

2023 / 24
RULES OF COMPETITION

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RULES OF COMPETITION

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Overview of New Rules and Modifications for 2023/24 Mock Trial

For the 2023/24 competition season, the Competition Rules were modified, clarified and/or condensed. An overview of the changes are noted below as information only. The **ENTIRE** rule can be found in the Rules section.

Rule #	Rule Name / Process	Action Taken
Various	Virtual	Virtual rules removed to standalone supplemental document if need arises for virtual competitions.
3.1	Team Eligibility	Language changed to allow for Home School Co-op groups.
3.2	Team Composition	High School teams now have a size of 7-16 students
3.5	Team Roster Form	Team Roster and Practice Score sheet replaced with new digital Team Roster Form (3 part).
3.6	Code of Conduct	Rule changed to include social media as enumerated paragraph.
4.4 D	Opening Court	Bailiff script has been updated with additional language.
4.4 D	Opening Court	Witnesses introduce themselves in the order in which they will be called.
4.4F	Trial Sequence: Exhibits	Only one set of case materials in a neutral location.
4.4K	Trial Sequence: Rebuttal	Prosecution/Plaintiff does not have to request reserving time in closing for rebuttal, to match with National Rules.
4.7	Motions	Grammatical correction in paragraph B. and strike Official Comment.
4.9	Student Performance	Section on Notes removed from Rule 4.14 and incorporated within Rule 4.9
4.14	Notes/Technology	Rule changed to only reference Technology. Notes portion incorporated within Rule 4.9.
6.2	Violations During a trial	Time sheets are not photographed for submission by lead teacher of each team.

2023 / 2024

RULES OF THE COMPETITION

SECTION I: ADMINISTRATION

1.1 Rules

All trials are governed by the Rules of the Mock Trial Competition and the Mock Trial Rules of Evidence.

Interpretations of these rules are within the discretion of the SC Bar as provided for in these rules and are final.

1.2 Code of Conduct

The Rules of the Competition and the rules of courthouse, courtroom conduct, and security must be followed. The SC Bar has discretion to discipline on rule violations or inappropriate conduct affecting the procedure of a trial or hurting the reputation or integrity of any team, school, participant, court officer, judge, or the Mock Trial program. Discipline may include disqualification, immediate eviction from the competition, and/or forfeiture of fees and awards for any misconduct occurring during the Mock Trial competition.

A. Arrival Times:

Teams are to respect the arrival times, breaks, and lunch times by never being late. Being late without good cause is subject to penalty at the discretion of the Regional and/or State Mock Trial Coordinator.

B. Remaining in Courtroom: All competing team members in front of the bar are to remain in front of the bar during the competition round unless an emergency is noted. [See Rule 1.3 Emergencies.](#)

C. Teacher Coach Requirement: The registering teacher coach, assistant teacher coach and/or pre-approved school sponsor must always accompany and chaperone the team before, during, and after the competition; in addition to physically sitting with the team in the courtrooms during the rounds. Teacher coaches must remain at the courthouse supervising their students at the end of the competition until all students are picked up. Failure to do so is reported to the school principal.

D. Code of Conduct Form: All team members, teacher coaches, and attorney coaches are required to digitally sign the [Code of Ethical Conduct Form / Individual Talent Release Form](#), which automatically submits to the SC Bar. The deadline for submission is prior to participation in the regional competitions.

E. Violations by Visitors: Rule violations made by visitors can subject their team to be disciplined under this rule and or penalties in accordance with [Rule 6.1 Dispute Process – Post-Trial](#) and [Rule 6.4 Discipline for Non-Trial Rules Violations](#).

F. Use of Logos: No team may reproduce or manipulate the SC Bar logo or Mock Trial logo.

1.3 Emergencies

Emergencies are handled in two of the following ways for competition:

A. During a Trial

During a trial, the presiding judge shall have discretion to declare an emergency and adjourn the trial for a short period of time to address the emergency.

In the event of an emergency causing a team to be unable to continue a trial or to participate with less than six members for middle school and seven for high school, the team must notify the Regional and/or State Mock Trial Coordinator as soon as it is reasonably practical. If the SC Bar, or its designee(s), in its sole discretion, agrees an emergency exists, the SC Bar, or its designee(s), shall declare an emergency and may direct the team to take appropriate measures to continue any trial round with less than the minimum. The team continues with a reduced team composition. If the team is required to continue the round, a penalty shall be assessed in accordance with [Rule 3.2 Team Composition and Allocation of Duties](#) and [Rule 6.3 Scoring Penalties](#) specifically unequal distribution of tasks among team members.

If the team with the emergency cannot continue, the team forfeits. A forfeiting team receives a loss and points totaling the average number of the ballots and points received by the losing teams in that round. The forfeiting team may leave or observe the remaining rounds, space permitting. The non-forfeiting team is treated like a bye round team. [See Rule 5.9 Bye Round.](#)

B. Prior to Arrival

A team unable to attend due to inclement weather or other emergency must contact the designated Regional and/or State Mock Trial Coordinator. The SC Bar makes the final determination regarding the emergency.

1.4 Team Codes / Identity

Each team is assigned a team code. Teams only identify themselves by their assigned team code for the competition. The identities of schools competing in a round are kept confidential from the judges. There shall be no school names, logos, or colors on any items brought into the competition venue.

1.5 Entry into Competition Venues

All visitors stay to the rear of the security line and allow coaches, judges, and students through the security check points first.

Everyone entering the competition venue is required to enter through a metal detector. Any items restricted by the venue, including knives, concealed weapons, cell phones, e-cigarettes, lighters, or any items that slow down the entry process are prohibited.

1.6 Use of Competition Venues

Teams shall not use competition venues the day prior to a competition. Teams shall not reserve extra meeting space, conference rooms, side rooms, and/or courtrooms on the day of competition. Teams and their visitors may not move furniture or bring food and beverages into the courtroom and in some cases, the courthouse entirely. Any courthouse

used for purposes of scrimmaging or practicing should be used with the same standard of care and appreciation expected on the day of competition.

1.7 Participation in All Rounds Assigned

Teams are required to participate in all competing rounds and bye rounds assigned. Other than in a case of an emergency pursuant to Rule 1.3 (A and) B Emergencies, a team that forfeits a round is automatically disqualified and ineligible to compete the following school year. (For additional information on bye rounds, see Rule 5.9 Bye Round.)

1.8 Forms of Team Participation

Teams participate in the regional competition in a competitive format, which includes competing in all rounds assigned. Teams do not perform both sides of the case at the same time, but by the end of the competition – have performed both sides of the case. All teams are eligible to advance to the state competition, but only the top twelve highest scoring teams advance and compete in the state competition. For high school, the state champion represents South Carolina in the National High School Mock Trial Championship competition using a new national case.

SECTION II: THE CASE

2.1 The Case

The Mock Trial Case is a fictitious fact pattern. The Mock Trial Case materials may contain any of the following: statement of facts, indictment pleadings, stipulations, witness affidavits, jury charges, orders/rulings, and exhibits. Stipulations shall not be disputed at trial. Case materials shall not be altered.

There are two types of cases – civil and criminal. A civil case has a plaintiff and a defense side. A criminal case has a prosecution and a defense side.

The case consists of three witnesses per side, all of whom have names and characteristics that would allow them to be played by anyone. All witnesses must be called.

Teams shall refer only to the Mock Trial Case provided by the SC Bar. Teams shall not cite or refer to any cases, statutes, resources, or other legal authority not included in the Mock Trial Case Materials or Competition Handbook.

The SC Bar provides one bound notebook of the competition handbook, the case materials one set of enlarged exhibits (11"x17") placed in a neutral location accessible to both teams. The presiding judge has a copy of the case materials and competition rules. The scoring judges have access to the case materials with exhibits.

Printed resources in the courtroom provided by the SC Bar may not be highlighted, written on, or flagged. Teams may use personal copies of the competition materials at their counsel tables only. Personal trial notebooks, exhibits, prepared timelines, or other documents prepared by teams are not to be shown to the presiding judge, the scoring judges, or the opposing team.

Case materials in digital format may not be used in courtrooms.

2.2 Witnesses Bound by Statements

Each witness is bound by the facts contained in the witness's affidavit, the stipulations, and/or any exhibits referenced in that witness's affidavit. A witness is not bound by facts contained in other affidavits.

Official Comments:

Comment #1: *A witness may refer to facts in other affidavits/exhibits in the Mock Trial case materials, but is not required to agree with them. The witness is also not required to know what information is in other materials.*

Comment #2: *“Calls for facts not in the witness’s affidavit” or “Calls for creation of a material fact” (or anything similar) are **not** proper objections. If a witness is asked a question, but the answer is not contained in that witness’s affidavit (or reasonably inferable from it), the witness may (but is not required to) answer based on other evidence in the case or can simply respond “I do not know” (or “I do not know, that information is not in my affidavit”).*

Comment #3: *If an attorney asks multiple cross-examination questions about information that is not actually contained in the witness’s affidavit (nor reasonably inferable from the case materials) and appears to be doing so for the purpose of limiting the witness’s ability to perform in that role, the attorney presenting the witness should consider an objection under Rule 611 (a)(3) (“harassing the witness”) or Rule 402 (calls for irrelevant information). Scoring judges decrease scores if they believe a team is engaging in “gamesmanship” by taking advantage of the artificial nature of Mock Trial.*

2.3 Creation of Material Fact

Teams shall not offer, through testimony or other evidence, a material fact that is not contained in the Mock Trial Case affidavits or exhibits. A “material fact” is a fact that cannot be reasonably inferred from the affidavits and exhibits in the Case Materials and that would provide one side a significant legal advantage.

If a witness is asked, either during direct or cross-examination, for information that is not contained in the witness’s affidavit, the witness may answer the question, but only if the answer is consistent with the affidavit and the answer does not materially change the witness's testimony or any substantive issue in the case. An answer inconsistent with the witness's affidavit that materially changes the witness’s testimony or a substantive issue in the case is a Creation of a Material Fact that violates this rule, even if the testimony was offered innocently, accidentally, or in good faith.

Objections based on this rule must be made immediately following the introduction of the challenged testimony or other evidence. See Rule 6.2(B) – Violations: During Trial – Creation of Material Fact Violations. The creation of material fact objection is not raised in the dispute process.

Official Comment:

The best way for a team to expose and attack its opponent’s Creation of Material Fact is through impeachment and closing arguments, in the ordinary course of the trial. A team that deals with Creation of Material Facts in this fashion is generally considered by the scoring judges to be more sophisticated, accomplished, and experienced than a team that simply objects to “Creation of Material Fact” without trying to first impeach. Nevertheless, to ensure the integrity of the Mock Trial Competition and to provide a remedy for situations

in which created material facts cannot easily be challenged through impeachment or closing argument, a special Mock Trial Objection – “Creation of Material Facts Objection – was established.

Example:

Assume a defendant is asked the defendant’s age, but the age of the witness is not contained in the affidavit. In a case for breach of contract, the fact that the defendant is 30 would usually be immaterial. This witness could testify to being 30 years old without violating the Creation of Material Fact Rule. In the trial of a person for underage drinking; however, the defendant’s age is material. The witness could not testify being 30 years old and not under 21, because it automatically established the defendant’s innocence – a significant legal advantage.

When considering whether a fact is “material” or not under this rule, ask yourself whether the creation of the fact significantly helps the other side’s case or it is a fact that your opponent would want to include in a closing argument. If the answer is “yes,” the fact is material and you should attempt to impeach the witness with the witness’ very own affidavit. If you are not able to do that because of time constraints, a Creation of Material Fact Objection is appropriate.

2.4 Gender of Witnesses

All witnesses are gender neutral. Any student may portray the role of any witness of any gender. Personal pronoun changes in witness statements indicating the preferred gender of the characters shall be made by the teams during each round. Gender options on the Team Roster Form are: F, M, or X.

Official Comment:

If pronoun usage is difficult to change from round to round, consider referencing the witness by name only.

2.5 Voir Dire

Voir Dire examination of an expert witness is not permitted.

SECTION III: TEAMS

3.1 Team Eligibility

Schools are limited to registering one Mock Trial team.

Schools must have a teacher coach/sponsor approved by the principal to lead the team and to accompany the team at competitions. The principal must be noted on the team’s registration and authorization form as the responsible party. In the event the lead teacher coach is unable to attend the competitions, a new authorization form must be completed with the replacing person’s contact information.

Students who comprise a team must be enrolled at the same school. Middle school students shall compete only in the Middle School Mock Trial competition. High school students shall compete only in the High School Mock Trial competition.

Schools eligible to compete in the Mock Trial competition include traditional schools (public, private and charter), career schools, magnet schools, alternative schools, home schools (within the same school district or association), and virtual schools in the state of South Carolina. District-wide programs are not considered as schools.

If a school district reassigns students that have previously participated on a school's Mock Trial team to a school that does not have a Mock Trial team, those students are eligible to audition and compete at their original school. If the new school starts Mock Trial, the student(s) would only be eligible at the new school. (Note: The lead teacher coach is responsible for notifying the State Mock Trial Coordinator of any students assigned to a new school, but still competing at the original school. The prior participation of each student must be confirmed and approved by the State Mock Trial Coordinator on or before the [Code of Ethical Conduct Form Agreement / Individual Talent Release](#) form is due electronically each year.)

