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VIRGINIA LAW RELATED EDUCATION INSTITUTE

Changing How Students Think

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Changing How Students Think

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# Virginia High School Mock Trial Competition

## Competition Handbook

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Welcome to the Virginia High School Mock Trial Competition! Whether you are a coordinator, volunteer, coach, or team member, we value your commitment to mock trial and strive to make this program one of the best in the nation!

The mission of Virginia Law Related Education Institute is to develop and assist students as they explore fundamental concepts related to the law and government through unique and authentic learning opportunities. We attain this goal by providing analytically-based law-related curriculum and educational programs for secondary education students. We work in partnership with the Center for Legal and Court Technology at the College of William and Mary Law School, and we are affiliated with the National High School Mock Trial Championship.

The Virginia High School Mock Trial Competition is an integral part of law-related education in Virginia. Mock trial, which is a model of project-based learning, is a national educational competition that requires students not to win a case on its merits, but instead deliver the best solution to a mock trial problem. Teams from all over the United States and abroad compete yearly at a national championship.

The Virginia competition began in 2006. We incorporated the competition into our curriculum in 2016 to expand this opportunity to students throughout the Commonwealth. We also welcome teams from Washington D.C. to compete in our competition.

As many of us are former mock trial team members and coaches, we understand the commitment necessary to prepare for a competitive and rewarding competition. To honor your commitment, we provide competing students with a world class mock trial experience. But, we cannot do any of this without the support of competition volunteers, partners, and corporate and individual donors.

To our competitors, I wish you the best of luck as you present your solution to the mock trial problem. To our volunteers, sponsors, and donors, I hope that you see the value of analytically-based law-related education and continue to support this worthwhile activity.

Please contact me or my staff at VLRE if you have any questions about this manual.

With regards, I am

Very truly yours,

Matthew Rossettini, CEO
Virginia Law Related Education Institute
The Purpose of Mock Trial in Virginia

The Virginia High School Mock Trial Competition provides students with an opportunity to participate in a highly educational law-related activity. While the competition is competitive, the goal of the competition is to further the analytical education of Virginia students in four distinct ways:

- Increasing their understanding of the judicial process
- Developing and refining speaking, listening, writing, and analytical skills
- Encouraging teamwork, cooperation, and respect for fellow teammates, and
- Furthering an understanding of law-related education

All participants in the competition, whether they be students, sponsors, coaches, or volunteers, are reminded that the primary goal of the activity is educational. VLRE adopts the National High School Mock Trial Championship Code of Conduct and reserves the right to disqualify or bar a participant from future competitions and event for any violation of that code of conduct.

Insurance and Securing Facilities

VLRE will secure facilities for state, regional, and district competitions. VLRE will secure personal and property liability insurance for all competition sites. VLRE is not responsible for the loss of personal property or money by a party attending a Virginia High School Mock Trial event.

State and Regional Competitions

The State Competition

The state competition is held between the first and third weekend in March. Up to twenty teams may advance from regional competitions to the state competition. The two-day competition will consist of four rounds and a final round for placement. All teams compete in the first four rounds of the competition. The top ten teams at the end of four rounds compete in the final round, with the top two teams competing against each other for the state championship, and all other teams competing for placement. The competition will be held at a facility such as a courthouse, law school, or college.

Teams that do not advance to the placement round receive certificates and awards for individual achievement after round four. At the end of the competition, all remaining teams except for the top three teams will be awarded certificates based on their final position in the tournament. The top four teams will then be announced in order, with the top three teams receiving a plaque. Individual student awards will be presented at the time a student’s team receives its certificate or plaque.

Regional Competitions

If more than twenty teams register for the competition prior to the final deadline for registration, VLRE will hold regional competitions prior to the state competition. Regional competitions will be run in the same manner as the state competition with the following exceptions:
A regional coordinator will serve as the designee of the state coordinator.
Competition are held between the first week of January and the first week of February.
There are three rounds held on one day for all teams and no championship round.
Teams are ranked on all rounds using power rankings with an aggregate score tiebreaker.
All regional competitions will be held on the same weekend if possible, and
The competition will be held in an appropriate facility such as a high school or court house.

The number of teams per region is as follows:

- 21 to 60 teams – three regions (6 teams per region advance (18 team state competition)
- 61 to 80 teams – four regions (5 teams per region advance)
- 81 to 100 teams – five regions (4 teams per region advance)
- 101 to 120 teams – six regions (3 teams per region advance (24 team state competition)

VLRE will contact all currently registered teams by email when the need for regional competitions is triggered. Once regional location sites are confirmed, VLRE will again contact all registered teams by email setting forth regional competition sites and dates. Teams must respond within seventy-two hours of VLRE sending that email, setting forth their regional location preference (VLRE will accept up to three locations per team). VLRE will determine regional team assignments as follows (there is no appeal of assignments for regional competitions):

- Preference is given to team requests based on date of competition registration (earlier registration dates get preference over later dates, mail registration date is the post mark), and
- VLRE will balance the number of teams at each site with travel distance to each site (minimizing travel when possible).

Regional Competitions versus Focus Regions

The Virginia High School Mock Trial Program delineates focus regions from regional competition sites. Focus regions allow for the effective allocation of volunteer resources and workshop opportunities. Focus regions do not correlate with regional competition sites, which are selected based on the number of teams within the state and the geographic locations of those teams.

