

## **NEVADA HIGH SCHOOL MOCK TRIAL COMPETITION RULES**

The Nevada High School Mock Trial Competitions are governed by these Rules of Competition, the Rules of Procedure and the Rules of Evidence (Mock Trial Version). Any clarification of rules or case materials will be issued in writing to all participating teams no less than two weeks prior to the tournament. The trial coordinator, upon the advice and consent of the board of Directors of the Nevada Mock Trial Competitions will distribute to each team such clarification.

No participant should alter the language of these rules without the approval of the Nevada High School Mock Trial Board; the Rules of Evidence may be reviewed for relevance and rules may be added or deleted, so long as the language inserted is the original text contained in the Federal Rules of Evidence.

**All teams are responsible for the conduct of persons associated with their teams throughout any mock trial event.**

**The Mock Trial program is intended to be solely an extra curricular activity. The current year's mock trial case materials may not be used in any class offered, or comprise any part of the curriculum of any class, at any school during the applicable year in which these materials are to be used in competition.**

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#### **I. RULES OF THE COMPETITION**

##### **A. THE PROBLEM**

###### **Rule 1. Rules**

All trials will be governed by the Rules of the Nevada High School Mock Trial Competition and the Federal Rules of Evidence (Mock Trial Version). Questions or interpretations of these rules are within the discretion of the duly elected Nevada Board of Directors whose decision is final.

###### **Rule 2. The Problem**

The problem will be a fact pattern, which may contain any or all of the following: statement of facts, indictment, stipulations, witness statements/affidavits, jury charges, exhibits, etc. Stipulations may not be disputed at trial. Witness statements may not be altered.

###### **Rule 3. Witness Bound by Statements**

Each witness is bound by the facts contained in his/her own witness statement, the Statement of Facts, if present, and/or any necessary documentation relevant to his/her testimony. Fair extrapolations may be allowed, provided reasonable inference may be made from the witness' statement. If, in direct examination, an attorney asks a question which calls for extrapolated information pivotal to the facts at issue, the information is subject to objection under Rule 4, as being outside the scope of the problem.

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

A witness is not bound by the facts contained in other witness statements.

###### **Rule 4. Unfair Extrapolation**

Unfair extrapolations are best attacked through impeachment and closing arguments and are to be dealt with in the course of the trial. A fair extrapolation is one that is neutral.

Attorneys shall not ask questions calling for information outside the scope of the case materials or requesting an unfair extrapolation.

If a witness is asked information not contained in the witness' statement, the answer must be consistent with the statement and may not materially affect the witness' testimony or any substantive issue of the case.

Attorneys for the opposing team may refer to Rule 4 in a special objection, such as "unfair extrapolation" or "This information is beyond the scope of the statement of facts."

Possible rulings by a judge include:

- a) No extrapolation has occurred;
- b) An unfair extrapolation has occurred;
- c) The extrapolation was fair; or
- d) Ruling is taken under advisement.

The decision of the presiding judge regarding extrapolations or evidentiary matters is final. When an attorney objects to an extrapolation, the judge will rule in open court to clarify the course of further proceedings.

#### **Rule 5. Gender of Witnesses**

All witnesses are gender neutral. Personal pronouns changes in witness statements indicating gender of the characters may be made. Any student may portray the role of any witness of either gender.

#### **Rule 6. Voir Dire**

Voir dire examination of a witness is not permitted.

## **B. THE TRIAL**

#### **Rule 7. Team Eligibility**

Teams must be comprised of students who attend the high school for which they compete. Each school may enter up to three teams in the district competition. The top eight ranked teams in the state will advance to the state competition no matter what school they represent. All teams from a school will be held to the same requirements.

