



Tennessee State High School Mock Trial Competition

INSTRUCTIONS FOR PRESIDING JUDGES

Criminal Trial

Pre-Trial Events

- The bailiff will collect from the teams and distribute to the judge and scorers the “Team Roster” for each team. These should be used to identify the team members by real name on the score sheets. The form should not identify the school.
- The bailiff will announce that the courtroom should be cleared except for persons affiliated with the two participating teams and visitors.

Opening Court

- The bailiff will open court and the judge will rise to the bench.
- The judge should ask the bailiff to call the day’s calendar.
- The judge should then ask if the attorneys for each side are ready and if there are any preliminary matters and then ask the bailiff to swear all the witnesses in at once.

The Trial

Scope. Attorneys and witnesses may not contradict the statement of facts nor the witnesses’ affidavits, nor may they introduce any material evidence or motions not included in the packet of materials.

If witnesses or attorneys stray from the statement of facts or affidavits provided, the objection is "outside the scope of the Mock Trial Universe." If such an objection is made, require the student attorneys to explain their positions and identify the portions of the competition packet on which they rely. Make your ruling based on the competition packet. If the answer of a witness is beyond the scope of the mock trial universe, strike it from the record. If, however, the opposing counsel has opened the door by asking a question that calls for a response outside the affidavit of the witness cross examined, you may permit the witness to respond so long as it is consistent with his/her character and statement.

Order. The prosecution gives both its opening statement and closing argument first. The prosecution may reserve up to 1 minute of its closing time for a rebuttal. The prosecution’s rebuttal is limited to the scope of the defense’s closing argument.

The bailiff will keep time and the trial will proceed in the following manner:

- Opening Statement (5 minutes per side)
- Direct and Redirect (optional) Examinations (20 minutes per side)
- Cross and Recross (optional) Examinations (14 minutes per side)
- Closing Argument (5 minutes per side)

Time Limits. The participants are timed for each of the events and may receive a penalty for exceeding a given time limit. Opposing parties are responsible to object if a time limit is

exceeded. If an attorney exceeds the time allowed and the opposing party objects, use your own discretion in allowing the examination or statement to continue on the basis of whether or not it will affect the outcome of the trial.

The clock is stopped for objections. Do not allow objections to go on for an undue amount of time. The competition is on a tight schedule and long objection arguments in one courtroom can throw off the schedule of the entire event.

Time does not stop for introduction of exhibits.

Attorneys are not required to use the entire time allotted to each part of the trial. However, time remaining in one part of the trial may NOT be transferred to another part of the trial.

Time limits are mandatory and will be enforced. Each team is permitted to have its own timekeeper, who may use timekeeping aids (i.e. stopwatch and time cards) and who will be permitted to sit in, or next to, the jury box, but should be behind and out of the way of the scoring judges; however, an official timekeeper will be assigned to each trial. It is the responsibility of a team to object to its adversary exceeding the time limits. Time for objections, extensive questioning from the judge, or administering the oath will not be counted as part of the allotted time during examination of witnesses and opening and closing statements.

The presiding judge has sole discretion to grant time extensions. If time has expired and an attorney continues without permission from the court, the scoring judges may determine individually whether or not to discount points in a category because of overruns in time.

Recess for Deliberation/Scoring

- The judge should call a recess of the court for the scorers to deliberate/score the teams.
- The decisions of the scorers determine which teams advance in the tournament.
- The scores are based on the quality of the students' performance and are not necessarily related to the substantive outcome of the trial.

Collection of Score Sheets

- The bailiff will collect the score sheets and verify that all information needed has been provided.

Announcement of a Verdict

- You may make a substantive verdict for the prosecution or defense following the recess.
- **YOU ARE NOT TO ANNOUNCE THE OUTCOME OF THE ROUNDS BY THE SCORERS OR TEAM SCORES.**
- You and the panel of scorers may take a few moments to give substantive comments to the students if time permits.

Closing of Court

- Once the panel has made comments, the bailiff will close the court on the judge's request.

Thank you for taking you time to judge!
We appreciate your assistance in making this program a success.