



Indiana High School Mock Trial 2018 Rules of Competition

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ARTICLE I: INDIANA HIGH SCHOOL MOCK TRIAL COMPETITION

Rule 1.1: Participation in the Indiana High School Mock Trial Competition

The Indiana Bar Foundation (“Foundation”) welcomes your participation in the High School Mock Trial Competition.

Students: Through participation you will experience what it is like to prepare for, advocate and present a case before a court. Working with your team and coaches, you will learn to evaluate information, develop a presentation of your position, and respond to facts and arguments that are contrary to the position you are arguing. As you prepare, you will sharpen public speaking and presentation skills. You will also learn how the legal system works with an emphasis on the principles of civility and professionalism. By studying and understanding the trial process, you will become more comfortable with federal and state laws and courtroom procedures.

Faculty Sponsors and Attorney Coaches: Your participation, through the contribution of time and talent, is an essential element to the continuing success of the Indiana High School Mock Trial program. The Foundation has a mission for students in the Mock Trial program to emerge from the competition with stronger advocacy skills, more confidence, competence, and respect. Therefore, you are strongly encouraged to focus students on the goal of participation and education.

Rule 1.2: Rules

All trials will be governed by the Indiana Mock Trial Rules of Competition (“Rules of Competition”) and the Federal Rules of Evidence, adapted for the Mock Trial program (“Rules of Evidence”). Questions or interpretations of these rules are within the discretion of the Indiana Mock Trial Advisory Committee (“Committee”), whose decision is final.

Rule 1.3: Code of Conduct

The Rules of Competition, as well as proper rules of courthouse and courtroom decorum and security, must be followed. The Committee possesses discretion to impose sanctions, including

but not limited to disqualification, immediate eviction from the competition, and forfeiture of all fees and awards (if applicable) for any misconduct relating to the Mock Trial competition, for flagrant rule violations, and/or for breaches of decorum which affect the conduct of a trial or which impugn the reputation or integrity of any team, school, participant, court officer, judge, or the Mock Trial program. Moreover, the Committee and any Mock Trial judge possess discretion to deduct points from any team that, in the opinion of the Committee and/or judge(s), acts in a way that is contrary to the spirit of the Rules of Competition.

Participants in the competition shall not have a cell phone in their possession while competing in a trial. The only exception is that a timekeeper may use his/her cell phone for time keeping purposes only. Participants and guests need to be aware that some Courts will not allow any cell phones to be brought into the Court building. Students, coaches, and observers are expected to comply with the policies of the facilities they are utilizing.

Rule 1.4: Regional Competitions

Regional Competitions will be held in Hammond, Indianapolis, and South Bend.

Generally, a team will compete in the Regional Competition where they are geographically located. In the event, however, that the Committee, in its sole discretion, elects to have a minimum number of teams in a particular Regional Competition (“Subject Regional Competition”) and that minimum number is not reached through registration, then teams from other geographical regions may be invited to compete in the Subject Regional Competition. If a sufficient number of teams do not volunteer to compete in the Subject Regional Competition, then the Committee, at its sole discretion, may require one or more teams to move to the Subject Regional Competition.

Twenty-four teams from the Regional Competitions will advance to the State Finals. The Committee will determine the number of teams that will advance from each Regional Competition to the State Finals.

Rule 1.5: State Finals

The State Finals will be held in Indianapolis. There will be four rounds of competition (trials), after which the top two teams will compete in the State Championship Trial. The winner of the State Championship Trial will advance to represent the State of Indiana in the National High School Mock Trial Championship in May.

ARTICLE II: TEAMS

Rule 2.1: Team Composition

Teams shall consist of no less than six and no more than ten members.

Rule 2.2: Team Eligibility

There is no limit to the number of teams a school may enter in the competition. Likewise, there is no limitation on the number of teams from any school that may advance to the State Finals.

The competition is only open to high school students, ninth through 12th grade.

Generally, teams will be composed of students currently enrolled in the same high school. There are, however, limited exceptions:

- a. A community team may compete if that team is made up of students from a single high school or multiple high schools that do not sponsor a Mock Trial team.
- b. Students who are home schooled may compose a team with other home school students or may join a local high school team.
- c. A student or students from a high school that does sponsor one or more teams may combine with another high school team or a community team if there are insufficient spots on the team that the student(s)'s school is sponsoring.