Scrimmages

Scrimmages provides students with an opportunity to practice skills in a real-time environment. Students become comfortable competing in a competition setting, as well as refine techniques. If twenty teams or less register for the state competition, VLRE will hold three regional scrimmages using the same assignment system used for regional competitions. In all other instances, VLRE does not sanction scrimmages, but will help find legal professionals to attend a scrimmage. During the registration period, VLRE will provide teams with a running list of the cities, counties, or towns where other registered teams reside. Teams wishing to scrimmage another team should contact the Virginia High School Mock Trial Program director or designee, setting forth the cities, counties, or towns of interest to that team. The program director will then forward the requesting team’s information to teams in the chosen cities, counties, or towns.
Adoption of National Mock Trial Rules and Rules of Evidence

The Virginia High School Mock Trial Championship adopts the National High School Mock Trial Championship Rules and Rules of Evidence. The National Mock Trial Rules sets forth the rules of the competition itself while the Rules of Evidence are modified Federal Rules of Evidence prepared by the National High School Mock Trial Championship.

Anti-Scouting Provision

The Virginia High School Mock Trial Program welcomes the registration of multiple teams from the same school, as well as cooperation by teams from different schools and the homeschool community. Prior to the competition, teams may prepare, practice, and scrimmage each other, as well as discuss strategy and any other issues related to the Virginia High School Mock Trial Competition.

Once a team enters a region or state competition site, that team may not share any information related to the actions, strategy, solution, or presentation by any opposing team to any other team. This includes information gleaned from any qualifying competition. The state coordinator or designee will determine the appropriate penalty for both the offering and offered team.

Amendments as Needed for the Competition

The state coordinator may at his or her discretion amend both the rules of the competition and rules of evidence as required, per the needs of the competition. Amendments will be included in this handbook or provided to participating teams at least three weeks prior to a competition. Corrections to, or clarification of, the mock trial problem are not considered amendments to the rules.

The Mock Trial Problem

Drafting the Problem

Each year’s mock trial problem is designed so that neither side of the case has an unfair advantage. The problem may be either civil or criminal in nature and covers any area of law. Criminal cases will be weighted in recognition that the prosecution carries a much heavier burden than the plaintiff in a civil case. All witnesses available to testify will be given gender neutral names so that they may be played by either male or female students. Teams are responsible for communicating the gender of the witnesses to each other prior to the start of the round.

Each side will be assigned three witnesses whom they must call to testify. All witnesses should have a mix of good and bad facts for their side of the case. Additionally, both teams should be given at least one expert witness. A witness’s affidavit, deposition transcript, or expert report should indicate which exhibits included in the case packet that witness is familiar with, if any.

Corrections and Clarifications Prior to Trial

The mock trial committee may make corrections or changes to the problem, as needed, prior to competition. No changes, however, may be made one month prior to the state competition. Changes
will be issued via a new version of the problem and accompanied by a change log. The change log will identify what portions of the problem have been altered and on what pages these changes can be found. Both the new version of the problem and the change log will be made available to all teams at the same time. The newest version of the problem becomes effective once all teams have been notified of the updates. All teams must use the latest version of the case.

Any team may seek clarification of any part of the problem. Requests for clarification should be sent to vamocktrial@govlre.com and titled “Request for Clarification.” The mock trial committee will review the request and respond in one of four ways:

1. Send a return email to notify the team that the request is improper because the information sought is immaterial to the case, designed to be ambiguous, or already answered by some other portion of the case packet.
2. Send a message to all registered teams that includes the question asked and the committee’s answer to the question.
3. Post on the VLRE mock trial website the request and resolution by VLRE.
4. If warranted, the committee may also update the problem to resolve any issues in need of clarification.

The Competition Venue

Appropriate Facilities

Competitions are held at locations that can accommodate multiple trials occurring at once. Schools, courthouses, and other similar places are all acceptable locations for a competition. Trial rooms will be large enough to accommodate two teams, their sponsors/coaches, and the judging panel, but may or may not be large enough to accommodate significant spectators. Spectators may be asked to leave by competition staff if there is not enough room to accommodate everyone.

The Courtroom

When rounds take place in rooms other than actual courtrooms, competition staff will arrange the room to simulate a court of law. There will be two counsel tables, one for the attorneys of each team. Witnesses for each team will sit in chairs behind their respective counsel tables. A separate table will be set up for the judging panel with the witness chair placed to one side. Students are permitted to treat the judging table as both the bench and the jury box. The space between counsel tables and the judging table will be the well of the courtroom.

When rounds take place in actual courtrooms, competitors will utilize the set up already in place. Competitors are not permitted to move or attempt to alter the courtroom in any way. Plaintiff or prosecution will sit at the counsel table closest to the jury box.

All judges will be given placards designating them as either scoring judges or the presiding judge. Teams will also be given a placard with their team identification code to be displayed on their counsel tables. Judges will be provided with a clipboard, pen, and water bottle for use during trial.
Accommodations for Students

The Virginia High School Mock Trial Program encourages participation by all students in mock trial. VLRE will make efforts to secure facilities that comply with federal disability access laws and will further attempt to accommodate teams on which a disabled student is a member. VLRE will not provide for a disability aide or device such as a sign language interpreter, but the use of such an aide or device will be allowed during the competition.

Any team requesting an accommodation should contact VLRE no less than three weeks prior to the competition so that we can attempt to prepare for the accommodation. Accommodation requests after that date will not be honored by VLRE.

Team Registration and Team Roster

Team Registration

All teams wishing to register for the Virginia High School Mock Trial Competition must do so before the deadline set by VLRE. No team may register within three weeks prior to a competition.

VLRE establishes the following fees and deadlines effective April 1, 2017:

- Early Registration opens September 1st
- Early Registration (by October 15th) $200 registration
  $25 trial packet and materials
- Registration (by December 1st) $250 registration
  $25 trial packet and materials
- Late Registration
  $300 registration
  (Closes December 31st)
- Team withdrawal/refund deadline December 20th

Teams will use a registration form provided to them on the VLRE website. A copy of that form is included in the appendix of this handbook. Teams may register via the GoVLRE Portal on the VLRE website or by sending their registration through the mail. Fees are subject to change from year to year.