**The top eight teams in the state will be determined by the outcome of the northern and southern district competitions. All schools north of Tonopah are assigned to the northern district competition. All schools in Tonopah and all schools south of Tonopah are assigned to the southern district competition.**

**The number of schools that will represent the northern and southern regions at**

**the state competitions will be based upon the ratio determined by dividing the total number of schools registered in a region by the total number of schools registered for the mock trial competition as of December 1 of each year.**

Teams competing in the State competition must be comprised of students who were on the official team rosters at the district competitions. All qualifying teams from the district tournaments must notify the State coordinator within 48 hours of their acceptance or denial to attend the State competition. If a team is unable to fulfill their State earned slot, the State coordinator will designate a replacement team, which will be the team from their district competition with the next best record. The state coordinator may designate an alternate team should the qualifying team be unable to participate, so long as all students on the team are from the original team who competed.

Schools or regions may not enter an "all-star" team. The Nevada Board shall determine what is an "all-star" team. The Board's decision will be final.

#### **Rule 8. Team Composition**

Teams can consist from 6 to 8 official members assigned to roles representing the prosecution/plaintiff and defense/defendant sides. Only six members may participate in any given round. (See Rule 10 for further explanation referring to team participation.)

The teams may provide student timekeepers; however, these persons may or may not be considered "official timekeepers" in the tournament.

At no time may any team for any reason substitute unofficial team members for official team members. The Team Roster will become official at the time of on site registration at the district tournaments.

The District coordinators will send the official rosters to the State Coordinator within 48 hours of the tournament. Failure to send the rosters may result in disqualification from the state tournament.

#### **Rule 9. Team Presentation/Participation**

Teams must present both the Prosecution/Plaintiff and the Defense/Defendant sides of the case, using six team members in each round. For each trial round, teams shall use three students as attorneys and three students as witnesses.

**All team members including alternates listed on the official entry must participate in at least one preliminary round per tournament at the district and state competitions.**

### **Rule 9.1. Emergencies**

In the event of an emergency that would cause a team to participate with less than six members, the team must notify the Nevada Board of Directors at the State Tournament (or the Tournament Director at a local competition) as soon as is reasonably practical. If the Board, in its sole discretion, agrees that an emergency exists, the Board shall declare an emergency and will decide whether the team will forfeit or may direct that the team take appropriate measures to continue any trial round with less than six members. A penalty will be assessed.

A forfeiting team will receive a loss and points totaling the average number of ballots and points received by the losing teams in that round. The non-forfeiting team will receive a win and an average number of ballots and points received by the winning teams in that round.

Final determination of emergency, forfeiture, reduction of points, or advancement, will be made by the Nevada Board of Directors (or the Tournament Director at local competitions).

### **Rule 10. Team Duties**

Team members are to evenly divide their duties. Each of the three attorneys will conduct one direct examination and one cross-examination; in addition, one will present the opening statement and another will present closing argument (which includes any rebuttal argument by the prosecution/plaintiff team). The eight attorney duties for each team will be divided as follows:

1. Opening Statement, (One attorney from each team)
2. Direct Examination of Witness #1 (side one)
3. Direct Examination of Witness #2 (side one)
4. Direct Examination of Witness #3 (side one)
5. Cross Examination of Witness #1 (side two)
6. Cross Examination of Witness #2 (side two)
7. Cross Examination of Witness #3 (side two)
8. Closing Argument - One attorney from each team  
(including any Rebuttal by the prosecution/plaintiff team)

Each team at the beginning of the trial must give an Opening Statement.

The attorney who will examine a particular witness on direct examination is the only person who may make the objections to the opposing attorney's questions of that witness' cross-examination, and the attorney who will cross-examine a witness will be the only person permitted to make objections during the direct examination of that witness.

Each team must call three witnesses. Witnesses must be called only by their own team and examined by both sides. Witnesses may not be recalled by either team.

Violation of Speaker Duties distribution (such as one attorney giving both the opening and closing) will be considered a Major Rules Violation and carry a 10-point team deduction. A minor violation of this rule would be the wrong attorney making objections during a witness's testimony.

### **Rule 11. Swearing of Witnesses**

The following oath may be used before questioning begins:

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

The swearing of witnesses will occur in one of two ways. Either the presiding judge will indicate all witnesses are assumed to be sworn, or the above oath will be conducted by (a) the presiding judge, (b) a bailiff, provided by the tournament host, or (c) the examining attorney. The tournament host (or the State Board of Directors) will indicate which method will be used during all rounds of the tournament. Witnesses may stand or sit during the oath.

