



MIDDLE SCHOOL MOCK TRIAL COURTROOM SHOWCASE GUIDELINES

Revised April 2025

I. Team Structure

- a. A middle school mock trial team consists of a minimum of six (6) to a maximum of thirteen (13) students playing various roles. A student may play only one role *per side*. Students may change roles when presenting the other side of the case. The roles are as follows:

Plaintiff/Prosecution

Attorney 1
Attorney 2
Witness 1
Witness 2
Witness 3
Bailiff/Timekeeper

Defense

Attorney 1
Attorney 2
Witness 1
Witness 2
Witness 3
Timekeeper (optional)

- b. Each team must call **all** witnesses for its side. The plaintiff/prosecution will call three witnesses and the defense will call three witnesses.
- c. The team acting as plaintiff/prosecution will be asked to have one student serve as bailiff/timekeeper during the trial. A student must be prepared to assume this role.
- d. Each team must use two attorneys for each side played. Each attorney must conduct either the opening statement or closing argument **plus** 2 direct examinations and 1 cross examination OR 1 direct examination and 2 cross examinations. Only the attorney who conducts their side's examination of a witness may raise objections during the other side's examination of that witness.
- e. The bailiff and timekeeper responsibilities can be split between two students.
- Timekeeper Role
 - The timekeeper will operate a stopwatch to keep time throughout trial. Timekeepers must be familiar with the amount of time permitted for each portion of the trial, all rules relating to when time stops, and when to hold up time-remaining cards.
 - The prosecution's timekeeper will be the primary timekeeper for the trial. If the defense provides a timekeeper and the timekeepers differ by more than 15 seconds, the timekeepers should inform the presiding judge of the discrepancy. The presiding judge will ask the nature of the discrepancy and rule before the trial resumes.
 - Bailiff Role

1. The bailiff keeps order in the court. Therefore, the role of the bailiff in mock trial is to open and close court by announcing the entry and exit of the judges, to swear in the witnesses, and to keep the official time, if a separate timekeeper is not employed.
- f. The student presentations should be the work product of the students themselves, guided, by the teacher and legal advisor.

II. Legal Advisors

- a. Teachers can work with a legal advisor to help prepare the team for the showcase.
- b. A legal advisor can help the team as a constructive observer and critical thinking teacher, aiding the team in its preparations. A legal advisor can:
 - i. Discuss the legal issues raised in the case
 - ii. Answer questions that students may have concerning general trial practices
 - iii. Explain the reasons for the sequence of events/procedures found in the trial
 - iv. Listen to the students' approach to the assigned case
 - v. Discuss general strategies and raise key questions regarding the case
 - vi. Explain the role of judges and the decision-making process.

III. Time Limits/Timekeeping

- a. A trial is scheduled for a maximum of 120 minutes including all activities. Trials begin with the pre-trial conference and end with the closing of court.
- b. The presiding judge will enforce the time limit and may, at their discretion, grant a time extension in the interest of fairness.
- c. A student timekeeper will use a standard stopwatch to keep time and will display cards that indicate 2:00 remaining, 1:00 remaining, :30 remaining, and Stop for each portion of the trial.
 - i. Timekeepers are expected to create and provide these cards.
- d. The time clock **must** stop for objections and responses. Time will resume when the attorney restates the question or the witness begins speaking.

Condensed Trial Sequence and Time Guidelines (Running Clock)

<u>Part of Trial</u>	<u>Minutes</u>
Pre-trial conference	10
Opening Statement – Plaintiff/Prosecution	4
Opening Statement – Defense	4
Plaintiff/Prosecution Direct (of each witness)	6
Re-Direct (of each witness) – Optional	1
Cross of Plaintiff/Prosecution (of each witness)	4
Re-Cross (of each witness) – Optional	1
Defense Direct (of each witness)	6
Re-Direct (of each witness) – Optional	1
Cross of Defense (of each witness)	4
Re-Cross (of each witness) – Optional	1
Intermission to gather thoughts	2
Closing Statement – Plaintiff/Prosecution	4
Closing Statement – Defense	4
Rebuttal – Plaintiff/Prosecution – Optional	2
TOTAL	102 Minutes

