

**2023 / 2024
FORMS and
SUPPORTING INFORMATION**

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FORMS AND SUPPORTING INFORMATION:

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AWARDS and SCHOLARSHIPS

The SC Bar Law Related Education (LRE) Division offers many forms of recognition. Each year the following awards and scholarships applications are available NOW!

Scholarships – Mock Trial

\$1,000

Each year, high school seniors are selected as scholarship recipients. Students must have been a member of a Mock Trial team (middle and/or high school); must have at least two years of Mock Trial experience, must have participated in a Mock Trial competition sponsored by the SC Bar LRE Division; must have a minimum GPA of 2.5; must plan to attend a post-secondary institution such as a technical, two-year, or four-year college/university; and must submit a complete application to be eligible. Scholarships are an award of \$1,000 as non-designated funds and mailed directly to the recipients.

Scholarships – We the People

\$1,000

Each year, high school seniors are selected as scholarship recipients. Students must have been a member of a *We the People* team (middle and/or high school); must have participated in *We the People* competition sponsored by the SC Bar LRE Division; must have a minimum GPA of 2.5; must plan to attend a post-secondary institution such as a technical, two-year, or four-year college/university; and must submit a complete application to be eligible. Scholarships are an award of \$1,000 as non-designated funds and mailed directly to the recipients.

LRE Middle and High Teacher of the Year:

\$500

Each year, beginning in 2005, one middle school and one high school teacher are selected as the LRE Teacher of the Year chosen on the same criteria for LRE School of the Year. Applicants can be nominated or self-nominated. Each teacher receives an award of \$500 as non-designated funds. The plaque and check is presented at the school to the teacher.

LRE Citizen of the Year:

Each year, a South Carolina citizen who has either been nominated or self-nominated is awarded with LRE Citizen of the Year Award. The recipient of this award is one who has fostered public understanding of the values of our legal and judicial system; stimulated a deeper sense of individual responsibility by helping students recognize their legal duties and rights; encouraged and supported effective LRE programs; and increased communication among students, educators, and those working in the legal system. The LRE Citizen of the Year receives a plaque presented at the place of employment.

LRE Lawyer of the Year:

Each year, a member of the South Carolina Bar who has either been nominated or self-nominated is awarded with the honor of LRE Lawyer of the Year Award. Applicants can be nominated or self-nominated. The recipient of this award is one who has fostered public understanding of the values of our legal and judicial system; stimulated a deeper sense of individual responsibility by helping students recognize their legal duties and rights; encouraged and supported effective LRE programs; and increased communication among students, educators and those working in the legal system. The LRE Lawyer of the Year is recognized at the Board of Governors meeting in May in front of his or her peers.

Awards and Scholarships Schedule

Applications Released – Available Now!
Application Deadline – March 22, 2024 at noon

Award Letters – May 2024
Presentation of Awards – May and June 2024

Questions about scholarships and awards can be forwarded to Donald N. Lanier at dlanier@scbar.org or call (803) 252-5139.

To download applications/nomination forms, visit the website at www.scbar.org/lre.

Bailiff Script

Opening Court for Civil Case:

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

Opening Court for Civil Case:

“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.”

Swearing in of Witnesses:

“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?”

A card (see below) will be given to the bailiff prior to the beginning of court with the presiding judge’s name on it.

<p style="text-align: center;"><u>Opening Court:</u></p> <p style="text-align: center;"><i>“ALL RISE!! The Court of General Sessions Seventeenth Judicial Circuit is now in session. The case for trial today is State of SC v. _____.</i></p> <p style="text-align: center;">The Honorable</p> <p style="text-align: center;">(Presiding Judge name inserted here.)</p> <p style="text-align: center;"> </p> <p style="text-align: center;">is presiding.”</p> <p style="text-align: center;"><u>Swearing in of Witness:</u></p> <p style="text-align: center;">“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?”</p>

Code of Ethical Conduct Agreement Narrative

The South Carolina Bar possesses discretion to impose sanctions, up to and including forfeiture or disqualification, for any misconduct or violation of the Code of Ethical Conduct occurring while a team is present to participate at any of the Mock Trial competitions.

1. The Rules of the Competition and this Code of Ethical Conduct will be followed by all participants in the South Carolina Bar's Mock Trial Competitions. Coaches will discourage 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 including social media. Team members, coaches and visitors must follow appropriate courtroom and courthouse decorum at all times, both inside and outside the courtroom.
5. Displays of bad sportsmanship at any time during the competition, including any additional Mock Trial events 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 teams and their team members respect 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 this form and the Team Roster Form (*turned in on competition day*) are registered at the same school registered or approved to compete at the school due to home schooling or district re-alignment.
9. All Mock Trial participants (students, teacher coaches, and attorney coaches) 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 an opposing 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.

By signing my name digitally, I am indicating that I have read and understand the statements above and I will abide by the Rules of the Competition and this Code of Ethical Conduct throughout the duration of the Mock Trial competitions. I understand that a violation of this Code by any team member, coach, or visitor may result in sanctions including, but not limited to, the team's immediate elimination from the Mock Trial competitions and forfeiture of all fees and awards (if applicable).

Article Submission Form – (Back Page)

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 in the competition venue. The courtroom journalists observe trials in which his/her school is competing at the regional level. The courtroom journalists sits 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.

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.

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. See sample writing article on website.

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.scbare.org/lre. The winner receives a certificate and a non-financial award presented in front of his/her peers at his/her school's awards day.

Forwarding/Contact Information:

Donald N. Lanier, Interim LRE Director, Phone: (803) 252-5139, dlanier@scbar.org

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.

Improper Communication: Courtroom journalists may not verbalize, wave, use hand gestures, or use any other means to get a student attorney's attention. Courtroom journalists may not communicate with any team members, coaches, timekeepers, sketch artists (HS), or visitors during the recess.

