



Los Angeles County Mock Trial Program 2020 Team Rulebook



Official Materials for the California Mock Trial Competition
A Program of Constitutional Rights Foundation

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Administration

Rule 1.1 — Rules

- A.** All trials will be governed by the rules of the California Mock Trial Program and the California Mock Trial Rules of Evidence.
- B.** All participants in the Mock Trial competition must follow all rules and procedures as specified in the Mock Trial materials or disseminated by CRF staff or county coordinators. Failure of any member or affiliate of a team to adhere to the rules may result in disqualification of that team.

Rule 1.2 — Code of Ethical Conduct

All participants (including observers) are bound by all sections of this Code and agree to abide by the provisions.

- A.** All competitors, coaches and other participants, including observers will show courtesy and respect for all team members and participants, including their opponents and all courthouse staff, judges, attorney coaches, teacher coaches and mock trial staff and volunteer personnel.
- B.** All competitors, coaches and participants, including observers, will show dignity and restraint, irrespective of the outcome of any trial. Trials, contests and activities will be conducted honestly, fairly, and with civility.
- C.** Team members and all student participants will conform to the highest standards of deportment. Team members and participants may not employ tactics they believe to be wrong or in violation of the Rules. Members and participants will not willfully violate the Rules of the competition in spirit or in practice. All teams and participants are responsible for insuring that all observers are aware of the Code.
- D.** Teacher Coaches agree to focus on the educational value of the Mock Trial Competition. They shall discourage willful violations of the Rules and/or this Code. Teachers will instruct students as to proper procedure and decorum and will assist their students in understanding and abiding by the letter and the spirit of the competition's Rules and this Code of Ethical Conduct.
- E.** Attorney Coaches agree to uphold the highest standards of the legal profession and will zealously encourage fair play. Attorney Coaches are reminded that they must serve as positive role models for the students. They will promote conduct and decorum among their team members and fellow coaches in accordance with the letter and the spirit of the competition's Rules and this Code of Ethical Conduct and will demonstrate the same through their own behavior. They will emphasize the educational value of the experience by requiring that all courtroom presentations (e.g. pretrial, questions, objections, etc.) be substantially the work product of the student team members.
- F.** By participating in the program, students, teacher coaches and attorney coaches are presumed to have read and agreed to the provisions of the Code. Violations of this Code of Ethical Conduct may be grounds for disqualification from the competition and/or suspension or expulsion from the program.

Rule 1.3 — Trial Procedures

- A.** The Mock Trial Competition is a bench trial. Attorneys and witnesses are not allowed to verbally address the scoring attorneys as if they were a jury.
- B.** When the trial begins, the presider will ask the team members, teachers, and attorney coaches to introduce themselves. Other than the clerk and bailiff, team members must not communicate with the scoring attorneys until the conclusion of the trial.
- C.** Teams will be identified by team code only and not by school name.
- D.** All participants are required to wear appropriate courtroom attire. Spectators are prohibited from wearing clothing that identifies their school.
- E.** Teacher coaches, attorney coaches, and spectators are to remain in the courtroom throughout the trial as much as possible as to not disrupt the trial.

- F. Teams are required to submit team rosters to the presider, scoring attorneys, and the opposing team. Teams may add student photos to the team roster, but may not add any other information.
- G. All team members participating in a trial must be in the courtroom at the scheduled time, ready to begin the round, and are to remain in the courtroom throughout the trial. Incomplete teams must begin the trial without their other members or with alternates.
- H. If a scheduled team is not present within 30 minutes after the scheduled trial time, that team forfeits the trial and is subject to possible disqualification (subject to the discretion of Mock Trial staff).
- I. Recesses will not be allowed in local or state competitions for any reason (unless authorized by Mock Trial staff or presider).
- J. Tie-breakers: In LA County, any tie will be broken by the presider's independent selection of the winning team.
- K. Use of laptop computers, tablets, cellular phones, or other electronic devices during trials is prohibited.
- L. Teams may only video/audio record a trial involving their school and must get approval from the opposing team. Any team has the option to refuse participation in video/audio recording and still photography. Any recording is for educational purposes only, and videos should not be shared with any other team before the State Finals without the permission of both teams recorded. CRF will not accept any video for complaint purposes.
- M. Other than the exhibits provided in the trial material, no other illustrative aids of any kind may be used.
- N. Props, costumes, and theatrical makeup are prohibited. Costuming includes hairstyles and clothing accessories that are specific to a role in the case. In keeping with the educational philosophy and objectives of the Mock Trial Program, teams should concentrate on presenting the trial in a realistic manner, with witnesses wearing appropriate courtroom attire and using their normal speaking voices. Portrayals of racial, ethnic, and gender stereotypes are inappropriate and are not allowed.
- O. Gender-neutral names allow students of either gender to play the role of any witness. During trial, questions regarding gender, race, or physical characteristics not included in the official case materials are not allowed.

Rule 1.4 — Copyright and Plagiarism

- A. The California Mock Trial materials are protected by copyright and may not be re-printed anywhere, including on the Internet, without express permission from CRF. Any violation of this rule may result in litigation and in disqualification of a team or county. However, we hereby grant to all recipients a license to reproduce the lesson included in the beginning of the case material and the exhibits, for distribution to students and educators.
- B. Any alteration or viewing of confidential California Mock Trial materials posted on the CRF web site will result in the immediate school disqualification and potential litigation.
- C. Plagiarism* of any kind is unacceptable. Students' written and oral work must be their own. (*Webster's Dictionary defines plagiarism as, "to steal the words, ideas, etc. of another and use them as one's own.")
- D. Trials are open to the public, but no intentional scouting is allowed (see Code of Ethical Conduct).

Teams

Rule 2.1 — Team Eligibility

- A. To participate in the State Finals, each county must implement procedures B-G, listed below.
- B. All Los Angeles County schools must be registered by September 1, 2020 and all individual team members must be register by October 9, 2020 on CRF's website - <https://www.crf-usa.org/mock-trial-los-angeles/la-mock-trial-team-registration.html>.
- C. A teacher or school representative must be identified and present for each team during competition.