Any exceptions to the general policy (such as a, b, or c above) must be approved by the Committee prior to the Regional Competition.

Rule 2.2: Team Code Names

Each team participating in the competition shall provide a Team Code Name at the time of registration. The Team Code Name must be limited to no more than three words, and a total of 15 letters, including spaces and other characters. The Team Code Name may not identify in any way the school name, mascot, or other identifying information relating to the school. Each team's association with a particular school is not to be communicated or made known during the competition. The Committee reserves the right, in its sole discretion, to reject any proposed Team Code Name.

Rule 2.3: Team Responsibilities

a. Attorneys and Witnesses

1. Only six of the team members will participate in any given round. Three members will participate as attorneys and three members will participate as witnesses. The distribution of the roles among the team members is left to the discretion of the team coach(es).
2. Teams are not required to use the same six students for each round. A student, however, may only be a member of one team during the Regional Competition. Teams are not required to use the same six students from a team that advanced from the Regional Competition to the State Finals. A school receiving one or more bids to advance to the State Finals may, if they so choose, use any of their bids to the State Finals by entering an "all-star" team from that school. A student, however, may only be a member of one team during the State Finals. (Note that the National Competition limits team size to eight members and one timekeeper.)
3. In the case of an emergency occurring during a round of competition, or as otherwise permitted by the Committee, a team may participate in the Regional Competition or the State Finals with less than six members. In the event a team is participating with less than six members, the team must use three students as witnesses and two students as attorneys.

In the case of an emergency not occurring during the round of competition, that results in a team having less than six members available for one or more rounds of the competition, the Committee, in its sole discretion, may determine whether the team can participate in the competition and the circumstances under which the team may participate (including but not limited to scoring adjustments). The Committee's determination shall be final and not appealable.

b. Timekeeper

In addition to the six team members participating as attorneys and witnesses, each team must provide a student timekeeper for each trial. Parents, teachers, and or coaches are not permitted to serve as the timekeeper. The timekeeper may be a student who is not one of the official team members, but the timekeeper may not be a student from another team.

1. The timekeeper should be equipped with a stopwatch.
2. The timekeeper is responsible for fairly and accurately keeping and reporting the time during the trial.
3. During the rounds of the competition, a timekeeper is to act as a neutral entity.
4. In trial, the timekeeper shall use a set of time remaining cards with the following designations: 20:00, 15:00, 10:00, 5:00, 4:00, 3:00, 2:00, 1:00, 0:40, 0:20, and "STOP". Modification of intervals is not permitted.
5. A timekeeper is not to communicate with his/her teammates during the course of the trial or during any recesses, except to display the time remaining cards and to indicate (as directed by the presiding judge) how much time is remaining during a particular part of the trial.

c. Volunteer Judges

Each team is required to provide a judge for each round of competition that team is participating. The volunteer judge form for the Regional and State Competitions must be fully completed and submitted by the deadline as posted on the Foundation's Mock Trial website (<http://inbf.org/educational-programs/mock-trial>).

Attorneys, judges, law students, and/or community members or teachers may be designated as volunteer judges. Additionally, a college student with extensive Mock Trial experience, who has been out of high school for three (3) or more years, may be designated as a volunteer judge. Extensive Mock Trial experience means the student has participated in a high school or college Mock Trial program for at least four (4) years. Coaches or teachers for any school participating in the Indiana High School Mock Trial competition may be designated as a team's judge for no more than one (1) round per competition.

If a school or team has recruited any extra judges in one round of the competition, the school or team cannot count the extra judges for that particular round to meet its obligations of designating a judge for any other round. Similarly, if a school has received permission to compete in more than one Regional Competition location, extra volunteer judges obtained in one Regional Competition cannot carry over to other Regionals. All volunteer judges must timely report to the judges' orientation for the judge's assigned

round. If a team's designated volunteer judge is unable to judge for any round designated, the team is responsible for finding a replacement judge for that round. If a team does not have a volunteer to judge the competition per these rules, it is subject to forfeiture for any round it does not have a volunteer judge.