### **Rule 12. Trial Sequence and Time Limits**

The trial sequence and time limits are as follows:

1. Opening Statement (3 minutes per side)
2. Direct and Redirect (optional) Examination (20 minutes per side)
3. Cross and Re-cross (optional) Examination (15 minutes per side)
4. Closing Argument (4 minutes per side)

The prosecution/plaintiff gives the opening statement first. The prosecution/plaintiff gives the closing argument first; the prosecution/plaintiff may reserve a portion of its closing time for a rebuttal. The prosecution/plaintiff's rebuttal is limited to the scope of the defense's closing argument.

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

**Rule 13. Timekeeping**

Time limits are mandatory and will be enforced. Each team is permitted to have its own timekeeper and timekeeping aids; however, an official adult timekeeper may be assigned to each trial.

Each team may be asked to bring an official timekeeper to the competition that will be assigned to neutral rounds during the entire time a team remains in the competition.

Teams may be asked to bring a timekeeper who will sit with the opponent team's timekeeper and, together, they will be the official timekeepers.

Time for objections, extensive questioning from the judge, or administering the oath will not be counted as part of the allotted time during examination of witnesses and opening and closing statements.

Time does not stop for introduction of exhibits.

**Rule 14. Time Extensions and Scoring**

There will be a 10 second grace period for any timed area as indicated in Rule 12.

Time violations in each timed area will result in a mandatory deduction of points as follows:

- |    |                        |           |
|----|------------------------|-----------|
| a. | less than 30 seconds   | 1 point   |
| b. | 31 seconds to 1 minute | 2 points  |
| c. | 1 minute to 2 minutes  | 3 points  |
| d. | 2 minutes to 3 minutes | 4 points  |
| e. | Over 3 minutes         | 10 points |

The official timekeeper will notify the scoring judges of the length of the time violation.

The time violation deduction should be marked clearly on the time sheet so there is no question that the mandatory deductions need to be taken.

The tabulation room will mark the deduction clearly on the score sheets. The score will be official only after the deductions are taken.

**Rule 15. Prohibited Motions**

No motions may be made.

In the event of an emergency, a motion for a recess may be made. Should a recess be called, teams are not to communicate regarding the trial with any observers, coaches, or instructors.

**Rule 16. Sequestration**

Teams may not invoke the rule of sequestration.

**Rule 17. Request for Bench Conferences**

Bench conferences may be granted at the discretion of the presiding judge, but should be made from the counsel table in the educational interest of handling all matters in open court.

**Rule 18. Supplemental Material/Illustrative Aids**

Teams may refer only to materials included in the trial packet. No illustrative aids of any kind may be used, unless provided in the case packet. No enlargements of the case materials will be permitted. Absolutely no props or costumes are permitted unless authorized specifically in the case materials.

No team is permitted to present judges or opponent team members with binders, folders, packets, listings, or similar compilations containing materials duplicating ballots, listings, case materials, rules, etc.

**Rule 19. Trial Communications**

Non-team members, alternate team members, teachers, and attorney coaches must remain in the spectator section of the courtroom. Only attorneys and the defendant participating in this round may sit at the counsel tables.

Instructors, alternates and observers shall not talk to, signal, communicate with, or coach their teams during the trial. This rule remains in force during any recess time, which may occur during a round. Only student attorneys and the defendant may, among themselves, communicate during the trial. No disruptive communication is allowed. Signaling of time by the teams' timekeepers shall not be considered a violation of this rule.

Any violation of this rule in any round may result in a point deduction up to 10 points and a possible loss in the round. The point deduction will be determined by the tournament

board based on the severity of the violation.

#### **Rule 20. Viewing a Trial**

Any team has the right to refuse to allow spectators to view their trial presentation at any time, for any reason.

#### **Rule 21. Videotaping /Photography**

Any team has the option to refuse participation in videotaping, tape-recording, still photography, or media coverage.

Videotaping or photography is done totally at the discretion of the tournament host.