IV. Conduct During Trial

- a. The presiding judge controls the courtroom. They may ask anyone to leave, if necessary. Video recording during the trial is permitted if both sides and presiding judge approve
- b. During the actual trial, attorneys and witness of the performing teams involved in that trial may communicate among themselves. Bailiffs and timekeepers may also communicate with their performing teammates during the natural transitions within the trial. However, performing team members may not talk to, signal, coach, pass notes, or otherwise communicate with, teachers, legal advisors, non-performing team members, or any other observers. This restriction includes breaks during the trial.
- c. Witnesses are bound by their written statements. Witness statements may be used by counsel to impeach a witness or refresh a witness's memory in accordance with the Middle School Mock Trial Simplified Rules of Evidence. Witnesses may not, however, bring witness statements or notes to use during testimony.
- d. Attorneys may speak from a lectern in the center of the courtroom, if one is available or, at the discretion of the presiding judge, may walk about the courtroom. The preference of the presiding judge should be raised and determined at the pre-trial conference.
- e. No furnishing/equipment may be brought into or removed from the courtroom. Not all courtrooms are equipped with the same furnishings; therefore, blackboards and other visual aids not supplied with the case materials may not be used. Computers, laptops, tablets, cell phones, or other computing devices are not allowed.

- f. **Exhibits:** Only exhibits that are part of the case materials may be used as visual aids. If used, the exact page from the case materials may be reproduced on 8 ½ x 11 paper, but not bound in plastic or modified in any way.

V. Courtroom Setting

- a. Plaintiff/Prosecution's counsel on the right (facing bench).
- b. Defendant's counsel on the left (facing bench).
- c. Witnesses behind counsel tables when they are not testifying.
- d. Witness "stand" in front the bench facing the gallery.
 - i. Must have view of bailiff/timekeeper.
- e. Judges on the bench (or, if necessary, in the jury box).
- f. Bailiff and timekeeper(s) in front of the bench.
- g. Teachers, legal advisors, non-participating team members, and video camera person in the gallery.

VI. Scoresheets

- a. At check-in, teams will receive blank score sheets. Before the pre-trial conference, each team must fill out the relevant information for the PLAINTIFF/PROSECUTION side of the case. Upon meeting the opposing team (before pre-trial), teams will exchange score sheets so the defense can fill in the needed information for their team.
- b. Completing scoresheets requires the cooperation of teams, teachers, and legal advisors. OCLRE recommends practicing before the showcase and/or bringing a completed scoresheet to use as a guide.
 - i. A sample scoresheet is included at the end of this document. You are welcome to print copies of this scoresheet to practice or bring with you as a template on showcase day.
- c. Once the scoresheets have information for both the plaintiff/prosecution and defense, they are given to the judges at the pretrial conference. In a trial where your team is playing DEFENSE, you will receive score sheets from the PLAINTIFF/PROSECUTION team.

VII. Pretrial Conference

- a. Teachers, legal advisors, and student attorneys will participate in a pretrial conference with judicial panelists. This brief orientation will include a discussion of competition rules and any questions raised by the participants.
- b. During the pre-trial, both teams will disclose to the other side and to the judges, the names of witnesses and attorneys as written on the team roster. Teams will provide completed scoresheets to the judges.
 - i. Score sheets should be completed before the pre-trial conference, including the names of all attorneys and witnesses.
- c. Teams must also disclose which segment of the trial each attorney will perform.

VIII. Opening the Court

- a. When the judicial panelists enter the courtroom, the bailiff opens the court by saying:

“All rise. Hear ye, hear ye, the U.S. District Court for the Middle District of Ohio [or whatever the name of the court may be], Mock City, Ohio [or whatever town in which the court is located] is in session. All having business before this honorable court draw near, give attention, and you shall be heard. You may be seated.”

- b. After telling everyone they may be seated, the presiding judge will make a few comments and will turn the court over to the bailiff for the swearing of witnesses.

IX. Swearing in Witnesses

- a. The bailiff swears in the witnesses all together, saying:

“Will all witnesses and parties who are to give testimony in these proceedings please step to the front?”

- b. Then the bailiff holds up his/her right hand and says:

“Please raise your right hand. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth and your testimony will comply with the Rules of the Ohio Middle School Mock Trial Program?”

- c. Witnesses answer and sit down. The witnesses will remain in the courtroom during the trial. No motion for separation of witnesses will be entertained.

X. Opening Statements (4 minutes maximum)

- a. The presiding judge should ask counsel for the plaintiff/prosecution if he/she wishes to make an opening statement. Plaintiff/Prosecution counsel should introduce themselves and their team members, including the roles each member will be playing and then present the opening statement. The same procedure is used with defense counsel. The timekeeper will start the stopwatch when the attorney begins their opening statement.