- D. All team members including artist and journalist contestants must be eligible under school district and state rules applicable to involvement in extracurricular activities.
- E. All team members including artist and journalist contestants must be registered at the school for which they are competing.
- F. After the county registration deadline, no new team members may be added to a team. This also applies to individual teams from counties where two teams per schools are allowed. Team members must remain in the designated registered team, no substitution between the two teams. Teams representing a county at the state finals must be comprised of students who registered and participated on the current county winning team.
- G. The teacher coach has an affirmative duty to verify each team member's eligibility. Submission of the team roster constitutes certification that the status of each participant has been verified.
- H. Junior and Senior divisions will be determined based on the participating school's grade level structure. For example, if a junior high school includes grades 7-9, 9th graders at that school may participate in the Junior Division. Similarly, if a senior high school includes grades 9-12, 9th graders enrolled there may participate in the Senior Division.
- I. Home-schooled students may participate in the Mock Trial Program in one of two ways:
 1. As a member of the team at the public school she/he would attend if not home-schooled.
 2. As a member of an independent team exclusively composed of home-schooled students.
- J. Two small schools may join together to form a single Mock Trial team if neither school had a pre-existing Mock Trial Program. For the purposes of the California Mock Trial Program, a "small" school is one with 200 or fewer enrolled students. Such combination teams are eligible to represent their county at the State Finals.
- K. Mock Trial teams must be school-based. On a case-by-case basis, non-school based non-profit organizations (i.e. Boys/Girls Clubs, YMCA, etc.) may be permitted to sponsor a Mock Trial team for students whose school does not offer the Mock Trial program. However, attempting to create an all-star team is not permitted. Among requirements that applicants must demonstrate are a non-profit in good standing, have an operational history as a youth-serving organization, provide adequate insurance, and have a functioning governance structure. Applicants must seek approval from their local County Coordinator and subject to CRF approval.

Rule 2.2 — Team Composition

- A. At any given trial, a team must have a minimum of 8 active team members. The official team roster submitted prior to each trial must list the 8 minimum active team members and their roles.
- B. A team may have a maximum of 25 team members, including alternates and supporting roles. We encourage teams to use the maximum number of students allowable, including support roles, such as researchers, understudies, and photographers.
- C. As much as possible, team members are to evenly divide their duties. Involvement of all possible team members in the presentation of the case is reflected in the team presentation/participation score.
- D. We encourage teams to use the maximum number of student attorneys when possible.
 - A maximum of two Pretrial Motion Attorneys—One pretrial attorney for the defense and one pretrial attorney for the prosecution. Pretrial attorneys may not serve as trial attorneys during the same round, but may serve as a witness.
 - A minimum of two trial attorneys for Prosecution and a minimum of two trial attorneys for Defense and a maximum of three Trial Attorneys for Prosecution and a maximum of three Trial Attorneys for Defense—It is highly recommended that different trial attorneys conduct the opening statement and the closing argument and that each trial attorney conduct at least one direct examination and one cross-examination.

- E. In Los Angeles County, a school cannot field more than two teams.
- F. Additional Student Participation – The Courtroom Artist and Journalist Contests allow additional students the opportunity to participate in the Mock Trial Program. The courtroom artist and journalist are official team members, but are not counted toward the team’s student limit.
 - For LA County—Three (3) artists and three (3) journalists per school may compete at the county competition.

Rule 2.3 — Team Withdrawal

- A. If a team needs to withdraw from a competition, the teacher coach must notify CRF as soon as possible.
- B. For LA County—A partial refund of ½ the team registration fee will be provided to a team that submits a written team withdrawal with refund request to CRF by October 16, 2020. No refunds after October 16, 2020.

Rule 2.4 — Substitute Teams

- A. In LA County, if there are an odd number of teams present for any given round, CRF staff will locate a substitute team. The substitute team will be the defense or prosecution team from an existing competing team. Substitute team’s scores will be for practice purposes only and will not count towards their team’s win/loss record or percentages. The scores from the trial will count for the opposing team and will be added to the team’s win/loss record and percentages. The substitute team will not pay a registration fee, nor will they be eligible for awards.

Rule 2.5 — Awards

- A. In LA County, awards will be given as follows:
 - Prosecution Pretrial Attorney – 2 awards
 - Defense Pretrial Attorney – 2 awards
 - Prosecution Attorney – 2 awards
 - Defense Attorney – 2 awards
 - Prosecution Witness – 4 awards
 - Defense Witness – 4 awards
 - Clerk – 1 award
 - Bailiff – 1 award
 - Courtroom Artists – 1st, 2nd, and 3rd place
 - Journalists – 1st, 2nd, and 3rd place
 - Outstanding Mock Trial Attorney Coach
 - Helen Bernstein Tribute Award – Outstanding Mock Teacher Coach
- B. In LA County, only the top three teams will receive medals. The quarterfinalist will receive finalist ribbons and all nominated students will receive honorable mention certificates.

The Trial

Rule 3.1 — The Case

- A. The case material contains the sources for the Mock Trial Program. These sources include the facts, witness statements, all the pretrial materials, charges, exhibits, rules of evidence, stipulations, role descriptions, Mock Trial procedures and California Mock Trial Simplified Rules of Evidence.
- B. The fact situation is a set of indisputable facts.
- C. Stipulations may not be disputed at trial.
- D. Stipulations will be considered part of the record and already admitted into evidence.
- E. Stipulations and charges will not be read into the record.

Rule 3.2 — Physical Evidence

- A.** The prosecution team must bring to each trial, the physical evidence listed under the heading “Physical Evidence” in the case materials. All reproductions can be as small as the original size of the exhibits found in the case material, but no larger than 22 x 28 inches. Teams will not be penalized if they choose not to reproduce and enlarge the exhibit as found in the case material. If the prosecution team fails to bring physical evidence to court, it may be reflected in the team presentation/participation score.
- B.** No other physical evidence will be allowed. All physical evidence and witnesses found in this case, but not made physically available for trial, are unavailable and their availability may not be questioned.
- C.** Procedures for introducing items into evidence — Attorneys may introduce physical exhibits, if any are listed under the heading “Evidence,” provided that the objects correspond to the description given in the case materials. Below are the steps to follow when introducing physical evidence (maps, diagrams, etc.). All items are presented prior to trial.
 - 1- Present the item to an attorney for the opposing team prior to trial. If that attorney objects the use of the item, the judge will rule whether the evidence is appropriate or not.
 - 2- Before beginning the trial, mark all exhibits for identification. Address the judge as follows: “Your honor, I ask that this item be marked for identification as Exhibit # ____.”
 - 3- When a witness is on the stand testifying about the exhibit, show the item to the witness and ask the witness if he/she recognizes the item. If the witness does, ask him or her to explain it or answer questions about it. This shows how the exhibit is relevant to the trial.
- D.** Moving the Item into Evidence — Exhibits must be introduced into evidence if attorneys wish the court to consider the items themselves as evidence, not just the testimony about the exhibits. Attorneys must ask to move the item into evidence during the witness examination or before they finish presenting their case.
 - 1- “Your honor, I ask that this item (describe) be moved into evidence as People’s (or Defendant’s) Exhibit # and request that the court so admit it.”
 - 2- At this point, opposing counsel may make any proper objections.
 - 3- The judge will then rule on whether the item may be admitted into evidence.
- E.** Whether a team introduces, uses, and moves the physical evidence into evidence is entirely optional, but all physical evidence must be available at trial for either side to use.
- F.** Evidence should not be altered in any way. It is not permitted to mark on the exhibits. Any alterations to the exhibits may be grounds for disqualification from the competition.
- G.** Illustrative aids of any kind are prohibited, including but not limited to the use of electronic or light projected aids.
- H.** The official diagrams establish only relative positions. Because the scale (if any) is approximate, the diagrams cannot be used to definitively establish distances. The issue of distances should be based on the witnesses’ testimony and is a matter of fact for presiders.