Only attorneys will be designated as presiding judges. Moreover, only one non-attorney may be on any panel of judges for a trial.

Rule 2.4 **Special Needs**

It is the policy and practice of the Indiana High School Mock Trial program to provide reasonable accommodations to those students who need special accommodations. The Committee is committed to treating all individuals in the program in a fair and equitable manner. A student or a teacher or coach (acting on behalf of a student) who believes he or she requires special accommodations should contact the Committee no later than two weeks before any competition to make arrangements for those accommodations.

Rule 2.5 **Registration Fees**

The early registration fee shall be \$200 for each team registered by a school. If teams register after the early registration deadline, then the fee shall be \$250. The Committee reserves the right to decline late registrants if it will create an uneven number of teams at a competition.

ARTICLE III: THE CASE

Rule 3.1: **The Problem**

The case will contain at least the following: case background, pleadings, stipulations, witness statements, exhibits, and applicable law.

Rule 3.2: **Case Background**

The case background, which generally includes a brief summary of the problem, a list of witnesses, and a list of exhibits, is provided for background purposes only and cannot be used as evidence in the case.

Rule 3.3: **Pleadings**

The pleadings, generally a complaint and an answer, form the legal structure of the case. An allegation contained in a complaint that is admitted in an answer is deemed to be established and cannot be denied by any witness.

Rule 3.4: **Stipulations**

Stipulations are points that have been agreed to by both parties. No witness may contradict or deny knowledge of the facts contained in the Stipulations. Stipulations will be considered to be part of the record and already admitted into evidence.

Rule 3.5: **Witness Statements**

a. Each witness is bound by the facts contained in his/her own witness statement, and/or

any necessary documentation (such as exhibits and stipulations) relevant to his/her testimony. A witness is not bound by facts contained in the statements of other witnesses. Witness statements may not be altered.

- b. All witnesses are gender neutral. The witnesses will have names and characteristics that will allow them to be played by either males or females. Personal pronoun changes in witness statements indicating gender of the characters may be made. Any student may portray the role of any witness of either gender. Students should not create issues arising from the case materials relating to gender. For example, if the case is set in a time period when a woman would not have been in a particular occupation, an issue should not be created to question witnesses' credibility, veracity, or any other basis.
- c. Attorneys may not ask questions of a witness that call for information outside the scope of the case materials.
 1. If a witness is asked for information not contained in the witness' statement, the answer must be consistent with the statement and may not materially affect the witness' testimony or any substantive issue in the case.
 2. Provided reasonable inference may be made from a witness statement, fair extrapolations may be allowed. A fair extrapolation is one that is neutral and that does not materially affect the witness testimony and/or result in an unfair competitive advantage.
 3. Attorneys shall not ask questions calling for unfair extrapolations. An unfair extrapolation is one that is not neutral and that materially affects the witness' testimony and/or results in an unfair competitive advantage.
 4. If, in direct examination, an attorney asks a question which calls for extrapolated information pivotal to the facts at issue, the information is subject to impeachment or the objection of "unfair extrapolation".
 - a) Unfair extrapolations are best attacked through impeachment and closing arguments and are to be dealt with in the course of the trial.
 - b) Attorneys for the opposing team may refer to this Rule in a special objection such as, "unfair extrapolation" or "this information is beyond the scope of the case materials".
 - 1) When an attorney objects to an extrapolation, the judge shall rule in open court to clarify the course of further proceedings.
 - 2) Possible rulings by the judge include:
 - i. No extrapolation has occurred.
 - ii. An unfair extrapolation has occurred.
 - iii. The extrapolation was fair; or
 - iv. The objection will be taken under advisement.

The decision of the presiding judge regarding extrapolations or evidentiary matters is final.

5. If, in cross-examination, an attorney asks for unknown information, the witness may respond so long as any response is consistent with the witness' statement or affidavit and does not materially affect the witness' testimony.

d. Voir dire examination of a witness is not permitted.

Rule 3.6: Exhibits

Teams may refer only to materials included in the case materials. No illustrative aids of any kind may be used, unless provided in the case materials. No enlargements of the case materials will be permitted. Absolutely no props or costumes are permitted unless authorized specifically in the case materials. Costuming is defined as hairstyles, clothing, accessories, and make-up which are case-specific.