### **C. JUDGING**

#### **Rule 22. Decisions**

All decisions of the judging panel are FINAL subject to score miscalculations, rules violations outside the bar, and overtime penalties not assessed in the round.

**The final round of competition at the state tournament will determine the state championship. The winner of the final round will be the state champion and represent Nevada at the national competition. If for any reason the championship team cannot compete at the national tournament, the runner up team from the final round will compete as the state representative.**

#### **Rule 23. Composition of Panel**

The judging panel for the district and state panels should consist of at least three individuals. There must be an odd number of scoring judges with three being the preferred number. The composition of the judging panel and the role of the presiding judge will be at the discretion of the Nevada State Board of Directors, with the same format used throughout the competition, as follows: (options are listed in the preferred order)

1. One presiding judge and three attorney scoring judges (scoring judges only complete score sheets); or
2. One presiding judge and two attorney scoring judges (all three of whom complete score sheets); or
3. One presiding judge and two attorney scoring judges and one neutral attorney coach or neutral educator (with mock trial experience)

scoring judge; or

4. One presiding judge, one attorney, one neutral educator with mock trial experience (all three complete score sheets).
5. If a panel of three scoring judges cannot be obtained then one scoring judge will be used.

The championship round may have a larger panel at the discretion of the Board of Directors however; the panel must consist of an odd number of scoring judges.

*All presiding and scoring judges receive the mock trial manual, the case, orientation materials, and a briefing in a judges' orientation. (under discussion by the board)*

#### **Rule 24. Score Sheets/Ballots**

The term "ballot" will refer to the decision made by a scoring judge as to which team made the best presentation in the round. The term "score sheet" is used in reference to the form on which speaker and team points are recorded. Score sheets are to be completed individually by the scoring judges. Scoring judges are not bound by the rulings of the presiding judge. The team that earns the highest points on an individual judge's score sheet is the winner of that ballot. The team that receives the majority of the three ballots wins the round. The ballot votes determine the win/loss record of the team for power-matching and ranking purposes. While the judging panel may deliberate on any special awards, such as Outstanding Attorney/Witness, the judging panel should not deliberate on individual scores.

#### **Rules 25. Completion of Score Sheets**

Each scoring judge shall record a number of points (1-10) for each presentation of the trial. At the end of the trial, each scoring judge shall total the sum of each team's individual points, place the sum in the Column Totals box, and enter the team ("P" for the prosecution and "D" for the defense) with the higher total number of points in the Tiebreaker Box. **NO TIE IS ALLOWED IN THE COLUMN TOTALS BOXES.**

In the event of a mathematical error in tabulation by one or more of the scoring judges which, when corrected, results in a tie in the Column Totals boxes, the Tiebreaker Box shall determine the award of the ballot.

It is strongly suggested that the mathematical computations be checked by the Tabulation Room when the score sheet is turned in and while the judge is still present.

#### **Rule 26. Team Advancement**

Teams will be ranked by the following criteria in the order listed:

1. Win/Loss Record - equals the number of rounds won or lost by a team;
2. Total Number of Ballots - equals the number of scoring judges' votes a team earned in preceding rounds; if an equal number of scoring judges were in each preceding round; if not, this option will be void.
3. Total Number of Points Accumulated in all rounds;
  - A. If an equal number of judges is used in all rounds; or
  - B. All scores will be averaged if the judging pool is limited and restricts equal number of judges in each round.
4. Point Spread Against Opponents - The point spread is the difference between the total points earned by the team whose tie is broken less the total points of that team's opponent in each previous round. The greatest sum of these point spreads will break the tie in favor of the team with the largest cumulative point spread.

**Rule 27. Power Matching/Seeding (listed in order of preference)**

**State Competition:**

A random method of selection will determine opponents in the first two rounds in a four round preliminary tournament. All rounds will be power matched thereafter. A power matching system is included. The two schools emerging with the strongest record from the four rounds will advance to the final round. The first place team will be determined by the ballots from the championship round only. Sides will be determined by a flip of the coin unless the teams have met previously. If the teams have met in the tournament, the sides will be locked on the opposite sides.