Following the definitions prescribed by the South Carolina Code of Laws, the South Carolina Bar Law Related-Education Division considers students in grades five through eight to be "middle school students" and students in grades nine through twelve to be "high school students"; provided, however, that seventh and eighth grade students from a school with no grades lower than the seventh grade are considered "Junior High School" students and shall compete only in the Middle School Mock Trial Competition.

Home-schooled students and charter school students may compete on the Mock Trial team of a public school within whose attendance boundaries the student resides, and at the grade level corresponding to the student's grade level. The school registered to compete in Mock Trial must submit a letter of eligibility for each home-schooled student before the student can be placed on the school's team roster. Home-school groups and home-school co-ops may also compete as stand-alone teams separate from a public or private school, provided that all students on the roster not be enrolled in a public or private school.

The entire team of performing students must be on-site and physically seen by the lead teacher coach to complete the on-site registration process. If a team is delayed from registering by the arrival of a student, the teacher coach is to alert the Regional and/or State Mock Trial Coordinator of the situation.

3.2 Team Composition and Allocation of Duties

Performing roles are as attorneys and witnesses. In addition, teams must designate student team members to handle the duties of bailiff and timekeeper, which may be handled by the same team member. No other team member may play more than one role on the same side during a round.

No additional students may be added to the Team Roster Form (provided digitally to each team in advance of the competition) once the Team Roster is submitted 10 days prior to regional competition. Only students listed on the Team Roster Form may compete at the regional competitions or advancing competitions. See Rule 3.5 Team Roster Form. Changes may only be made in case of emergency.

Team alternates can substitute for missing, late, and/or sick students prior to the beginning of each round. The Team Roster Form can have student team members move positions or deleted from positions from the regional competition to the state competition, but new student team members may not be added.

All competing students must be present in the courtroom at the time the bailiff announces the presiding judge.

If a team is missing a competing student, the team may substitute with another student listed on the Team Roster Form. The roster for the round should reflect any changes made.

If reallocating any student lawyer responsibilities breaks the balance of attorney role distribution, the team is subject to penalties for misallocation of duties pursuant to rules, Rule 5.4 Completion of Scoresheets, and Rule 6.3 Scoring Penalties. Should there not be enough students to fill in for the missing competing student(s), the Regional and/or State Coordinator should be alerted prior to the start of the round that the team is forfeiting.

All witnesses listed in the case materials must be called. Failure to call all witnesses results in the team automatically forfeiting. The non-forfeiting team is treated like a bye round team. See Rule 5.9 Bye Round.

Witnesses should automatically take the stand without refusal. Witnesses undergo direct and cross-examinations without protest. Failure to do so results in team forfeiture. The non-forfeiting team is treated like a bye round team. See Rule 5.9 Bye Round.

Some of the attorney roles incorporate the right to object, which is covered under Rule 4.4-G Trial Sequence – Objections.

If a team does not provide a timekeeper, the team is subject to penalties for misallocation of duties pursuant to this rule, Rule 4.5-A Timekeeping, Rule 5.4 Completion of Scoresheets, and Rule 6.3 Scoring Penalties with a mandatory 8 point penalty per scoring judge.

Each team must present the side of the case assigned in each round. Teams are responsible for presenting both sides of the case during a competition but may only perform one side of the case per round. Because of three rounds, a team will perform one side of the case twice, which is undetermined until competition day. The following duties are performed during a round with a team's Case-in-Chief:

“A” = student attorney performance

“W” = student witness performance

Prosecution / Plaintiff Performance Order

1. Opening Statement (A)
 2. Witness Performance No. 1 (W)
 3. Direct Examination of Witness No. 1 (A)
 4. Witness Performance No. 2 (W)
 5. Direct Examination of Witness No. 2 (A)
 6. Witness Performance No. 3 (W)
 7. Direct Examination of Witness No. 3 (A)
 8. Cross-Examination of Opposing Witness No. 1 (A)
 9. Cross-Examination of Opposing Witness No. 2 (A)
 10. Cross-Examination of Opposing Witness No. 3 (A)
 11. Closing Argument (A)
- Timekeeper *
Bailiff *

Defense Performance Order

1. Opening Statement (A)
 2. Cross-Examination of Opposing Witness No. 1 (A)
 3. Cross-Examination of Opposing Witness No. 2 (A)
 4. Cross-Examination of Opposing Witness No. 3 (A)
 5. Witness Performance No. 1 (W)
 6. Direct Examination of Witness No. 1 (A)
 7. Witness Performance No. 2 (W)
 8. Direct Examination of Witness No. 2 (A)
 9. Witness Performance No. 3 (W)
 10. Direct Examination of Witness No. 3 (A)
 11. Closing Argument (A)
- Timekeeper *
Bailiff *

* If needed, the timekeeper and the bailiff can be the same student. The timekeeper and/or bailiff may also be another team member not performing as a student attorney or witness role during that round.

* If the team does not provide a bailiff due to a limited number of students, the bailiff from the opposing team may be asked to perform bailiff responsibilities.

A. Middle School Team Composition

Middle school teams are comprised of 6 to 16 students. Teams are encouraged to have more than the minimum number of students as the team dynamics can change from the time of building a team and competing. Having more team

members than the minimum helps prevent a team from withdrawing due to falling below the minimum requirement.

A maximum of 16 students wear team badges. Remaining students associated with the team are required to wear visitor badges and sit with the visitors. All coaches have separate badges from the allocated badges for students.

For each trial round, middle school teams may have a minimum of two and a maximum of four students performing as attorneys, three students performing as witnesses, a timekeeper, and a bailiff (or one student performing the role of timekeeper and bailiff simultaneously). Student attorneys must divide the eight attorney roles among themselves as evenly as possible. The opening statement and closing argument must be delivered by different student attorneys. Student attorneys always have more than one role. When the number of attorneys performing on a team is under two or exceeds four attorneys, the team is penalized ten points by each scoring judge.

Official Comment:

Middle School Teams with 2- 4 Student Attorneys:

- **2 Student Attorneys:** *Dividing the 8 attorney roles, one student attorney delivers the opening statement; the other student attorney delivers the closing argument; and both student attorneys evenly divide the direct and cross-examinations.*
- **3 Student Attorneys:** *Dividing the 8 attorney roles, one student attorney delivers the opening statement and another student delivers the closing argument. There are six remaining roles (3 directs and 3 crosses). Each of the three students handle two of the six remaining attorney roles.*
- **4 Student Attorneys:** *Dividing the 8 attorney roles, one student attorney delivers the opening statement and handles one witness examination; another student attorney delivers the closing argument and handles one witness examination; and the remaining two student attorneys each have two witness examinations.*

NOTE: For middle school teams, it is okay for the Prosecution/Plaintiff side of your team to have a different number of attorneys than your Defense side of your team. The key is to have the attorney roles balanced on each side.

If your team has the minimum number of students, prepare for students to have double roles to perform both sides of the case.

B. High School Team Composition

High school teams are comprised of 7 to 16 students. Teams are encouraged to have more than the minimum number of students as the team dynamics can change from the time of building a team and competing. Having more team members than the minimum helps prevent a team from withdrawing due to falling below the minimum requirement.

A maximum of 16 students wear team badges. Remaining students associated with the team are required to wear visitor badges and sit with the visitors. All coaches have separate badges from the allocated badges for students.

For each trial round, high school teams have **three** students required to perform as attorneys, three students required to perform as witnesses, a required timekeeper, and a bailiff for when the team performs as Prosecution/Plaintiff (or one student performing the role of timekeeper and bailiff simultaneously.) Student attorneys must divide their duties among themselves as evenly as possible. The opening

statement and closing argument must be delivered by different student attorneys. Student attorneys always have more than one role. When the number of attorneys performing on a team is more or less than three attorneys, the team is penalized ten points by each scoring judge.

Official Comment:

High School Teams with 3 Student Attorneys Required:

- **3 Student Attorneys:** *Dividing the 8 attorney roles, one student attorney delivers the opening statement and another student attorney delivers the closing argument. There are six remaining roles (3 directs and 3 crosses). Each of the three students handle two of the six remaining attorney roles.*

A team member can perform duties on both the Prosecution/Plaintiff and Defendant/Defense side of a case since both sides of the team do not perform at the same time. For example, a student could play the role of a witness on the Prosecution/Plaintiff side and an attorney on the Defense side.

If on the day of competition, a team is missing a competing student, the team may substitute with another student listed on the Team Roster, which was submitted previously. Changes made for the round should be written into the team rosters provided to the lead teacher. If reallocating any student lawyer responsibilities breaks the balance of attorney role distribution, the team is subject to penalties for misallocation of duties pursuant to this rule, Rule 5.4 Completion of Scoresheets, and Rule 6.3 Scoring Penalties. Should there not be enough students to fill in for the missing competing student(s), the State and/or Regional Coordinator should be alerted prior to the start of the round that the team is either forfeiting or they are continuing with fewer students and the team understands they are penalized 10 points per scoresheet. The non-forfeiting team is scored like they are in a bye round.

High school teams may also have courtroom sketch artists and courtroom journalists, which may not double as bailiffs, timekeepers, or any other team role. Courtroom sketch artists and journalists compete solely on their own efforts. See Section VII: Courtroom Sketch Artist Competition and Section VIII: Courtroom Journalist Competition for more details. Students participating in the Sketch Artist or Journalist Competition may do both if they choose.

C. National High School Mock Trial Team Composition

When a high school team advances from the State High School Mock Trial Competition to the National High School Mock Trial Championship, competing students consist of the winning state team members. Per the SC Bar Law Related Education Division, the state team may only substitute two alternate students listed on the state team roster. Six of the nine advancing students must have performed at state as an attorney or a witness.

Should the state team need to substitute more than two performing students with alternate students listed on the state team roster, the SC Bar reserves the right to remove the state team at any point prior to the national competition. *At no time may the team substitute other persons for official team members outside of the state winning team.*

Teams competing in the national competition consist of seven to nine official student members assigned to attorney, witness, and timekeeper roles representing the Prosecution/Plaintiff and Defense sides. The state team must have seven

members minimum. Only seven of the nine official members participate in any given round with three attorneys, three witnesses, and a timekeeper.

The role of the timekeeper may alternate among different team members. The National Team Roster become official at the close of on-site registration at the national competition.

The state advancing team is required to sign the High School Mock Trial National Advancement Commitment Form to Compete, which is due at noon the Friday following the state competition with no exceptions to allow proper notification to the first runner-up team, if needed. All state advancing teams should begin collecting this signed form prior to state. All forms are to be collected by the lead teacher coach, scanned, and emailed as one file to the SC Bar.

Official Comment:

Teams should have more students than roles as teams tend to get smaller as the Mock Trial season progresses.

Teams do not perform both sides of the case at the same time. Eight attorney duties per round are divided among the student attorneys as evenly as possible.

3.3 Bailiff

A student performing the bailiff role serves as a court attendant. Each team is required to have a bailiff when performing the Prosecution/Plaintiff side of the case. If limited on the number of students, the bailiff may also perform the role as a timekeeper – but no other roles in a single round. A student may perform as an attorney or witness in one round and then serve as a bailiff and/or timekeeper in a subsequent round.

There are several Bailiff roles. The Prosecution/Plaintiff bailiff is the official bailiff of the round. If the Defense team has a bailiff, which is to assist the Prosecution/Plaintiff bailiff in monitoring the courtroom for communication, badge collection, and any other duties as assigned by the presiding judge, i.e. collecting and/or distributing forms.

A. Opening of the Court:

The Prosecution/Plaintiff's bailiff announces the opening of the court to include the name of the case and the name of the presiding judge. Prior to the round starting, the bailiff should be alert for the arrival of the presiding judge and scoring judges. The presiding judge provides the bailiff with a card containing the script to be said along with the presiding judge's name. There is a different script used for this announcement depending on if the case is civil or criminal.

Civil Case Opening Script:

"All Rise!! The Court of Common Pleas Seventeenth Judicial Circuit is now in session. The case for trial today is _____ v. _____. The Honorable _____ presiding."

Criminal Case Opening Script:

"All Rise!! The Court of General Sessions Seventeenth Judicial Circuit is now in session. The case for trial today is State of SC v. _____. The Honorable _____ presiding."

B. Swearing in Witnesses:

The Prosecution/Plaintiff's bailiff swears in all witnesses at once when directed by the presiding judge after the opening statements. The presiding judge provides the bailiff with a card containing the following script:

"Do you promise the testimony you are about to give will faithfully and truthfully conform to the facts and rules of the Mock Trial competition?"

C. Monitoring Courtroom for Communication:

Bailiffs from both teams are responsible for monitoring to see if any communication takes place over the bar. There is no communication over the bar during the entire trial and no communication with the competing team members during the recess, which includes no communication with the timekeepers, bailiffs, artists (HS), or journalists (HS). If any communication is noted, there is an opportunity for the bailiff to disclose this information to the team and coaches during the two-minute dispute process with coaches when the trial is over. The bailiff has no communication with the team during the round or recess.

D. Verifying Exhibits

Bailiffs are responsible for verifying all the large exhibits provided by the SC Bar are in numerical order and are in a neutral location for both teams as they are not controlled by any one person or team. The exhibits should be checked before the round starts, at the beginning of the recess in preparation for the closing arguments, and again at the end of the trial to reset the courtroom for the next round. Additional things the bailiff should look for when examining the exhibits is to make sure they are not highlighted or flagged.