The only documents which the teams may present to the presiding judge or scoring panel are the individual exhibits as they are introduced into evidence and the team roster forms. Exhibit notebooks are not to be provided to the presiding judge or scoring panel.

Rule 3.7: Applicable Law

Legal arguments are to be based on the Applicable Law as provided in the case materials. No additional research or legal citations shall be used in the trial.

ARTICLE IV: THE TRIAL

Rule 4.1: Trial Procedure

a. Rosters

1. Team rosters, in the form provided by the Committee, should be prepared in-advance of the competition, and be typed, or neatly printed, designating the roles which will be played by each individual on the team. If a school has more than one team, it would have a separate roster for each team. Copies of the Team Roster Form for both the Prosecution/Plaintiff and Defense/Defendant sides must be completed and duplicated by each team prior to arrival at the competition site. Sufficient quantities of the rosters should be brought to the competition for each team. Teams must be identified by the code assigned. No information identifying team origin should appear on the form. Before beginning a trial, the teams must exchange copies of the Team Roster Form. Copies of the Team Roster Form may be made available to the judging panel and presiding judge before each round, if requested by the judge(s).
2. Prior to trial, each team shall complete three scoring sheets, provided by the Committee, by including the names of each student participating as an attorney in the trial and his/her role and by including the names of each student acting as a witness participating in the trial and his/her role. The witness list shall be completed in the order the witnesses will be called during the trial.

b. Preliminary Matters:

At the outset of the trial, the Presiding Judge will ask if there are any preliminary matters to be addressed and will seek consent from the teams for photography and recording. If the teams consent to photography and recording, they will affirm at that time that recording will not be used to gain insights into another teams’ strategies, themes, style, etc. (see Rule 6.4). The Presiding Judge will request that any individual in the courtroom who is not affiliated with one of the two teams competing will identify themselves so that the judge or a team may inquire whether they are affiliated with another team or school. Preliminary matters may include, without limitation, a request that the Stipulations be recognized as having been admitted into evidence and a request that the attorneys be allowed to move freely about the courtroom.

c. Swearing in of Witnesses:

The Presiding Judge will either:

1. Swear in all witnesses using the following (or something similar):

“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?”

or

2. State that all witnesses are assumed to be sworn for purposes of the Mock Trial competition.

d. Sequence and Time Limits for Trial:

The Presiding Judge will declare the beginning of the trial for timekeeping purposes.

Plaintiff/Prosecutor’s Opening Statement	5 minutes
<i>Defendant’s Opening Statement</i>	<i>5 minutes</i>
Plaintiff/Prosecutor’s Case: Plaintiff Direct and Redirect of witness #1 <i>Defendant Cross and Re-cross of witness #1</i> Plaintiff Direct and Redirect of witness #2 <i>Defendant Cross and Re-cross of witness #2</i> Direct and Redirect of witness #3 <i>Defendant Cross and Re-cross of witness #3</i>	Plaintiff/Prosecutor shall have a total of 25 minutes <i>Defendant shall have a total of 20 minutes</i>
<i>Defendant’s Case:</i> <i>Direct and Redirect of witness #1</i> Plaintiff/Prosecutor Cross and Re-cross of witness #1 <i>Direct and Redirect of witness #2</i> Plaintiff/Prosecutor Cross and Re-cross of witness #2 <i>Direct and Redirect of witness #3</i> Plaintiff/Prosecutor Cross and Re-cross of witness #3	<i>Defendant shall have a total of 25 minutes</i> Plaintiff/Prosecutor shall have a total of 20 minutes.
Plaintiff/Prosecutor’s Closing Argument	Up to 5 minutes
<i>Defendant’s Closing Argument</i>	<i>5 minutes</i>
Plaintiff/Prosecutor’s Rebuttal*	Balance of 5 minutes not used in Plaintiff/Prosecutor’s Closing Argument
Total Time for the Competition Round (started when the Presiding Judge declares)	3 hours maximum trial time

*Rebuttal is limited to the scope of Defendant's closing argument.

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

Each trial round is required to be completed within three hours. If a round exceeds three hours, the scores for both teams for that round will not be counted in the competition rankings.