Rule 3.3 — Trial Communication

- A.** Once the trial has begun, coaches, teachers, alternates, and spectators are not allowed to communicate (including signaling and passing notes) with the teams.
- B.** Mock Trial Competition is a bench trial. Attorneys and witnesses are not allowed to verbally address the scoring attorneys as if they were a jury.
- C.** Communication between trial attorneys is allowed during the trial but must be non-disruptive.
- D.** The defendant may sit at the counsel table and communicate with the defense attorneys. All communication must be non-disruptive to the trial.
- E.** After the pretrial, the pretrial attorneys may not sit with the trial attorneys and may not communicate with the trial attorneys at any time.

- F. Once the trial has begun, there must be no spectator contact with student team members, whether in the hallway or the courtroom.
- G. If any section on rule 3.3 has been violated, scorers must deduct five points per score sheet per violation.

Rule 3.4 — Witnesses

- A. Although witnesses are excluded from the trial proceedings in actual trials, for educational purposes, witnesses in the Mock Trial Program will remain in the courtroom for the entire trial. Witnesses will sit in designated seating at the front of the courtroom.
- B. Witnesses may not testify or respond to another witness' testimony, unless otherwise stated in the stipulations.
- C. The fact situation, witness statements, stipulations and exhibits, are the official case materials and make up the sole source of information for testimony.
- D. Unless otherwise stated, attorneys may not solicit information from a witness that requires the witness to testify to information from another witness' statement or information not included in their own statement.
- E. The witness statements contained in the case material should be viewed as signed statements made to the police by the witnesses. Unless otherwise specified, a witness can be impeached if she/he contradicts the case material contained in her/his witness statement or fact situation using the procedures as outlined in the case material.
- F. Because this is a mock trial, witnesses may not be treated as hostile witnesses.
- G. All witnesses must be called in the allotted time. If the direct examination attorney runs out of time without calling one or more witnesses, the direct examination attorney and the witness will each automatically receive a score of zero for each witness not called, and the cross-examination attorney will automatically be awarded ten points for each witness not called. Once the time allotted for witnesses has ended, direct examination attorneys may not call any other witnesses.
- H. Cross-examination is required for all witnesses. If the cross-examination attorney does not cross one or more witnesses, the cross-examination attorney will receive a cross-examination score of zero for the witnesses.
- I. Witnesses are not allowed to use notes while testifying during trial.

Rule 3.5 — Unfair Extrapolation

- A. It is each student's responsibility to work closely within the record.
- B. An unfair extrapolation (UE) occurs when a witness creates a material fact not included in his or her official record. A material fact is one that would likely impact the outcome of the case.
- C. Witnesses may, however, make fair extrapolations from the materials. A fair extrapolation is one in which a witness makes a reasonable inference based on his or her official record. A fair extrapolation does not alter the material facts of the case.
- D. Unfair extrapolations are best attacked through impeachment and closing argument. They should be dealt with by attorneys during the course of the trial. (See Impeachment during Cross-Examination in the case packet.)
- E. If a witness is asked information not contained in the witness's statement, the answer must be consistent with the statement and may not materially affect the witness's testimony or any substantive issue of the case.
- F. Attorneys shall not ask questions calling for information outside the scope of the case materials or requesting an unfair extrapolation.
- G. Attorneys for the opposing team may refer to this rule as a special "unfair extrapolation" objection.
- H. When a "UE" objection is made, possible rulings by a presider may be one of the following:

- a) No extrapolation has occurred. Objection overruled.
- b) An unfair extrapolation has occurred. Objection sustained.
- c) The extrapolation was fair. Objection overruled.
- I. The decision of the presiding judge regarding extrapolations or evidentiary matters is final. Scoring attorney must take the presiding judges ruling on unfair extrapolations into consideration when determining the point deduction total.
- J. Witnesses and attorneys making unfair extrapolations and attorneys who ask questions that require the witness to answer with an unfair extrapolation should be penalized by having one point deducted from their individual scores.
- K. If a team has several team members making unfair extrapolations, in addition to the individual point deductions, five points should be deducted from the offending team's presentation/participation score.

Rule 3.6 — Attorneys

- A. The prosecution presents the opening statement and closing argument first.
- B. Attorneys may conduct a re-direct examination when appropriate. No re-cross-examination is allowed. Witnesses may not be recalled to the stand.
- C. The attorney who conducts the direct examination of a witness is the only person allowed to make objections to the cross-examination of that witness. The attorney who conducts the cross-examination of a witness is the only person allowed to make objections during the direct examination of the witness. Two points must be deducted for each objection made by the wrong attorney.
- D. Attorneys may use notes while presenting their cases.
- E. The Mock Trial competition proceedings are governed by the California Mock Trial Simplified Rules of Evidence in the case material. Only specified types of objections will be recognized in the competition. Other rules may not be used at the trial.
- F. Legal motions not outlined in the official materials will not be allowed.
- G. There are no objections allowed during opening statements or closing arguments. (It will be the presider's responsibility to handle any legally inappropriate statements made in the closing, while scorers will also keep in mind the closing argument criteria.) Two points must be deducted for each objection made during opening statements or closing arguments.
- H. There will be 30 seconds provided at the end of the pretrial and at the end of the trial for team members from each team to confer with their team's teacher and attorney coach to discuss any substantial trial irregularities.
- I. If there are any irregularities regarding the rules of the competition, which a team would like the presider and scorers to be aware of, one member will have 30 seconds to orally note the irregularities to the court. Coaches may not directly make arguments on behalf of the team.
- J. Teams arguing a violation of the rules must be able to point to specific incident of the misconduct and be able to cite to the presider, the corresponding violation in the team rulebook and/or case material.
- K. The presider will hear the alleged violation and rule on the violation, the presider's decision will be the final.
- L. If the presider determines a violation exists and there is not a specified deduction outlined in the team rulebook, the presider will direct the scoring attorneys to take the violation into consideration. The scoring attorneys will use their discretion to determine individually how many points (if any) will be taken off their score sheet.
- M. The 30 second rule should be used for substantial rule violations and should not be used to argue additional points of law or rebut an opponent's closing argument.
- N. This time should not be used to argue additional points of law or rebut an opponent's arguments. Regarding questions of rule violations, the presider's decision will be the final.