Team Roster

Completed copies of a team roster must be duplicated by each team prior to the competition. Handwritten rosters will not be accepted. Roster must include the following information in the format set forth in the appendix of this handbook:

- Team identification letter (assigned at registration)
- Name of team coach
- The name and position of each attorney (opening, closing, cross, etc.), and
- The name and gender of each witness, including the team member’s name
No information identifying the geographic location or name of the team’s school or primary homeschool location may be included on the roster.

One copy of a team roster must be submitted upon registration on the first day of competition. That copy will be designated the official team roster of the competition. Before each round, teams will exchange copies of their team roster. A copy of the team roster must also be made available to the judging panel and presiding judge before each round. Teams are not required to present their witnesses in order of appearance on the team roster, but they must indicate to the scoring judges only if such a change is to be made prior to each round.

Judges’ Lounge

Prior to every round, judges will report to the Judges’ Lounge to check in and be briefed on the competition rules. The Judges’ Lounge is off limits to all competitors and spectators and is restricted to judges and competition staff. Food and drinks will be provided for the judges.

Before rounds begin, a brief presentation will be given to judges covering mock trial specific rules and how to properly score a round. Judges will then be assigned to rooms and a presiding judge for each round will be designated by competition staff. Staff will then escort judges to the correct rooms.

Scoring, Rulings, and Instructions

Use of Power Rankings and Aggregate Score

Virginia High School Mock Trial uses a modified power ranking or “Swiss Ranking” system like that used by the National High School Mock Trial Competition (for an explanation of that system see http://www.nationalmocktrial.org/scoring/). Power ranking in Virginia is used as follows:

- **Round Robin Rounds** – power rankings determine match-ups, with the highest-ranked winning team facing the lowest-ranked winning team in the next round and the highest-ranked defeated team facing the lowest-ranked defeated team, with rankings based on scores for that round. Except in instances when a bye is necessary, teams at the state competition will be scored on four rounds of competition, with a fifth round to determine the state champion and all other rankings. Teams at regional and district competitions will be scored on three rounds of the competition and ranked accordingly.

- **Odd number of teams** - In the event of an odd number of teams, one team will be selected at the start of each round by random draw to serve a bye. The National High School Mock Trial Championship rules will apply in terms of scoring when a bye is necessary. Teams may only serve one bye. At a regional competition, the bye team from round one and round two will meet in an additional round, and three fully scored rounds at regional competitions will be used to determine placement.

- **State Competition Championship Round** – In the fifth round of the state competition only, the teams with the top two scores (best win-loss records and tiebreakers) will meet to determine the state champion. The teams with the next two highest scores will meet for the consolation
round, and so on until all teams (10 max) are seeded for the final round. In the event of a tie based on win-loss record, the team with the higher aggregate score advances. During the final round, the team with the higher win-loss score (or aggregate score if a tie exists) selects whether they wish to prosecute or defend the case. The raw score in each championship round match determines the winner of the match and final placement in the competition. In the event of an odd number of teams, the lowest team in the competition will not participate.

**Rulings on Challenges**

The competition uses a modified dispute resolution procedure based on the rules of the National Mock Trial Championship. Rule violations reported during a round will be handled pursuant to Rule 6.1 to 6.3. The trial judge, at his or her discretion, may request the assistance of the statewide coordinator or designee in terms of handling the dispute, but the ultimate outcome of the dispute, including both the ruling by the trial judge and scoring by scoring judges, is not appealable.

Rule violations reported after the round must be reported directly to the statewide coordinator or designee prior to the next round. The coordinator or designee will at his or her discretion accept written statements from both teams and rule accordingly, providing their ruling to the scoring judges for consideration. The ruling of the statewide coordinator or their designee is deemed final. Teams may not appeal evidentiary decisions to the statewide coordinator or the coordinator’s designee.

**Scoring Ballot**

The scoring ballet included in the appendix of this handbook is the official scoring ballot for the Virginia High School Mock Trial Competition. The scoring ballot is adopted from the Nebraska High School Mock Trial Competition. The “prosecuting” school is the school representing either the Commonwealth in a criminal trial or the plaintiff in a civil trial.

Included with the scoring ballot is a Scoring Rubric and factors to consider. Scoring judges are encouraged to review and use this material to provide as close to a uniform experience as possible to participating teams.

Once all scoring ballots for each round are tabulated by the competition, the scoring ballot will be photocopied and/or emailed to each team sponsor for review. If there is no method to copy or email a scoring ballot at the competition site, the scoring ballot itself will be made available to each team sponsor for review. No round will be delayed due to the late presentation of a scoring ballot to a team sponsor.

**Constructive Critiques**

Trial and scoring judges are highly encouraged to provide feedback to students once scoring ballots are collected. VLRE is committed to providing all participating students with a positive educational experience and asks that all judges keep this in mind when providing critiques. To that end, suggestions for constructive critiques of students will be provided to trial and scoring judges.
Instructions for Trial Judges

Instructions for trial judges explain the role of the presiding judge during a round. The instructions cover the timing of the trial, evidentiary rulings, and competition violation disputes. Instructions are included in the appendix.

Instructions for Scoring Judges

Instructions for scoring judges explain the purpose of mock trial, use of the scoring sheet and rubric, challenge procedures, and post-trial critique. Instructions are included in the appendix.

Instructions for Coaches

Coaches are responsible for ensuring that their teams abide by the competition rules and cooperate with tournament staff. Coaches are welcome to watch all the rounds in which their students compete and discuss strategy and constructive critiques with their students between rounds. Coaches are not permitted, however, to coach or communicate with their students during a round. Coaches may communicate or otherwise interact with their team during a round only in the event of a medical or other emergency. Instructions for Coaches are included in the appendix of this handbook.

Closed Tabulation Room

The tabulation room is closed at all competitions except to the state coordinator, mock trial chair, and their respective designees. Scores will be provided post competition through electronic means.