- e. The complaint, indictment, and/or stipulations shall not be read into the record.

Rule 4.2: Team Presentation

- a. Teams must be prepared to present both the Plaintiff/Prosecutor and the Defendant sides of the case.

- b. Attorney Responsibilities:

1. Each of the three attorneys shall conduct one direct examination and one cross examination. One of the three attorneys will present the opening statement and another of the three attorneys will present the closing argument. The same attorney may not present both the opening statement and the closing argument.
2. The attorney who examines a particular witness on direct examination is the only person who may respond to objections by the opposing attorney during direct examination and is the only attorney who may make the objections to the opposing attorney's questions of that witness' cross examination and is the only attorney. The attorney who cross-examines a witness is the only person permitted to make objections during the direct examination of that witness. However, the attorney whose duty it is to make or respond to objections may consult with the other attorneys on his/her team (except teacher/attorney coaches).
3. In the educational interest of handling all matters in open court, there shall be no bench conferences.
4. The case will be tried to a judge and not to a jury. Teams should address their arguments and testimony to the scoring judges.
5. Unless a student is physically unable to stand or is excused by the judge, attorneys will stand while giving opening and closing statements, during direct and cross examinations, and for all objections.
6. Attorneys may use notes in presenting their cases. However, generally, attorneys score higher when not relying upon their notes. Attorneys may consult with each other at counsel table verbally or through the use of notes. The use of laptops or other electronic devices is prohibited.

- c. Witness Responsibilities: Witnesses are not permitted to use notes while testifying during the trial.

Rule 4.3: Calling Witnesses

- a. Each team must call all three of its witnesses.
- b. A team may not treat one of its own witnesses as a hostile witness.
- c. Witnesses may not be recalled by any team.
- d. There is no sequestration of witnesses.
- e. Expert witnesses shall not be “tendered” to the Court as expert witnesses.

Rule 4.4: Scope of Examinations

The scope of cross-examination is not limited to the scope of direct examination. However, the scope of re-direct is limited to the scope of cross and the scope of re-cross is limited to the scope of re-direct. There shall be no re-re-direct or re-re-cross examinations.

Rule 4.5: Motions

Except for a motion to strike testimony of a witness as following a successful objection to its admission, no motions shall be made. For example, there shall be no motions for directed verdict, acquittal, or dismissal.

Additionally, a motion for recess may be made in the event of an emergency (i.e. a health emergency). To the greatest extent possible, team members are to remain in place. Should a recess be called, teams are not to communicate with any observers, time keepers, coaches, or instructors regarding the trial.

Rule 4.6: Procedure for Introduction of Exhibits

- a. The following is an example of the steps to effectively introduce an exhibit into evidence:
 1. Show the proposed exhibit to opposing counsel.
 2. Hand the proposed exhibit to the witness.
 3. Ask the witness: “I hand you what has been marked as Exhibit #__ for identification, can you identify this exhibit?”
 4. Have the witness identify the proposed exhibit.
 5. Have the witness testify to any foundation necessary for the introduction of the proposed exhibit.
 6. Offer the proposed exhibit into evidence: “Your Honor, we offer Exhibit #__ into evidence at this time. The authenticity of this exhibit has been stipulated.
- b. The presiding judge will then ask opposing counsel if there is any objection. If opposing counsel believes that a proper foundation has not been laid, or that there is another objection to introduction of the proposed exhibit into evidence, then those objections

should be raised at this time. If an objection is raised, then the attorney offering the exhibit into evidence will be given an opportunity to respond to the objection. The presiding judge will then rule on whether or not the proposed exhibit is admitted into evidence.

1. If admitted, the exhibit may be used by counsel.
 2. If not admitted, the exhibit may not be used by counsel.
- c. If the presiding judge does not allow the exhibit into evidence, counsel may lay additional foundation or attempt to overcome the objections raised and re-introduce the proposed exhibit.

Rule 4.7: Objections

- a. Teams are to use the Rules of Evidence, as adopted by the Committee, for the competition.
- b. No objections may be raised during opening or closing statements. If an attorney giving an opening statement believes an objection would have been appropriate during the opposing team's opening, then the attorney, after the opening is completed may say: "If I had been permitted to object during the opening statement, I would have objected to the statement that ____ because ____." The same procedure may be used for closing arguments. No rebuttal will be heard and the presiding judge will not rule on this "objection." The scoring judges may weigh the "objection" in their scoring.
- c. An attorney making an objection should stand to address the court.