E. Collecting Badges at End of Competition

Bailiffs are to assist the teacher coach in collecting all badges worn by coaches, students, and visitors after the last round in the competition day and turn into the presiding judge before leaving the last competition round. At the state competition, badges are collected at the end of both competition days.

F. Seating Placement

The bailiffs may sit with the timekeepers on the first row of the jury box. If no space is available, the bailiff should sit with the team.

3.4 Scrimmages are Permissible

Teams are permitted and encouraged to scrimmage either in-person and/or virtually with other teams at any time. It is a violation of this rule for teams to seek information about opposing teams in rounds from individuals who observed such scrimmages, including members of the team competing in that scrimmage. (Check out the scrimmage board to arrange scrimmages with other teams. [Click Here](#))

3.5 Team Roster Form

The Team Roster form requires every team member to be assigned a role – attorney, witness, alternates, bailiff, timekeeper, artist (HS only), or journalist (HS only), teachers, and attorney coaches. Once the Regional Rosters are completed, and prior to the established deadline, this constitutes the official team. Changes can be made prior to Regionals in emergency situations only and sent to mkirk@scbar.org. **The names listed on the Regional Roster form are the only members who may compete in the**

Regionals or advance to the State competition, if applicable. All witnesses are listed in order of performance and gender to include: F, M, or X.

3.6 Code of Ethical Conduct Agreement, Individual Talent Release Form and School Information Sheet

The lead teacher coach must send each participating teacher coach, attorney coach, and student the link to the [Code of Ethical Conduct Form Agreement / Individual Talent Release Form](#) for individual completion and submit electronically by the stated deadline. When sending the link to team participants, lead teachers include their email address to ensure a completed copy is forwarded to the teacher coach to track which participants have/have not completed the required link. This form provides the lead teacher with notification as to those approving recording. Any additions or deletions to the team must also complete the necessary link by the stated deadline. *(See the Forms and Supporting Information Section for a description of the form, directions, and samples of completed forms.)*

The School Information Sheet is completed electronically by the lead teacher coach and is submitted prior to the Code of Ethical Conduct Agreement and Individual Talent Release Forms. This form is used for certificates and press releases, so please be certain names are spelled correctly, and student preference is considered (Ex. William v. Billy).

3.7 Disability Accommodations

If special accommodations are needed for participants with a disability, the lead teacher coach must address the issue with the State Mock Trial Coordinator when registering for the competition or as soon as possible thereafter. The State Mock Trial Coordinator works with the lead teacher coach and the Regional Mock Trial Coordinator to make reasonable accommodations for the individual to the extent fairness to all participants, time constraints, and facilities allow. All accommodation requests should be made as soon as known, but no later than ten business days prior to a competition date.

Documentation regarding a specific disability may be required for special arrangements to be made. Confidentiality of information received is maintained, except to the extent disclosure is necessary to make the accommodation(s).

3.8 Withdrawing from the Competition

Teams are notified in the Mock Trial competition registration form of the date a team can withdraw without penalty. All registration fees are non-refundable.

Should a team need to withdraw after the drop deadline date provided, the lead teacher coach must complete the Team Drop Form provided on the SC Bar Web site. The lead teacher coach and the principal must sign and submit the completed form to the State Mock Trial Coordinator immediately upon withdrawing the team. Withdrawal after the deadline can result in extreme hardship in coordinating the competition. A team withdrawing after the drop deadline is suspended for one year from the competition. However, the team's lead teacher coach and/or principal may petition the Mock Trial Sub-Committee to waive the suspension. Teams advancing to the next level of competition are notified by the SC Bar of withdrawal deadlines applying to the next level of competition. Registration fees are non-refundable for any reason.

3.9 Communication with Mock Trial Coordinators

Any concerns, issues, or feedback discussed with the State and/or Regional Mock Trial Coordinator are to be made solely by the lead teacher coach and/or the attorney coach.

Any communication not from the lead teacher coach or attorney coach is non-compliance and is subject to Rule 6.4 Discipline for Non-Trial Rules Violations. This rule is in place before and during the competition.

All post-competition communication is to be made solely by the lead teacher coach and/or attorney coach directed to the State Coordinator only. There is no reaching out to the judges or regional coordinators post-competition. Any post-competition communication not directed to the State Coordinator subjects the team to penalties up to disqualification the following school year.

SECTION IV: THE TRIAL

4.1 Courtroom Setting

The Prosecution/Plaintiff team shall be seated closest to the jury box. No team shall rearrange the courtroom furniture or add chairs to the assigned room. If space permits, the Defendant may sit at the counsel table.

4.2 Stipulations

The stipulations shall be considered part of the record and already admitted into evidence.

4.3 Reading into the Record Not Permitted

The Stipulations, the Complaint, the Answer, the Indictment, and the Charge to the Jury are not read into the record during the trial.

4.4 Trial Sequence

At each competition, teams present both the Prosecution/Plaintiff (P) and Defense (D) sides of the case. Teams do not perform both sides of the case at the same time.

Team pairings are listed P v. D. An example with the team codes listed would be AB v. CH. Team Code (AB) represents the Prosecution/Plaintiff and team code (CH) represents the Defense.

The presiding judge oversees pre-trial matters, the trial process, and post-trial process. The presiding judge also makes rulings that are final, monitors the time, and protects witnesses from harassment or unnecessary embarrassment.

A. Standing During Trial

Students who are able shall stand while delivering opening statements, conducting direct and cross-examinations, raising and responding to objections, and otherwise addressing the presiding judge. Witnesses shall also stand during the oath, if able.

B. Bench Conferences

Teams are not permitted to request bench conferences during a trial. However, if a presiding judge requests a bench conference, the teams shall follow the presiding judge's instructions.

C. Beginning / Ending of Trial

The competition round officially begins when the presiding judge asks if both teams are ready to proceed. The competition round officially ends after the dispute process has concluded and the peer nominations made.

D. Opening Court

The bailiff for the Prosecution/Plaintiff team is responsible for opening court after the scoring judges enter the room and are seated. The bailiff announces the name of the case and the name of the presiding judge. The bailiff for the Prosecution / Plaintiff team is responsible for swearing in the witnesses all at once when directed by the presiding judge. (See Rule 3.3-B Bailiff Swearing in Witness.)

The presiding judge instructs the teams to introduce themselves (witnesses introduce in the order they will be called) and delivers some brief housekeeping announcements. No pre-trial arguments or motions are entertained by the presiding judge.

E. Presentation of the Case

The case is tried by a jury. Arguments are made to the presiding judge and scoring judges. Teams may address the scoring judges as “members of the jury.”

Presentation Order:

- Opening statement delivered by the Prosecution/Plaintiff opening attorney.
- Opening statement delivered by the Defense opening attorney.
- Prosecution/Plaintiff then presents its Case-in-Chief with all three witnesses.
 - Witness #1
 - The directing attorney calls the first Prosecution/Plaintiff witness to the stand.
 - The directing attorney asks Witness #1 questions.
 - The opposing team’s crossing attorney asks Witness #1 questions.
 - The directing attorney can re-direct.
 - If there is a re-direct, then crossing attorney can re-cross.
 - Witness #2
 - Repeat process for witness #1 here.
 - Witness #3
 - Repeat process for witness #1 here.
- Recess (5-minute restroom break for team members and judges in front of bar)
- Defense then presents its Case-in-Chief with all three witnesses.
 - Witness #1
 - The directing attorney calls the first Defense witness to the stand.
 - The directing attorney asks Witness #1 questions.
 - The opposing team’s crossing attorney asks Witness #1 questions.
 - The directing attorney can re-direct.
 - If there is a re-direct, then crossing attorney can re-cross.
 - Witness #2
 - Repeat process for witness #1 here.
 - Witness #3
 - Repeat process for witness #1 here.
- Recess (2 minutes to prepare for closing with no one leaving courtroom)
- Closing argument presented by Prosecution/Plaintiff attorney. The team may conduct a rebuttal if remaining time permits. (See Rule 4.4-K Trial Sequence: Rebuttal.)
- Closing argument presented by Defense attorney.
- Rebuttal argument presented by Prosecution/Plaintiff attorney.

- Recess (1 minute to determine if disputes are warranted)
- Recess (2 minutes to prepare response to disputes if applicable)
- Dispute Process
- Peer Awards and after third round, Civility Award
- Departure

Each team must call all three of its assigned witnesses listed in the case materials. Witnesses may not be recalled by either side. Teams may not call the opposing team's witnesses. Teams must call their third witness even if the team runs out of time. (See Rule 4.6-D – Time Limits: Calling Last Witness When Time Expired.)

F. Exhibits

The SC Bar provides each courtroom with one enlarged (11x17) color set of exhibits, one bound copy of the mock trial case materials, and one and one bound copy of the competition handbook placed in a neutral location accessible to both teams. The scoring judges also have access to a separate set of exhibits. (See Rule 3.3 – Bailiff: Verifying Exhibits.)

G. Objections

A student attorney may object at any time to challenge the admissibility of evidence according to the Mock Trial Rules of Evidence except during the opening statement or closing argument as described in Rule 4.4(L) Objections During Opening Statement and Closing Argument. The student attorney wishing to make the objection shall stand, if able, state "Objection, your Honor." and state the basis for the objection.

Students may not use any objections outside of the Modified Rules of Evidence used for the Mock Trial Competition.

When an objection is made, the presiding judge asks the objecting attorney to defend the objection. Then the presiding judge ordinarily provides the opposing student attorney an opportunity to defend why the question is proper or the evidence is admissible. After the opposing counsel has responded, there is no more argument on that objection unless requested by the presiding judge. The presiding judge then decides whether the objection is "Overruled" or "Sustained." If an objection is overruled thereby allowing the question to be answered or the answer to remain in the trial record, the objecting student attorney cannot "Move to Strike" the evidence from the record. If an objection is sustained thereby disallowing the question or the answer, the objecting student attorney should "Move to Strike" to remove harmful testimony from the record. (See Rule 4.7 (A) Motions.) Students are not scored based on the presiding judge's rulings, but rather on how the students argue and respond to the objection. Students are also scored on their ability to adjust to the admission or exclusion of evidence resulting from the presiding judge's ruling. (See 4.4 (L) Objections During Opening Statement and Closing Argument for additional information on objections.)

An objection example correctly made is "Objection." Then wait for the presiding judge's attention and then state, "Objection, your Honor. Relevance." Attorneys may not make speaking objections or provide explanation unless requested by the presiding judge. Example of a speaking objection not permitted, "Objection, your Honor. The question about ABC is not relevant because we are here today to determine XYZ and ABC is not relevant to that."

The student attorney who conducts the direct examination of a witness is the only student who may make objections during the opposing attorney’s cross-examination of that witness. Likewise, the attorney who conducts cross-examination of a witness is the only student who may object during the preceding direct examination of that same witness. An objecting student attorney may confer with co-counsel concerning the objection after obtaining permission from the presiding judge, but only that student attorney may address the presiding judge. Time does not stop for consulting with co-counsel.

A video link showing objection examples can be viewed. Visit www.scbare.org/lre and then click on Middle School or High School Mock Trial on the left of the main page. Go to Videos for Coaches and Students and then scroll through the video clips available.

Official Comment #1:

Possible Objections

- A. Argumentative Questions**Evidence Rule 902
- B. Lack of Proper Foundation**.....Evidence Rule 904
- C. Assuming Facts Not in Evidence**.....Evidence Rule 901
- D. Questions Calling for Narrative or General Answer**Evidence Rule 611
- E. Non-Responsive Answer**
 A witness’ answer is objectionable if it fails to respond to the question asked.
 Or, if answer runs merely for the purpose of wasting time.
- F. Repetition / Asked and Answered**
 Questions designed to elicit the same testimony or evidence previously presented in its entirety are improper if merely offered as a repetition of the same testimony or evidence from the same or similar source.
- G. Irrelevant Evidence**Evidence Rule 402
- H. Leading**Evidence Rule 611
- I. Improper Character Testimony** Evidence Rule 404-405
- J. Hearsay** Evidence Rule 801-802
- K. Opinion**Evidence Rule 701
- L. Lack of Personal Knowledge**Evidence Rule 602
- M. Creation of Material Facts** Competition Rule 2.3

Teams are not precluded from raising additional objections available under the Mock Trial Rules of Evidence.

Official Comment #2:

An objection that a witness is being “non-responsive” is frequently made during cross-examination, when the cross-examiner has asked a “yes” or “no” question and the witness said more than a “yes” or “no” in response. Though the practices of presiding judges differ on this point, most presiding judges allow a witness, in response to a “yes” or “no” question from a cross-examiner, to give a brief, one-sentence explanation of the answer after saying “yes” or “no.” Most presiding judges cut the witness off after a sentence or so of explanation (if requested to do by the cross-examining attorney), on the grounds that any further explanation is better left to re-direct examination. Teams shall be prepared to adjust their objections on this point to the preferred style of the presiding judge.

Official Comment #3:

The reference to both “E. Non-Responsive Answer” and F. Repetition/Asked and Answered” is Evidence Rule 403 (“wasting time”).