Individual Awards

During the first four rounds, scoring judges will rank on their scoring ballot the top four attorneys and top four witnesses for each round. Rankings receive the following points: rank one receives five points, rank two receives four points, rank three receives three points, and rank four receives two points. Individual awards are given to the students who achieve the highest cumulative scores for a side of a case. In the event of a tie, the win-loss record of the student’s team will determine the winner. In the event of a further tie, the total aggregate score of the team will be used. In the event of an odd number of teams, the lowest-scored rank for each team member will be dropped from those teams that did not serve a bye round.

Six awards for best attorney and six awards for best witness will be presented at the conclusion after round four of the competition and the conclusion of the competition.

Pre-Competition Meeting and Timekeeper Meeting

Before the beginning of the first round, team coaches will report to a single location for a meeting with the statewide coordinator or his or her designee. The coordinator or designee will welcome all teams and discuss any unique rules for the tournament or related to the facility. Timekeepers from each team will also meet with the statewide coordinator or his or her designee to discuss timekeeping rules.
Introduction to Mock Trial as Project-Based Learning

The Virginia High School Mock Trial Program provides a workshop introducing mock trial as project-based learning. This workshop is designed to help new coaches use mock trial as an authentic project-based learning experience. Workshop attendance is not mandatory to participate in the competition.

Post-Competition

The winner of the Virginia High School Mock Trial Competition will advance to the National High School Mock Trial Championship. VLRE will be responsible for payment of the National High School Mock Trial Championship association fee. The advancing team is responsible for the team registration fee and all additional costs related to the competition. The advancing team must notify VLRE by email of their intent to participate in the national championship by 5:00 PM on the first Friday following the Virginia competition. The winner of the Virginia competition is recognized as the champion even if the team is unable to attend the national competition.

If the advancing team is unable to attend the national competition, VLRE will contact the first runner up in the Virginia competition and provide them the opportunity to advance to the national competition. The first runner up will have forty-eight hours to confirm by email that it will attend the national competition. If the first runner up is unable to attend the national competition, VLRE will contact the second runner up in the Virginia competition and award them advancement to the national competition. The second runner up will have forty-eight hours to confirm by email that it will attend the national competition. This cycle will continue until a team can attend the national competition, or the time to enter the national competition expires.

Duties of Mock Trial Chair and VLRE

The Virginia Law Related Education Institute recognizes and appreciates that the Mock Trial Chair is a member of the community who volunteers his or her time to fulfill VLRE’s mission. As such, the duties of the Mock Trial Chair and VLRE in presenting the competition are set forth as follows:

The Mock Trial Chair locates volunteers (with the assistance of the board secretary), manages the problem, and manages the competition weekend including the awards ceremony, placement of teams, trial scheduling, coaches and judges’ meetings (as statewide designee), and scoring, and manages individuals who volunteer on behalf of VLRE to run regional competitions.

The Virginia Law Related Education Institute secures facilities, registers each team and manages competition funds, manages team communication and the website, provides supplies for the scoring bullpen (runs tabulations), courtrooms, and judges’ lounges, provides awards and trophies, and provides supplies, assistance, and support as needed to further the competition.

Use of Social Media, Photography and Videotaping

Promoting VLRE activities and accomplishments allows our partners, donors, attendees, and the community an ability to see the incredible opportunities we provide to our attendees. As such, the following guidelines are adopted for the competition:
• The use of social media is encouraged during the competition subject to the following:
  o Both teams must both agree to the use of social media prior to each round and advise the
    judge of their decision.
  o Teams and spectators may not post specifics of the trial on social media during the
    competition (e.g., “Johnny makes his opening statement to the court!” is acceptable, but
    “The other team argued that our witness is lying. Sad!” is not acceptable).
  o Team members actively participating in each round may not have electronic devices of any
    kind on their possession except a stop watch for team timers.
• Spectators, the media, and VLRE representatives may take pictures and videos of any part of
  the competition (subject to VLRE opt-out allowances).
• If a team wishes to videotape any part of, or the entirety of a round, the opposing team must
  agree, and the requesting team must advise the judge of their decision.

Any violation of the above guidelines will be considered a violation of mock trial rules and are subject
the mock trial rule resolution procedure set forth in this handbook.

Revision Log

The following revision were adopted by VLRE at or after the 2017 re-adoption of this handbook:

July 5, 2017,
  1. Page 5, State and regional competition, the state competition – changed total teams eligible for
     the state competition to thirty teams, set forth that all teams compete in four rounds, with
     round five reserved for the top ten remaining teams, removed the need of a mock trial
     courtroom at the hosting facility, and provided teams not advancing to the placement round
     receive their certificates and individual awards after round four.
  2. Page 6, State and regional competition, regional competition – changed the triggering event for
     regional competitions to thirty teams registering for the competition by the competition
     deadline, changed the number of teams per region, and added a mechanism for team
     placement within regions and districts when necessary.
  3. Page 9, Team Registration and Team Roster, Team Registration – added the Early Registration
     date as September 1st and removed the fee for the coach’s clinic.
  4. Page 12, Individual Awards – changed the scored rounds for individual awards to first four.
  5. Page 12, Coach’s Clinic – changed to “Introduction to Mock Trial as Project-Based Learning” and
     aligned with VLRE Seminar 102.

September 18, 2017
Registration Confirmation Packet (2017 version) – added registration receipt, team code, phone
number, and portal link.

October 11, 2017
Page 4, Executive Statement – welcoming teams from Virginia and Washington D.C. to compete in the
competition.
December 12, 2017
1. Cover Page – adding the language Virginia High School Mock Trial Program.
2. New Section, Page 5 – Addition of language regarding scrimmages between teams (and update of table of contents to reflect new numbering).
3. New Section, Page 7 – Addition of Anti-scouting provision.
4. Page 12, Scoring, Rulings, and Instructions, Coaches Instructions for Coaches – remove all language referencing “sponsors.”
5. Page 12, Introduction to Mock Trial as Project Based Learning – aligned the section to the purpose of the workshop as part of the Virginia High School Mock Trial Program.