Rule 3.7 — Conduct of the Pretrial Motion

Note: The pretrial motion is a mandatory part of the Mock Trial competition for the senior division (does not apply to the junior division).

- A.** The defense will argue the pretrial motion first.
- B.** Each attorney arguing a pretrial motion has four minutes to present a statement and two minutes for rebuttal. During these proceedings, pretrial attorneys must be prepared to answer questions from the presider to clarify their position.
- C.** No objections are allowed during pretrial arguments. Two points must be deducted for each objection made during pretrial arguments.
- D.** In order to present a position in the most persuasive manner, attorneys should carefully review and become familiar with the materials provided in the mock trial case materials.
- E.** Additional background research may supplement their understanding of the issues at hand, but such supplemental materials may not be cited in arguments.
- F.** No written pretrial motion memoranda may be submitted at trial.
- G.** The pretrial motion, motions entering exhibits into evidence, and motion to strike testimony are the only motions allowed. All other motions are prohibited. If a motion is made that is not listed in this section, two points must be deducted from the team's total presentation/participation score.

Rule 3.8 — Clerk, Bailiff, and Unofficial Timers

- A.** The Mock Trial competition involves timed presentations. The clerk is the official neutral time keeper for the trial. The clerk must keep accurate time for both teams, provide time remaining warnings, and complete a time sheet. In addition, any member of the team presenting defense may serve as an unofficial timer. This unofficial timer must be identified before the trial begins. To avoid timing issues, both the clerk and unofficial timers must sit next to each other during the trial.
- B.** In LA County, the clerk and unofficial timer must bring a stop watch (no cell phones, tablets, or other electronic devices) and CRF's time sheet to each trial. The clerks must use the laminated time cards provided by CRF, which will be distributed by the presider. The time cards must be returned to the presider after each trial. The time cards will have the following time remaining warnings:
 - 2 minute
 - 1 minute
 - 30 seconds
 - Stop
- C.** Modifications of time intervals are not permitted.
- D.** Running of another team's time is not allowed. One team's unreasonable running of the opposing team's time is inappropriate. The scorers should deduct 5 points from the offending witness' score, should they determine that a witness is trying to run the opposing team's time. In addition, the presider may admonish the witness.
- E.** Each team will have 34 minutes to present its case. The time may be utilized however they choose, but the maximum allowable totals for each section must be observed. Time limits for each section are as follows:
 - (The senior division) Pretrial Motion (4 minutes) and Rebuttal (2 minutes)
 - Opening Statement/Closing Argument (9 minutes) and Rebuttal (1 minute)
 - Direct/Re-direct Examination (14 minutes)
 - Cross-Examination (10 minutes)
- F.** The time will start when each attorney starts to speak (i.e. first work of pretrial, opening, direct, cross-examination, and closing. Examples include but are not limited to:
 - "May it please the court..."

- “Your Honor...”
 - “Please state your name for the court...”
- G.** The time will be stopped when:
- Witnesses are called to the stand
 - Attorneys make objections
 - Presider questions attorneys and witnesses
 - Presider offers their observations.
- H.** The time will not be stopped if witnesses are asked to approach the diagram. Time will not be rounded off, and must be measured to the whole second.
- I.** One minute is automatically reserved for rebuttal at the conclusion of the closing argument. Only issues that were addressed in an opponent’s closing argument may be raised during rebuttal. Formal reservation of rebuttal time is not required.
- J.** In LA County, both visual and verbal warnings will be given a two-minute, one-minute, 30 second, and stop warnings. The time remaining cards must be displayed in a manner to ensure that there is a clear view for the counsel and presiding judge. The clerk will stop students (both visually and verbally) at the end of the allotted time for each section. Thus, there will be no allowance for overtime. Two points must be deducted per score sheet if the presider finds that any section of this rule has been violated.
- K.** If timing variations occur of 15 seconds or more at the completion of any task during the trial, the timers will notify the judge immediately that a time discrepancy has occurred. Any time discrepancies less than under 15 seconds are not considered a violation. No time discrepancies will be entertained after the trial concludes. The judge shall determine whether to accept the clerk’s time or make a time adjustment.
- L.** At the end of the pretrial motion and the trial, the clerk will time the 30-second rule.
- M.** The presider and attorney scorers will be allowed 10 minutes for debriefing. Following the verdict, the clerk will begin timing the debriefing. The clerk will provide the presider and attorney scorers with a 2 minute, 1 minute, 30 second visual warnings and will stop (both verbal and visual) the debriefing.
- N.** The clerk will not be scored on timing the debriefing, consultations, and any formal presentations regarding irregularities. No extensions of time will be granted.
- O.** The bailiff will call the court to order and swear in the witnesses. In addition, the bailiff must bring a copy of the 2020 Team Rulebook and Case Packet should the presider need to clarify an issue or question.
- P.** Before calling the court to order, the bailiff will remind the audience to turn off all cell phones and that **ABSOLUTELY NO FOOD** is allowed in the courtroom. Water is OK. If spectators must step outside, they should do so quietly in order to avoid disrupting the participants.
- Q.** The bailiff will call the court to order using the following language:
 “All rise, Superior Court of the State of California, County of (ex. Los Angeles) _____,
 Department _____, is now in session. Judge _____ presiding. (Allow time for the presider to take the bench.) Please be seated and come to order.”
- R.** The bailiff will swear in the witnesses by using the following language:
 “Do you solemnly affirm that the testimony you are about to give will faithfully and truthfully conform to the facts and rules of the Mock Trial competition?”

Rule 3.9 — Courtroom Artist and Journalist

- A.** The sketch must depict an actual courtroom scene observed by the courtroom artist. Sketch must be created and completed by the courtroom artist during the course of the designated official trial without the help of any source or person. The courtroom artist may only observe and sketch the trials in which their team is competing in.
- B.** The art submission must be done in color.
- C.** The drawing must be on paper of the dimensions 11” x 14’, with a horizontal/landscape format.