Official Comment #4:

Better Mock Trial teams handle objections by making fewer objections and handling most objectionable items on cross-examination. And, they think “quality” of objections verses “quantity.”

Please refer to Rule 2.2 (Witness Bound by Statements) under Official Comment #3.

H. Redirect / Recross

Redirect and recross-examinations are permitted. The scope of cross-examination is not limited to the scope of the direct examination. The scope of re-direct; however, is limited to the subject matter of the cross-examination of that witness. Likewise, the scope of re-cross is limited to the subject matter of the re-direct. No additional examination is permitted.

I. Recesses

Teams are granted up to a five-minute recess in between Case-in-Chief presentations. An additional two-minute recess takes place prior to presenting closing arguments to allow each team time to prepare their closing argument. During the first five-minute recess, competing team members and judges in front of the bar are permitted to leave for restroom break with no communication with anyone. In the second two-minute recess prior to closings, no one is permitted to leave the courtroom or have any communication with the bailiff, timekeeper, artist (HS), journalist (HS) nor anyone behind the bar. Any communication in violation of this rule subjects the offending team to a penalty in accordance with Rule 4.10 Trial Communication and Rule 6.3 Scoring Penalties. Individuals behind the bar may not leave or communicate during either recess.

Official Comment:

The National High School Mock Trial competition does not provide for a recess prior to the closing arguments. Please be aware of this if your team advances to the national competition.

J. Closing Argument

Closing arguments must be based on the actual evidence and testimony presented during the trial. If evidence was not presented during the trial, it cannot be used in the closing arguments. The Prosecution/Plaintiff delivers its closing argument first, followed by the Defense.

K. Rebuttal

The Prosecution/Plaintiff may reserve a portion of its closing time for a rebuttal. They need not request or state that they are reserving time for a rebuttal. The rebuttal is limited to the scope of the Defendant’s closing argument.

L. Objections During Opening Statement and Closing Argument

No objections may be raised during opening statements or during closing arguments. If a student attorney believes an objection would have been warranted during the opposing team’s opening statement or closing argument,

the opposing student attorney for the respective opening or closing may stand to be recognized by the presiding judge and say, “Your Honor, if I had been permitted to object during the opening statement/closing argument, I would have objected to the statement that _____.” The opposing team is allowed a rebuttal. The presiding judge does not rule on the objection. Each scoring judge weighs the objection and awards or deducts points for each attorney individually. The objection may only be made immediately following the opening statement/closing argument and may not be raised as a Post-Trial Dispute.

A video link showing an [Objection to a Closing Argument](#) example can be viewed. Visit www.scbars.org/lre and click on Middle School or High School Mock Trial on the left side of the main page. Go to *Videos for Coaches and Students* and then scroll through the video clips available.

Official Comment:

The objection permitted by this rule should generally be used only to challenge an opening statement that improperly argues the law, as opposed to setting forth a summary of the evidence to be presented.

The objection permitted by this rule should generally be used only to challenge a closing argument that is not based on evidence properly admitted at trial. An attorney making such an objection should be prepared to describe the specific evidence (or inference therefrom) on which the challenged argument is based.

Teams should not use this rule merely to challenge the strength or logical force of their opponent’s arguments. Scoring judges consider such use of this rule improper, and they may, in their sole discretion, adjust their scores accordingly.

Example No. 1: *Plaintiff’s attorney in a medical malpractice trial argues in the closing argument that the Plaintiff should prevail because the opinion of Plaintiff’s witness, Dr. Reed, conclusively showed that the Defendant was negligent. At the conclusion of the closing argument, Defense attorney invokes this rule and objects to the portion of Plaintiff’s closing argument that referred to Dr. Reed’s expert opinion. Defense attorney argues that, since Dr. Reed was never admitted as an expert by the Court, Plaintiff’s attorney’s discussion of Dr. Reed’s “expert opinion” is based on facts not in evidence. This argument is appropriate under this rule.*

Example No. 2: *Assume that, in the same trial, the presiding judge admitted Dr. Reed as an expert. At the close of Plaintiff’s closing argument, Defense attorney invokes this rule and objects. This time, Defense attorney argues that Plaintiff’s discussion of Dr. Reed’s expert opinion should be stricken because Dr. Reed is a quack who always testifies for Plaintiffs. This argument is inappropriate under the rule. Rather than challenge an argument based on facts not in evidence, it simply takes issue with the inferences to be drawn from properly admitted evidence. That sort of challenge shall be made in the closing argument itself, not in a post-argument objection.*

4.5 Timekeeping

Time limits are mandatory and enforced. The Prosecution/Plaintiff timekeeper is the official timekeeper of the two timekeepers provided between the two teams competing in a trial. Presiding judges have the discretion to deal with any timekeeping issues and make final rulings. Timekeepers are responsible for fairly and accurately keeping and reporting the time during the trial presentation.

A. Timekeeper

Each team is required to provide a student who serves as the official timekeeper for that team. The Prosecution / Plaintiff timekeeper is the official timekeeper for that round, unless the presiding judge and scoring judges agree witnessing the lead timekeeper having difficulty in keeping time. The name of the timekeeper shall be noted on the Team Roster Form (released at the time of the case in the Forms Section on the LRE website at www.scbare.org/lre). A different timekeeper may be used for each round. An attorney or witness may also serve as timekeeper if they are not serving in another capacity during that round. The bailiff may also serve as a timekeeper simultaneously.

If a team does not provide a timekeeper, the team is subject to penalties for misallocation of duties pursuant to this rule, Rule 3.2 Team Composition and Allocation of Duties, Rule 5.4 Completion of Scoresheets, and Rule 6.3 Scoring Penalties with a mandatory 8 point penalty per scoring judge. It is highly recommended that the performing timekeeper watch the timekeeper training available in the video resources section and practice while the attorneys practice directs and crosses.

B. Aids for Timekeeping

The SC Bar provides the following items on competition day:

- Timesheets: Timekeepers must sign timesheets and turn them in to the presiding judge at the end of each round.
- Additional Supplies: Scratch paper, erasable pen, and a clipboard.

Teams need to bring the following:

- 3 Sets of Timecards: Timecards must be purchased prior to the competition. If already purchased, a new set of timecards does not need to be purchased. The three sets of timecards are for the opening/closings, direct examinations, and cross-examinations. Timekeepers may only use the official timecards purchased from the SC Bar and no others. The timecards are provided in specific increments and noted accordingly. Modification of intervals is not permitted. Note that the timecards start in an ascending order (lowest to highest) and build to the maximum number of minutes in that section. In addition, as the timecards begin to reach the last minute allowed in that phase, the timecards change from white to yellow, and the last timecard is in red showing the maximum amount of time available and "STOP."
 - Opening/Closing Timecards: The timecards are provided in the following increments: 1:00, 2:00, 3:00, 4:00, 4:15, 4:30, 4:45, 5:00/STOP.
 - Direct Examination Timecards: The timecards are provided in the following increments: 2:00, 4:00, 6:00, 8:00, 10:00, 12:00, 14:00, 16:00, 18:00, 20:00, 21:00, 22:00, 23:00, 24:00, 24:15, 24:30, 24:45, 25:00/STOP.
 - Cross-Examination Timecards: The timecards are provided in the following increments: 2:00, 4:00, 6:00, 8:00, 10:00, 12:00, 14:00, 16:00, 18:00, 19:00, 19:15, 19:30, 19:45, 20:00/STOP.

- Two Stopwatches: One stopwatch is to track time for the Prosecution/Plaintiff side and one stopwatch is to track time for the Defense side. Cell phones and/or kitchen timers may not be used as stopwatches.

See the Forms and Supporting Information Section for a sample of the timesheet, the timecards ([opening/closing](#), [directs](#), [crosses](#)) print and [additional information for timekeepers](#).

C. Placement of Timekeepers

Timekeepers from both teams must be seated together and may not move from the SC Bar's assigned location unless the teams address any concerns with the presiding judge prior to the round starting and space is available for the change. The assigned seating location is in the front row of the jury box furthest from the witness stand so that scoring judges can be closest to the witness stand. Timekeepers are to remain seated during the trial.

D. Proper Communication

Timekeepers raise the SC Bar timecards quietly. Timekeepers may communicate with their competing team members only during the dispute process or when directed by the presiding judge.

E. Improper Communication

Timekeepers may not verbalize, wave the timecards, use hand gestures, or use any other means to get a student attorney's attention. Timekeepers may not communicate with any team members, coaches, courtroom artists (HS), courtroom journalists (HS), or visitors during the recesses.

F. Conferring Times / Reporting Overages or Discrepancies

At the end of each phase of the trial (e.g., after both opening statements, at the end of each Case-in-Chief (direct and cross), and at the end of the closing arguments), timekeepers record and confer with one another on the total amount of time used by both sides. A time discrepancy is reported to the presiding judge when the timekeepers do not have the same times (hence discrepancy) and if the times are more than 15 seconds. Up to 15 seconds in different times is permitted to allow for the variances in stopping and starting a stopwatch. If a student performed over the allotted time by more than 15 seconds, that is an overage and the presiding judge is immediately notified. The presiding judge rules on the overage immediately. After the ruling, the timekeepers clear their stopwatches for the next phase to begin. The decisions of the presiding judge resolving overages are final.

G. Timing

Timing begins for each trial phase when the first word during that phase is spoken by the student attorney or at the direction of the presiding judge. Time stops when the last word is spoken by the student attorney.

In a Case-in-Chief, there are three witnesses and each witness has a direct and cross-examination. When timekeeping, there are two stopwatches and two sets of timecards. One stopwatch records the direct while using the direct examination timecards. When the timing of the direct examination stops, the stopwatch also stops and time is recorded. Pick up the second stopwatch and the cross-examination timecards. Time the cross and record time used. If there is a re-direct

or re-cross, the timekeeper picks up the appropriate stopwatch and timecards. This process is repeated for the two remaining witnesses. Once the Case-in-Chief is finished with all three witnesses is when timekeepers record total times and confer with each other.

Time only stops for objections, questioning from the presiding judge, or administering the oath. Time does not stop for the introduction of exhibits, retrieving exhibits, re-organizing exhibits, or for student attorneys to confer with co-counsel. Timing is not held off for retrieval of exhibits prior to starting. The presiding judge has the discretion to stop the clock for any reason including any technical difficulties in a virtual competition.

Stopwatches continue timing as long as an attorney or witness is speaking even if the “STOP” card is reached, so that overages can be documented. Stopwatches are cleared after each phase (opening, the Case-in-Chief for each side, and closing).

H. Displaying Timecards

Timekeepers do not have to hold timecards up the entire time. Timekeepers should hold the timecards up for a few seconds until the student attorney speaking and the presiding judge have seen the updated timecards and then lower the cards. Otherwise, the student attorney looking at the timecards may be misled that the timecard was just flipped and have more time verses actual time.

I. Emergency for Timekeepers

In the event a timekeeper has an emergency in the courtroom, that team shall defer to its opponent’s timekeeper for that trial segment. The team whose timekeeper had to leave may substitute another timekeeper qualified under Rule 4.5.A - Timekeeper for the remaining trial segments. The timekeepers shall confer consistent with Rule 4.5.F – Conferring Time / Reporting Overages or Discrepancies regarding time used at the beginning of each trial segment.

J. Additional Responsibilities

Additional timekeeping responsibilities include timing:

- The five-minute recess between Case-in-Chiefs,
- The second recess up to two minutes
- The peer award discussion time up to two minutes
- The presiding judges’ critique up to one minute.

Timekeeper Training is available in the video resources.
 Visit www.scbare.org/lre and the click on the Middle School or High School Mock Trial logo on the main page. Go to *Videos for Coaches and Students* and then scroll through the video clips available.

4.6 Time Limits

The time limits for the phases of the trial are as follows:

Opening Statements	5 minutes per side
Direct Examinations (re-directs are optional permitting time available)	25 minutes total per side

Cross-Examinations (re-crosses are optional permitting time available)	20 minutes total per side
Closing Arguments (rebuttal if requested, time available and approved)	5 minutes per side

A. Time Allotments

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

B. Inquiring About Time

The student attorney currently performing in a phase of the trial is allowed to ask the presiding judge for permission to inquire from the timekeeper how much time has been used or is left in that timed phase.

C. Time Extensions

The presiding judge has sole discretion to grant time extensions. Such extensions should be granted sparingly and should be limited in duration to include finishing a question, answer, or thought. The student attorney may request the presiding judge's permission for a time extension up to 30 seconds to conclude the presentation only after the allotted time has been exhausted. If such an extension is granted, no penalty shall be assessed unless the extension is exceeded. If time has expired and a student attorney continues without permission from the presiding judge, the scoring judges shall impose a penalty in accordance with the rules. The timekeeper should indicate on the timesheet if a time extension was granted or not. If approved, flip timecards back by 30 seconds.

D. Calling Last Witness When Time Expired

Direct Examination: Teams must call their third witness even if the team runs out of time on the first two witnesses. In that event, the team is allocated up to three minutes for direct examination of its third witness and the team receives a penalty of ten points per scoresheet. The crossing attorney is allowed three minutes to cross the witness with no penalty unless the three minutes is exceeded.

Cross-Examination: Teams must cross-examine the third witness even if the team runs out of time after crossing the first two witnesses. In that event, the team is allocated up to three minutes for cross-examination of the third witness and the team receives a penalty of ten points per scoresheet.