January 5, 2018
Page 12, Pre-Competition Meeting, amended to “Pre-Competition Meeting and Timekeeper Meeting” and to include the addition of a timekeeper meeting.

February 3, 2018
Page 12, Scoring, Rulings, and Instructions, added “Closed Tabulation Room” instructions.

June 16, 2018
1. Page 6, State and Regional Competitions, Regional Competitions, updated the number of teams needed to require regional competitions.
2. Page 7, added Regional Competitions versus Focus Regions language.
Virginia High School Mock Trial Competition
Registration Form

Name of Sponsoring School or Organization: ________________________________

Address: ____________________________________________________________________________

Name of Coach: ______________________________________________________________________

Phone Contact Number: ____________________________________________________________________________

Email Contact: ____________________________________________________________________________

I have enclosed a check for the following (made payable to “VLRE”),

- Early Registration (October 15th deadline) $225 registration $25 trial packet and materials [ ]
- Registration (December 1st deadline) $250 registration $25 trial packet and materials [ ]
- Late Registration $300 registration $25 trial packet and materials [ ]

Total: __________________

The team withdrawal deadline is December 20th. No refunds will be processed after that date.

Return this form and your payment to:
Matthew Rossettini, State Coordinator
Virginia Law Related Education Institute
3329 Doncaster Court
Virginia Beach, Virginia 23452

This registration form is available at www.govlre.com.
Dear,

We are pleased to register you for the 20XX Virginia High School Mock Trial Competition! Included with this letter is a schedule for the weekend, directions to William and Mary Law School, and instructions for team sponsors and coaches. If you registered by mail, you should now have access to the materials on the GoVLRE Portal, www.portal.govlre.org.

Your registration and team identification information is as follows:

**Registration Receipt Date:**
**Team code:**

There are multiple lodging and restaurant opportunities in the greater Williamsburg area. Please visit www.visitwilliamsburg.com for additional information.

VLRE holds a seminar for educators called “Introduction to Mock Trial as Project-Based Learning” at various locations throughout the year. Please check on www.govlre.org for current registration dates.

We look forward to seeing you on 20XX in Williamsburg! Please contact me if you need any additional information.

Very truly yours,

Matthew Rossettini, CEO
Virginia Law Related Education Institute
Directions to William and Mary Law School
613 South Henry St.
Williamsburg, Virginia 23185

From Richmond via I-95, I-295, or I-64 (points north and west of Richmond)

1. Take I-64 East to exit 238 (VA 143, Colonial Williamsburg/US 60/Camp Perry)
2. Turn right onto VA 143 towards Williamsburg/Jamestown/Yorktown
3. In 0.5 miles make a slight right and continue on VA 132
4. Continue 2.6 miles (you will drive through the center of historic Colonial Williamsburg) and turn left into the parking lot of the Law School

From Petersburg via I-85 (Southside Virginia)

1. Take the I-95 North exit on the left toward Richmond
2. In 0.4 miles take the Wythe St/Washington St exit (Exit 69) toward historic Old Towne Petersburg
3. In 0.3 miles merge onto E Wythe St toward US-301 South
4. In 0.7 miles keep right at the fork to go on VA-36
5. In 4.5 miles merge onto I-295 North toward Washington
6. In 18 miles merge onto I-64 East (Exit 28) toward Norfolk and follow the directions above

From I-64 (Tidewater/Hampton Roads and the Eastern Shore)

1. Take I-64 west to VA 199 (Exit 242A) toward Williamsburg/Jamestown
2. In 3.7 miles turn right onto S Henry St/VA-132 (the first right immediately after crossing the Colonial Parkway bridge)
3. Follow S. Henry Street for 1.5 miles and William and Mary Law School is on the right
Virginia High School Mock Trial Competition

Preliminary Schedule
(subject to change)

**Friday, March XX, 20XX**

- 7:00 am to 8:00 am: Registration in the main lobby (present your official roster)
- 8:00 am to 8:30 am: Coaches meeting in the McGlothlin Court Room (coaches only)
- 8:30 am to 9:00 am: Judges meeting (teams report to their assigned courtrooms)
- 9:00 am to 11:30 am: Round One
- 11:30 am to 12:30 pm: Break for lunch
- 12:30 pm to 3:00 pm: Round Two
- 3:30 pm to 6:00 pm: Round Three

**Saturday, March XX, 20XX**

- 8:30 am to 9:00 am: Judges meeting (teams report to their assigned courtroom)
- 9:00 am to 11:30 am: Round Four
- 11:30 am to 1:00 pm: Break for lunch, VLRE Annual Meeting (open to all)
- 1:00 pm to 3:30 pm: Round Five for top ten team placement (the top two teams meet in the McGlothlin Court Room to decide the state championship)
- 1:30 pm to 2:15 pm: Awards ceremony in the McGlothlin Court Room (teams 30 to 11)
- 4:00 pm to 4:45 pm: Awards ceremony in the McGlothlin Court Room (teams 10 to 1)
Colleagues,

I hope that you and your students are enjoying high school mock trial! One way to enhance this experience is to scrimmage another mock trial team in your area.

**Why scrimmage?**

Scrimmaging provides students with an opportunity to practice skills in a real-time environment. Students become comfortable competing in a competition setting, as well as refine certain techniques.

**Who should scrimmage?**

First year teams are highly encouraged to scrimmage. New teams should focus on developing fundamental skills to secure the best educational experience at the competition. For experienced teams, scrimmaging allows for the refinement and perfection of higher level mock trial skills.