**Procedure for random draw:**

1. Rounds one and two are preset making sure teams compete on both the prosecution and defense side of the case.

2. Example follows:

Round I		Round II	
P	D	P	D
1	2	4	5
3	4	6	7
5	6	8	1
7	8	2	3

3. All teams will draw the team number the morning of the competition.
4. All teams will be treated as separate entities no matter the school affiliation.

**District Competitions:**

**Option A:** The District Competition may follow the state competition schedule with or without the final round.

**Option B:** A random pairing will determine the first round. Power matching will occur in the next round with a limited number of teams advancing beyond the second round. (i.e. four teams advancing out of an eight team pool.) A power match system will determine opponents for the second round. A discussion of the power match system is included. The teams will compete in a single elimination format after the second round during all elimination rounds.

**Invitational:**

A tournament director may determine how to handle pairings at an invitational tournament.

**Random Draw should provide for the following:**

1. If possible, a school should not have to meet themselves.
2. A team will not meet the same team **twice** during random draw.

**Power Matching will provide that:**

1. The first rounds of a tournament will be randomly matched.
2. All the teams are guaranteed to present each side of the case at least once.
3. Brackets will be determined by win/loss record. Sorting within brackets will be determined in the following order:
  - 1) Total number of ballots: the team with the highest number of winning ballots in the bracket will be matched with the team with the lowest number of winning ballots, and so on until all teams are paired;
  - 2) total points; and

3) point spread.

4. .If there are an odd number of teams in a bracket, the team at the bottom of that bracket will be matched with the top team from the next lower bracket.
5. Teams should not meet the same opponent twice if possible; however, if it is necessary in a bracket, they should be on opposite sides from the first meeting.
6. To the greatest extent possible, teams will alternate side presentation in subsequent rounds. Bracket integrity in power matching will supersede alternate side presentation.
7. Teams from the same school should not meet themselves within the bracket, if possible.

**Rule 28. Merit Decisions**

Judges will not make a ruling on the legal merits of the trial. Judges will not inform the students of score sheets results.

**Rule 29. Effect of Bye/Default**

A "Bye" becomes necessary when an odd number of teams are present for a tournament. **For the purpose of advancement and seeding, when a team draws a bye or wins by default, that team for that round will be given a win and the number of ballots and points equal to the average of all winning teams' ballots and points for that same round.** The tournament director may, if time and space allows, arrange a "bye round" to allow teams drawing a bye to compete against one another in order to earn a true score.

1. Byes will be determined by random draw.
2. No team will receive more than one bye in any tournament if possible.
3. Byes should be alternated between schools when possible.
4. The tournament host or the District or State committee has the discretion on how to handle a bye in all rounds of the tournament.

## **D. DISPUTE SETTLEMENT**

### **Rule 30. Reporting a Rules Violation/Inside the Bar**

Disputes, which (a) involve students competing in a competition round and (b) occur within the bar, must be filed immediately following the conclusion of that trial round. Disputes must be brought to the attention of the presiding judge at the conclusion of the trial.

If any team believes that a substantial rules violation has occurred, one of its student attorneys must indicate that the team intends to file a dispute. The scoring panel will be excused from the courtroom, and the presiding judge will provide the student attorney with a dispute form, on which the student will record in writing the nature of the dispute. The student may communicate with student attorneys and/or student witnesses before lodging the notice of dispute or in preparing the form.

At no time in this process may team coaches, attorney or educator, communicate or consult with the student attorneys. Only student attorneys may invoke the dispute procedure.

### **Rule 31. Dispute Resolution Procedure**

The presiding judge will review the written dispute and determine whether the dispute should be heard or denied. If the dispute is denied, the judge will record the reasons for the denial, announce her/his decision to the court, retire to complete his/her score sheet (if applicable), and turn the dispute form in with the score sheets. If the judge feels the ground for the dispute merits a hearing, the form will be shown to opposing student attorneys for their written response, allowing a 5 minute preparation time, the completed response form shall be transmitted to the presiding judge. The presiding judge will ask each team to designate a spokesperson. After the spokespersons have had time (not to exceed three minutes) to prepare their arguments, the judge will conduct a hearing on the dispute, providing each team's spokesperson three minutes for the presentation. The spokespersons may be questioned by the presiding judge. At no time in this process may team coaches communicate or consult with the student attorneys. After the hearing, the presiding judge will adjourn the court and retire to consider her/his ruling on the dispute. The decision will be recorded in writing on the dispute form, with no further announcement.