- D. The art submission must have the artist's name and team code only on the back of the sketch. No name/signature in the front of the submission is allowed.
- E. At the end of the designated official trial, the artist must submit their art submission to the presider. Only drawings submitted to presiders will be entered in the contest.
- F. The article must be based on what the journalist witnessed at the designated official trial and cannot be written prior to the trial. The journalist may only report on their own team's trial.
- G. Journalist must draft their article completely independently. The use of dictionaries and thesauruses will be permitted. The submitted article must be in the journalist's voice.
- H. After the completion of the designated official trial, the journalist must type their article. Article must be a 12-point Times New Roman or Arial font, with one-inch margins, double-spaced, and a page limit of two pages. Any articles over two pages will not be considered.
- I. Journalist must submit their article as a WORD document or as a PDF file by the designated deadline and to the designated email/drive will be entered in the contest.

Rules

Rule 4.1 — Rule Interpretation

- A. The presider is the ultimate authority throughout the trial. If there is a rule infraction, it is solely the student attorneys' responsibility to bring the matter to the presider's attention before a verdict is rendered.
- B. No bench conferences are allowed.
- C. The presider will determine if a rule was, in fact, violated. Her/his word is final.
- D. Unless a specific point deduction for a particular infraction is provided in these rules, each scorer will determine the appropriate amount of deduction individually.
- E. These rules are designed to introduce the procedures of law to participants and to foster good sportsmanship. Interpretations of the rules should be guided by common sense.
- F. Arguing for hyper technical interpretations of the rules, especially when designed to embarrass others or to gain an unfair advantage, is prohibited and five points must be deducted.

Judging and Team Advancement

Rule 5.1 — Finality of Decisions

- A. All decisions of the presider and scoring attorneys are final. No exceptions.

Rule 5.2 — Judging Panel

- A. The judging panel will typically consist of three to four people (a presider and several scoring attorneys). In some cases beyond the Mock Trial staff's control, a scoring panel may consist of one presider and one scoring attorney. In that situation the presider will be required to both preside and score the trial.
- B. The scoring panel may consist of people with substantial Mock Trial coaching/scoring experience, law students, paralegals or attorneys. There will be at least one attorney on each scoring panel. The presider shall be either an attorney or judge.
- C. Subject to the discretion of the county coordinator, attorney and teacher coaches cannot serve as scoring attorneys or presiders if their team is still active in the tournament.

Rule 5.3 — Evaluation

- A. Each scoring attorney will use the evaluation and scoring criteria to assign a numerical value (1-10) to individual and team presentations.
 - Closing and pretrial arguments are weighted twice as much as other categories.
 - Clerk and bailiff are evaluated using a scale of 1-5.

Rule 5.4 — 1 to 10 Point Scale

- A.** Students are to be rated on the ten-point scale for each category (with the exception of the clerk and bailiff) according to the criteria appropriate to each presentation.
- B.** Scoring attorneys should consider a “5” as a starting point and move up or down based on the presentation.
- C.** Scoring attorneys must award points individually and not with consultation from other scoring attorneys.
- D.** Some scores are weighted and therefore can affect a team’s score more dramatically. These include the pretrial motion (x2) and the closing argument (x2).
- E.** The scoring attorneys are scoring the individual presentation in each category.
- F.** The scoring attorneys are not evaluating the legal merits of the case.

Rule 5.5 Rankings and Ties

- A.** Team rankings are based on the win-loss and percentage system in an effort to eliminate the artificial highs and lows inherent in any numeric scoring system.
- B.** Round one assignments will be random. Round two assignments and beyond will be based on a power matching system.
- C.** In the event of a tie, the winning team will be determined by the official presider tie breaker ballot.
- D.** Teams will be ranked by the following order:
 - 1) First by Win/Loss Record—Determined by the total number of raw points given in the trial. For example:
 - Team “A” has a total of 187 raw points.
 - Team “B” has a total of 176 raw points.
 - The winner of the trial is Team “A” with 187 raw points
 - 2) Percentage—After the raw points are calculated to determine a winner, the raw points are converted into a percentage to rank the team in their bracket. Given the example above:
 - Team “A’s” raw points are added to team “B’s” raw points to determine the total amount of points given at the trial:
 $187 \text{ (Team A raw points)} + 176 \text{ (Team B raw points)} = 363 \text{ raw points}$
 - Team A’s raw points are divided by the total points to get a percentage
 $187/363 = 51.52\%$
 - Team B’s raw points are divided by the total points to get a percentage
 $176/363 = 48.48\%$
- E.** For power matching purposes, brackets will be separated first by win/loss record and second by cumulative percentages.
- F.** If a bracket is equal to or greater than twelve teams, the bracket will be split in half to create two sub-brackets for power matching purposes. Sorting within the power matching bracket will be done in the following order:
 - 1) Win/loss record
 - 2) Cumulative percentagesThe team with the highest number of wins and percentage within a bracket, will be matched with the team with the lowest percentage within the bracket. Then the next highest with the next lowest within the bracket and so on until all teams are paired.
- G.** If there is an odd number of teams in a bracket, the team at the top of that bracket will be matched with the top team from the next lower bracket.
- H.** Teams will not meet the same opponent twice during the official competition, this does not include scrimmages.

- I. To the greatest extent possible, teams will alternate side presentations in subsequent rounds. However, bracket integrity in power matching will supersede alternate side presentation.

Rule 5.6 — Championship Trial

- A. Selection of side assignment. If each of the finalist teams has presented an equal number of prosecution and defense rounds, the side assignments for the final round will be determined by a coin toss.
- B. The team with the lowest numerical team code (whichever comes first numerically), will be considered the “designated team.”
- C. If the coin comes up heads, the designated team will represent the prosecution in the championship round. If the coin comes up tails, the designated team will represent the defendant.

Summary of Pretrial Motion Procedures

Presiders are encouraged to challenge the attorneys with questions about the case law during pretrial arguments and are encouraged to try to ask a balanced number of questions for each side. No objections are allowed during pretrial arguments.