**Dose scrimmaging give away my solution?**

No. The goal of mock trial is not to win the case on the merits, but to instead present the best solution to a mock trial problem. Team members are scored on their understanding of the facts, law, courtroom procedures, and rules of evidence, all of which can be assessed at a scrimmage. State teams often scrimmage each other the day before the start of the National High School Mock Trial Competition.

**Should I run my entire case?**

Teams do not need to run their entire case at a scrimmage, though new teams are encouraged to do so to gain experience prior to the competition. Experienced teams should consider concentrating on basic aspects of the case, and save unique solutions to the mock trial problem for the state competition.

**How do I schedule a scrimmage?**

While does not sanction scrimmages, but we are happy to help find legal professionals to help you (a non-competing board member may even come out to share their thoughts!).

Teams from the following cities, counties, and towns are registered for this year’s competition:

<table>
<thead>
<tr>
<th>Geographic Region</th>
<th>City, County, or Town</th>
</tr>
</thead>
</table>

Please contact us at mattr@govre.com if you want schools form any of the above areas to contact you regarding setting up a scrimmage. We will rely your request accordingly.
Team Identification Letter Assigned at Registration: ____________

If the team is the **prosecution/plaintiff** the roles are assigned as follows:

<table>
<thead>
<tr>
<th>Attorneys</th>
<th>Name</th>
<th>Assignment</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>2</td>
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<table>
<thead>
<tr>
<th>Witnesses</th>
<th>Name</th>
<th>Assignment</th>
</tr>
</thead>
<tbody>
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<td>1</td>
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<td>2</td>
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<td>3</td>
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</table>

<table>
<thead>
<tr>
<th>Timer</th>
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</thead>
</table>

If the team is the **defense** the roles are assigned as follows:

<table>
<thead>
<tr>
<th>Attorneys</th>
<th>Name</th>
<th>Assignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
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<td>2</td>
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<td>3</td>
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<table>
<thead>
<tr>
<th>Witnesses</th>
<th>Name</th>
<th>Assignment</th>
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<tbody>
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<td>3</td>
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</tbody>
</table>

Team substitutions must be handwritten in this space with a copy turned into registration prior to the round in which the substitution occurs:

<table>
<thead>
<tr>
<th>Substitution</th>
<th>Name</th>
<th>Assignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
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<td>2</td>
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<td>3</td>
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</tbody>
</table>
SCORING JUDGE'S SCORE SHEET

School Numbers    Prosecution:                        Defense:                        

Date: ___________    Round: ___________    

Rate the performance of each team member on a scale of 1 to 10, recording one score in each box. 

Do NOT use fractions. 1-2 = not effective  3-4 = fair  5-6 = good  7-8 = excellent  9-10 = outstanding 

<table>
<thead>
<tr>
<th>Ballot</th>
<th>Prosecution</th>
<th>Defense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening statements</td>
<td></td>
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<tr>
<td>Prosecution first witness</td>
<td>Direct Examination</td>
<td></td>
</tr>
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<td></td>
<td>Cross Examination</td>
<td></td>
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<tr>
<td></td>
<td>Witness Performance</td>
<td></td>
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<tr>
<td>Prosecution second witness</td>
<td>Direct Examination</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cross Examination</td>
<td></td>
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<tr>
<td></td>
<td>Witness Performance</td>
<td></td>
</tr>
<tr>
<td>Prosecution third witness</td>
<td>Direct Examination</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cross Examination</td>
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<tr>
<td></td>
<td>Witness Performance</td>
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<tr>
<td>Defense first witness</td>
<td>Direct Examination</td>
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<td></td>
<td>Cross Examination</td>
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<td>Witness Performance</td>
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<td>Direct Examination</td>
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<td>Cross Examination</td>
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<tr>
<td></td>
<td>Witness Performance</td>
<td></td>
</tr>
</tbody>
</table>

CLOSING ARGUMENTS

TEAM TOTALS (add scores in each column)

Please deliver ballot to coordinator before critique.

Tiebreaker (in case of tie, circle the party that won this round)   (Signature of Judge)

PROSECUTION                        DEFENSE
INDIVIDUAL AWARDS

Date: ___________    Round: ___________

Number of Schools

Prosecution:_________________________    Defense:_________________________

Please rank the top four attorneys and witnesses in this round and circle which side of the case he or she was on. Please use the real names of the witnesses, not their characters.

<table>
<thead>
<tr>
<th>Best Attorneys</th>
<th>(circle side)</th>
<th>Best Witnesses</th>
<th>(circle side)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.____________________</td>
<td>P D</td>
<td>1.____________________</td>
<td>P D</td>
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<tr>
<td>2.____________________</td>
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<td>4.____________________</td>
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<td>P D</td>
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</tbody>
</table>
# SCORING RUBRIC

## POINTS | PERFORMANCE | CRITERIA FOR EVALUATING STUDENT PERFORMANCE
--- | --- | ---
1-2 | Not Effective | Unsure of self, illogical, uninformed, not prepared, speaks incoherently, ineffective in communication.
3-4 | Fair | Minimally informed and prepared. Performance is passable but lacks depth in terms of knowledge of task and materials. Communications lack clarity and conviction.
5-6 | Good | Good, solid, but less than spectacular performance. Can perform outside the script but with less confidence than when using script. Logic and organization are adequate, but not outstanding. Grasps major aspects of the case, but does not convey mastery of same. Communications are clear and understandable, but could be stronger in fluency and persuasiveness.
7-8 | Excellent | Fluent, persuasive, clear and understandable. Organizes materials and thoughts well and exhibits mastery of the case and materials.
9-10 | Outstanding | Superior in qualities listed for "Excellent" rating. Thinks well on feet, is logical, kept poise under duress. Can sort out essential from the nonessential and uses time effectively to accomplish major objectives. Demonstrates the unique ability to utilize all resources to emphasize vital points of the trial.

**Factors to Consider**

**OPENING STATEMENTS** - Provided a case overview; mentioned the key witnesses stated the relief requested; and provided a clear and concise description of their case.

