trial. As you preside over and score the trial, we suggest you do the following:

- Look carefully at the suggested criteria for judging competitors; Consider the guidance we have provided and will provide during this presentation;
- Consistently apply that criteria to all competitors; and**
- Be clear about what constitutes excellence.

While this is a competitive activity, as Judges, we ask that you help us to make this a safe, welcoming, and educational experience for all of our students.

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Scoring Considerations and the Student Experience

Consider implicit biases
Most of our actions occur without conscious thought—they are cognitive shortcuts for everything including evaluations of people. Based upon visual and aural cues, we make automatic judgments about what "category" a person fits into.

These judgments can be negative or positive.
Implicit Bias exists when we have attitudes toward people or associate stereotypes with them without our conscious knowledge. AMTA asks that you evaluate student competitors only on the performances they present during today's trial.

Again, although this is a competitive activity, as Judges, we ask that you help us to make this a safe, welcoming, and educational experience for all of our students.

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PRESIDING, SCORING, & COMMENTING

How to evaluate the round

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TRIAL COMPONENTS

Pre-trial Matters / Introductions

Opening Statements

Prosecution Case-in-Chief

Customary Break

Defense Case-in-Chief



Customary Break

Closing Arguments / Rebuttal

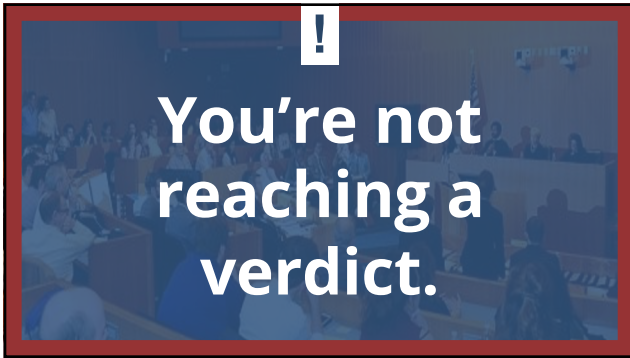
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Your Role

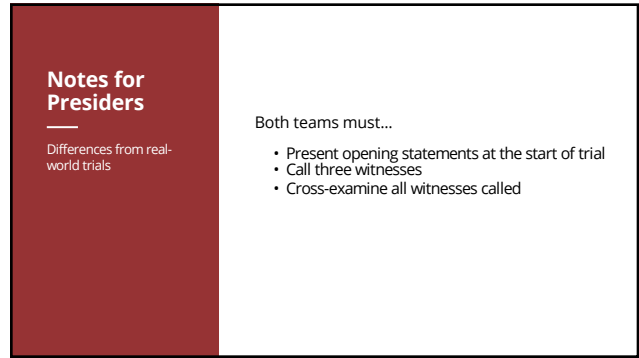
You are here to "judge" the competition. You will do so in panels of two or more individuals.

	
PRESIDER	SCORER x2+
Score	Score
Provide feedback	Provide feedback
Preside (rule on objections, keep trial moving)	