E. Time Penalties

If a team has two or more time penalties in different phases of the trial, each overage is treated independently. See Rule 6.3 Scoring Penalties for a list of penalties associated with time overages and penalties.

4.7 Motions

Teams may not make pre-trial motions except to request substitution of a competing team member with an alternate listed on the Team Roster Form (found under the Forms Section added at the time of the case release at www.scbare.org/lre) in the event of an emergency.

The only motions permitted during the trial are:

- A. To strike testimony following a successful objection to its admission;

- B. To substitute an alternate listed on the team roster for a competing team member who becomes medically unable to continue participation in the trial; and
- C. To alert the presiding judge of a special medical concern previously discussed with the State Mock Trial Coordinator.

4.8 Sequestration

Teams may not request the sequestration of witnesses.

4.9 Student Performance

Witnesses and lawyers shall dress professionally as if they were appearing in an actual courtroom.

A. Dress Attire

Students should dress as professionally as possible within their means. Dress attire should be courtroom appropriate with modesty considered. The students' performance should stand out and not their clothing. This rule is not disputable, but highly recommended.

B. Accents

Use of accents is not considered costuming.

C. Costuming

Costumes (e.g. uniforms, badges, wigs, hats, canes, etc.) are not allowed. Teams may not wear lapel pins of any kind.

D. Creation of Scars / Physical Conditions

This rule prohibits the use of make-up, prosthetics, or other effects to create scars or other physical conditions for a witness. However, the student playing the witness is allowed to act as if afflicted with any condition, deformity, or disability described in the affidavits. Under no circumstances is the opposing team permitted to question the existence of such conditions based on the fact the student playing the witness does not actually have them. While the opposing team may cross-examine the witness on the extent of the condition based on information provided in the affidavits, the opposing team may not challenge the witness to prove the existence of the condition by asking the witness to show the jury.

E. Notes

Student attorneys may use notes in presenting their cases. Student attorneys may consult with each other at the counsel table verbally or through written notes.

Witnesses shall not use notes or affidavits while testifying. Witnesses may only read from or refer to exhibits or affidavits provided by the SC Bar that are properly presented to them by a student attorney.

Teams may use personal copies of the case, exhibit notebooks, notes, or prepared timelines at counsel tables only. (See [Scoring Guide](#) found in the Forms and Supporting Information Section.)

Official Comment:

Whether a student is note-dependent is a subjective standard. However, some examples of how scoring judges may view the usage of notes include:

- *Attorneys who read directly from notes during opening statements or closing arguments are likely to be considered “note dependent” and receive a lower score.*
- *Attorneys who use notes merely as a guide are not likely to be considered “note dependent.”*
- *Remember, scoring judges are judging the overall performance of the students and not just note usage.*

F. Physical Traits

A witness is prohibited from referring to personal / physical traits or that of another witness where such information is not included in the witness statement. (For example, a witness cannot call attention to a person’s height to show inability to complete some physical act included in the case materials or state that the witness was treated differently because of gender. An attorney is likewise prohibited from making arguments pointing out physical traits of a witness not otherwise included in the case materials. Such references are creation of material facts. (See Rule 2.3) Teams are not prohibited, however, from raising issues about general or common human traits and abilities relevant to the case.

G. Props / Demonstrative Aids

Teams shall not use props or demonstrative objects other than items provided by the SC Bar as part of the case. Teams shall not bring any other items to use as props or demonstrative objects. Teams shall not use loose items found in the courtroom (e.g., pens, a physical pointer, a laser pointer, water bottles, flip charts, tissues, etc.) for props, or exhibits, or other demonstrative purposes.

4.10 Communication

No one behind the bar shall talk to, signal, communicate with, mouth to, or coach their witness or student attorneys during trial. This rule remains in force during any emergency recess or the planned recess that may occur. Competing team members in front of the bar (other than the timekeeper) may communicate and pass notes among themselves during the trial; however, no disruptive communication is allowed. No one may coach, signal, mouth to witnesses, or otherwise suggest answers to questions while a witness is testifying.

Displaying of time by the timekeepers shall not be considered a violation of this rule. As referenced in Rule 4.6 (B) Time Limits - Inquiring About Time, the student attorney currently performing in the phase of the trial is allowed to ask the presiding judge for permission to inquire from the timekeeper how much time has been used or left in that timed phase.

Coaches, team members not competing in the current round, team alternates, and visitors must remain behind the bar after the trial begins. Only competing team members participating in a given round may sit in front of the bar and communicate with one another. The team members participating in the current round may only communicate with the bailiff, timekeeper, and coaches during the post-trial dispute process as set forth in Rule 6.1 Disputes Hearing Process – Post-Trial. During the trial – bailiffs, timekeepers, sketch artists, and journalists are not to communicate with anyone unless prompted by the presiding judge.

Attorney coaches, teacher coaches, students and visitors are discouraged from having contact with scoring and presiding judges on the day of the competition to prevent the appearance of impropriety.

4.11 Viewing a Trial

Team members, alternates, attorney coaches, teacher coaches, visitors, and any other persons directly associated with a specific Mock Trial team, except for those authorized by the SC Bar's Law Related Education Division, are not allowed to view other teams' performances, so long as their team remains in the competition.

Each team may watch its own team, e.g., Prosecution/Plaintiff may watch Defense. All team members, attorney coaches, teacher coaches, and visitors are required to wear matching lettered badges provided at the on-site registration.

The presiding judge may stop the trial from interruptions in the gallery; i.e. talking, texting, entering/exiting (other than during the time of a witness transition), improper use of cameras, etc.

Any team or its visitors violating this rule is subject to discipline pursuant to Rule 1.2 Code of Conduct.

4.12 Electronics: Cell Phones, Video Cameras, and Cameras

It is strongly encouraged that cell phones are not brought to the courthouse and/or place of the Mock Trial competition venue. Lead teacher coaches are asked to have their cell phones on vibrate in order to be reached by the Regional and/or State Mock Trial Coordinator in the event of an emergency. All others (including additional teacher/attorney coaches and visitors who bring their cell phones) must turn cell phones off during the trial. Each competition venue determines if cell phones, cameras, and/or video cameras are permissible. If not, security confiscates said items prior to entry into the building.

Any team has the option to refuse a request to participate in video recording and still photography without explanation. Video cameras may be used during the competition only with the consent of the presiding judge and with the consent of both teams. If the opposing team violates this rule, the lead teacher coach or lead attorney coach stands and approaches the gallery bar during a transition, waits to be recognized by the presiding judge, and brings the concern to the court. Flash pictures may not be taken during the competition at any time.

No team may post, share with another competing team, or otherwise disseminate any recording of any competition round without the permission of the State Mock Trial Coordinator. Each team shall inform any family member or other observer of this rule. Violations of this rule, even by an individual who is not a team member, may result in sanction of the team affiliated with the individual who recorded and/or posted, shared, or otherwise disseminated the recording up to and including disqualification from the competition.

Media or other representatives may use various devices to document the Mock Trial rounds, as approved by the SC Bar, LRE Division Staff. Media or other representatives are most likely wearing identification badges representing their affiliated station or publication. Should the lead teacher coach see a media representative attempting to film or interview a team member who did not supply a [Talent Release Form](#) or has reason not to be filmed, the media representative should be approached immediately by the lead teacher coach and/or parent to stop such activity. (See the [Talent Release Form](#) for additional information in the *Forms and Supporting Information* section.) (See Rule 4.14 Technology.)

4.13 Procedure for Introducing Exhibits

The Mock Trial Case Materials include exhibits and either team can use any of the exhibits. Each side is scored on its attempt to introduce evidence and the other side is scored based on its objections. It is up to the teams' student attorneys to determine which witnesses (either on the team's own direct examination or during cross-examination of the other team's witnesses) are the best and/or proper witnesses to introduce the exhibits. Only exhibits entered into evidence may be used in closing arguments.

Official Comment for Procedure on Introducing Exhibits:

- A. Ask for permission to approach the witness. "Your Honor, may I approach the witness with what has been marked for identification purposes as Exhibit # [x]?"
- B. Show the proposed exhibit to opposing counsel.
- C. Ask the witness to identify the exhibit. "I now hand you what has been marked for identification as Exhibit # [x]. Would you identify this document please?" Witness shall answer to identify the exhibit only.
- D. Ask the witness a series of questions that are offered for proof of the admissibility of the exhibit. Such questions lay the foundation for admissibility, including questions of relevance and materiality of the exhibit.
- E. Offer the exhibit into evidence. "Your Honor, we offer Exhibit # [x] into evidence."
- F. Presiding Judge: "Is there an objection?" (If opposing counsel believes a proper foundation has not been laid, the attorney shall be prepared to object at this time.)
- G. Opposing Counsel: "No, your Honor." or "Yes, your Honor." If the response is "yes", the objection is stated for the record.
- H. Presiding Judge: "Is there any response to the objection?"
- I. Answer "no, your Honor." Or "Yes, your Honor." If the response is "yes," provide the legal reasoning for the objection to be stated for the record.
- J. Presiding Judge: "Exhibit # [x] (is/is not) admitted." If admitted, questions on content may be asked.

*** *Teams may not publish exhibits to the jury.*

A video link showing [examples of entering evidence](#) can be viewed.

Visit www.scbart.org/lre and then click on the Middle School or High School Mock Trial logo on the main page. Go to *Videos for Coaches and Students* and then scroll through the video clips available.

4.14 Technology

Cell phones may be permitted in the courthouse with courthouse permission. No technology is permitted in front of the bar, which includes laptops, tablets, chrome books, watches of any kind, any wearable technology, cell phones, and any other electronic devices. Possession of any of these devices in front of the bar, whether in use or not, constitutes a five-point penalty per scoresheet per violation.

4.15 Conduct

A. Team

All team members (teacher coaches, attorney coaches, and students) are expected to read and sign the Code of Ethical Conduct Agreement prior to the

competition. Team members are agreeing to the following:

1. The Rules of the Competition and the Code of Ethical Conduct are followed by all participants in the South Carolina Bar's Mock Trial Competitions. Coaches are discouraged from willful violations of the letter and the spirit of the Rules of this Code.
2. The use or possession of alcohol, drugs, and weapons is forbidden at all competition sites and at all Mock Trial sponsored events.
3. Team members, coaches, and other observers promise to participate in all events associated with the South Carolina Bar's Mock Trial competitions with the highest standards of professional behavior showing respect for their fellow team members, opponents, coaches, judging panel, staff, volunteers, and all other persons before, during, and after the competitions.
4. The South Carolina Bar's Mock Trial competitions are designed for teams to behave themselves as professionals in and out of the courtroom. Team members, coaches, and visitors must always follow appropriate courtroom and courthouse decorum, both inside and outside the courtroom.
5. Displays of bad sportsmanship at any time during the competition are prohibited. Whether winning or losing, team members, coaches, and all visitors are expected to be gracious and supportive of other teams.
6. No team member, coach, or visitor associated with your team may view another team competing outside of your round.
7. It is expected that everyone respects their surroundings; follow all published courthouse regulations; use appropriate receptacles for all trash; leave restrooms and all other court and common areas of all venues in good order; and otherwise behave as young professionals.
8. All students listed on the School Information Sheet are registered at the same school or approved to compete at the school due to home schooling or district re-alignment.
9. All Mock Trial participants (teacher coaches, attorney coaches, and students) agree to the following Mock Trial Oath: I will maintain the respect and courtesy due to courts of justice, judicial officers, and those who assist them. To opposing parties, counsel, and witnesses, I pledge fairness, integrity, and civility, not only in court, but also in all written, oral, and social communications. I will employ for the purpose of maintaining the causes confided to me only such means as are consistent with trust and honor and the principles of professionalism, and will never seek to mislead a party, the judge, or jury. And I will maintain the dignity of the legal system and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged.
10. Teams should be cautious about their use of social media. If any student who is reported to the SC Bar for disparaging or taunting social media posts, that individual may be suspended from Mock Trial activities and jeopardize their team's participation. To report a social media issue, the lead teacher coach must email a photo or screen shot of the social media post in question to the State Mock Trial Coordinator.

B. Visitors

Visitors are welcome to attend the competitions if they are associated with teams; however, space is limited. Visitors are provided coded visitor badges to watch their respective teams. Visitors are not allowed to move around in the courtroom during a trial or participate in the trial in any way, including asking about time, raising disputes, arguing a violation on behalf of the teams, moving furniture, standing during trials, or bringing food and beverages in the courtrooms and in some cases

the courthouse entirely. Visitors are to be respectful to courthouse staff, Mock Trial Coordinators, the SC Bar staff, and all opposing teams. If violated, the visitor(s) are subject to removal.

No walk-ins are accepted to ensure team safety. All visitors need prior approval from team coaches or SC Bar. SC Bar approved visitors may observe a team. An example of a SC Bar approved visitor(s) would be teachers/students observing Mock Trial for future implementation, clerks of court, SC Bar staff, etc.

All visitors remain seated during the trial and may not sit in the aisles or stand in the back of the courtroom. If it is necessary to enter or exit the courtroom during the trial, it must be done during a transition, such as in between witnesses or after an argument.

Visitors do not communicate during the trial as they are observers only. This includes no communication with team members during the five-minute recess.