Rule 4.8: Closing Arguments

Closing Arguments must be based on the actual evidence and testimony presented during the trial.

Rule 4.9: Timekeeping

- a. Time limits are mandatory and will be enforced.
- b. Time runs from the beginning of the opening statement, witness examination, or closing argument until its conclusion with the following exceptions:
 1. Introduction of counsel and/or witnesses prior to the opening statement shall not be included in the time allotted for opening statements. However, if counsel begins an opening statement and then introduces attorneys or witnesses, then the introductions shall be included in the time limit for opening statement.
 2. Time for objections, responses to objections, questions from the judge and the judge's ruling will not be counted toward the time limit for either team.
 3. Time during questions by the judge and answers to those questions will not be counted toward the time limit for either team.

- c. The presiding judge has sole discretion to grant time extensions. If, however, time has expired and an attorney continues (without or without the permission of the presiding judge) then scoring judges may determine, individually, whether or not to discount points for the attorney's performance.

ARTICLE V: JUDGES AND SCORING

Rule 5.1: Decisions

All decisions of judges are FINAL.

Rule 5.2: Composition of Judging Panel

- a. The composition of the judging panel and the role of the presiding judge will be at the discretion of the Committee.
- b. For the Regional Competition and State Finals (but not the State Championship Trial), there shall be three judges for each trial. One of the attorney judges shall be a presiding judge. All three judges shall be scoring judges. In the event there are four judges available for a trial, one of the four judges will be a presiding judge and, in that event, the presiding judge will not be a scoring judge.

Rule 5.3: Score Sheets and Ballots

- a. The term "Score Sheets" is used in reference to the forms on which judges record the score of each participant/role in the Mock Trial.
 - 1. Score Sheets are to be completed individually by the judges. Judges shall not deliberate between themselves regarding individual scores.
 - 2. Each attorney and witness role will be scored on a 1-10 scale based on the criteria set forth in *Attachment #1*. All scores must be whole numbers.
 - 3. The individual performance scores for each team are added to determine the team score. No ties are allowed. Each scoring judge must designate one of the two teams as the team that won the round.
- b. The term "Ballots" refers to a judge's determination of the winning team. The team that earns the highest number of points on the score sheet is determined to be the winner of that judge's Ballot. The team that wins the majority of the Ballots shall be determined to be the winner of the Trial.
- c. The judges shall, collectively, determine the Best Witness and the Best Attorney for the trial. The decision must be by either consensus or by majority vote.
- d. Judges may not inform the students of their scores, Ballot results, or the winner of the Trial. At the completion of the trial, however, the judges are allowed a total of five minutes for "debriefing" as long as the judges' comments do not reflect which team the judges determined to be the winner of the Trial.

- e. For the State Championship Trial, the winning team will be the team that receives the majority of the Ballots from the scoring judges. The number of scoring judges in the State Championship Trial shall be at the sole discretion of the Committee. Likewise, whether the presiding judge at the State Championship Trial is also a scoring judge will be at the sole discretion of the Committee.

ARTICLE VI: ADMINISTRATION OF COMPETITION

Rule 6.1: Team Advancement

Teams will be ranked based on the following criteria in the order listed:

1. Trial Wins
2. Ballots
3. Total (cumulative) Points
4. Point Differential

The Committee shall have the option to create “Wild Card” positions for teams to advance teams to the State Finals. Such determinations will be based on teams’ performances at their Regional Competitions.

Rule 6.2: Power Matching and Seeding

- a. A random method of selection will determine opponents in the first round of the Regional Competitions.
- b. A power-match system will be used by the Committee to determine opponents for all rounds after the first round.
- c. All teams are guaranteed to present each side of the case at least once.
- d. Teams generally will not meet the same opponent twice in the Regional Competition or in the State Finals.
- e. To the extent possible, teams will alternate side presentations.