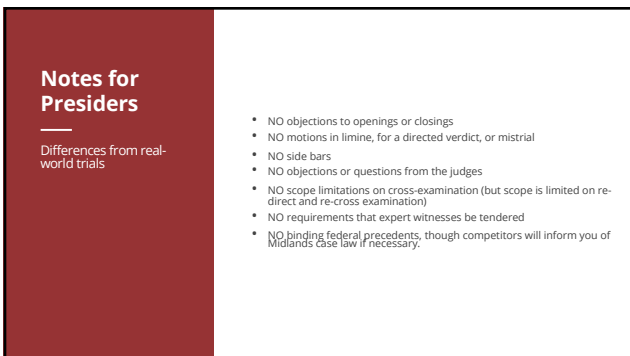
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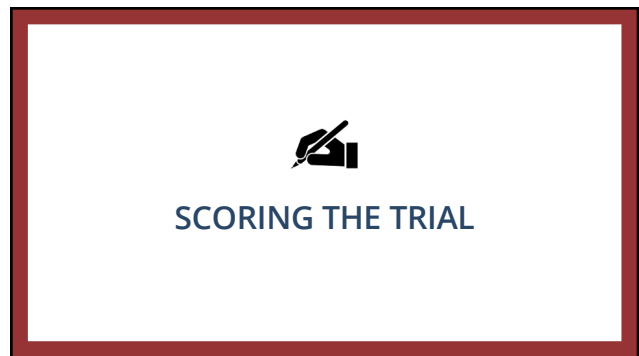
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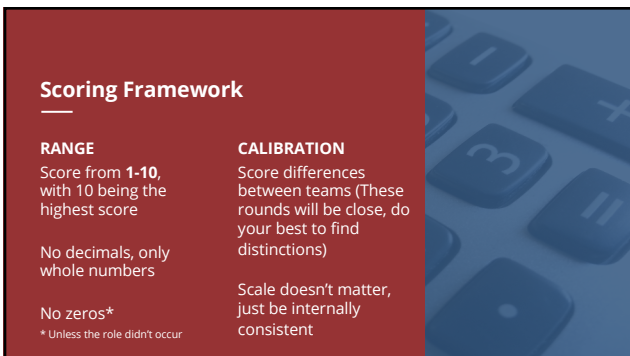
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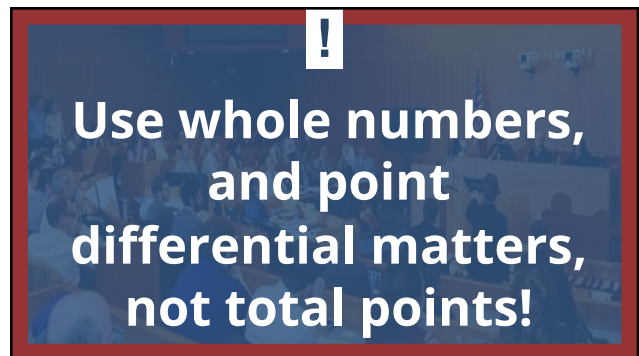
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!

Score as you go & write scores on the ballot!


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The Ballot

Ballot has 3 carbon copy pages

Don't write on the full stack!

Be sure to set each page directly on the table to write



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Ballot Organization

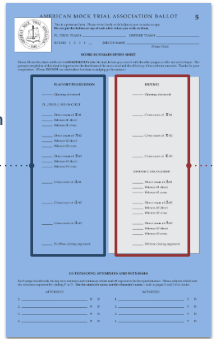
LEFT
Prosecution

RIGHT
Defense

Defense scores are shaded

Prosecution

Defense




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Using the Ballot

After each witness has finished, you should have four scores filled out:

- Directing attorney
- Witness on direct
- Crossing attorney
- Witness on cross



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NOTE

No separate scores for:

- Pre-trial matters
- Re-direct examinations
- Re-cross examinations
- Rebuttal
- Objections

Instead, you can consider these in the corresponding scored portion (for example, the rebuttal may influence your score for closing).

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Score as you go & write scores on the ballot!

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NOTE

There are several differences from other competitions:

- Witnesses are scored
 - Scored on both direct and cross examination
- Witnesses are allowed to wear costumes, but they're not required
- Attorneys and witnesses are allowed to use demonstrative aids (subject to objection)

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Individual Awards

Write the student's REAL name, not their character

Circle P or D

Must fill out all four slots

OUTSTANDING ATTORNEYS AND WITNESSES

Each judge should rank the top four attorneys and witnesses whom rank #1 represents the best performance. Please indicate which side the contestant represented by circling P or D. Use the student's name, not the character's name. Rank of pages 1 and 11 is desired.

ATTORNEYS		WITNESSES	
1. _____	P D	1. _____	P D
2. _____	P D	2. _____	P D
3. _____	P D	3. _____	P D
4. _____	P D	4. _____	P D

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Score on your own. Don't confer with your co-judge.

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PROVIDING COMMENTS

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Giving Comments

All scoring judges should receive **four comment sheets** (also carbonless copy paper, so may bleed!).

Students fill out their names / roles / team code.