Prior to the competition, the team's lead teacher coach is responsible for briefing team visitors on the Competition Rules and Code of Ethical Conduct Rules that apply to visitors during the competition. The SC Bar reserves the right to remove anyone who violates rules stated by the competition venue or the SC Bar.

Official Comment:

It is highly suggested that someone from each team (i.e. a spectator or student not participating in a specific round) stand outside the courtroom entrance to help ensure visitors only enter or exit during transitions to reduce noise and movement distractions for competing teams. For example, enter when a witness is getting on or off of the witness stand and not during an opening, direct, cross, or closing.

4.16 Most Effective Nominations Made by Teams

Each team has up to one minute to determine the Most Effective recipients from the opposing team. Prior to leaving the courtroom, each team announces the recipients. The most effective awards determined by the students do not replace the most effective awards the scoring judges also determine, which are announced at the closing assembly.

The presiding judge documents the recipients. Printed certificates are mailed to the lead teacher coach after the competition.

4.17 Professionalism and Civility Award Nominated by Teams

The Professionalism and Civility Award was created to highlight the importance of professionalism among teams participating in our Mock Trial competitions.

During the competition experience (inside and outside the courtroom), your team and coaches observe other participating teams while using a subjective process. Teams nominate another team to be considered for the Professionalism and Civility Award. Teams may consider the behavior of students, coaches, and spectators associated with other teams when making a nomination for this award.

Each team submits one team ballot nominating another team for the Professionalism and Civility Award and also nominates a second team in the event a tie breaker is needed. Teams may not campaign for this award. A team may not nominate itself. When discussing this award among the team, it is hoped that coaches emphasize the importance of professional behavior inside and outside the courtroom throughout the competition. The

discussion of this award provides the team with an excellent opportunity to review the Code of Ethical Conduct and the Rules of the Competition that deal with ethics and decorum. Discussions about this award provides coaches the opportunity to discuss the high standards of professionalism attorneys are held to as members of the Bar.

The qualities that teams nominated for the award must demonstrate inside and outside the courtroom include: a professional demeanor, civility, integrity, honesty, fair play, shaking hands of opponents, respect for the competition, respect for fellow competitors, respect for volunteers and all associated with the program throughout the competition, and respect for courthouse staff and their facilities.

Nominations are submitted digitally by the lead teacher from each team at the end of the third round through the LRE designated Jotform.

SECTION V: JUDGING AND TEAM ADVANCEMENT

5.1 Rulings

All rulings of the presiding judge are FINAL.

5.2 Composition of Judging Panels

Each round is scored by a “jury” panel serving as “scoring judges,” which may consist of judges, attorneys, law students, or experienced Mock Trial teachers. Teams may address the scoring judges as members of the jury. The presiding judge is an attorney or a sitting judge.

All presiding and scoring judges receive the Mock Trial Case Materials, the Competition Handbook, orientation materials, and judges’ training prior to the competition.

The panel of scoring judges consists of at least two individuals. The composition and selection of judges is at the discretion of the Regional and/or State Mock Trial, with the following format:

- A. One presiding judge and three scoring judges (only scoring judges complete digital scoresheets); or
- B. One presiding judge and two scoring judges; the third scoresheet aka “ghost scoresheet” is an average of the other two scoresheets cumulative totals. Regardless of the averaged total, the presiding judge determines which team wins the ghost scoresheet via the Presiding Judge Ballot.
- C. One presiding judge and more than three scoring judge (The State and/or Regional Coordinator will pre-determine which three scoring judges will be counted prior to the start of the round.)

The state championship round has a larger judging panel at the discretion of the State Mock Trial Coordinator.

In the event of an emergency (i.e. sudden illness, etc.) when a scoring judge or presiding judge member must leave the courtroom, the presiding judge calls for a brief recess, assesses whether the individual is able to return in a reasonably short period of time, and then resumes the proceedings when the individual returns to the courtroom. If the individual is unable to return, the State and/or Regional Mock Trial Coordinator is notified. Scoring continues as noted in 5.2.B. During any recess under this rule, the teams remain seated in their appropriate positions within the courtroom until the trial resumes.

The Regional Mock Trial Coordinator and/or State Mock Trial Coordinator has discretion in any case in a scoring judge's irregularity to disqualify the scoring judge's scoresheet and continues with a presiding judge's ballot.

5.3 Scoresheets / Ballots

The term scoresheet or ballot is used in reference to the form on which points are recorded.

Scoresheets allow for evaluation up to ten points for each individual's performance as well as an overall team performance. The overall team performance, worth up to ten points, considers civility/incivility, abusive/excessive objections, scripting, delay tactics, usage of exhibits, thematic presentation, consistency of legal arguments, and teamwork.

Scoring judges do not necessarily reflect the rulings of the presiding judge during the trial in their scores. Scoresheets are completed individually by each scoring judge. Scores are not finalized until the scoring and presiding judge discuss and defend scoring variances more than two points.

Scores are not announced at the end of each round. Tabulated scoresheets are sent to the coaches the following week after scores and rankings are confirmed. Scoresheets are not picked up in person.

The term "ballot" refers to the decision made by a scoring judge as to which team scored the most points in a given round. The team earning the highest points on a scoring judge's scoresheet is the winner of that ballot.

The team earning at least two of the three ballots, wins the round. The number of ballots earned is one of the determining factors when power matching and for the purposes of ranking teams. See Rule 5.7 Power Matching for more explanation and examples of power matching.

Scoresheets may be shared with students.

5.4 Completion of Scoresheets

Each scoring judge records a number of points (1-10) for each presentation of the trial. A [scoring guide](#) is provided to the scoring judges to assist in generating scores. At the end of the round, each scoring judge transfers their scores to the digital scoresheet, scores the overall team performance, and waits for notice of any penalties. At this point, scoring and presiding judges review all scoresheets and defend any scoring discrepancies with more than two-point variances.

See the [Scoring Guide](#) found in the Forms and Supporting Information Section.

5.5 Team Advancement to the State Competition

A state competition is held if 20 or more teams compete in the overall regional competitions. Twelve teams advance to the state competition. They are comprised of regional winners and remaining teams advancing to the state competition are announced at the closing assembly. The remaining competing slots are determined by the next highest wins, ballots, points, and point spread across all regional competitions collectively. When announcing the twelve advancing teams, three back-up teams are also announced. The back-up teams are to hold the state competition dates and plan for participation until

the first Friday after the regional competitions. (*Back-up teams have advanced to the state competition and back-up teams should take this position very seriously.*)

Team Ranking (based on the following criteria in the order listed):

1. Win/Loss record based on the number of rounds won or lost by a team;
2. Total number of ballots awarded a team in all rounds;
3. Total number of points accumulated by a team in all rounds; and if necessary;
4. Point spread.

Should an advancing team withdraw from participating in the state competition, the next highest ranking back-up team is notified to fill the vacancy.

To participate in the state competition, a team registration fee of \$150 is due prior to the state competition. The state competition takes place over the course of two days (typically a Friday and Saturday) for all the state advancing teams. Some teams may need overnight lodging the Friday night of the competition. Teams are responsible for their meals, travel, and lodging expenses.

5.6 Format of Competitions

- A. Regional Competitions: Teams are notified seven business days prior to arriving at the regional competition on their team code and the side performance for the first round with teams randomly paired. Random drawings for team pairings are done by the SC Bar prior to the competition day with a witness. Team pairings are not based on any criteria. Pairings and sides are subject to change should a team withdraw between the announcement of pairings and the competition day. The second and third round is power matched based on the results of the previous competition rounds.

Round Format for Regional Competitions on Saturday: (Both Levels)

Saturday – Round 1: Teams Randomly Paired Morning Round

Saturday – Round 2: Power Matched Afternoon Round (based on Round 1 results)

Saturday – Round 3: Power Matched Afternoon Round (based on Round 2 results)

- B. State Competition: Twelve teams are notified no later than six business days prior to arriving at the state competition of their new team code and their side performance for the first round based on seeding. Should a team drop, side performance may change.

Round Format for State Competition: (Middle and High School)

Friday: Round 1: Seeded and Power Matched Round (AM)

(See Rule 5.7 (C) Power Matching.)

Round 2: Power Matched Round (PM) (based on Round 1 results)

The lead teacher coach of each team is notified on their cell phone Friday night of the state competition no later than 10 p.m. with their team's side performance for the third round.

Saturday: Round 3: Power Matched Round (AM) (based on Round 2 Results)

Closing Assembly (PM): Most Effectives and Top Two Teams Announced

The two teams with the highest number of total wins, total ballots, total scores, and point spread (if necessary) after the third round compete in the two championship rounds performing alternating sides.

Championship Round 1 (PM): Top Two Teams Compete

Championship Round 2 (PM): Top Two Teams Compete
(switched sides)

State Championship Title Announcement (PM): The team with the highest number of wins, ballots, and points from the two championship rounds is named the state champion.

5.7 Power Matching

Power matching is the act of pairing teams together for the next round of competition based on a previous round's results. Power matching provides:

- A. All teams are guaranteed to present each side of the case at least once;
- B. Brackets are determined by win/loss record. Sorting within brackets are determined in the following order: (1) win/loss record; (2) total ballots; (3) total points; and (4) point spread, *if necessary*.
- C. For the state competition, teams carry their total wins, total ballots, total points, and total point spread earned at the regional competition to the state competition only to be power matched in their first round, known as "seeding." The top six teams represent one bracket. The bottom six teams represent the second bracket. The second and third rounds at the state competition are power matched based on each team's performance at the state competition.
- D. Odd Number of Teams in a Bracket:
 1. Pairing for the Second Round: If there are an odd number of teams or less than four teams in the top bracket, one or two teams from the second bracket are brought up to the top bracket. This process ensures there is a minimum of four teams in the top bracket.
 2. Pairing for the Third Round at Regionals:
 - A. **With 10 or more teams** competing in the region, if there are an odd number of teams or **less than six teams in the top bracket**, between one and four teams are brought up to ensure six teams are in the top bracket.
 - B. **With less than 10 teams** competing in a region, if there are an odd number of teams or **less than four in the top bracket**, one or two teams from the second bracket are brought up to ensure four teams are in the top bracket.
 - C. If moving a team(s) to the top bracket created an odd number in the second bracket, one team is brought up from the third bracket.
 3. Pairing for Third Round at State:
 - A. The top bracket consists of the top four teams after round two.
 - B. If moving a team(s) to the top bracket created an odd number in the second bracket, the bottom team of the second bracket and the top team of the bottom bracket are bracketed together to create a two-team third bracket.
- E. Provided there are no conflicts, the team at the top of a bracket is matched with the lowest ranked team of that same bracket; the second ranked team is matched with the second to lowest team within that same bracket, and so forth, until all teams are paired.
- F. Normally, a team does not meet the same opponent twice. If this occurs, side performance is alternated.
- G. Bracket integrity in power matching supersedes sub-rules A and F.

Ranking After First Round Results Example at Regionals

(Highest to Lowest)

Ranking	Team Code	Opponent	Total Wins	Total Ballots	Total Points
1	AB (Plaintiff)	EF (Defense)	1 Win	3	287
2	GH (Defense)	CD (Plaintiff)	1 Win	3	259
3	HI (Defense)	JK (Plaintiff)	1 Win	2	284
4	LM (Plaintiff)	NO (Defense)	1 Win	2	275
5	JK (Plaintiff)	HI (Defense)	0 Wins	1	280
6	NO (Defense)	LM (Plaintiff)	0 Wins	1	273
7	CD (Plaintiff)	GH (Defense)	0 Wins	0	250
8	EF (Defense)	AB (Plaintiff)	0 Wins	0	228

- When looking at the chart above, keep in mind that teams are placed in order of total wins, total ballots, and then total points.
- AB is first because it won the round; it has the highest number of possible ballots from the first round, and the highest number of total points.
- GH is second highest because while it has the same number of wins and ballots as AB, it has fewer points than AB.
- HI is third because while it has the same number of wins as AB and GH, GH has one less ballot. Notice HI has higher points than the second-place team (GH), but this does not matter because GH has one more ballot than HI.
- LM is fourth because the only difference between HI and LM is that HI has more points.
- JK is fifth because it has no wins and all teams with no wins come after all the teams that win their round. Notice that while JK lost the round it still took one of the three possible ballots; which is better than losing without any ballots. Taking that one ballot is what allows JK and NO to be ranked higher than the teams that won no ballots. Notice because JK and NO have one ballot, that a team's total points is what determines who is ranked higher than the other.
- NO is sixth because it has fewer points than JK.
- CD is seventh because it did not win, did not receive any ballots, and had more points than EF's.
- EF is last because it did not win, did not receive any ballots, and had the lowest total points out of all eight teams.

An explanation of how to power match from this round is on the next page.

