



## Virtual Volunteer Cheat Sheet

1. Each trial will have a presiding judge and at least two jurors/evaluators. Please *do not* start the round before both jurors are present.
2. All witnesses are deemed to be sworn with the following statement:

“Do you promise that the testimony you are about to give will faithfully and truthfully conform to the facts and rules of the mock trial competition?”
3. Courtroom Setting
  - The Judge should keep their camera turned on and remain muted unless speaking.
  - The only other cameras that should be on at any given time are the current directing attorney, crossing attorney, and witness.
  - Everyone should keep their microphone muted unless speaking. All observers must always remain muted. There should be no use of the chat feature except by timekeepers to announce remaining time, or in the event of an emergency when camera/microphone cannot be used.
4. Trial Sequence
  - Opening Statements (*Plaintiff/Prosecution goes first*)
  - Direct/Cross Examinations
    - i. Teams are permitted one minute per witness for redirect or recross, if they choose to use it.
    - ii. Teams are limited to one recross and one redirect per witness.
  - Closing Arguments (*Plaintiff/Prosecution goes first*)
5. The rules allow for a break. We recommend allowing five minutes before the start of closing arguments. Please remind the students and observers that students are not allowed to talk to anyone not involved in the trial – they cannot communicate with parents, coaches or non-participating students.
6. Plaintiff may reserve time for rebuttal prior to the start of his/her initial closing argument, but this is NOT required. Plaintiff’s rebuttal is automatically allowed.
7. Please submit your ballots online as quickly as possible after the trial. Links are included in your email.

## 8. Juror Scoring Guidelines

### 1 – 5: Far below average – unacceptable performance (*rarely used*)

- Disorganized
- Inadequate preparation
- Poor presentation
- Inadequate legal knowledge or understanding of role
- Weak voice
- Little eye contact
- Disruptive or disrespectful

### 6 – 7: Average – meets required standards

- Organized
- Acceptable, but uninspired presentation
- Demonstrated basic legal knowledge
- Adequate voice but not persuasive
- Some eye contact
- Needs more spontaneity and reaction to events of trial

### 8 – 9: Above average – good, solid performance

- Well-organized and prepared
- Demonstrated good understanding of case and legal procedure
- Demonstrated clear legal knowledge and understood role in case
- Showed some spontaneous reaction to events of trial
- Mostly believable performance
- Easily audible voice and good eye contact

### 10: Excellent – exceptional performance

- Excellent preparation and well organized
- Superior ability to think on his/her feet
- Demonstrated outstanding understanding of case and legal procedure
- Resourceful, original and innovative approaches
- Portrayal was extraordinary and realistic
- Clear understanding of rules and procedures
- Strong voice and eye contact
- Has you comparing him/her to real-life attorneys



# Score Sheet/Ballot

Prosecution/Plaintiff: \_\_\_\_\_ Defense: \_\_\_\_\_

Date: \_\_\_\_\_ Courtroom: \_\_\_\_\_

**Evaluators:** Using the scale 1 (lowest) to 10 (highest), rate P and D in the categories below. Please do not use fractions. **NO TIE SCORES** (No individual evaluator's score sheet may result in a tie.) **Presiding Judges:** Enter a P or D in the boxed marked "Presiding Judge's Ballot" located in the lower right hand corner. *Please do not announce results of the trial.*

PROSECUTION/PLAINTIFF		DEFENSE	
Opening Statement		Opening Statement	
P's Attorney	Direct Examination	D's Attorney	Cross Examination
P's Witness 1	Witness Performance - Direct		
	Witness Performance - Cross		
P's Attorney	Direct Examination	D's Attorney	Cross Examination
P's Witness 2	Witness Performance - Direct		
	Witness Performance - Cross		
P's Attorney	Direct Examination	D's Attorney	Cross Examination
P's Witness 3	Witness Performance - Direct		
	Witness Performance - Cross		
P's Attorney	Cross Examination	D's Attorney	Direct Examination
		D's Witness 1	Witness Performance - Direct
			Witness Performance - Cross
P's Attorney	Cross Examination	D's Attorney	Direct Examination
		D's Witness 2	Witness Performance - Direct
			Witness Performance - Cross
P's Attorney	Cross Examination	D's Attorney	Direct Examination
		D's Witness 3	Witness Performance - Direct
			Witness Performance - Cross
Closing Statement		Closing Statement	
<b>TOTAL</b>		<b>TOTAL</b>	

Please immediately deliver ballots to the coordinator.