### **Rule 32. Effect of Violation on Score**

If the presiding judge determines that a substantial rules violation has occurred, the presiding judge will inform the scoring judges of the dispute and provide a summary of each team's argument. The scoring judges will consider the dispute before reaching their final decisions. The dispute may or may not affect the final decision, but the matter will be left to the discretion of the scoring judges.

Deductions must be marked clearly on the score sheet indicating that the points were for a rules violation.

### **Rule 33. Reporting of Rules Violation/Outside the Bar**

Disputes, which (a) involve people other than student team members and (b) occur outside the bar only during a trial round, may be brought by the teacher or attorney-coaches exclusively. Such disputes must be made promptly to a trial coordinator or a member of the Nevada Board of Directors, who will ask the complaining party to complete a dispute form. The form will be taken to the tournament communication center (designated by the tournament host), whereupon a dispute resolution panel will (a) notify all pertinent parties; (b) allow time for a response, if appropriate; (c) conduct a hearing; and (d) rule on the charge. The dispute resolution panel may notify the judge panel of the affected courtroom of the ruling on the charge.

The dispute resolution panel will be composed of three members. The panel should include a designee from the host director, a designee from the Nevada Board, and a representative of the legal community. The panel may include any other competition officials recruited by the designees to assist in the hearing. A ruling from the Dispute Resolution Panel will only impact the round in question.

## **II. RULES OF PROCEDURE**

### **A. Before the Trial**

#### **Rule 34. Team Roster**

Copies of the Official Team Roster Form must be completed and duplicated by each team prior to arrival at the competition site. Teams must be identified by the code assigned at registration. No information identifying team's origin should appear on the form. Before beginning a trial, the teams must exchange copies of the Team Roster Form. Witness lists should identify the gender of each witness so that references to such parties will be made in the proper gender. Copies of the Team Roster Form should also be made available to the judging panel and presiding judge before each round.

#### **Rule 34A. Coaches' Meeting**

**At the beginning of each competition, a coaches' meeting should be held to make sure attorney and teacher coaches are familiar with the way the tournament will be run and how to access the tab room if a concern arises.**

#### **Rule 34B. Tab Room**

**The tab room will be open to all coaches during a tournament. Consideration**

**should be given to tab room staff at all times to facilitate the tournament running on time.**

**Rule 35. Stipulations**

**Stipulations shall be considered part of the record and already admitted into evidence.** ~~When the Court asks prosecution/plaintiff if they are ready to proceed with opening statements, the attorney assigned to the opening statement should offer the stipulations into evidence.~~

**Rule 36. The Record**

Stipulations, the indictment, or the charge to the jury will not be read into the record. A copy of the stipulations will not be given to the judges by the teams.

**B. Beginning the Trial**

**Rule 37. Jury Trial**

The case may be tried before a jury; arguments are to be made to the judge and jury. Teams may address the scoring judges as the jury.

**Rule 38. Standing During Trial**

Unless excused by the judge, attorneys will stand while giving opening and closing statements, during direct and cross examinations, and for all objections.

**Rule 39. Student Work Product**

All opening statements and closing arguments, all direct and cross examinations, and all objections shall be substantially the work product of team members and not scripted by coaches, teachers or attorneys.

**Rule 39A. Objection During Opening Statement/Closing Argument**

No objections may be raised during opening statements or during closing arguments.

If a team believes an objection would have been necessary during the opposing team's closing, a student may, following the closing arguments, raise his/her hand to be recognized by the judge and may say, "If I had been permitted to object during closing arguments, I would have objected to the opposing team's statement that \_\_\_\_\_." The presiding judge will rule on this "objection."

