

2013-2014 Nevada Mock Trial Case
State of Nevada v. Dustin Beaver
Questions & Answers

Question submitted/answered September 17, 2013:

Q: We noticed that the statutes do not correspond to the Nevada Revised Statutes (NRS). Are the statutes supposed to reflect actual Nevada law?

A: Although the statutes and Jury Instructions reflect general principles of common law, the statutes are fictitious and do not “mirror” the actual NRS.

Q: Are we only responsible for the 15 objections listed under the “Evidentiary Objections?” What if we use an objection not listed?

A: Yes, the “Allowable Evidentiary Objections” posted on the State Bar’s website constitute the universe of the 15 categories of objections that may be utilized during each mock trial. Students may not raise other objections unless otherwise specified in the Mock Trial Rules.

Q: When exhibits are being presented to the Judge and Witness, can an attorney ask for permission to publish to the jury.

A: Rule 42 of the Competition Rule outlines the procedures to be utilized for introducing exhibits. Publishing an exhibit to the jury is not listed among the steps; however, the trial judge has discretion to allow or disallow it subject to an objection by the opposing team.

Q: In Officer Evans’ affidavit, it is unclear as to the time from which the accident occurred and the body was discovered. Is it within a few hours or a few days?

A: The Affidavit is ambiguous.

Q: Is it an unfair extrapolation to think that Dustin and his friends ate at prom?

A: The facts are ambiguous as to whether Dustin and his friends ate at the Prom. Issues concerning whether specific facts do or do not constitute an unfair extrapolation should be raised during the trial and will be decided by the presiding judge.

Q: If a team raises an objection that is not listed in the materials, what is the procedure for calling the penalty and what is the penalty?

A: Please refer to the question above regarding the scope of allowable evidentiary objections. If a team raises an objection outside the scope of the allowable objections, the opposing team may note this in their response. Teams do not “call a penalty” and issues regarding specific penalties that may be assessed against a team found to have violated the Mock Trial Rules are adjudicated on an individual basis.