**DIRECT EXAMINATION** - Used properly phrased questions (who, what, where, when, how); used proper courtroom procedure; demonstrated understanding of issues and facts; properly introduced evidence; defended objections in clear, concise terms; used time effectively; and complied with all rules of the competition and spirit of fair play.

**CROSS EXAMINATION** - Used leading questions; properly impeached witnesses; raised proper objections and stated reasons clearly; knew Rules of Evidence and did not overuse objections; was courteous of opponent; and complied with rules of competition and spirit of fair play.

**WITNESSES** - Credible; understood facts; responded spontaneously; poised and observed courtroom decorum.

**CLOSING ARGUMENTS** - Summarized the evidence; emphasized the supporting points of their own case and damaged the opponent's; concentrated on the important, not the trivial; applied the applicable law; and responded to the judge's questions with poise.

**TIMING** – Points may be deducted if a team member does not adhere to timing requirements.
An important aspect of the mock trial educational process is the critique provided by the trial and scoring judges at the end of each round. The comments and suggestions on this page are meant to assist you in your role as educator about the law and our legal system.

Please read these comments and try to give students positive suggestions that will help them do better next time, as well as understand how our justice system works. Critiques for each round should last no more than eight minutes per team.

- For many students, the critique is the most valuable part of the competition. They learn from hearing specifically what they did incorrectly and what they did correctly.
- Humor is a welcome tension reliever during the critique.
- Your comments should bear in mind the educational goals of the competition.
- Remember that you are helping educate, guide and nurture students. Treat students with the respect that you expect to receive from them, and let them see why you volunteered your time and effort to the competition.
- Encourage questions during the critique.
- Remember you are a role model for the students and an ambassador for your profession.
- Let students know that not all attorneys use the same methods and techniques. Differences of opinions regarding style of trial presentations are common.

These are some suggestions on how to best provide your valuable feedback to students

"Perhaps an alternative way of handling the questioning of that witness would have been to..."

"Your opening statement was good, but it may have been even better if you had..."

"I cannot recall hearing evidence about ..., which would have helped your client's case. If you did include such evidence, I suggest that next time you make it somehow stand out stronger by..."

VLRE is committed to providing our participating students with a positive experience. Remember that you do not know the background or circumstances of these young people. As such, please do not do any of the following,

- Criticize students for their dress.
- Expect high school students to understand all that law students or lawyers understand.
- Talk down to students.
INSTRUCTIONS FOR TRIAL JUDGES

Thank you for participating in the Virginia High School Mock Trial Competition! By volunteering your time, you are furthering the analytical education of Virginia students in four distinct ways:

• Increasing their understanding of the judicial process
• Developing and refining their speaking, listening, writing and analytical skills
• Encouraging teamwork, cooperation, and respect for fellow teammates, and
• Furthering their understanding of law-related education

Please follow these instructions to provide as close to a uniform experience as possible to our participating teams.

The Round Begins

Your courtroom will be made ready prior to the start of each round. Your courtroom may be an actual courtroom, a mock courtroom, or classroom. In the case of a classroom, all efforts will be made to arrange the room to best simulate a courtroom setting.

As in a real courtroom, the prosecution/plaintiff will sit closest to the jury box. Three attorneys from each team will sit at the litigant’s table. Team timers will sit in assigned seats. Witnesses will sit immediately behind the attorneys if possible. Only the six team members playing in the round may talk to each other. No motions for sequestration are permitted.

Teams will exchange a copy of their team rosters with you, the opposing team, and the scoring judges. The team roster allows the teams to identify the gender of witnesses, as well as allows scoring judges the opportunity to write the names of participants on the scoring sheet.

Pretrial

Call the court to order. The attorneys for each side will stand and enter their appearances. Request that the parties advise you of any stipulations already entered into the evidence.

Here are some issues you may encounter at pretrial:

• Do not entertain any motions except to strike testimony following a successful objection to its admission.
• Do not allow the use of demonstrative evidence, aides or costuming during the trial unless specifically allowed by the problem.
• Please set forth your preference for marking of exhibits.
• Require opening statements to be delivered at the start of the trial; no objections are allowed during opening statements.
The Trial

You have three responsibilities at trial: timing, evidentiary objections, and objections to the rules of mock trial.

Timing - Timers are team members who act as neutral parties during the trial. Each timer is provided with a set of cards setting forth the remaining time in a round and will simultaneously keep time. You do not have to keep track of time; the timers are responsible for bringing any time violations to your attention. Both teams must call all three witnesses per round. Mock trial timing follows trial procedure as follows:

1. Opening Statement - 5 minutes each side
2. Direct and Cross of All Plaintiff/Prosecution Witnesses - 25 minutes total for plaintiff/prosecution, 20 minutes total for defense
3. Direct and Cross of all Defense Witnesses - 25 minutes total for defense, 20 minutes total for plaintiff/prosecution
4. Recess Prior to Closing – 5 minutes
5. Closing Argument - 5 minutes each side (including prosecution/plaintiff rebuttal)
6. Rebuttal - The amount of time reserved

Timers should be within 15 seconds of each other or notify you of a discrepancy, which you may correct as you see fit. Time stops only for objections, questioning from the judge, or administering the oath. Time does not stop for introduction of exhibits. You may grant brief extensions of time when warranted (e.g., to finish a thought).

Evidentiary Objections – Virginia High School Mock Trial follows the National High School Mock Trial Rules of Evidence except that all witnesses are pre-sworn and no oath is given. These rules are substantially similar to the Federal Rules of Evidence. If there is a discrepancy between Mock Trial Rules and Virginia Rules of Evidence, you should use the Mock Trial Rules.

Allow students the opportunity to argue their objections and respond to one another. Time constraints, however, should be taken into consideration and objection battles should not last longer than a couple minutes. Rule on the objection that the attorney made, not on the objection that they maybe should have made. Do not object for either side or rule sua sponte.