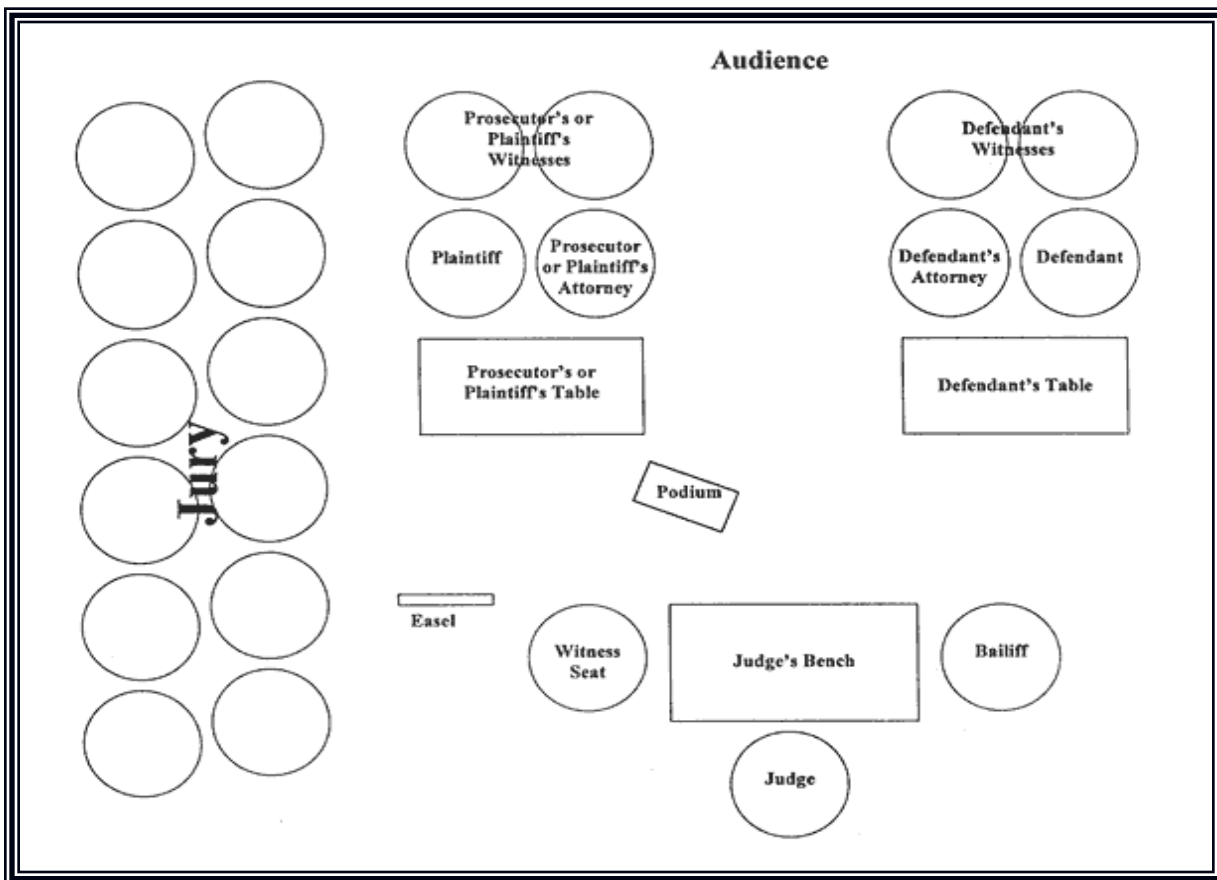
Courtroom Journalist Tips for Writing a Mock Trial News Article

1. **Write a good headline.** A good headline draws the reader's attention. Your headline should be specific enough to let the reader know what your article is about by summing up the story in as few words as possible. The headline also needs to be accurate. You do not want your reader to feel misled or let down by the headline.
2. **Write from the third-person point of view.** The journalist should NOT be part of the article. You are not writing about yourself. Do not include your own thoughts, opinions, or analysis. A journalist tells a story objectively, presenting facts in a straightforward, unbiased way that allows the readers to decide for themselves what they think of the situation.
3. **Start your article with a strong lede.** Your article should have an opening that grabs the readers' attention and makes them want to read the rest. Journalists call this "the lede". The lede is a strong summary of events that hooks the reader from the start. The lede should contain essential information about the story by answering the five W's: who, what, where, when, and why. Try to answer these questions in the first one or two sentences of your article. For example: "At 4:00 p.m. yesterday, a Rockvale County jury awarded retired school teacher Alex Hite five million dollars in a harassment lawsuit against WBAD talk radio host Cam Porter, ending a highly publicized, seven-year legal battle that divided the community." The lede should tell the reader what the article is about but also encourage the reader to keep reading to learn more.
4. **Structure your article logically.** Present the information in order of importance. The most important information is summarized at the beginning. The body of the article should relay details in chronological order. The end should contain extra information that might be of interest, including any events that might unfold in the future: "An angry Porter left the courtroom vowing to appeal "all the way to the US Supreme Court, if necessary.""
5. **Keep your article simple, concise, and clear.** Use short, plain, direct sentences in subject-verb-object format. Use the active voice and not the passive voice, such as "Alex Hite wrote a complaint letter to WBAD's program director" not "A letter of complaint was written to WBAD's program director by Alex Hite." The active voice is more direct, is easier to read and understand, and often makes for shorter sentences.
6. **Report truthfully and accurately.** Make sure everything you say is true. This requires that you research your topic in advance. In reporting about a court case, this means reading the pleadings and other court filings before the trial. You must also take detailed notes during the trial so that you can accurately recall what transpired when it is time to write your article.

7. **Cite to sources.** If you are reporting a fact that is not confirmed or might be disputed, indicate where your information came from. For example: “According to the lawsuit, Hite was ridiculed by her co-workers after Porter mocked her repeatedly on his morning talk show. Hite claims she was forced to take early retirement as a result of mental stress at work attributed to Porter’s alleged campaign of harassment.” If you leave off the citations to the sources, your reporting will not be unbiased and balanced.
8. **Approach the topic seriously.** While court cases might be filled with dramatic moments, you should maintain a serious tone. Let the facts and quotes relay the drama of the events, rather than your writing style. Avoid injecting superfluous and sensational adjectives and adverbs. For example: “At one point, the judge threatened Hite’s attorney with contempt of court after she pointed at Porter during her cross-examination and shouted, “You, sir, are a liar!”” Instead of: “The jury watched in great surprise as Hite’s attorney aggressively approached a startled Porter and called him a liar right in the middle of his testimony! The judge got so mad, his face turned purple, and he angrily told the attorney that if she pulled a stunt like that again, he would throw her in jail!” A news article is not a novel.
9. **Use quotes.** Including quotes from people involved in the story provides different perspectives and helps you keep the story balanced. Using quotes also helps you stay in the role of an outside observer. In courtroom reporting, the best quotes come from the testimony of witnesses. Sometimes, an attorney’s “gotcha” question or the judge’s statement in ruling on a legal issue can bring the article to life. In a real courtroom and in Mock Trial, journalists are not allowed to record the trial without the permission of the judge. Good notetaking is essential because you do not want to misquote anyone. If you don’t catch the exact words, you can rephrase or paraphrase, just make sure it is an accurate representation of what the person said.
10. **Edit and proofread your work.** All writers must double-check spelling and edit their work for clarity and content. Read and re-read your article before turning it in. Try reading it out loud to yourself to make sure it makes sense. Correct spelling, grammar, and punctuation are essential for relaying a news story accurately, keeping the reader’s attention, and ensuring your credibility as a journalist. Proofread carefully to ensure you write in complete sentences; have subject-verb agreement; avoid run-on sentences; use apostrophes, commas, and capitalization appropriately; etc. Keep an eye out for homophones – words that sound alike but are spelled differently. An attorney is ‘counsel’ not ‘council’, for example. If you are not sure about a grammar rule, look it up in a style manual, such as *Elements of Style*, *Associated Press Stylebook*, or *Chicago Manual of Style*.

*This helpful guide was written by LRE Committee Member, Barbara M. Seymour.
May 2022*

COURTROOM LAYOUT



NOTE:

The Prosecution/Plaintiff team sits on the same side as the jury box. In some courtrooms the jury box may be on the opposite side of the room, which in turn means side presentation change so that Prosecution/Plaintiff is next to the jury box.

HIGH SCHOOL MOCK TRIAL

— Courtroom Sketch Artist Competition —
SKETCH SUBMISSION FORM

(A form must be completed and submitted at the same time as the school information sheet.)

There is a maximum of one entry per artist.

Courtroom Sketch Artist's Information:

Name: _____
Mailing Address: _____
Phone Number: () _____
E-Mail Address: _____
Local Newspaper(s): _____

School Information:

School Name: _____
Teacher's Name: _____
Phone Number: () _____
E-Mail Address: _____
School's Awards
Presentation Date: _____

ACKNOWLEDGEMENT

I attest that the attached sketch was created in conformity with the Rules of the SC Bar's High School Mock Trial Courtroom Sketch Artist Competition. The attached sketch depicts actual courtroom scenes observed by me on the day of competition. The attached sketch was created and completed entirely on the day of competition solely by me without the help of any source or person.