- ✓ The hearing is called to order.
- ✓ The presider asks the defense to summarize the arguments made in the motion. The defense has four minutes. The presider may interrupt to ask clarifying questions. The time spent answering the presider's questions is not included in the four-minute time limit.
- ✓ The presider asks the prosecution to summarize the arguments made in the motion. The prosecution has four minutes. The presider may interrupt to ask clarifying questions. The time spent answering the presider's questions is not included in the four-minute time limit.
- ✓ The presider offers the defense two minutes of rebuttal time. The rebuttal time is used to counter the opponent's arguments. It is not to be used to raise new issues.
- ✓ The presider offers the prosecution two minutes of rebuttal time.
- ✓ At the end of the oral arguments, before ruling, the presider asks students if they would like 30 seconds to consult with teacher/attorney coaches regarding any substantial trial irregularities.
- ✓ The presider will rule on the motion and begin trial.

Summary of Trial Procedures

- ❑ Attorneys present physical evidence for inspection.
- ❑ Presider states charges against the defendant.
- ❑ Prosecution delivers its opening statement. No questioning during opening statements.
- ❑ Defense may choose to deliver its opening statement at this point or may wait to open after the prosecution has completed its case in chief.
- ❑ Prosecution calls its witnesses and conducts direct examination.
- ❑ After each prosecution witness is called to the stand and has been examined by the prosecution, the defense cross-examines the witness.
- ❑ After each cross-examination, prosecution may conduct re-direct examination of its own witnesses if necessary.
- ❑ After prosecution presents all its witnesses, defense delivers its opening statement (if it did not do so earlier).
- ❑ Defense calls its witnesses and conducts direct examination.
- ❑ After each defense witness is called to the stand and has been examined by the defense, the prosecution cross-examines the witness.
- ❑ After each cross-examination, defense may conduct re-direct examination of its own witnesses if necessary.
- ❑ Prosecution gives its closing argument, and then defense presents its closing arguments. No questioning during closing arguments.
- ❑ Prosecution and defense present rebuttal arguments.
- ❑ At the end of the trial before ruling, the presider asks students if they would like 30 seconds to consult with their teacher/attorney coaches regarding any substantial trial irregularities.
- ❑ Presider deliberates and announces the verdict in court.
- ❑ Allow students two minutes to decide which student from the opposing team will receive the MVP certificate. As students are conferring, remind scoring attorneys to complete scoresheet and collect scoresheets and award nomination forms. Presider will complete the purple Presider's Choice in case of tie. Ask students to present the MVP certificate to the opposing team.
- ❑ Presider conducts a short debrief of the trial with the scoring attorneys (not to exceed 10 min.)

Evaluation Criteria

Pretrial Motion (X2)	
<ul style="list-style-type: none"> • Clear and concise presentation of issues and appropriate use of case materials. • Well-developed, reasoned, and organized arguments. 	<ul style="list-style-type: none"> • Solid understanding of legal reasoning behind the arguments. • Responded well to president's questions and maintained continuity in argument. • Effective rebuttal countered opponent's argument.
Opening Statement	
<ul style="list-style-type: none"> • Provided a case overview • Theme/theory of the case was identified • Overview of key witnesses and their testimony • Introduction of Attorneys 	<ul style="list-style-type: none"> • Outlined burden of proof • Request for relief (what the side is asking the court to decide) • Mention of applicable law or statutes to be covered
Direct/Re-Direct Examination	
<ul style="list-style-type: none"> • Questions required straightforward answers and brought out key information for her/his side of the case. • Attorney properly introduced exhibits and, where appropriate, properly introduced evidence as a matter of record. • Attorney properly phrased and rephrased questions and demonstrated a clear understanding of trial procedures. • Responded to objections utilizing rules of evidence or the rules of competition. 	<ul style="list-style-type: none"> • Attorney made effective objections to cross-examination questions of her/his witness when appropriate. • Attorney did not make unnecessary objections and used only those objections listed in the Summary of Evidentiary Objections. • Throughout questioning, attorney made appropriate use of time. • Attorney avoided leading questions • Did not ask opinion questions unless witness is an expert.
Cross-Examination	
<ul style="list-style-type: none"> • Attorney made effective objections to direct examination (of the witness she/he cross-examined) when appropriate. • Used narrow questions that suggested a yes or no answer and did not allow the witness to provide a narrative explanation. • Responded to objections utilizing rules of evidence or the rules of the competition. • Followed protocol to introduce exhibits. • Utilized objections as a means to forward the case and not just to throw the other side off their game; unnecessary objections, excessive interruptions, and/or obstructionist behavior should not be rewarded. 	<ul style="list-style-type: none"> • Attorney properly phrased and rephrased questions and demonstrated a clear understanding of trial procedures. • Attorney exposed contradictions in testimony and weakened the other side's case. • Impeached the witness without appearing to harass or intimidate him/her. • Referred to witness testimony and followed rules for showing the testimony to the witness. • Demonstrated a clear understanding of the rules of competition and of evidence.
Witnesses	
<ul style="list-style-type: none"> • Witness was believable in her/his characterizations and presented convincing testimony. • Witness was well prepared for answering the questions posed to her/him under direct examination and responded well to them. • Witness responded well to questions posed under cross-examination without unnecessarily disrupting or delaying court proceedings. • Witness understood the facts. 	<ul style="list-style-type: none"> • Witness testified to key facts in a consistent manner and avoided irrelevant comments. • Witness did not disrupt the trial with unreasonable inferences. • Played up the strengths of his/her statements and adequately explained the weaknesses. • Did not use notes. • Sounded spontaneous and not memorized. • Did not wear a costume.

Evaluation Criteria

Closing Arguments (x2)	
<ul style="list-style-type: none"> Attorney's presentation contained elements of spontaneity and was not based entirely on a prepared text. Attorney incorporated examples from the actual trial, while also being careful not to introduce statements and evidence that were not brought out during the trial. Outlined the strengths of his/her side's witnesses and the weakness of the other side's witnesses. 	<ul style="list-style-type: none"> Asked for the verdict, including a request for relief, and explained why the verdict was justifiable. Attorney made an organized and well-reasoned presentation summarizing the most important points for her/his team's side of the case. Effective rebuttal countered opponent's arguments. Reviewed the exhibits and how they helped the case. Stated the applicable law or statutes and how they supported the side's theory.
Clerk	
<ul style="list-style-type: none"> Present and punctual for trial. Performed her/his role so that there were no disruptions or delays in the presentation of the trial. 	<ul style="list-style-type: none"> Conducted herself/himself professionally without attracting any unnecessary attention. Properly used verbal and visual time warnings.
Bailiff	
<ul style="list-style-type: none"> Present and punctual for trial. Performed her/his role so that there were no disruptions or delays in the presentation of the trial. 	<ul style="list-style-type: none"> Conducted herself/himself professionally without attracting any unnecessary attention. Knowledgeable about script and role in trial. Followed script.
Team Presentation	
<ul style="list-style-type: none"> Team members were courteous, observed general courtroom decorum, spoke clearly and distinctly, and displayed good sportsmanship to all competitors, regardless of trial results. All team members were involved in the presentation of the case and actively participated in fulfilling their respective roles. Witnesses performed in synchronization with attorneys in presenting their side of the case. 	<ul style="list-style-type: none"> As much as possible, each trial attorney displayed examination and argumentation skills, and when appropriate, displayed knowledge of California Simplified Rules of Evidence in making objections. Team members demonstrated cooperation and teamwork. The teachers and attorney coaches displayed good sportsmanship. Team members' roles were evenly divided.