Power Matching for the Second Round Example at Regionals

Ranking	Team Code	Opponent	Total Wins	Total Ballots	Total Points
1	AB (Plaintiff)	EF (Defense)	1 Win	3	287
2	GH (Defense)	CD (Plaintiff)	1 Win	3	259
3	HI (Defense)	JK (Plaintiff)	1 Win	2	284
4	LM (Plaintiff)	NO (Defense)	1 Win	2	275
5	JK (Plaintiff)	HI (Defense)	0 Wins	1	280
6	NO (Defense)	LM (Plaintiff)	0 Wins	1	273
7	CD (Plaintiff)	GH (Defense)	0 Wins	0	250
8	EF (Defense)	AB (Plaintiff)	0 Wins	0	228

- By the directions, all the teams that win their round are in the top bracket and all those that did not win are in the bottom bracket. *(Results above are from the first round.)*
- Notice the dark line that separates the two groups with a win and without a win.
- Pairings are listed as follows: Prosecution/Plaintiff v. Defense
- The first step is to pair AB with LM because the highest is to be paired with the lowest within the same bracket. Notice that in the first round AB played the role of Plaintiff and LM also played the role of Plaintiff. Because AB is the highest of the two and both teams played the same role, AB has to flip roles and play the side of Defense in the second round and LM plays a second round as Plaintiff.
 - **Result: LM v. AB (LM is Plaintiff and AB is Defense.)**
- The next step is to pair GH with HI. They both played the same role as defense in their first round. Because GH is the higher of the two teams, GH flips roles and plays the role of Plaintiff in the second round and HI plays another round as Defense.
 - **Result: GH v. HI (GH is Plaintiff and HI is Defense.)**
- The third step is to pair JK with EF because the highest is to be paired with the lowest within the same bracket. Notice that in this pairing, JK is paired with EF. JK and EF played opposite roles in their first round, so for the second round they flip sides and JK plays Defense and EF plays Plaintiff.
 - **Result: EF v. JK (EF is Plaintiff and JK is Defense.)**
- The fourth step is to pair NO with CD. NO and CD played opposite roles in their first round, so for the second round they flip sides and NO plays Plaintiff and CD plays Defense.
 - **Result: NO v. CD (NO is Plaintiff and CD is Defense.)**

Power Matching for the Third Round Example at Regionals

Ranking	Team Code	Prev. Round Sides		TOTAL			ROUND ONE RESULTS				ROUND TWO RESULTS			
		1	2	Wins	Ballots	Points	Opponent/ Side	Win	Ballots	Points	Opponent/ Side	Win	Ballots	Points
1	GH	D, P		2	5	543	CD (p)	1	3	259	HI (d)	1	2	284
2	LM	P, P		2	5	539	NO (d)	1	2	275	AB (d)	1	3	264
3	NO	D, P		1	4	541	LM (p)	0	1	273	CD (d)	1	3	268
4	JK	P, D		1	3	571	HI (d)	0	1	280	EF (p)	1	2	291
5	HI	D, D		1	3	563	JK (p)	1	2	284	GH (p)	0	1	279
6	AB	P, D		1	3	545	EF (d)	1	3	287	LM (p)	0	0	258
7	EF	D, P		0	1	491	AB (p)	0	0	228	JK (d)	0	1	263
8	CD	P, D		0	0	493	GH (d)	0	0	250	NO (p)	0	0	243

- By the directions, all the teams are ranked in order of **total** number of wins, ballots, points and then point spread (if necessary when points are tied).
- Notice the dotted line between the second and third teams and again between the sixth and seventh teams. These lines separate the teams into three brackets. The first bracket has the teams that won both of their rounds. The second bracket has the teams that have won one round. The bottom bracket has the teams that did not win either of their two rounds. The first four teams are shaded because the rules require there to be a minimum of four teams in the top bracket, thus moving teams three and fourth up.
- Pairings are listed as follows: Prosecution/Plaintiff v. Defense
- The first step is to pair the top team in the top gray bracket [GH] with the bottom team in that same bracket [JK]. GH is made Defense and JK is made Plaintiff because they can automatically flip sides based on their previous round performance in the second round with the result of JK as plaintiff and GH as defense, which looks like **JK vs. GH**. They can play one another since they did not play one another in the previous two rounds. **Stop there.** Notice the second team [LM] would be paired with the third team [NO], since they are the two remaining teams in the gray bracket. But, do you also see that LM went up against NO in their first round creating a conflict if paired a second time? Since the four teams must play within their bracket, the first pairing of JK v. GH becomes null and void. In starting over in pairing this bracket, the top team [GH] is now paired with the second from the bottom team [NO] in the same gray bracket. GH and NO have not played one another and both teams played Plaintiff in their previous round. Since GH is the strongest/highest of the two teams, GH flips sides and performs as Defense in their third round. **Result: NO v. GH (NO is Plaintiff and GH is defense.)**
- The second step is to pair the remaining two teams in the gray bracket [LM and JK]. Both teams performed opposite sides in their previous round, so they naturally flip side performance in their third round. Plus, LM performed as the Plaintiff in both of their two previous rounds, which guarantees LM is to perform Defense in their third round. **Result: JK v. LM (JK is Plaintiff and LM is Defense.)**
- The third step is to pair the remaining two teams in the second bracket. Like in the first proposed pairing, HI would naturally pair with AB. Because HI performed Defense in both of their two previous rounds, HI is guaranteed to perform as Plaintiff in the third round. **Result: HI v. AB (HI is Plaintiff and AB is Defense.)**
- The fourth step is to pair the remaining two teams in the bottom bracket [EF and CD.] Both teams do a natural flip for side performance and both have performed both sides of the case. **Result: CD v. EF (CD is Plaintiff and EF is Defense.)**

5.8 Side Selection for State Championship Round

In determining which team represents which side in the State Championship Round for round one, the following procedure is used:

- A. The team with the letter code that comes first alphabetically is considered the "Designated Team."
- B. The coin is tossed by a designee of the SC Bar.
- C. If the coin comes up heads, the Designated Team represents the Prosecution / Plaintiff in the State Championship Round One. If the coin comes up tails, the Designated Team represents the Defense/Defendant.

5.9 Bye Round

A "bye" round procedure becomes necessary when an odd number of teams are participating in any given round at a competition. The odd team in each round without an opponent is called a bye team, resulting in performing only two of the three rounds. If there is a bye round at a competition, bye teams are assigned a courtroom to practice in during the bye round and are not permitted to view other rounds during this time. The bye teams must stay in the assigned courtroom. A bye team is guaranteed to perform both sides.

Many teams are assigned as a "floater" team so that bye rounds in a regional competition can be avoided. There are always several floater teams identified when the regional assignments are announced. Floater teams are teams that fall in between two or more regions and can easily travel to a different region; or self-elected to serve as a floater team. Floater teams should remain in constant contact with the State Mock Trial Coordinator on flexibility and the latest date a team can remain as a floater.

It is the intent to avoid byes when possible. In the event of a circumstance resulting in an odd number of competing teams, the following bye round procedure applies:

- A. Round One Bye Team:
 - At End of Round One:
Temporarily, the bye team is awarded a ½ win, 1.5 ballots, and the average number of points from all round one winners as the bye team's round one scores for the purposes of power matching.
 - At End of Round Two:
The team's actual win, ballots and points are entered for round two. Round one's temporary numbers are not adjusted until after the third round.
 - At End of Round Three:
The bye team's wins/losses, ballots, and points earned in rounds two and three are averaged together. The averaged results replace the team's temporary round one results as their final round one results. ★
- B. Round Two Bye Team:
 - At End of Round Two:
Temporarily at the end of round two, this bye team is awarded a ½ win, 1.5 ballots, and the average number of points from all round two winners as the bye team's round two scores for the purposes of power matching.

- At End of Round Three:
At the end of round three, this bye team's wins/losses, ballots, and points earned in rounds one and three are averaged together. The averaged results replace the team's temporary round two results as their final round two results. ★

C. Round Three Bye Team:

- At End of Round Three:
This bye team receives the average of their wins/losses, ballots, and points earned in rounds one and two as their final round three results.

★Any fraction of a point is rounded up to the nearest whole number.

SECTION VI: DISPUTE RESOLUTION

6.1 Disputes Hearing Process (Post-Trial)

For Mock Trial purposes, a violation "inside the bar" aka "in front of the bar" means a rules violation that is committed by a team or team member during the competition round.

Violations that occur inside the bar must be raised with the presiding judge after the closing arguments as a dispute. No forms are completed by teams. Everything is verbally expressed to the presiding judge when prompted.

Dispute Process is as Follows:

- 1) Dispute Process Begins
The presiding judge announces that teams have an opportunity to raise disputes against the opposing team. This is the only opportunity to raise a dispute.
- 2) Timed Consultation
Competing team members, coaches, the bailiff, and timekeeper are permitted two minutes to consult with one another and determine if any rule violations occurred and should be reported verbally to the Presiding Judge. Notes may be used for this process. The timekeeper is asked to time on their stopwatches once both teams begin conferring with their respective coaches. Because teams are in discussion and not observing the timecards, the timekeeper voices, "STOP" when two-minutes have been reached. If the timekeeper has nothing to contribute to the discussion, they should remain seated. Otherwise, they watch their time while at the counsel table with team members and coaches.
 - A. If a team believes its opponent committed a violation of the rules, the team decides which student attorney is the team's student attorney spokesperson to present the team's position.
 - B. During the same initial consultation, the judging panel (presiding and scoring judges) also have an opportunity to raise a rules violation by completing the Rules Violation Penalty Form.
- 3) Collection of Rules Violation Penalty Forms
The presiding judge collects the Rules Violation Penalty Forms from the scoring judges for review. The scoring judges serving as the jury are then dismissed. The team found in violation is announced after the teams raise their disputes, if any. If a judges violation is brought up by the teams, then the judges violation is disregarded.

- 4) Review of Disputes Raised

The presiding judge listens and documents the disputes made by the teams to determine if any disputes merit a hearing.

 - A. If no disputes are voiced, the dispute process is over.
 - B. Denial of a Hearing means that the dispute does not merit a hearing and it is not addressed.
 - C. Approval of a Hearing means the dispute is to be addressed.

- 5) Hearing Preparation

If a hearing is merited, the presiding judge allows teams to reconvene with their respective coaches for further discussion to prepare a response. Competing team members, coaches, the bailiff, and timekeeper are permitted up to two minutes to re-consult with one another and prepare a verbal response to the rules violations raised against.

 - A. The timekeeper is asked to time on their stop watches up to two minutes once one or both teams have received their forms. Because teams are in discussion and not observing the timecards, the timekeeper voices, "STOP" when two minutes has been reached. If the timekeeper has nothing to contribute to the discussion, they should remain seated. Otherwise, they watch their time while at the counsel table with team members.
 - B. The team's student attorney spokesperson prepares a verbal response and may use notes.
 - C. During this time if the objecting team does not have a rules dispute to review, the team sits quietly and does not confer with their team members, coaches, bailiff or timekeeper.

- 6) Hearing (if applicable)
 - A. The student attorney spokesperson for the team responding to the dispute presents a quick verbal defense statement.
 - B. The presiding judge considers the responses presented.
 - C. If the Prosecution/Plaintiff raised a dispute, the presiding judge asks the Prosecution/Plaintiff team spokesperson to state the dispute(s) raised. The Defense team spokesperson is directed to state the team's response(s).
 - D. If the Defense team raised a dispute, the presiding judge asks the Defense team spokesperson to state the dispute(s) raised. The Prosecution/Plaintiff team spokesperson is directed to state the team's response(s).
 - E. Attorney coaches, teacher coaches, and visitors are not allowed to address the court regarding a dispute. Only the student attorney spokesperson may present a violation and/or defend a violation.
 - F. The presiding judge has the discretion to question the student attorney spokesperson and anyone else in the courtroom at his/her discretion. Neither Coaches nor visitors may communicate/consult with the team or the presiding judge during the hearing unless asked to do so by the presiding judge.
 - G. If neither team presented the dispute raised by the judges prior to their dismissal, the dispute and penalty is announced for the team identified. Teams no longer complete these forms.

- 7) Conclusion of Hearing
 - A. The presiding judge may declare a brief recess and retire from the courtroom to deliberate.

- B. Upon return, the presiding judge announces the decision(s) in open court and documents the ruling.
- C. The presiding judge announces only the disputes that have a penalty assessed with the scoring judges. The scoring judges are presented the disputes that were merited and individually assess penalties within the penalty ranges stated for each type of penalty.
- D. Once the dispute process is concluded, violations committed by a team or team member may not be further handled by the presiding judge, the Regional and/or State Mock Trial Coordinator that day or any subsequent days. There are no appeals.

6.2 Violations: During Trial

A team is subject to a penalty for the following rule violations that are handled during the trial. Teams may not raise the following rule violations with the SC Bar staff, Regional and/or State Coordinator.

If the presiding judge determines that a violation under this section occurred, the presiding judge informs the scoring judges. The scoring judges consider the violation(s) raised before assessing scoring penalties listed in Rule 6.3 Scoring Penalties.

A. Time Violations:

The presiding judge documents any time disputes during the trial. In the event of a time violation, the scoring judges assess a penalty against the team in the penalty box as set forth in Rule 6.3 Scoring Penalties.

- B. Creation of Material Fact Violations:** A team may only raise a Creation of Material Fact Violation as an evidentiary objection during the round at the time the alleged violation occurred. See Rule 2.3 Creation of Material Fact and Rule 2.3's Official Comment. A student attorney with a good faith belief that a witness created a material fact may elect to raise an objection instead of attempting to impeach the witness. The attorney making the objection must support it by explaining in detail (1) how the fact gives the opponent a significant legal advantage; and (2) why it cannot be regarded as a fair inference from the affidavit or exhibits. In response, the opponent must be prepared to explain either (1) the fact does not give a significant legal advantage; or (2) the fact can be fairly inferred from the affidavit or exhibits.