I understand that my sketch being submitted for judging in the SC Bar's High School Mock Trial Courtroom Sketch Artist Competition becomes 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.

I also attest that I did not share what was witnessed in a round with anyone during or after the round during the competition day(s).

Date

Artist Signature

----- LRE STAFF USE ONLY -----

SKETCH NUMBER: _____

Courtroom Artist Tips for Sketching a Mock Trial Scene

1. **Drawing Drama from Life.** Remember when sitting in the courtroom as the sketch artist, that you are in the room in place of a camera. Think about what a camera would capture in the room. Picture the drama that a camera would focus in on; the setting; the view from your perspective of where you are sitting; who are the people in the courtroom and not necessarily the detail in the courtroom; capturing their movement and emotions by showing gestures and the energy in the emotions capturing the human story; the time of day with lightness and/or shadows; the integrity of the sketch showing the truth of the moment and not an exaggerated sketch or different colors of clothing than what is exactly witnessed; and lastly include, professionalism in the quality of work being sketched.
2. **Consider the Seven Principles of Art:** The seven principles of art include balance, contrast, emphasis, movement, pattern, rhythm and unity/variety. When sketching, consider the balance between the darks and lights and the movement it shows. Consider portraying characters sitting at different angles. Show where the eyes are looking and what the hands are doing.
3. **Establish varying Line Weights.** Think outside the box. Consider sketching a flower. The base of the stem supports the flower, so the stem should be heavier lines than the flower itself. Now look at the wrinkles in the petals within the flower. Those wrinkles might be conveyed with the lightest of lines to show delicacy and slight movement. Take this same context when sketching. Lines can show movement and lines separate the picture from the background. The picture would be the positive shape and the background would be the negative shape. Use the darker and heavier lines on where you want the observer's eye to draw their focus to see the shape and emotions/energy expressed the most. This can be done by developing texture and value.
4. **Find Value in Shapes.** A shape is defined as a two-dimensional area that is flat but describes length and width. The shapes can be geometric or organic and can be positive or negative. Practice sketching any picture by breaking it down into shapes. Learning shapes is the key to drawing faces. Don't fight the idea of how hard it is to draw a face, but look at the different shapes that make the entire picture. A great artist to study on how to sketch figures is by Burne Hogarth, "Dynamic Anatomy – Revised and Expanded."
5. **Use Color.** It is important to understand four components of color. **Hue** is what the color is like yellow, red, blue, etc. **Value** is how light or dark a color is. **Intensity** is how bright or dull the color is and can be termed as high intensity (bright) or low intensity (dull). The color that comes out of a paint tube is the brightest the color will ever be. And, **temperature** is how warm or cool the color is. The warm colors are your reds, yellows and oranges – your "fire" colors. And the cool colors are the greens and blues. Some colors can be used to frame a subject, light white shadows around a subject draws your eyes to the person sketched. You can also blur colors in the background, while the bigger more pronounced colors are in the forefront setting the mood and focus.

6. **Use Value.** Ask yourself... how light or dark is the scene I am looking at to sketch. The push and pull of value can create depth, separation, contrast, emphasis, definition and emotion. The dark colors in the suits may show how serious the situation is. The courtroom setting/background is minimal so the focus is on the characters sketched. Sketching light and dark next to one another can help differentiate different subjects next to one another.
7. **Consider Form.** The courtroom sketch artist can study and practice form using weight, height, depth and those forms can be geometric or organic. Consider drawing a ball. Look at how the light reflects on the ball and that spot is the lightest spot on the ball. Now look where the ball is closest to the floor or table. It has less light, so that side is darker and the shape of the darkness is almost like a crescent moon. Look at the shadow off to the side of the ball cast on the floor or table. This shows you that light reacts different with objects and is communicated in your sketching. Practice drawing a sphere or ball to better understand how light interacts with creating different values of color all while using one color. Go online and pick a sphere to draw. Or, look at a baseball or a tomato on a table with a spot light off to one side and draw how it looks with the attempt for the object to appear as if popping off the paper. Even better, practice this with a stipel technique and it slows down the mind, eyes, and hand allowing all three to work together to record what is being drawn. Doing this will build confidence and your skill level in the courtroom.
8. **Incorporate Texture.** When sketching an object take into consideration how an object feels or looks like it feels. Is it smooth, rough, polished, dull, etc.? Is the skin of a younger or older man? Is there texture in the hair you see?
9. **Visualize Space in Courtroom.** There are two types of space – positive and negative. The positive is the object of interest. The negative space is between the objects – i.e. the background is white drawing your eyes to the object. Consider overlapping objects allows different figures to come forward if in front of one another, the size of objects with smaller figures appearing further away, their placement with figures lower on the paper seem closer than figures higher on the page, details draws the viewer's eye closer, color and value demand attention and perspective is what the sketcher sees at eye level (no higher, no lower and no more to the right and left).
10. **Practice.** Practice drawing every day. Learn how shapes make a picture. Learn values in colors and practice incorporating drama into the subjects being sketched. Establish light, dimension and use of color to draw focus on the subjects. Remember your perspectives of what you see and add no more. Be real with the images drawn. You are the eyes for everyone not in the courtroom. They want to see the drama, the intensity, the emotions, the movement and overall feeling in the room.

This helpful guide was written by Cynthia H. Cothran after attending a virtual Courtroom Sketching Session by Kendall College of Art & Design's Associate Professor, Nancy Hart. May 2022

IMPEACHMENT SAMPLE

There are a number of ways to “impeach” or attack a witness’s credibility. For example, an attorney may ask questions to show that the witness is unreliable (e.g., the witness’s memory is vague as to important details, the witness was far away from the action, it was dark, etc.), or that the witness is biased (e.g., the witness previously expressed negative or positive feelings concerning the person about whom s/he is testifying). An attorney may also point out prior statements the witness made that are inconsistent with the testimony given from the stand (“prior inconsistent statements”), or statements that the witness omitted either from his/her affidavit or from his/her testimony on the stand (“omissions”).

When impeaching a witness based on prior inconsistent statements, it is important to keep in mind the reason for doing so. Are you trying to show that a prior statement was correct and the statement from the stand is not? Or are you simply trying to show that the witness makes inconsistent statements and his/her testimony as a whole should not be believed? The goal may dictate your line of questioning.

Following is an example of impeaching a witness based on a prior inconsistent statement:

Q: You just said you saw Mr. Jones outside the store on the day of the incident. Is that right?

A: Yes.

Q: Are you sure you saw him?

[Note: Sometimes it is good to give the witness a chance to waffle and change his/her answer. It gets the point across without having to formally impeach, which takes more time and can be cumbersome. If the witness backtracks and says maybe s/he did not see Mr. Jones, you can toy with them a little about whether they saw Mr. Jones or not, e.g. “Okay, now you did not see him. Are you sure this time?” If the witness does not back off the inconsistent statement and says yes, s/he saw Mr. Jones, continue:]

Q: Do you recall giving a sworn affidavit in this case?

A: Yes.

Q: Do you have the affidavit in front of you?

A: Yes.

Q: Is this the affidavit you previously gave in this case?

A: Yes.

Q: This is your sworn statement given under oath, correct?

A: Yes.

Q: And, that is your signature on the last page?

A: Yes.

Q: I would like to turn your attention to page __, lines __. Please read quietly along while I read aloud. You stated, “I did not see anyone outside the store.” Did I read that correctly?