Rule 6.3: Effect of Bye, Default and/or Forfeiture

- a. The Committee attempts to avoid byes but a “bye” may be necessary when an odd number of teams are present for the tournament. For the purpose of advancement and seeding, the Committee has full and final discretion on which teams are granted byes and on how the bye teams are scored. The team receiving the bye draw will be informed of the methodology to award Ballots and points to the bye team’s record.
- b. A forfeiting team will receive three loss Ballots and the other team will receive three-win ballots. The winning team shall receive the average of points received by the winning teams in that round.

- c. With regard to rankings of competing teams, teams will be ranked by the following criteria:
 1. First, by number of Trial Wins;
 2. Second, by number of Ballots (for example, a three Ballot team will be ranked higher than a two Ballot team, even though each won their respective Trial);
 3. Third, by Total Points received; and
 4. Fourth, by Point Differential.

Rule 6.4: Communication during Competition

- a. Instructors, coaches, and observers shall not talk to, signal, communicate with, or coach their teams during trial. This rule remains in force during any recess in a trial. Team members may, among themselves, communicate during the trial; however, no disruptive communication is allowed. Alternate team members who are identified prior to the start of trial as being on the team, may communicate with their team members during the competition. Instructors, coaches and observers may communicate or coach their teams between trials.
- b. Non-team members, teachers, and coaches must remain outside the bar in the spectator section of the courtroom. Only team members participating in the trial may sit inside the bar.

Rule 6.5: Viewing a Trial

- a. Team members, alternates, attorney-coaches, faculty sponsors, and any other persons directly associated with a Mock Trial team are not allowed to view other teams in competition so long as their team remains in the competition. Persons with extenuating circumstances (such as a team coach who also has a family member participating on a different team) must get the Committee's prior consent for an exception to this rule. Any violations of this rule, may subject the team to forfeiture in the competition. This rule does not apply to an attorney-coach who judges a round in the competition. However, that attorney-coach shall not share any comments about the teams he/she judges with his/her team.
- b. No person shall display anything that identifies their school during a competition.

Rule 6.6: Recording a Trial

A trial may only be photographed, videotaped, recorded or otherwise memorialized (collectively "Recording") with the permission of both teams and the presiding judge. Any team may decline to participate in the Recording, in which case there shall be no Recording. A team Recording (either through team members or others) without the permission of the other team and the presiding judge may be disqualified from the competition. A Recording may not be used to gain insights into another teams' strategies, themes, style, etcetera. This rule shall not apply to still photographs taken on behalf of the Committee or the Foundation. All teams are deemed to have consented to such photographs.

Rule 6.7: Drop Deadline

Schools that drop a team after the drop deadline will not be entitled to any refund of their registration fees. Teams should anticipate the possibility of illness or conflicts of schedules for participants and have alternates available. Only under extreme emergency circumstances will the Committee make exceptions to this rule.

Rule 6.8: Dispute Resolution

a. Reporting an alleged Rules violation that occurs during trial

Disputes which:

- involve students competing in a competition round or a team's coach; and
- occur during the trial

must be reported during that trial round. Disputes should first be brought to the attention of the presiding judge, either during or before the conclusion of the trial. If the dispute is not resolved satisfactorily to the satisfaction of a team, the dispute may be reported to a member of the Committee. It is recommended that disputes be raised by the students to further develop their skills of presentation and effective argument.

b. Reporting an alleged Rules violation that occurs outside trial

Disputes which:

- involve people other than student team members; and
- occur outside the trial

may be brought by students, teachers or attorney-coaches. Such disputes must be made promptly to a member of the Committee. The Committee will rule on the charge and the Committee's ruling will be final.

c. Dispute Resolution Procedure

1. If an alleged rules violation is presented to the presiding judge, then the presiding judge shall consider the complaint.
 - a) If the presiding judge determines that the complaint is not material, then the presiding judge shall inform both teams of his/her decision and the reasons for that decision.
 - b) If the presiding judge determines that there is potential merit to the complaint, then he/she shall ask the opposing team to respond to the complaint. After the team has responded, the presiding judge will rule on the complaint.
2. If either team disagrees with the ruling of the presiding judge, then that team may submit the complaint to the Committee for consideration using the Competition

Complaint Form, which is available in the scoring room. The Committee will rule on the complaint and the Committee's ruling will be final.

d. Effect of Violation on Score/Status of Team

If the presiding judge determines that a substantial Rules violation has occurred, the presiding judge will inform the scoring judges of the complaint and provide a summary of each team's argument. The judges will consider the dispute before reaching their final decisions. The matter will be left to the discretion of the judges and may or may not impact their scores. The Committee may also take action in response to the complaint.