**DO NOT SEPARATE COPIES**

White = Coordinator Copy

Yellow = Prosecution/Plaintiff Copy

Pink = Defense Copy

**PRESIDING JUDGE'S BALLOT**

Enter P or D only:

\_\_\_\_\_  
Judge/Evaluator's Signature (Required)

\_\_\_\_\_  
Last Name (Please Print)



# 2020-2021 Judge & Juror Orientation

The Missouri High School Mock Trial Competition is presented by the Saint Louis Bar Foundation, The Bar Association of Metropolitan St. Louis, and the Lawyers Association of Kansas City Young Lawyers Section, with grant funding from the Missouri Lawyer Trust Account Foundation.



MISSOURI LAWYER TRUST  
ACCOUNT FOUNDATION

# Thank you!

Thank you for donating your time to help local high school students learn about our legal system. This program is in its 41st year and reaches nearly 500 students from more than 30 schools throughout Missouri.

Students have labored for months preparing this year's case and they value your experience and commitment to this learning process.



# Why this guide is helpful

We understand that you may not have read the case or mock trial rules. You may factor that into your evaluation of the students. If you can understand and follow the questioning and arguments, this may show that the students have a clear understanding of the case, law, and presentation.

You may need to consult the rules during the trial.

# Trial Structure & the Case

# What is mock trial?

Mock trial is a simulation of a jury trial where **students portray attorneys and witnesses**.

The trial happens in the fictional Circuit Court of Southfield, Missouri, which has its own Rules of Evidence (similar to FRE). Statutory and case law mirror Missouri law.

# This year's case

## *State of Missouri vs Parker Crimson*

Detective Curry had been in the precinct for nearly 34 straight hours, fueled by cheap coffee, stale donuts, and adrenaline. Every inch of the conference room table was covered with hand-written notes, crime-scene photos, and coroner's reports. Captain Brennan stood at the far side of the conference room, arms crossed. This case was big, and she knew it. Even the Governor had called about this one.

Brennan sighed, "You look like hell. When was the last time you slept?"

"It's been a while," Curry replied. "It's our jobs on the line if we don't get this one right."

"You let me worry about that. I need to know. What's your best guess?"

Curry took one long last stare at the photos, hoping for some sign from the heavens that would illuminate the answer. Finally, Curry looked up. "It was Crimson. In the Study. With the fireplace poker."

# This year's case

## Witnesses

For the State of Missouri:

- Jaylen Curry, a detective for the Pinewood Police Department
- Prof. Landry Chartreuse, a professor of economics and party guest
- Arizona Waddleworth, butler

For the Defense:

- Jamie Olive, niece/nephew of Charles Grey and chef
- Reece Warren, private security hired by Parker Crimson
- Dakota Forest, reporter for The Financial Times and party guest

# Trial components

Introductions

Opening Statements

Plaintiff Case-in-Chief

Defense Case-in-Chief

Customary Break (5 mins)

Closing Arguments

# Mock trial rules

- No pre-trial motions (although teams may have minor issues to address – like judges’ preferences)
- **All witnesses are deemed to be sworn by the following statement:**  
**“Do you promise that the testimony you are about to give will faithfully and truthfully conform to the facts and rules of the mock trial competition?”**
- Stipulations are in the case materials and are already part of the record.
- Both sides must present opening statements at beginning of case.
- No objections are allowed during openings or closings.
- Bench conferences shall be done from “counsel table” to allow evaluators to hear arguments.
- Each side must call three witnesses using three to four attorneys.
- Each attorney may only object for his/her assigned witness.
- Attorneys have the option to re-direct, as long as scope is limited to cross.
- Attorneys have the option to re-cross, as long as scope is limited to re-direct.