XI. Testimony of Witnesses

- a. Counsels for the plaintiff/prosecution and defense will call all witnesses.
- b. Counsel for the plaintiff/prosecution will present their case first. The presiding judge will ask counsel for plaintiff/prosecution to call their first witness. The witness will testify in the following examination sequence:
 - i. Direct (6 minutes maximum)
 - ii. Cross (4 minutes maximum)
 - iii. Redirect (1 minute maximum; optional)
 - iv. Recross (1 minute maximum; optional)
- c. When the plaintiff/prosecution’s counsel calls their next witness, the procedure is repeated.

- d. The presiding judge then will ask counsel for defense to call their first witness. Defense follows the same procedure as the plaintiff/prosecution.
- e. Witnesses are bound by their written statements, including affidavits and deposition summaries. If there is inconsistency or ambiguity between the case narrative and witness statement, the witness is to rely upon the information contained in their statement.
- f. Background information provided in the case is considered generally known content that all attorneys, witnesses, judges, etc. know. However, a witness can only testify as to what is in their witness statement.
- g. When witnesses are stipulated as experts, their qualifications may not be challenged or impeached.

XII. Closing Arguments (4 minutes maximum each, with an additional 2 minutes for plaintiff/prosecution rebuttal)

- a. The presiding judge will allow attorneys two minutes (no longer) before closing arguments to collect their thoughts. No one shall leave the courtroom and all rules on communication during the trial prevail. Timekeepers are charged with keeping this time.
- b. The presiding judge will ask plaintiff/prosecution and defense counsel if they are ready to present their closing arguments. Counsel for the plaintiff/prosecution will present their closing argument first, followed by defense's closing argument.
- c. Counsel for the plaintiff/prosecution has the option of a two-minute rebuttal after defense's closing argument. These two minutes do not have to be requested in advance. The optional rebuttal is limited to the scope of the defense's closing argument.

XIII. Post-Trial, Debriefing, and Announcement of Outstanding Witness and Attorney Awards

- a. When the attorneys conclude their closing statements, the presiding judge will entertain post-trial questions and objections. If there are no post-trial objections or questions, judges will complete their scoresheets and begin feedback.
- b. The presiding judge will provide debriefing comments on the strengths and weaknesses of each team's performance. Any penalties assessed on a team will be announced.
- c. The scoring judges will announce the outstanding witness and attorney awards, discuss the highlights of the students' performances, and present the certificates.
- d. **Scoring information will not be announced.**

XIV. Closing of Court

- a. The presiding judge will recognize and thank the teachers, legal advisors, students, and families for their support and provide brief feedback and comments to the participants. The judge will complete those comments and turn the court back to the bailiff.
- b. The bailiff closes the official proceeding with:

"All rise. The honorable court is hereby adjourned."

2025 Ohio Middle School Mock Trial Score Sheet

Please circle the correct showcase date for this scoresheet.

Thurs. April 24

Fri. April 25

Fri. May 9

Trial

Trial

Scoring Scale: Limited: 1-2 pts. Minimal: 3-4 pts. Average: 5-6 pts.
 Good: 7-8 pts. Excellent: 9-10 pts.

School/Team

School/Team

Opening Statement

Prosecution

Defense

Prosecution Attorney (Name):

(1-10)

Defense Attorney (Name):

(1-10)

Prosecution 1st Witness (Name of Character):

Direct Attorney (Name):

(1-10)

Cross Attorney (Name):

(1-10)

Witness Performance (Name of Student):

(1-10)

Prosecution 2nd Witness (Name of Character):

Direct Attorney (Name):

(1-10)

Cross Attorney (Name):

(1-10)

Witness Performance (Name of Student):

(1-10)

Prosecution 3rd Witness (Name of Character):

Direct Attorney (Name):

(1-10)

Cross Attorney (Name):

(1-10)

Witness Performance (Name of Student):

(1-10)

Defense 1st Witness (Name of Character):

Direct Attorney (Name):

(1-10)

Cross Attorney (Name):

(1-10)

Witness Performance (Name of Student):

(1-10)

Defense 2nd Witness (Name of Character):

Direct Attorney (Name):

(1-10)

Cross Attorney (Name):

(1-10)

Witness Performance (Name of Student):

(1-10)

Defense 3rd Witness (Name of Character):

Direct Attorney (Name):

(1-10)

Cross Attorney (Name):

(1-10)

Witness Performance (Name of Student):

(1-10)

Closing Arguments

Prosecution Attorney (Name):

(1-10)

Defense Attorney (Name):

(1-10)

Team Score:

(1-10)

(1-10)

Sub-Total Score (max 120 points)

Deductions: Up to 5 points may be deducted for gross rules violations. Explain

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Final Team Score: Add Scores in Each Column

Prosecution Total

Defense Total

Judge's Name:

Circle One: Presiding Scoring