ATTACHMENT #1
EXPLANATION OF PRESENTATION RATINGS AND SCORING CRITERIA

Explanation of Presentation Ratings

1. Each participant will be rated on a scale of one to ten (1-10) for their individual presentation in each role they have in the trial.
2. Scoring Judges shall consider the criteria for scoring set forth below in determining their scores.
3. Scoring Judges are not scoring the legal merits of the case.
4. Scoring Judges may individually consider penalties for violation(s) of the Rules of Competition.
5. Scoring Judges must score based on whole numbers for scores.
6. The team with the highest number of total points wins the Ballot of the Scoring Judge for that trial round.
7. Ties are not allowed. The Scoring Judges must each designate the team he/she believes won the trial round.

<i>Points</i>	<i>Presentation</i>	<i>Criteria for Evaluating Student Presentation</i>
1-2	Poor	<ul style="list-style-type: none"> • Exhibits lack of preparation/understanding of case materials • Communication unclear, disorganized and ineffective • Unsure of self, does not think well on feet, depending too heavily on notes
3-4	Below Average	<ul style="list-style-type: none"> • Exhibits minimal preparation/understanding of case materials • Communication minimally clear and organized but lacks fluency and persuasiveness • Minimally self-assured, but lacks confidence
5-6	Average	<ul style="list-style-type: none"> • Exhibits adequate preparation/understanding of case materials • Communication is clear and organized but could be stronger in fluency and persuasiveness • Can perform “outside the script”, but exhibits less confidence with straying from the script
7-8	Above Average	<ul style="list-style-type: none"> • Exhibits mastery of case materials • Communication is clear, organized, fluent and persuasive • Thinks well on feet, poised under pressure, uses notes sparingly
9-10	Excellent	<ul style="list-style-type: none"> • Superior in qualities listed under “Above Average” • Can sort essential from non-essential to use time efficiently • Does not use notes

Scoring Criteria

The following criteria should be considered by scoring evaluators during the course of a team's trial presentation. Generally, during the Regional Competitions, evaluators should consider a "5" the average point award. Generally, during the State Finals, evaluators should consider a "6" the average point award. All points assessed during trial are subjective and should be awarded independently by each scoring judge without consultation among judging panel members.

OPENING STATEMENT	CLOSING ARGUMENT
<ul style="list-style-type: none"> • Provided a case overview • Identified theme/theory of case • Mentioned key witnesses • Presented clear/concise description of team's side of case • Mentioned burden of proof • Stated the relief requested 	<ul style="list-style-type: none"> • Continued theme/theory of case • Emphasized supporting points from case • Dealt with points from opponent's case • Applied applicable law • Discussed burden of proof • Persuasive
DIRECT EXAMINATION	CROSS EXAMINATION
<ul style="list-style-type: none"> • Used non-leading questions • Used proper courtroom procedure • Demonstrated understanding of facts, issues, law • Used case theme/theory appropriately and effectively during questioning • Handled objections / did not over use objections • Demonstrated understanding of rules of evidence • Appropriately introduced exhibits (as necessary) 	<ul style="list-style-type: none"> • Used leading questions • Used proper courtroom procedure • Demonstrated understanding of facts, issues, law • Used case theme/theory appropriately and effectively during questioning • Did not over use objections / handled objections • Demonstrated understanding of rules of evidence • Properly impeached witnesses • Used various techniques, if necessary, to handle unresponsive witnesses
WITNESS PERFORMANCE	GENERAL NOTES
<ul style="list-style-type: none"> • Credible portrayal of character • Demonstrated knowledge of witness statement • Sounded spontaneous, not memorized • Poised • Observed courtroom decorum 	<ul style="list-style-type: none"> • Points may be deducted for any violation of time limits • Score should be adjusted down for any unfair extrapolation • Score should be adjusted down for any uncivil courtroom behavior