A: Yes.

[Note: Depending on the witness, the facts, and what you are trying to accomplish, you can stop here, with the last statement being that the witness did not see anyone outside the store. Alternatively, you may press forward at your own risk to try to get the witness to admit they did not see Mr. Jones outside the store (if that is what you are trying to accomplish) or that the two statements are inconsistent (if that is your goal). Be careful not to give the witness an opportunity to reconcile the inconsistent statements (for example, the witness may say something like “That statement was referring to later in the day, after the incident had occurred.”)]

FORMS AVAILABLE ON-LINE

All forms needed to participate in the Middle or High School Mock Trial are available in this document and at the following Web site:

www.scbar.org/lre

Visit www.scbar.org/lre and click on the Middle or High School Mock Trial logo. Scroll down to the bottom of the screen and click on "Forms."

Forms Include:

- [Bailiff Script](#)
- [Code of Ethical Conduct / Individual Talent Release](#)
- [Courtroom Artist Submission Form](#)
- [Courtroom Journalist Submission Form](#)
- [Professionalism and Civility Award](#)
- [School Information Sheet](#)
- [Scoresheet \(Sample for Practicing\)](#)
- [Scoring Guide](#)
- [Teacher Time Tracking Form](#)
- [Team Drop Form](#)
- [Timekeeper Record Form](#)
- [Completed Timekeeper Record Form Sample](#)
- [Timekeepers' Guide to Success](#)
- [Timekeeper Card Samples for Downloading](#)
 - [Opening / Closing Timecards \(5 minutes\)](#)
 - [Direct Examination Timecards \(25 minutes\)](#)
 - [Cross Examination Timecards \(20 minutes\)](#)

MOST EFFECTIVE NOMINATIONS BY TEAMS

(Rule 4.16)

INFORMATION / DIRECTIONS

Directions:

1. After each trial, the presiding judge gives each team an opportunity to discuss nominations to award the most effective witness and most effective attorney from the opposing team.
2. Each team has up to one minute to determine the recipients.
3. Prior to leaving the courtroom, each team announces the recipients, and the Presiding Judge records the nominations from both teams.
4. The most effective awards are mailed to the lead teacher coach after the competition.
5. These peer nominations made by the teams do not replace the most effective awards the scoring judges also determine, which are announced at the closing assembly.

OBJECTION SAMPLE

Sample Script for Objecting:

- A student attorney may object at any time to challenge a piece of evidence that goes against the Mock Trial Rules of Evidence.
- The student attorney wishing to make the objection shall stand, if able, state “Objection, Your Honor” in order to stop the testimony and gain attention.
- Then the student attorney states, “*Objection, your Honor. Relevance.*”
- The presiding judge asks based on what.
- Then the objecting attorney states, “Relevance, your Honor. *The question about ABC is not relevant because we are here today to determine XYZ and ABC is not relevant to that.*”

Attorneys may not make speaking objections or provide explanation all in one statement when first making the objection. *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 opposing attorney is asked to respond and defend why the question is proper or the evidence is admissible.
- There is no further argument on that objection by either side unless requested by the presiding judge.
- The presiding judge then rules.

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” as a way to remove harmful testimony from the record. (See Rule 4.7 (A) Motions.)

REMEMBER: Winning or losing the ruling on an objection is not what is important, but rather how knowledgeable of the Rules of Evidence the team is and how each team reacts to the decisions of the presiding judge. What is important is the presentation of the objection and the opponent’s response (both verbally and strategically) to the objection and to the Court’s ruling.

Only the student attorney “responsible” for the particular witness may object. For instance, the student attorney who directly examines a witness objects when that witness is being cross-examined, and the student attorney who crosses a witness objects when that witness is being directly examined.

Following are examples of standard forms of objection:

1. **IRRELEVANT EVIDENCE**
2. **LEADING QUESTION**

(NOTE: Remember that an attorney may ask leading questions when cross-examining the opponent’s witnesses.)

3. **IMPROPER CHARACTER TESTIMONY**
4. **HEARSAY**

(NOTE: If the witness makes a hearsay statement, the attorney shall say, “The witness’ answer is based on hearsay, and I ask that the statement be stricken from the record.”) In responding to a hearsay objection, it may be appropriate for counsel to point out a specific exception, or to argue that the hearsay rule does not apply: “Your Honor, the testimony is not offered to prove the truth of the matter asserted, but only to show. . . .”

5. **OPINION**

Time Violations Penalty Form

Competition Location:

- Charleston Georgetown Lexington Sumter
Columbia Greenville Lex. - Summary York
Conway Lancaster Lex. - Westbrook STATE

P v. D
[] []

Round: 1 2 3 4 5

COMPLETED BY PRESIDING JUDGE

Instructions for Presiding Judge: At the end of the round, collect the signed timesheets from the timekeepers. If there were any time violations reported during the trial and recorded on the presiding judge tip sheet, transfer the overages to this portion of the form. If no violations, check the "no time violation box" below, sign this form, and proceed to the scoring room to obtain signatures from the scoring judges.

Table P: TIME OVERAGE, MAX. TIME, CHECK IF EXTENSION GRANTED. Rows: Opening (5:00), Direct (25:00), Cross (20:00), Closing (5:00).

Table D: TIME OVERAGE, MAX. TIME, CHECK IF EXTENSION GRANTED. Rows: Opening (5:00), Cross (20:00), Direct (25:00), Closing (5:00).

DECISION OF PRESIDING JUDGE

- Time Overage #1: Time Overage: _____ Penalty Range: _____
Time Overage #2: Time Overage: _____ Penalty Range: _____
No time violation occurred.

DECISION OF PRESIDING JUDGE

- Time Overage #1: Time Overage: _____ Penalty Range: _____
Time Overage #2: Time Overage: _____ Penalty Range: _____
No time violation occurred.

SCORING PENALTIES (Rules 4.5, 4.6 and 6.2)

Table: Time Overages and Penalties vs Penalty Range. Rows: 1 to 15 seconds (0 points), 16 to 30 seconds (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 (10 points).

*** EACH TIME OVERAGE IS TREATED INDEPENDENTLY ***

** The presiding judge and scoring judges certify any penalty is to be entered in the Penalty Box in accordance with the rulings of the presiding judge. Each judges must PRINT their name before submitting the form. **

Presiding Judge - Printed _____ Presiding Judge - Cell Phone Number () _____

** STOP - If no time overages, only the presiding judge has to print name.

Scoring Judge #1 - Printed _____
Scoring Judge #2 - Printed _____
Scoring Judge #3 - Printed _____

Time Violations Penalty Form – (Back Page)

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. A different timekeeper may be used for each round. An attorney or witness may also serve as timekeeper as long as they are not serving in another capacity during that particular trial. 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 direct and crosses.

B. Aids for Timekeeping:

The SC Bar provides the following items on competition day:

- **Timesheets:** Timesheets will be laminated and provided in the team's red registration bag along with a dry erase pen and Kleenex. Timekeepers must sign timesheets. If there are time overages, the lead teacher coach takes a picture of the laminated timesheet and sends as directed for competition day. The lead teacher coach wipes the timesheet clean for use in subsequent rounds and repeats the process for each round. Laminated timesheets are turned back in at the end of the competition in registration bag.