# Mock trial rules

- The only motion allowed is motion to strike after a successful objection.
- The rules do allow for a break. We recommend allowing five minutes before the start of closing arguments. Please remind the students and observers that students are not allowed to talk to anyone not involved in the trial – they cannot communicate with parents, coaches or non-participating students.
- **Plaintiff may reserve time for rebuttal prior to the start of his/her initial closing argument, but this is NOT required. Plaintiff's rebuttal is automatically allowed.**
- Plaintiff's rebuttal must be within the scope of topics from defense closing.
- Please submit your ballots online as quickly as possible after the trial. Since trials typically conclude late in the evening, please do not hold the students to give comments. Comments for teams may be submitted when submitting your ballot.
- Trials are governed by Missouri High School Mock Trial Local Rules and the Mock Trial Version of Federal Rules of Evidence.

# Mock trial rules

- Attorneys may object to “unfair extrapolation” or “beyond the scope of facts.” However, the preferred way of handling is to impeach on cross examination. See Local Rule 2.3 for specifics.
- Students are not permitted to quote case law during the trial.
- Formal certification of experts is not required – expertise is established by laying proper foundation. See Local Rule 2.2, ¶ 5.
- Witness roles are designed to be gender-neutral.
- In the event of an emergency during a trial, please return to the main Zoom room to notify the Coordinator(s) immediately. Or, SMS/text: 314-252-0610.
- **Each trial will have a presiding judge and at least two jurors/evaluators. Please do not start the round before both evaluators are present.**
- **Please note we have new ballots – witnesses are scored separately for direct/re-direct examination and cross/re-cross examination, each worth up to ten points. Do not penalize the witness if the attorney chooses not to re-direct or re-cross.**

# Time Limits (Local Rule 4.5)

5 minutes	Opening statement for each side
30 minutes	Direct examinations for each side
20 minutes	Cross examinations for each side
1 minute	For each re-direct or re-cross per witness <i>(attorney option)</i>
7 minutes	Closing arguments for each side

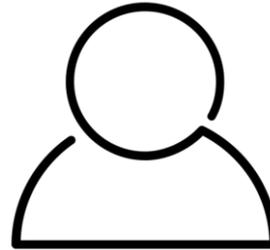
*Each school should have a timekeeper. You do not need to keep time – the schools will handle for you and let you know when time is up.*

# Presiding, Scoring & Commenting

How to evaluate the round

## Your Role

You are here to “judge” the competition. You will do so in panels of three or more individuals.

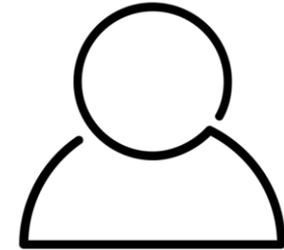


### **JUDGE**

#### **Preside**

(rule on objections, keep trial moving)

**Provide feedback**



### **JUROR (x2)**

#### **Score**

**Provide feedback**

**YOU'RE NOT  
REACHING A  
VERDICT.**

# Notes for the Presiding Judge

Your role is to preside over the trial by ruling on objections and keeping the trial moving. You also help students to enjoy this educational experience.

Students have teacher advisors and attorney coaches who are guiding them. You do not need to coach from the bench.

# Notes for the Presiding Judge

Both teams must...