Presiding and scoring judges will weigh the "objection" individually. No rebuttal by

opposing team will be heard. If the objection has foundation, the scoring judges may deduct from 1 to 10 points.

## **C. Presenting Evidence**

### **Rule 40. Argumentative Questions**

An attorney shall not ask argumentative questions. Argumentative questions are always improper.

### **Rule 40(a). Leading Questions**

An attorney may not ask leading questions (questions which suggest the desired answer within) on direct examination. Attorneys may use leading questions only on cross-examination.

### **Rule 41. Lack of Proper Predicate/Foundation**

Attorneys shall lay a proper foundation prior to moving the admission and documentation of evidence. After the motion has been made, the exhibits may still be objected to on other grounds.

### **Rule 42. Procedure for Introduction of Exhibits**

As an example, the following steps effectively introduce evidence:

1. All exhibits will be pre-marked as an exhibit.
2. Ask for permission to approach the bench. Show the presiding judge the marked exhibit. "Your honor, may I approach the bench to show you what has been marked as Exhibit # \_\_\_\_?"
3. Show the exhibit to opposing counsel.
4. Ask for permission to approach the witness. Give the exhibit to the witness.
5. "I now hand you what has been marked as Exhibit Number \_\_\_\_ for identification.
6. After laying proper foundation, ask the witness to identify the exhibit. "Would you identify this please?"
7. Witness answers with identification only.

8. Offer the exhibit into evidence. “Your Honor, we offer Exhibit Number \_\_\_\_ into evidence at this time. The authenticity of this exhibit has been stipulated.”
9. Court: “Is there an objection?” (If opposing counsel believes a proper foundation has not been laid, the attorney should be prepared to object at this time.)
10. Opposing Counsel: “No, your Honor”, or “Yes, your Honor.”  
If the response is “Yes”, the objection will be stated on the record. Court: “Is there any response to the objection?”
11. Court: “Objection overruled/sustained. Exhibit Number \_\_\_\_ is/is not admitted.”
12. If the exhibit is admitted into evidence, the attorney may now solicit testimony on its content.

**Rule 43. Use of Notes**

Attorneys may use notes in presenting their cases. Witnesses are not permitted to use notes while testifying during the trial. Attorneys may consult with each other at counsel table verbally or through the use of notes.

**Rule 44. Redirect/Re-cross**

Redirect and Re-cross examinations are permitted, provided they conform to the restrictions on Rule 611 (d) in the Federal Rules of Evidence (Mock Trial Version).

**D. Closing Arguments**

**Rule 45. Scope of Closing Arguments**

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

**E. Critique**

The judging panel, including the presiding judge, is allowed 15 minutes for debriefing, critiquing and finishing ballots. The timekeeper will monitor the critique following the trial and let the presiding judge know when the allotted time has expired. Presiding judges are to limit critique sessions to the 15 minutes total time allotted.

## Nevada Mock Trial Guidelines for Coaches Attorneys and Teachers

1. Always remember this is an educational activity with the focus on student learning.
2. All speeches and questions should be written by the students. Coaches (attorneys/teachers) guidance is strongly encouraged, but the actual product should be student generated.
3. Never should a coach (attorney/teacher) view another trial while their team is still in the competition.
4. Coaches (attorney/teacher) should have no contact with their team once the trial begins. This includes during any breaks or recesses until the trial is completed. (See Dispute Outside The Bar, rule 33)
5. Please remember these students depend on your help to be competitive. Please keep this commitment or let the Board know they will need to assign another teacher or attorney.
6. Teacher coaches are responsible for all CCSD paperwork and obtaining all the signed permission slips before each competition. When the teacher signs the team in at the beginning of the tournament, they are assuring the tournament host that all the paperwork is accurate and complete.
7. Coaches (attorney/teacher) are at all times role models for the students. The goal of the mock trial program should always be to create an experience of honesty and integrity from a fair competition.
8. At the beginning of each competition, a coaches meeting should be held to make sure all coaches and attorney coaches are familiar with the format and rules for the competition.