Teams need to bring the following:

- **3 Sets of Timecards:** The three sets are for the opening/closings, direct examinations and cross-examinations. Timekeepers may only use the official timecards provided by 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 card is in red showing the maximum amount of time and "STOP."
 - **Opening/Closing Timecards:** The timecards are as follows: 1:00, 2:00, 3:00, 4:00, 4:15, 4:30, 4:45, 5:00/STOP.
 - **Direct Examination Timecards:** The timecards are as follows: 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 as follows: 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 Defense. Cell phones may not be used as stopwatches.

C. Placement of Timekeepers: Timekeepers from both teams must be seated together and may not move from the SC Bar's assigned location unless teams address any concerns with the 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. Communication: Timekeepers may communicate with their competing team members only during the dispute process or when directed by the presiding judge. For virtual competitions, the designated team's timekeeper posts time used in the chat feature.

E. Improper Communication: Timekeepers may not verbalize, wave the timecards, use hand gestures, or use any other means to get an attorney's attention other than raising the SC Bar timecards quietly. Timekeepers may not communicate with any team members, coaches, courtroom artists (HS), courtroom journalists (HS), or visitors during the recesses, unless approved by the presiding judge. For a virtual competition, timekeepers may only type "STOP" in the chat feature when time expires and may not type stop reminders in the chat feature.

F. Conferring Times / Reporting Overages: 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 stop watch. 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 trial segment to begin. The decisions of the presiding judge in regards to resolving overages are final. For a virtual competition, one difference is that timekeepers confirm via the chat feature. Second, timekeepers post the time used for both teams after each witness and again at the end of each phase.

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 will have 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. Then, pick up the second stopwatch and the cross-examination timecards and time the cross-examination. 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 done with all three witnesses is when timekeepers will confer times. 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. Stopwatches continue timing as long as an attorney or witness is speaking even if the "STOP" card is reached, so that overages are 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 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 timecards 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 or in the virtual courtroom, that team shall defer to its opponent's timekeeper for that trial segment. The team whose timekeeper had to leave or lost connection may substitute another timekeeper 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 first five minute recess, the second recess up to two minutes, the first team consultation time up to two minutes in-person and three minutes virtually, the second team consultation time up to two minutes, the peer award discussion up to two minutes, and the presiding judges' critique up to one minute.]

4.6 Time Limits: The time limits for the phases of the trial are noted on the front page.

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 that 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 finish 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 is used. 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.

D. Calling Last Witness When Time Expired: Direct Examination: Teams must call their third witness even if the team runs out of time. In that event, the team will be allocated up to three minutes for direct examination of its third witness and the team receives a penalty of ten points per scoresheet. Cross-Examination: Teams must cross-examine the third witness even if the team runs out of time. In that event, the team will be 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.

Roster Completed a week prior to the Competition.

These three completed forms (**Prosecution/Plaintiff Roster, Defense Roster, and Team member Form**) combine to constitute your **Official Team**. The forms must be completed by the **Due Date, with no exceptions**.

Directions for completion:

Prosecution/Plaintiff (P) Roster:

1. Dropdown box for the Gender for each of the Students on both Rosters - M, F, or X;
2. Opening Statement Attorney's Name;
3. Prosecution/Plaintiff Case-In-Chief
4. Select the first witness called from the dropdown box;
5. Enter 1st Witness - Student Name;
6. Direct Attorney's name for 1st Witness;
7. Select the second witness called from the dropdown box;
8. Enter 2nd Witness - Student Name;
9. Direct Attorney's name for 2nd Witness
10. Select the third witness called from the dropdown box;
11. Enter 3rd Witness - Student Name;
12. Direct Attorney's name for 3rd Witness;
13. In the white area:
 - a. Crossing Attorney for the listed Defense Witness;
 - b. Crossing Attorney for the listed Defense Witness;
 - c. Crossing Attorney for the listed Defense Witness;
14. Closing Argument's Attorney Name;

Defense (D) Roster: Repeat steps above starting with Opening Statement, Crossing Attorneys for the Prosecution/Plaintiff Witnesses in Pink; then proceed to the Defense Case-In-Chief.

Team Member Form: Enter remaining team members' names that are NOT on a Roster.

The SC Bar will provide 24 sets of P and D Rosters in a red folder in your red registration bag. You will also receive a clipboard, erasable pen and scotch tape. In each round, a designated person(s) from each team will work with a representative(s) from the opposing team upon entering the courtroom. This representative can be a teacher, attorney coach or student(s).

Procedure in the Courtroom:

- Know the side performance for the round: Prosecution/Plaintiff (P) or Defense (D).
- Retrieve 8 sheets of your side performance Rosters in Red folder in registration bag.
- Prosecution/Plaintiff (8 ½ x 11) sheets - designated with Pink areas.
- Defense (5 1/4 x 11) sheets - designated in WHITE areas.
- Tape the P and D forms together. Take the D sheet and place on the P Sheet and tape.
- Once tapped together you will have 8 completed sets.
- Each team will have the order of their Witnesses to be called on each side. 1-3.
- Start with the Dense Roster and number the order of P witnesses in order called to show Defense Crossing Attorneys names. Example: If they are calling Jody first, place a #1, Sandy second, place #2, Fischer third, place # 3. You will number P witnesses on the Defense Roster's as order 1-2-3. The order to be called.
- Number the D Witnesses on the Prosecution/Plaintiff Roster as seen on the Defense Roster.
- The 8 forms will be distributed to the Presiding Judge, 3 Scoring Judges, one on each counsel table and one to each lead teacher.

Special Notes:

- The pen is erasable for any corrections you may have.
- Pulling tape off will take some of the paper off with it.
- If you make a mistake, you have extra sets.
- Please return the pen, clipboard, and tape in the red bag at the end of the day.

PLAINTIFF ROSTER	
Enter Student Names	TEAM CODE AB
OPENING STATEMENT	SCORE
F ▾ (P) Attorney: Emily Sun	<input type="text"/>
PROSECUTION CASE-IN-CHIEF	
(P) 1st Witness: Jo Harrelson ▾	
M ▾ (P) Witness: Jason James	<input type="text"/>
F ▾ (P) Direct Atty: Madison Sweeny	<input type="text"/>
(P) 2nd Witness: Sandy Kay ▾	
M ▾ (P) Witness: Chris Putnam	<input type="text"/>
F ▾ (P) Direct Atty: Emily Sun	<input type="text"/>
(P) 3rd Witness: Fisher Street ▾	
F ▾ (P) Witness: Debra Salley	<input type="text"/>
F ▾ (P) Direct Atty: Beth Rissan	<input type="text"/>
PROSECUTION CROSS OF DEFENSE IN WITNESS ORDER	
(D) # __ Lake Gambell	<input type="text"/>
F ▾ (P) Cross Atty: Madison Sweeny	
(D) # __ Shell Alonso	<input type="text"/>
F ▾ (P) Cross Atty: Emily Sun	
(D) # __ River Lynch	<input type="text"/>
F ▾ (P) Cross Atty: Beth Rissan	
CLOSING ARGUMENT	
F ▾ (P) Attorney: Madison Sweeny	<input type="text"/>
Overall Team Performance	<input type="text"/>
Penalties, if any.	<input type="text"/>