- Present opening statements at the start of trial
- Call three witnesses
- Cross-examine all witnesses called
- Present closing arguments at the end of trial

# Notes for the Presiding Judge

- NO objections to openings or closings
- NO motions in limine, for a directed verdict, or mistrial
- NO side bars
- NO objections or questions from the judge or jurors
- NO scope limitations on cross-examination (but scope is limited on re-direct and re-cross examination)
- NO requirements that expert witnesses be certified

# Notes for the Presiding Judge

## Do:

- Introduce yourself and encourage the jurors to do the same
- Rule on objections (based upon mock trial rules)
- Keep the trial moving
- Let the students argue objections back and forth a few times (but not too long)
- Make sure students stick to the time limits
- Pick a winner based upon the best performance (not verdict) by placing “P” or “D” in presiding judge box on the ballot

# Notes for the Presiding Judge

## Don't

- Do not speak for the students – let them show you what they know
- Do not put yourself in the role of attorney – no questions to witnesses
- Do not “instruct” the students – remember they have coaches for that
- Do not consult with jurors on scoring
- Do not announce a winner or a verdict

# Notes for the Jurors

Your role is to numerically score the presentation from 1-10 (10 being the highest score) based upon the performance of the students.

This is NOT an evaluation based upon the verdict.

# Notes for the Jurors

## Do:

- Introduce yourself when prompted by the Presiding Judge
- Evaluate students fairly and consistently using the criteria you will be provided
- Score as the trial goes on – it will be easier for you than trying to do it after the trial concludes. *We recommend having a printed copy of the sample ballot available during the trial to help you keep track.*
- Utilize your training and knowledge in evaluating the students – you do not have to agree with judge’s rulings
- Feel free to write comments in the box provided on the online ballot

# Notes for the Jurors

## Don't:

- Do not participate in the trial – you should appear as a silent juror
- Do not make comments or rule on objections
- Do not consult with other jurors or judge for scoring
- Do not give scores that result in a tie – scores must be adjusted to show which team gave the better performance (not verdict)
- Do not announce a winner or verdict

# Scoring framework

## **RANGE**

Score from **1-10**, with 10 being the highest score

No decimals, only whole numbers

No zeros\*

\* Unless the role didn't occur

## **CALIBRATION**

Score the differences between teams

Scale is less important than consistency

USE WHOLE  
NUMBERS, NO  
ZEROS, AND  
WRITE LEGIBLY.

# Evaluation criteria

## Opening Statement

- Clear and concise presentation of issues and appropriate use of case materials
- Tell a story
- Utilize time effectively
- Persuasive without being argumentative

# Evaluation criteria

## **Direct/Re-direct examination**

- Attorneys ask questions requiring straightforward answers bringing out key information for his/her side of case
- Attorney effectively responds to objections
- Attorney produces exhibits, when appropriate, and enters into evidence properly
- Attorney makes proper and effective objections to cross-examination

# Evaluation criteria

## **Cross/Re-cross examination**

- Attorney makes proper and effective objections to direct examination
- Attorney asks mostly leading questions bringing out key information for his/her side of case
- Attorney exposes contradictions in testimony and weakens other side of case

# Evaluation criteria

## **Witnesses**

- Witness is believable in characterizations and presents convincing testimony
- Witness is well prepared for direct examination
- Witness responds well to cross examination questions without getting argumentative
- Witness testifies consistent with statement

# Evaluation criteria

## **Closing Argument**

- Clear and concise presentation of issues and appropriate use of case materials
- Attorney incorporates examples from this trial
- Attorney summarizes key issues in trial
- Attorney explains how the facts presented fit into his/her side of case

# Providing Comments

# Giving comments

- After the trial is complete, please submit your ballot online immediately.
- All judges and jurors can submit comments to the teams via the online ballot.

# Conflicts

# Conflicts

- If you have **already judged a team this year**, please DON'T start the trial; inform the Mock Trial representative.
- If you are affiliated with a team (i.e. your child is on the team or you attended the school), please DON'T start the trial; inform the Mock Trial representative.

Thank you again for volunteering your  
time in support of the  
**Missouri High School Mock Trial  
Competition**