Guidelines for (1-10) Scoring

Attorneys		Witnesses
<ul style="list-style-type: none"> • Excellent understanding of the case, rules, and legal issues • Questions and arguments advanced case and didn't ask for answers that asked for unfair extrapolations • Persuasive and articulate delivery made without use of notes • Thought well on feet, in control of situation, and responded to other team's presentation • Objected when appropriate; clearly understood how to respond to objections • Maintained eye contact with judge and witnesses, spoke in clear and audible voice. Did not verbally address the attorney scorers. 	9-10 - Excellent	<ul style="list-style-type: none"> • Excellent understanding of case, witness statements, and exhibits (if applicable) • Convincing, credible presentation • Answers were thorough, accurate, persuasive, and natural, not scripted • Didn't provide answers that embellished facts and/or went outside scope of case materials • Maintained eye contact with judge and student attorneys; strong, audible voice. Did not verbally address the attorney scorers.
<ul style="list-style-type: none"> • Good understanding of the case, rules, and legal issues • Most questions and arguments advanced case and didn't ask for unfair extrapolations • Mostly persuasive and articulate delivery; used notes occasionally • Able to think on feet some of the time • Most objections were appropriate; usually understood how to respond to objections • Mostly maintained eye contact with judge and witnesses. Did not verbally address the attorney scorers. • Mostly spoke in clear and audible voice 	7-8 - Above Average	<ul style="list-style-type: none"> • Good understanding of witness statements and exhibits (if applicable) • Mostly convincing, credible presentation • Most answers were thorough, accurate, persuasive, and mostly natural, not memorized • Rarely provided answers that embellished facts and/or went outside scope of case materials • Sometimes forgot to maintain eye contact with judge and student attorneys • Mostly spoke in clear and audible voice. Did not verbally address the attorney scorers.
<ul style="list-style-type: none"> • Fair understanding of case, rules, and legal issues • Verbally addressed the scoring attorneys as if they were a jury • Used notes, sometimes stumbled on delivery • Some questions and arguments advanced case and didn't ask for unfair extrapolations • Prepared for trial but often relied on preparation and not responding to other team's presentation • Missed appropriate opportunities to object; didn't always understand how to respond to objections • Sometimes forgot to maintain eye contact with judge and witnesses • Sometimes difficult to hear 	5-6 - Average	<ul style="list-style-type: none"> • Fair understanding of witness statements and exhibits (if applicable) • Verbally addressed the scoring attorneys as if they were a jury • Running of time of the opposing team's time • Somewhat convincing, credible presentation • Answers not always thorough, accurate or persuasive; sounded scripted, not natural • Some answers embellished facts and/or went outside scope of case materials • Sometimes forgot to maintain eye contact with judge and student attorneys • Sometimes difficult to hear
<ul style="list-style-type: none"> • Demonstrated little understanding of case, rules, and legal issues • Needs work on poise and delivery; didn't respond to other team's presentation • Read mostly scripted questions; relied heavily on notes • Few questions and arguments advanced case; may have asked questions that required unfair extrapolations • Struggled to understand when to object and how to respond to objections; used objections to interfere with other team's presentation • Often forgot to maintain eye contact with judge or witnesses • Often difficult to hear • Verbally addressed the scoring attorneys as if they were a jury 	3-4 - Below Average	<ul style="list-style-type: none"> • Struggled to understand witness statements and exhibits (if applicable) • Presentation not convincing, credible; often unrealistic • Verbally addressed the scoring attorneys as if they were a jury • Answers were generic and often didn't seem natural, but based on memorized script; sometimes stumbled over responses • Often provided answers that embellished facts and/or went outside scope of case materials • Often forgot to maintain eye contact with judge and student attorneys • Often difficult to hear • Deliberately use up opposing counsel's time

<ul style="list-style-type: none"> • Did not understand case, rules, or legal issues • Not persuasive or articulate in delivery; read entirely from script • Not prepared for trial; not able to think on feet • Questions and arguments didn't advance case; asked for answers that required unfair extrapolations • Did not know when to object or how to respond to objections • Disruptive/disrespectful/inappropriate actions • Did not maintain eye contact with judge or witnesses; unclear or inaudible voice • Verbally addressed the scoring attorneys as if they were a jury 	1-2 - Far Below Average	<ul style="list-style-type: none"> • Did not understand witness statements and exhibits • Presentation not convincing or credible; seems unrealistic • Answers were not thorough, accurate, or persuasive, and didn't sound natural; stumbled over responses • Answers not consistent with the facts and/or went outside scope of case materials • Did not maintain eye contact with judge or student attorneys • Weak, inaudible, or unclear voice • Disruptive/disrespectful/inappropriate actions • Gave excessively long, non-responsive answers on cross examination to • Deliberately use up opposing counsel's time • Verbally addressed the scoring attorneys as if they were a jury
Clerk		Bailiff
<ul style="list-style-type: none"> • Very professional demeanor • Clear understanding of procedures; excellent time keeping • Clear, audible voice when issuing verbal warnings (if applicable) • Visual warnings were clearly visible to student attorneys • Able to think well on feet, in control of situation 	5 - Excellent	<ul style="list-style-type: none"> • Very professional, believable presentation • Consistent use of clear and audible voice, and eye contact • Consistently natural delivery of script • Excellent understanding of role and procedures
<ul style="list-style-type: none"> • Professional demeanor • Good understanding of procedures; good time keeping • Mostly spoke in clear, audible voice when issuing verbal warnings (if applicable) • Visual warnings were mostly clearly visible to student attorneys 	4 - Above	<ul style="list-style-type: none"> • Professional, believable presentation • Used clear, audible voice, and eye contact a lot of the time • Knew script and delivery was mostly consistently natural • Good understanding of role and procedures
<ul style="list-style-type: none"> • Good demeanor • Basic understanding of procedures; able to keep time • Was heard when issuing verbal warnings (if applicable) • Visual warnings were visible to student attorneys 	3 - Average	<ul style="list-style-type: none"> • Mostly natural, believable presentation • Audible voice, some eye contact • Apparent that script was memorized • Understood role and procedures
<ul style="list-style-type: none"> • Demeanor lacked professionalism • Demonstrated little understanding of procedures; time keeping not entirely accurate • Not clear or audible when issuing verbal warnings (if applicable) • Visual warnings may not have been visible to student attorneys 	2 - Below	<ul style="list-style-type: none"> • Presentation not realistic, lacked professionalism • Voice not all that clear or audible; little eye contact • Used notes, stumbled with script • Did not have a good understanding of role and procedures
<ul style="list-style-type: none"> • Complete lack of professionalism • No understanding of procedures; time keeping was inaccurate • Verbal warnings not used or completely inaudible (if applicable) • Verbal warnings not used or not at all visible • Disruptive/disrespectful/inappropriate actions 	1 - Far Below	<ul style="list-style-type: none"> • Complete lack of professionalism • Voice not audible or clear; no eye contact • Relied almost entirely on notes/script • Did not understand role and procedures • Disruptive/disrespectful/inappropriate actions