COMPLETED SAMPLE

DEFENSE ROSTER	
Enter Student Names	TEAM CODE AB
OPENING STATEMENT	SCORE
M ▾ (D) Attorney: James Booth	<input type="checkbox"/>
DEFENSE CROSS OF PROSECUTION IN WITNESS ORDER	
(P) # ___ Jo Harrelson M ▾ (D) Cross Atty: Amy Waters	<input type="checkbox"/>
(P) # ___ Sandy Kay M ▾ (D) Cross Atty: James Booth	<input type="checkbox"/>
(P) # ___ Fisher Street F ▾ (D) Cross Atty: Wendy Atwater	<input type="checkbox"/>
DEFENSE CASE-IN-CHIEF	
(D) 1st Witness Lake Gambrell ▾	
M ▾ (D) Witness: Bill Jones	<input type="checkbox"/>
M ▾ (D) Direct Atty: James Booth	<input type="checkbox"/>
(D) 2nd Witness Shell Alonso ▾	
F ▾ (D) Witness: Vicki Phillips	<input type="checkbox"/>
F ▾ (D) Direct Atty: Wendy Atwater	<input type="checkbox"/>
(D) 3rd Witness River Lynch ▾	
M ▾ (D) Witness: Carl Mauldin	<input type="checkbox"/>
M ▾ (D) Direct Atty: Amy Waters	<input type="checkbox"/>
CLOSING ARGUMENT	
M ▾ (D) Attorney: Amy Waters	<input type="checkbox"/>
Overall Team Performance <input type="checkbox"/>	Penalties, if any. <input type="checkbox"/>

COMPLETED SAMPLE

ADDITIONAL TEAM MEMBER FORM		TEAM CODE AB	
Lead Teacher:		ALTERNATES: Students Names NOT on a Roster	
1.		1.	Joseph Able
Additional Teachers:		2.	Melissa Cotter
1.	Jason Thomason	3.	Ashley Greene
2.	Whit Parker	4.	Mark Miller
3.		5.	George Steiner
4.		6.	Asha Vonz
5.		7.	
Attorney Coaches:		8.	
1.	Jamarr Campbell	9.	
2.	Eliza H. Smiley	10.	
3.		11.	
4.		12.	
Timekeeper:		13.	
1.	Lakevia West	14.	
2.		15.	
Bailiff:		16.	
1.	Jari Eiler	17.	
2.	Matthew Whiles	18.	
<p>Enter team members not attending the Regional competition but would be available to compete if the team advances to the State competition. Each student must be listed to qualify for the State competition.</p>			
1.	Ava Hernandez	High School Only	
2.		Artist:	
3.		1.	
4.		2.	
5.			
6.		Journalist:	
7.		1.	
8.		2.	
9.			
10.			

Completed Sample

PROFESSIONALISM AND CIVILITY AWARD

(Rule 4.17)

INFORMATION / DIRECTIONS

1. The qualities that teams nominated for the award must demonstrate inside and outside the courtroom include: a professional demeanor, civility, integrity, honesty, fair play, 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.
2. During the competition, teams and their coaches will observe other participating teams while using a subjective process. Teams will nominate another team 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.
3. Teams may not campaign for this award.
4. Teams will receive a nomination ballot link in their on-site registration materials.
5. Teams will be asked after the third round to complete and submit one nomination ballot electronically, which includes nominating a second team in the event a tie breaker is needed. All ballots are due before a team leaves the third round on Saturday. Do not exit the courtroom before submitting the nomination ballot. For questions regarding this award, contact the SC Bar staff **BEFORE** the regional or state competition.
6. When discussing this award with students, it is hoped that coaches will emphasize the importance of professional behavior inside and outside the courtroom throughout the competition. The discussion of this award will provide you 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 will provide coaches the opportunity to discuss the high standards of professionalism attorneys are held to as members of the Bar.
7. Each team must digitally submit one team ballot nominating another team for the Professionalism and Civility Award, which includes nominating a second team in the event a tie breaker is needed. A team may not nominate itself. A team may nominate another team that they competed against in one of their rounds, or not, as it sees fit. The SC Bar will not recommend a particular process by which each team determines their nomination, but suggests that coaches take student input into account when completing the nomination ballot. How a team reaches the decision to nominate another team for this award is completely within the purview of that team.

Quick Start: Nuts and Bolts

What is Mock Trial?

Mock Trial is a pretend case performed by middle school or high school students playing roles of witnesses and attorneys.

How many students are on a team?

A team has 6 to 17 students but could have more as alternates.

What do I do first?

Promote Mock Trial, recruit students, audition students, [register a middle school team](#) or [register a high school team](#), obtain administration support, obtain additional coaches, attend the September Mock Trial training or watch [free training videos online](#). New coaches may also coordinate with the State Mock Trial Coordinator to observe a competition.

What do I do next?

Set practice schedule, schedule the [middle school competition dates](#) or the [high school competition dates](#), and secure a practice room.

How often do teams practice?

Practice at least once a week.

What are the costs associated with Mock Trial?

The registration fee is \$225, snacks for practices, travel / bus to competitions (if needed), copies of cases if students do not independently print their own copies.

Any suggestions on fundraising?

Selling candy or other products, car washes, school funds, charge each student a club fee, garage sales, or obtain local county bar support.

How is an audition done?

Give students a current or prior [Middle School Mock Trial Case](#) or [High School Mock Trial Case](#) and have students prepare as attorneys and witnesses.

What rules are there?

There is a [competition handbook with competition rules and rules of evidence](#) that all teams must follow.

What paperwork is required by the SC Bar?

The Team Registration Form which also includes the Authorization Form, the School Information Sheet, the Code of Ethical Conduct form, and the Team Roster Form.

[Click Here for Middle School Forms](#) [Click Here for High School Forms](#)

What paperwork is required by my school?

A purchase order for the registration fee, permission slips for travel, any club paperwork, bus reservations, teacher substitute paperwork if the teacher needs to travel and/or compete on Friday, etc.

How do I find an attorney coach?

To find an attorney, check with school PTA, team parents, school alumni, local county bar, and then SC Bar.

Where do I find additional resources or ask questions?

Contact Donald N. Lanier (803) 252-5139, or dlanier@scbar.org.



SCORING GUIDE

(Effective May 2022)