After hearing from both sides, the presiding judge immediately rules in open court on the Creation of Material Fact objection. If the presiding judge sustains the objection, each scoring judge must assess a penalty as set forth in Rule 6.3 Scoring Penalties against the team presenting the fact in the penalty box and not against the individual witness offering the fact. If the presiding judge overrules the objection; finding no material fact was created, the presiding judge determines whether the objection was made in good faith. If the presiding judge determines the objection was not made in good faith, each scoring judge must assess a penalty before completing the scoresheet as set forth in Rule 6.3 Scoring Penalties against the team in the penalty box and not against the individual witness.

Teams may not raise a creation of material fact violation during the Dispute Hearing Process noted in Rule 6.1.

- C. Notes or Technology Violations: Students may raise a notes or technology violations as they discover or learn of the violation during the trial or during the Dispute Hearing Process noted in Rule 6.1. See Rules 4.9 Notes and 4.14 Technology.

6.3 Scoring Penalties

The presiding judge determines if a Rules Violation, Time Violation, or Creation of Material Fact Violation occurred, and informs the scoring judges. The scoring judges consider the violation(s) raised and assess penalties individually before finalizing their scoresheets.

Scoring Penalties Listing

Scoring judges shall impose a team penalty within the indicated ranges for the following violations in the penalty box at the bottom of the scoresheet:

Rules Violations	Penalty Range
<ul style="list-style-type: none"> • Student Performance: Costuming, Creation of Scars/Physical Conditions, Physical Traits, Props (see Rule 4.9) (see Rule 4.9) 2 – 10 points • Failure to Call all Witnesses (see Rules 3.2 and 4.4-E)..... Team Forfeits • Improper Communication (see Rules 4.4-I, 4.5-E, 4.10, 7.7, and 8.7) 1 – 10 points • Possession of Each Prohibited Electronic Device (see Rule 4.14)..... 5 points • Unequal Distribution of Tasks <ul style="list-style-type: none"> Among the Team (see Rule 3.2 and 3.2 Official Comment) 2 – 8 points Missing Timekeeper (see Rule 3.2 and Rule 4.5-A) 8 points Under or Exceeding # of Attorneys Permitted on a Team (see Rule 3.2 A & B)..... 10 points • Any Other Rule Not Stated Above is Subject to Penalty..... 1 – 10 points 	
Creation of Material Fact Violations (see Rule 2.3 and Rule 6.2)	
<ul style="list-style-type: none"> • Unintentional 1 – 2 points • Intentional 3 – 7 points 	
Time Overages Per Violation (See Rules 4.5, 4.6 and 6.2)	
<ul style="list-style-type: none"> • 1 to 15 seconds..... 0 points • 16 to 30 seconds (<i>without extension from presiding judge</i>)..... 1 – 2 points • 31 to 60 seconds..... 3 – 4 points • Over 60 seconds 5 – 10 points • Time Runs Out on Direct/Cross of Third Witness (see Rule 4.6-D)..... 10 points 	

6.4 Discipline for Non-Trial Rules Violations

Only violations that occur outside the bar are brought by attorney or teacher coaches. Such violations are made promptly to the Regional and/or State Mock Trial Coordinator immediately after the round. The complaining party is asked to complete a Rules Violation Penalty Form. The Rules Violation Penalty Form is taken to a violation resolution panel. Discipline is in the discretion of the violation resolution panel and may range from a scoring adjustment to disqualification from the competition. See Rule 1.2 Code of Conduct.

The violation resolution panel is composed of the LRE Director, an LRE staff person, and the Regional Mock Trial Coordinator and/or a designee.

HIGH SCHOOL ONLY

SECTION VII: COURTROOM SKETCH ARTIST COMPETITION

7.1 Registration and Eligibility

Each school may register up to two courtroom sketch artists to compete in the Courtroom Sketch Artist Competition.

Courtroom sketch artists are subject to all relevant Mock Trial Competition Rules (including the prohibition of communicating with any competing team members), restrictions, and eligibility requirements. Sketch pads are checked at the on-site registration to confirm the sketch pad consists of blank pages throughout the pad. The student receives a submission form to complete and submit prior to the competition.

A. Registering with a Mock Trial Team:

The courtroom sketch artists have a separate submission form. The artist is also included on the School Information Sheet. The courtroom sketch artist also completes a talent release form like the other performing students. No additional artists may be added after the courtroom/journalist deadline. The courtroom sketch artists have the same team code as their Mock Trial team and they accompany their team throughout the entire competition. The Courtroom sketch artists may not double as bailiffs, timekeepers, or any other team role. Courtroom sketch artists compete solely on their own efforts and do not advance to the state competition.

B. Registering without a Mock Trial Team:

If students register without a Mock Trial team, a teacher sponsor is required. Students along with their teacher sponsor(s) are randomly assigned to courtrooms throughout the day. Students and their sponsors must arrive and stay for a minimum of the first round. To register on a separate application, contact the SC Bar at (803) 252-5139 or lre@scbar.org. Registration is due by the stated deadline.

7.2 Trials/ Trial Depiction

Sketches must depict actual courtroom scenes observed by the courtroom sketch artists on the competition day. Sketches are created and completed entirely on the competition day solely by the courtroom sketch artists without the help of any source or person. Laptops are not permitted in the competition venue. The courtroom sketch artist sketches trials in which the school is competing in at the regional level. The courtroom sketch artist sits in the jury box or an available location designated by the presiding judge, space permitting, or behind the bar in the first row. If sketch artists finish their sketches after a round, they may sit with their team as a visitor in subsequent rounds. Once the trial begins, the courtroom sketch artists may not move about the courtroom. The courtroom sketch artists may work throughout the trial rounds and during breaks. The courtroom sketch artists may not communicate with any member of the Mock Trial teams or any visitors in the courtroom during the trials or during the recess.

Sketch By:

Former Courtroom Artist
State Champion
Morela Taffe, Indian Land High School



7.3. Submission Specifications

Courtroom sketch artists must supply their own materials. Sketches are done on white paper no smaller than 8.5 x 11 inches and no larger than 11 x 17 inches in horizontal format.

Sketches must be done in color using the following mediums: color pencil, pen and ink, pastel, marker. No watercolors, chalk, charcoal, or paint are allowed. There should be no signatures on the front of the sketches; only on the back. Courtroom sketch artists are responsible for ensuring their work area is left neat and orderly with all trash disposed in the appropriate trash receptacle.

Each courtroom sketch artist submits one sketch for judging. Sketches must be submitted to the Regional Mock Trial Coordinator at the competition's closing assembly upon request. A completed [Sketch Submission Form](#) must accompany the sketch at the time of submission.

7.4 Judging Components

The Regional Mock Trial Coordinator delivers all sketches to the State Mock Trial Coordinator for judging. Judges consist of art teachers/professors, professional artists, etc. with as many as 10+ judges. The State Mock Trial Coordinator assigns each sketch a random number and removes the Sketch Submission Forms. Numbered sketches are evaluated and scored anonymously by a judging team. The highest scored sketch is the state winner from the regional submissions statewide.

Sketches are judged on the following criteria: accuracy of proportion, realism, authenticity with regard to traditional courtroom sketching, figure/ground relationship, and use of contrast. Each component has a value up to five points.

The winner of the State High School Mock Trial Courtroom Sketch Artist competition is announced no earlier than two weeks following the regional competition on the SC Bar Web site at www.sctbar.org/lre. The Courtroom Sketch Competition winner receives a certificate and a non-financial award.

7.5 Release of Submission

All submissions in the High School Mock Trial Courtroom Sketch Artist Competition become the property of the South Carolina Bar and may be used by the Law Related Education Division for any purpose it deems appropriate, including but not limited to reproduction and dissemination.

7.6 Submission Form

A [Sketch Submission Form](#) must be submitted at the same time as the school information sheet.

7.7 Improper Communication

Sketch artists may not verbalize, wave, use hand gestures, or use any other means to get a team member's attention. Sketch artists may not communicate with anyone during the trial or the recess.

7.8 National Participation

The winning state courtroom sketch artist is eligible to compete in the national competition with the accompaniment of an adult chaperone. The SC Bar pays for the registration fee and the sketch artists is responsible for all other expenses. Artists that participate nationally should be prepared to sketch in color.

**See additional resource for Courtroom Sketch Artists.
[Courtroom Sketch Artist Tips for Sketching Mock Trial](#)**

HIGH SCHOOL ONLY

VIII. COURTROOM JOURNALIST COMPETITION

8.1 Registration and Eligibility

Each school may register up to two courtroom journalists to compete in the Courtroom Journalist Competition.

Courtroom journalists are subject to all relevant Mock Trial Competition Rules (including the prohibition of communicating with any competing team members), restrictions, and eligibility requirements. Note pads are checked at the on-site registration to confirm the note pad consists of blank pages throughout the pad. The student receives a submission form to complete and submit prior to the competition.

A. Registering with a Mock Trial Team:

The courtroom journalist have a separate submission form. The journalist is also included on the School Information Sheet. The courtroom journalist also completes a talent release form like the other performing students. No additional journalists may be added after the courtroom/journalist deadline. The courtroom journalists have the same team code as their Mock Trial team and they accompany their team throughout the entire competition. The Courtroom journalists may not double as bailiffs, timekeepers, or any other team role. Courtroom journalists compete solely on their own efforts and do not advance to the state competition.

B. Registering without a Mock Trial Team:

If students register without a Mock Trial team, a teacher sponsor is required. Students along with their teacher sponsor(s) are randomly assigned to courtrooms throughout the day. Students and their sponsors must arrive and stay for a minimum of the first round. To register on a separate application, contact the SC Bar at (803) 252-5139 or lre@scbar.org. Registration is due by the stated deadline.

8.2 Trials / Trial Depiction

Articles must describe actual courtroom presentations observed by the courtroom journalists on the competition day. Articles are written knowing the type of trial (civil or criminal) answering the questions who, what, where, when, and why. The articles are written as if the

article is appearing in a newspaper referencing what happened in the trial and use of quotes with context. Articles are created and completed solely by the courtroom journalists without the help of any source or person. Laptops are not permitted at the competition venue. The courtroom journalists observe trials in which his/her school is competing at the regional level. The courtroom journalists sit in the gallery behind the bar in the first row. Once the trial begins, the courtroom journalists may not move about the courtroom. The courtroom journalists may work throughout the trial rounds and during breaks. The courtroom journalists may not communicate with any member of the Mock Trial teams or any visitors in the courtroom during the trials or during the recess.

Official Note: *Journalists shall obtain a copy of the list of witnesses and exhibits located in the online Mock Trial Case Materials to assist them in correct spellings of names, titles, etc.*

8.3 Submission Specifications

Courtroom journalists must supply their own materials. Courtroom journalists are responsible for ensuring their work area is left neat and orderly with all trash disposed in the appropriate trash receptacle.

Article entries must be submitted as a Word Document (no PDFs) sized for 8.5 x 11-inch paper, one-inch margins on all four sides, double spaced, 12 point Arial font, the student's name on the first line, the school name on the second line, and a centered title on the fourth line with narrative following beginning on line six. There is a limit of two pages.

Each courtroom journalist submits one article for judging. Articles are emailed by the school's Mock Trial lead teacher coach to the State Mock Trial Coordinator no later than 5:00 p.m. on the first Monday following the regional competition once the lead teacher coach confirms the piece is a good representation of his/her school's work. Articles received after 5:00 p.m. on the first Monday following the regional competition are disqualified.

See the Courtroom Journalist Submission Form found in the Forms and Additional Resources Section.

8.4 Judging Components

The State Mock Trial Coordinator assigns each article a random number. The numbered articles are evaluated and scored anonymously by a judging team. Judges consist of attorneys, teachers, newspaper writers and editors, etc. with as many as 10+ judges.

Articles are judged on the following criteria: accuracy, clarity, objectivity, and style. Each component is worth up to five points. Penalties for grammar and spelling are deducted from the total score but may not exceed a penalty greater than ten points.

Articles are written from a journalist perspective as if observing a real trial and writing for a newspaper. Articles should not include team views on performances, opinions of judges, clothing, etc.

The highest scored article is the state winner from the regional submissions statewide. The winner of the State High School Mock Trial Courtroom Journalist Competition is announced within two weeks following the regional competition on the SC Bar Web site at www.sctbar.org/lre. The winner receives a certificate and a non-financial award.

8.5 Release of Submission

All submissions in the High School Mock Trial Courtroom Journalist Competition become the property of the South Carolina Bar and may be used by the Law Related Education Division for any purpose it deems appropriate, including but not limited to reproduction and dissemination.

8.6 Submission Form

A Courtroom Journalist Submission Form must be submitted at the same time as the school information sheet. The Submission Form for journalists is not populated until after the case is released.

8.7 Improper Communication

Courtroom journalists may not verbalize, wave, use hand gestures, or use any other means to get a team member's attention. Courtroom journalists may not communicate with anyone during the trial or recesses.

See additional resource for Courtroom Journalists.
[Courtroom Journalist Tips for Writing a Mock Trial News Article](#)