Participation and Team Presentation	
9-10 Excellent	<p>All competitors, coaches and other participants, including observers:</p> <ul style="list-style-type: none"> showed courtesy and respect for all team members and participants, including their opponents and all courthouse staff, judges, attorney coaches, teacher coaches and mock trial staff and volunteer personnel. showed dignity and restraint, irrespective of the outcome of any trial. Trials, contests and activities were conducted honestly, fairly, and with civility. conformed to the highest standards of deportment. focused on the educational value of the Mock Trial Competition. used proper procedure and decorum abided by the letter and the spirit of the competition's Rules and this Code of Ethical Conduct. did not employ tactics they believe to be wrong or in violation of the Rules. did not willfully violate the Rules of the competition in spirit or in practice. Team members: presentation was natural; no overacting.
7-8 Above Average	<ul style="list-style-type: none"> Pretrial attorney served as trial attorney during the same round. The prosecution team failed to bring physical evidence to court. Prohibited motions were used. (The pretrial motion, motions entering exhibits into evidence, and motion to strike testimony are the only motions allowed.) Team members' roles were not evenly divided.
5-6 Average	<ul style="list-style-type: none"> Used 30 second rule to argue additional points of law or rebut opponent's closing argument. Several team members made unfair extrapolations (in addition to the individual point deductions.) Portrayed racial, ethnic, and gender stereotypes. Team members; presentation was not natural; overacting was present.
3-4 Below Average	<ul style="list-style-type: none"> Argued for hyper technical interpretations of the rules to embarrass others or to gain an unfair advantage. Additional exhibits, other than the exhibits provided in the trial material, were used. Used props, costumes, and theatrical makeup.
1-2 Far Below Average	<p>Competitors, coaches and/or other participants, including observers:</p> <ul style="list-style-type: none"> did not show courtesy and respect for all team members and participants, including their opponents and all courthouse staff, judges, attorney coaches, teacher coaches and mock trial staff and volunteer personnel. did not show dignity and restraint, irrespective of the outcome of any trial. Trials, contests and activities were not conducted honestly, fairly, and with civility. did not conform to the highest standards of deportment. did not focus on the educational value of the Mock Trial Competition. did not use proper procedure and decorum did not abide by the letter and the spirit of the competition's Rules and this Code of Ethical Conduct. employed tactics they believe to be wrong or in violation of the Rules. willfully violated the Rules of the competition in spirit or in practice.
Note:	Any specific point deduction without a designated category can be deducted in the participation and team presentation category.

0 Score (10 Point Deductions)	<ul style="list-style-type: none"> Failure to cross-examine a witness (Attorney score) Failure to conduct direct examination of a witness (Attorney and witness score) Can apply only to rule violations that specify a zero score
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California Mock Trial Rules of Evidence

Summary of Allowable Evidentiary Objections

These are the only objections allowed and are modified for the mock trial competition. (See Mock Trial Simplified Rules of Evidence of the case packet for more details.)

- 1. Unfair Extrapolation:** “Objection your honor. This question is an “unfair extrapolation,” or “This information is beyond the scope of the statement of facts.”
- 2. Relevance:** “Objection, your honor. This testimony is not relevant,” or “Objection, your honor. Counsel’s question calls for irrelevant testimony.”
- 3. More Prejudicial Than Probative:** “Objection, your honor. The probative value of this evidence is substantially outweighed by the danger of undue prejudice (or confusing the issues, wasting time, or misleading the trier of fact).”
- 4. Foundation:** Objection, your honor. There is a lack of foundation.”
- 5. Personal Knowledge/Speculation:** “Objection, your honor. The witness has no personal knowledge to answer that question.” Or “Objection, your honor, speculation.”
- 6. Opinion Testimony (Testimony from Non-Experts):** “Objection, your honor. Improper lay witness opinion,” or “Objection, your honor. The question calls for speculation on the part of the witness.”
- 7. Expert Opinion:** “Objection, your honor. There is a lack of foundation for this opinion testimony,” or “Objection, your honor. Improper Opinion.”
- 8. Character Evidence:** “Objection, your honor. Inadmissible character evidence,” or “Objection, your honor. The question calls for inadmissible character evidence.”
- 9. Hearsay:** “Objection, your honor. Counsel’s question calls for hearsay,” or “Objection, your honor. This testimony is hearsay. I move that it be stricken from the record.”
- 10. Leading Question:** “Objection, your honor. Counsel is leading the witness.”
- 11. Compound Question:** “Objection, your honor. This is a compound question.”
- 12. Narrative:** “Objection, your honor. Counsel’s question calls for a narrative.” Or, “Objection, your honor. The witness has lapsed into a narrative answer.”
- 13. Argumentative Question:** “Objection, your honor. Counsel is being argumentative,” or “Objection, your honor. Counsel is badgering the witness.”
- 14. Asked and Answered:** “Objection, your honor. This question has been asked and answered.”
- 15. Vague and Ambiguous:** “Objection, your honor. This question is vague and ambiguous as to _____.”
- 16. Non-Responsive:** “Objection, your honor. The witness is being non-responsive.”
- 17. Outside Scope of Cross-examination:** “Objection, your honor. Counsel is asking the witness about matters beyond the scope of cross-examination.”