OPENING	Ineffective 1 – 3	<ul style="list-style-type: none"> Very short; did not provide anything useful; no overview, theme or theory Read from script directly; inaudible voice 	
	Poor 4 – 5	<ul style="list-style-type: none"> Short overview of case and evidence Note dependent; no eye contact; difficult to hear 	
	Average 6	<ul style="list-style-type: none"> Introduced a theme/theory of case, made introductions prior to opening Explained the case and gave a “road map” of what would transpire during the trial (outlined witness testimony and exhibits they would use) Demonstrated understanding of case/rules/legal issues Notes read only periodically; presented appropriate demeanor and eye contact with a clear voice 	
	Very Good 7 – 8 <i>(+ “6” content)</i>	<ul style="list-style-type: none"> Held attention; professional and confident presence; did not sound rehearsed Provided overview of parties and witnesses; anticipated their testimony without being argumentative Notes used as reference/guide only 	
	Superior 9 – 10 <i>(+ “7 - 8” content)</i>	<ul style="list-style-type: none"> Compelling/believable Conversational; polished/poised Good use of courtroom 	
		Attorney	Witness
DIRECT / CROSS	Ineffective 1 – 3	<ul style="list-style-type: none"> Nervous and unclear of what was to be done Read from script directly; inaudible voice 	<ul style="list-style-type: none"> Not credible; stumbled with testimony No understanding of case; inaudible voice
	Poor 4 – 5	<ul style="list-style-type: none"> No eye contact; difficult to hear Slow and lacked depth Easily flustered with witness Note dependent 	<ul style="list-style-type: none"> Scripted, no eye contact, difficult to hear Weak on responses to cross, lacks depth Undeveloped character Easily flustered and unconvincing
	Average 6	<ul style="list-style-type: none"> Demonstrated an understanding of rules/case/issues Laid foundation and addressed actual testimony Sequenced questions logically; direct; and concise Used properly phrased questions with purpose Good time management Made proper objections and did not overuse them Followed proper protocol for introducing exhibits Effectively conducted re-direct/re-cross, if done Eye contact maintained and appropriate Voice was clear and audible Notes read only periodically 	<ul style="list-style-type: none"> Demonstrated understanding of role in case Consistent with facts of the case and exhibits Emphasized strengths in affidavit Developed character Phrasing consistent w/ character represented Provided logical and credible testimony Responded on cross maintaining composure Eye contact maintained and appropriate Voice was clear and audible
	Very Good 7 – 8 <i>(+ “6” content)</i>	<ul style="list-style-type: none"> Did not ask questions requiring an unfair extrapolation Continued with consistent theme and theory of case Made/defended objections utilizing Rules of Evidence Limited objections only to evidence that hurts team’s case Recovered after objections & adjusted to judges’ rulings If directed/re-directed, elicited favorable facts from witness If crossed/re-crossed, weakened testimony given Notes used as reference/guide only 	<ul style="list-style-type: none"> Command of role; convincing Charismatic and engaging Sounded unscripted and conversational Held up on cross w/ sufficient elaborations Emotions were appropriate for character Remained in character throughout trial
Superior 9 – 10 <i>(+ “7 - 8” content)</i>	<ul style="list-style-type: none"> Conversational; natural; took command; not overbearing Brought out and emphasized weaknesses/strengths Objections advanced the team’s case On cross, controlled witness responses 	<ul style="list-style-type: none"> Unique, entertaining w/ believable personality Minimized weaknesses of case Kept information out that hurt case Responded on cross effectively & with ease 	
CLOSING	Ineffective 1 – 3	<ul style="list-style-type: none"> Very short; did not provide anything useful; no theme or theory; read from script directly Inaudible voice 	
	Poor 4 – 5	<ul style="list-style-type: none"> Short; did not refer to jury instructions/legal issues; no request for relief; no eye contact; difficult to hear Note dependent 	
	Average 6	<ul style="list-style-type: none"> Demonstrated an understanding of rules/case/issues and addressed the relevant burden of proof Summarized relevant testimony and evidence/exhibits admitted Theme was carried through to closing argument Spoke with clear voice and had appropriate eye contact Notes read only periodically 	
	Very Good 7 – 8 <i>(+ “6” content)</i>	<ul style="list-style-type: none"> Outlined the strengths of their case and the weaknesses of the opposing case Asked for the verdict/relief and argued why the relief requested was appropriate and justifiable Summarized evidence with reasoning; Discussed elements of cause(s) of action; referenced burden of proof Notes used as reference/guide only 	
	Superior 9 – 10 <i>(+ “7 - 8” content)</i>	<ul style="list-style-type: none"> Complemented opening statement and incorporated only what transpired in trial exceptionally well Persuasively countered the opposing team’s theme/case; was compelling, believable and conversational Referred to and used relevant exhibits Convinced jury that evidence was credible and proved the team’s case 	

TALENT RELEASE FORM EXPLANATION

The next page has the Talent Release Form for all students, sponsoring teachers, and attorney coaches to complete prior to registration on the day of the competition.

The Talent Release Form signifies that the SC Bar has been given permission to use any film or video taken at the competitions to be used for marketing and training tools, and for the purpose of taking pictures to use as examples during trainings, marketing efforts and press releases. All pictures used will be portrayed in a positive manner.

Should a team give permission to the opposing team to video tape, then they have permission.

Should a team not have all their signed talent releases and there are reasons for this, please instruct your students to answer that they do not approve videotaping when asked by the opposing team to film.

For completion, this form is provided as a link for all students and parents to sign electronically. The link will be provided to teacher coaches after registration.

TALENT RELEASE FORM (SAMPLE)

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, I hereby irrevocably grant to the South Carolina Bar, its successors and assigns, and parties authorized by the South Carolina Bar, for any purpose(s) whatsoever, the right to photograph and record any or all of my appearance(s) or performance(s) in connection with the production of **Mock Trial**; to reproduce such photographs and recordings or any part of them by any method; to use, broadcast and/or publish such photographs and recordings or any part of them by any method; to use my name, no name, or a fictitious name in connection with such photographs and recordings or any part of them; and to circulate, distribute, sell, and/or lease such photographs and recordings or any part of them, or license others to do so as long as pictures taken are to be only used in a positive manner. Any rights granted in the immediately preceding sentence shall also extend to any advertising or other material in connection with the Production.

_____’s (student, teacher, or attorney coach’s name) appearance(s) or performance(s) in the Production is/are not the result of pressure or forced participation. No representations of any kind have been made to me. I release the South Carolina Bar, its successors and assigns, to any parties authorized by the South Carolina Bar to perform the acts set forth in the paragraph above, from any and all claims for damages for libel, slander, invasion of the right of privacy, or any other claims based on, arising out of, or connected with the Production.

I hereby waive any right to inspect or approve the Production, at any stage of its development, and any other matter or material relating to the Production. I agree that the control of, title to, any right of copyright of the Production or any part of the Production, including any copies thereof, and any other matter relating to the Production, shall be owned exclusively and completely by the South Carolina Bar, its successors and/or assigns.

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Finally as the legal guardian, I hereby have my signature below.

Role of Person

Identified Above: Student Teacher Coach Attorney Coach

Parent / Guardian’s

Name if for a Student (printed): _____

School Name: _____

Home Address: _____

City, State, Zip Code: _____

Parent / Guardian

Signature: _____ Date: _____

Witness Signature: _____ Date: _____

Mock Trial Timekeeper Record Form

Date: 11-13-XX Team Code: CH

Timekeeper's Name: Ian Sams Signature: Ian Sams

P **CH** v. **MG** D

Circle Round: **1** 2 3

Competition Location:

- Columbia Greenville Lexington - Westbrook
 Conway Lexington STATE
 Georgetown Lexington - Summary

SAMPLE

Prosecution/Plaintiff Code

CH

Defense Code

MG

Opening Statements (5 minutes)	4:36
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Opening Statements (5 minutes)	4:51
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Confirm the time with opposing timekeeper. Did total time go over 5:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.

Confirm the time with opposing timekeeper. Did total time go over 5:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.

Pros./ Plaintiff WITNESSES	Direct Exam	6:02	6:24 Redirect
	Direct Exam	18:41	— Redirect
	Direct Exam	24:09	25:11 Redirect
	Total Time (25 minutes)	25:11	Extension Approved? Y N

	Cross-Exam	8:15	— Recross
	Cross-Exam	17:36	18:52 Recross
	Cross-Exam	20:36	— Recross
	Total Time (20 minutes)	20:36	Extension Approved? Y N

Confirm the time with opposing timekeeper. Did total time go over 25:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.

Confirm the time with opposing timekeeper. Did total time go over 20:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.

Defense WITNESSES	Cross-Exam	7:36	— Recross
	Cross-Exam	15:42	16:21 Recross
	Cross-Exam	19:02	19:53 Recross
	Total Time (20 minutes)	19:53	Extension Approved? Y N

	Direct Exam	8:04	8:31 Redirect
	Direct Exam	17:19	18:20 Redirect
	Direct Exam	23:47	— Redirect
	Total Time (25 minutes)	23:47	Extension Approved? Y N

Confirm time with opposing timekeeper. Did the total time go over 20:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.