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Giving Comments

Use blank spaces to write comments

Non-shaded refer to Prosecution parts

Shaded is for Defense

Find **student names** for individual awards

Prosecution

PROSECUTION: Character Name: _____ PROSECUTING ATTORNEY'S NAME: _____	WITNESS'S NAME: _____
DEFENDING ATTORNEY'S NAME: _____	_____

Defense

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Giving Comments

Students will receive copies of the written comments after the competition

After the trial is complete, please provide a few minutes of verbal feedback

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TIMEKEEPING & OTHER RULES

Keeping by the AMTA book

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Timekeepers

Students act as timekeepers

The trial has a 3-hour time limit, and each part of the trial has specific time limits

Please enforce time limits when informed of them to avoid exceeding the "all-loss time"

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INVENTION OF FACT

- Witnesses except for the defendant are limited to the information in their sworn affidavits and reasonable inferences.
- Egregious invention of facts by witnesses other than the defendant on direct and redirect examination is prohibited.
- It is a decision of each scoring judge whether testimony offered by a witness is a reasonable inference or an egregious invention.
- A scoring judge should deduct points from the score of a witness who engages in egregious fact invention.
- Witnesses on cross examination must not contradict their affidavit, but if an attorney asks a question outside of the affidavit, then they are stuck with the answer.

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INVENTION OF FACT

This competition has **NO "invention of fact" objection**; instead, the rules allow impeachment for an invention of fact.

On Direct Examination:

- Witnesses other than the defendant may NOT invent a material fact on Direct.
- Witnesses other than the defendant must remain true to their witness materials or information reasonably inferred from the case materials.
- If an Invention of Fact occurs, the Cross Examiner may conduct an impeachment to point this out to you.

On Cross Examination:

- Witnesses must not contradict their affidavit, but if an attorney asks a question outside of the affidavit, the attorney is stuck with the answer.

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The Defendant – No Affidavit

What this means:

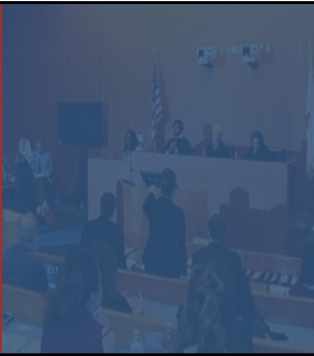
- The defendant's interrogation and interview transcripts are not an "Affidavit" for the purpose of AMTA's rule against invention of fact.
- The defendant may build testimony using the transcripts and other documents in the case.
- The defendant, and only the defendant, may also invent facts outside of the case documents.
- Nevertheless, the defendant may be cross examined using the transcripts, exhibits, or other case materials.
- All inventions of fact by the defendant must comply with all other Stipulations and Special Instructions
- For example, the defendant may not deny giving the answers contained in the interrogation transcripts.

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Anonymity & Spectators

Students' school identity should remain anonymous until after the round

All trials are public; don't assume the identity of the teams based on who enters the courtroom



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AMTA Representatives

Ensure that all rules are followed

May enter the courtroom to inform you of time limit issues

May enter the courtroom to resolve conflicts students brought to their attention

Please follow their instructions!




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Conflicts

If you have **already judged a team at this particular tournament**, please **DONT** start the trial; inform the AMTA representative

If you are **affiliated with the team** (i.e. your child is on the team), please **DONT** start the trial; inform the AMTA representative




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COVID-19 Protocols

We ask everyone to wear a KN-95, N-95, or KF-94 mask while in the buildings, including while speaking

Please do not tell the students it is acceptable to remove their masks

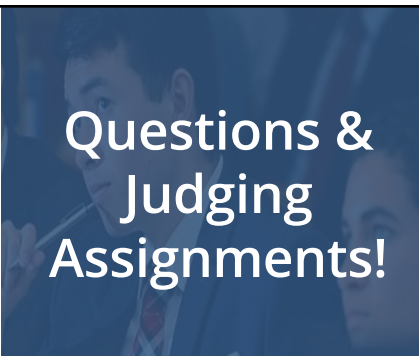
Thank you!



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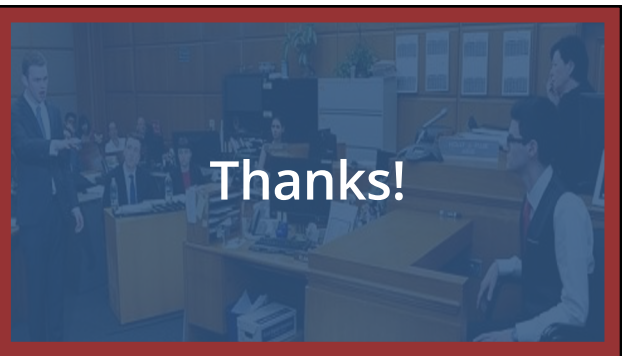
What happens next?

Questions & Judging Assignments!



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Thanks!



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