Confirm time with opposing timekeeper. Did the total time go over 25:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.

Time the Recess for 5 Minutes

Reset stopwatch to zero for the next phase.

Reset stopwatch to zero for the next phase.

Closing Argument / Rebuttal (5 minutes)	4:36	4:52 Rebuttal
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Closing Argument (5 minutes)	4:38
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Confirm the time with opposing timekeeper. Did the total time go over 5:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.

Confirm the time with opposing timekeeper. Did the total time go over 5:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.

Time the Consultation for Possible Disputes for 2 Minutes

Time the Additional Consultation for Teams to Prepare a Response to a Dispute for 2 Minutes

If Violation Spokesperson Argument	2 Minutes Per Dispute
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If Violation Spokesperson Argument	2 Minutes Per Dispute
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Peer Award Discussion and Distribution of Certificates for up to 2 Minutes

Time the Presiding Judge's Critique for up to 1 Minute

TIMEKEEPERS' GUIDE TO SUCCESS

Timekeeping Aids

Provided by SC Bar: Training video, timesheets, scratch paper, clipboard, and pencil.

Provided by Teams: Timecards (set of 3), Two (2) stopwatches (*SC Bar will have backups if one malfunctions.*)

- Opening/Closing Timecards (5 minutes)
- Direct Examination Timecards (25 minutes)
- Cross-Examination Timecards (20 minutes)

Important Rules

- Student attorneys may ask the presiding judge permission to ask the timekeeper how much time has been used.
- The presiding judge can stop the timing for any reason.
- A time extension asked by the attorney near the end of time, if granted, is no longer than 30 seconds.
- If a student attorney secures a time extension from the presiding judge before time expires, no penalty for a time overrun is made against the team requesting the extension, as long as the time does not exceed the extension.
- Circle yes or no if a time extension was granted on your timesheet. If yes, flip timecards back by 30 seconds.
- Time overages are ruled on at the end of each trial phase. No time disputes are entertained after the trial.
- After a time overage ruling, the timekeepers clear their stopwatches and the trial continues.

Seating Placement

- Both timekeepers sit in the jury box together unless designated to sit somewhere else by the SC Bar.
- The assigned seating area will be where the timekeeping materials are located.
- A team may request to move timekeepers slightly, but they must always be seated together and can never sit in such a way to see the scoring judges' scoresheets.

Communication

- Simultaneously and silently display timecards to the attorneys, witnesses, and presiding judge.
- Do not verbalize, i.e. "STOP", wave the timecards, use hand gestures, or use any other means to get a student attorney's attention.
- Do not communicate with any team members, coaches, courtroom artists (HS), courtroom journalists (HS), or visitors during the recess.
- Timekeepers may communicate with their competing team members only during the dispute process or when directed by the presiding judge.

Conferring Times and Reporting Overages / Discrepancy Discussion

- At the end of each witness presentation, record the time used on the timesheet.
- At the end of each trial phase (i.e., after both opening statements, at the end of each Case-in-Chief (P) and (D), and at the end of the closing arguments), timekeepers record the total time and confer with one another on the amount of time used by both sides.
- If there is a large time discrepancy, a timekeeper may be forgetting to stop/start the stopwatch for objections.
- If there is more than a 15 second time overage between the two timekeepers, the timekeepers must notify the presiding judge of the time overage at that moment.
- The presiding judge rules on the time overage immediately.
- The decisions of the presiding judge are final.
- After the ruling, the timekeepers clear their stopwatches for the next trial phase to begin.

Timing

- Timing begins when the first word 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 will have a direct and cross-examination.
- There are two stopwatches and two sets of timecards used.
- 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 will record total times and confer.
- 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.

- Stopwatches are cleared after each phase (opening, the Case-in-Chief for each side, and closing).

Displaying Timecards

- Timekeepers do not have to hold timecards up the entire time.
- Hold 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 than they actually do.

The Trial is About to Start

- Complete the top portion of the timesheet with your team code, the opposing team code, timekeeper's name, timekeeper's signature, circle the region competing in, and circle round number being performed.
- The Prosecution/Plaintiff is (P) and Defense is (D).
- The Prosecution/Plaintiff timekeeper is the official timekeeper of the two timekeepers unless the judges see that the (P) timekeeper is struggling to keep accurate time.
- The presiding judge and the scoring judges (jury) introduces themselves, which is not timed.
- Introduction of counsel and witnesses prior to opening statement is not timed.

During the Trial

- **Opening Statements:**
 - Stopwatch starts at zero and timecards start from the beginning.
 - Opening statements are limited to five minutes each.
 - (P) gives the opening statement first and then (D) presents their opening statement.
 - Start the stopwatch when the first word is spoken by the attorney or if directed by the presiding judge.
 - Stop the stopwatch with their last word spoken.
 - If introductions take place during the openings, then it is included in the time allotted for opening statements.
 - Record time used on stopwatches on the timesheet.
 - There is a 15 second time overage allowed for varying starts and stops when using the stopwatch.
 - Confer with the other timekeeper to check for any time discrepancies and/or overages.
 - The presiding judge will stop and ask both timekeepers if there are any time overages over 5:15.
 - The opening attorneys may request up to a 30 second time extension form the presiding judge. If permitted, flip the timecards back to 30 seconds.
- **Administering the Oath:** The swearing in of the witness is done by the (P)'s bailiff, which is not timed.
- **Direct and Cross-Examinations:**
 - Direct examinations are limited to 25 minutes.
 - Cross-examinations are limited to 20 minutes.
 - Both stopwatches start at zero and timecards start from the beginning.
 - Start the stopwatch when the first word is spoken by the attorney or if directed by the presiding judge.
 - Stop the stopwatch for objections, responses to objections, and questioning from the presiding judge.
 - Restart the stopwatch after the objections and any questioning or ruling(s) by the presiding judge.
 - Stopwatches are not stopped for introduction of exhibits or for attorneys to confer with co-counsel.
 - Stopwatches stop when the last word is spoken by the attorney, which is usually – “no further questions.”
 - Record time used on stopwatches onto the timesheet for each witness, i.e. direct, cross, re-direct, re-cross.
 - Quickly confer with the other timekeeper to check and make sure times are close. Otherwise, a timekeeper may be forgetting to stop and start back for objections.
 - There is a 15 second time overage allowed for varying starts and stops when using the stopwatch.
 - After the third witness, confer with the other timekeeper for any time discrepancies and/or overages.
 - The presiding judge will stop and ask both timekeepers if there are any time overages.
 - Time overages for direct examination exceeding 25:15 are reported.
 - Time overages for cross-examination exceeding 20:15 are reported.
 - The last directing and/or crossing attorney may request up to a 30 second time extension form the presiding judge. If permitted, flip the timecards back to 30 seconds.
- **Closing Arguments:**
 - Stopwatch starts at zero and timecards start from the beginning.
 - Closing arguments are limited to 5 minutes each.
 - Start the stopwatch when the first word is spoken by the student attorney.
 - 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 closing attorneys may request up to a 30 second time extension form the presiding judge. If permitted, flip the time cards back to 30 seconds.

- **Additional Responsibilities Include Timing the Following:**
 - The recess up to five minutes,
 - The first team consultation time up to two minutes,
 - The second team consultation time up to two minutes,
 - The peer award discussion time up to two minutes, and
 - The presiding judges' critique up to one minute.
- **Finishing Up:** Turn your timesheet into the presiding judge.