Teams may make an objection for unfair extrapolation, which bars a witness from testifying in a manner inconsistent with the facts in the trial problem. Encourage teams to attack unfair extrapolations through impeachment and closing arguments. See the attached bench memo for further instructions on this issue.

Alleged Competition Rules Violation – In addition to the Rules of Evidence, students are bound by the Rules of Virginia High School Mock Trial. These rules are designed to keep the playing field even. See the attached bench memo in the event of an alleged violation.
Evidentiary Objections - Only the following objections are allowed under the rules of mock trial:

Judicial notice (Rule 201)
Relevance (Rules 401-411)
Privileges (Rule 501)
Witnesses
   General rule of competency (Rule 601)
   Need for personal knowledge (Rule 602)
   Impeachment (Rules 607-609)
   Religious beliefs or opinions (Rule 610)
   Mode and order of interrogation and presentation (Rule 611)

   Handle the following objections as follows

   **Beyond the scope** - cross shall not be limited to the scope of the direct examination, but may inquire into any relevant facts or matters contained in the witness statement including all reasonable inferences and may inquire as to material and admissible admissions

   **Leading question** – as regularly administered

   **Control of proceedings** – includes badgering, non-responsive, speculation, etc.

Opinions and expert testimony (Rules 701-705)
Hearsay (Rules 801-805)

   **Recognize only the following exceptions:**
   a. admission by a party opponent
   b. prior statement under oath
   c. present sense impression
   d. excited utterance
   e. state of mind
   f. statements made for purposes of medical diagnosis
   g. recorded recollection
   h. records of regularly conducted activity
   i. dying declaration
   j. declaration against interest

**Unfair extrapolation** – This is a special Mock Trial Objections (Mock Trial Rule 2.3)

A fair extrapolation is one that is neutral. Unfair extrapolations are best attacked through impeachment and closing arguments. 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. Objections are “unfair extrapolation,” or “This information is beyond the scope of the statement of facts.” Your possible rulings can 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.

Violation of Mock Trial Rules – Follow these instructions if you run into a Rules of Mock Trial issue. You may request the assistance of the state coordinator or his or her designee for help at any time, but you are responsible for the final ruling.

1. If a team member complains of a violation during the round, advise the team that they may file their dispute with the court immediately following the conclusion of the round.

2. At the end of the round, if a team believes that a substantial rules violation has occurred, a team attorney must indicate to you that the team intends to file a dispute.

3. Excuse the scoring panel from the courtroom and provide the complaining team with a dispute form. The team members playing in that round only may discuss the issue before submitting the form, but they may not talk with their sponsor, coach or non-competing team members.

4. Review the written dispute and determine whether it should be heard or denied. If the dispute is denied, record the reason for your denial, announce your ruling, and turn the dispute form in with the score sheets.

5. If you feel that the issue warrants a hearing, provide the form to opposing counsel for their written response. Once the team records its response and provides it to you, ask each team to designate a spokesperson from the members playing in that round only.
   a. Spokespersons will have three minutes to prepare their arguments.
   b. Conduct a hearing on the dispute, providing each team’s spokesperson three minutes for a presentation (you may question the spokesperson and the spokesperson may not talk with anyone else at this point).
   c. Adjourn the court and record your decision on the form.
   d. If you rule that a “substantial” rule violation occurred, advise 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 scoring decisions.
Dispute Resolution Sheet

Round: ______

Name of bench judge: _________________________

Complaining Party team ID Number: ______

Briefly set forth the nature of your alleged violation:

Was a hearing necessary?    Yes [ ]    No [ ]

Opposing parties written response (if a hearing is necessary):

If a hearing occurred, who were the spokespersons?

Complaining party: _________________________

Defending party: _________________________

Your ruling:
INSTRUCTIONS FOR SCORING JUDGES

Thank you for participating in the Virginia High School Mock Trial Competition! By volunteering your time, you are furthering the analytical education of Virginia students in four distinct ways:

- Increasing their understanding of the judicial process
- Developing and refining their speaking, listening, writing and analytical skills
- Encouraging teamwork, cooperation, and respect for fellow teammates, and
- Furthering their understanding of law related education

Please follow these instructions to provide as close to a uniform experience as possible to our participating teams.

Scoring sheet - You will be provided a scoring sheet for each round. Both teams will present a team roster to you prior to trial. Please use that roster to fill in the names for all participating team members (either as attorney or witness). Teams do not have to disclose to each other the order in which they will present witnesses, so do not disclose that information.

The Rubric – The competition uses a standard rubric or scoring method to grade team members. The rubric allows for an objective score based on the performance of each team member. Criteria for evaluating performance and factors to consider are provided as guidance. You may deduct points if a team member goes over a time limit without a judge’s permission. You may not award or deduct points based on a team member’s attire or physical issue.

Individual ranking – Rank the top four attorneys and top four witnesses for each round on your ballot. Your rankings will be used to determine individual awards at the end of the competition.

Violation of Mock Trial Rules – If a team reports a rules violation at conclusion of the trial, the judge may retrieve your scoring sheet and excuse you from the courtroom to conduct a hearing. If the judge finds a violation, he or she will report the violation, the arguments made by each team, and his or her decision. You may deduct points based on the judge’s decision at your discretion. The same procedure may occur if a rule violation is reported after a round is complete.

Post-trial critique – You are encouraged to participate in a post-trial critique of each team. Please use the constructive critique form as guidance when speaking with our hard-working Virginia students, many of whom find this opportunity highly beneficial if not inspiring!
INSTRUCTIONS FOR TEAM SPONSORS AND COACHES

Team sponsors and coaches have a tremendous impact on the development of their teams. Sponsors and coaches should keep in mind that the primary goal of mock trial is to educate students about the law and to develop their analytical thinking and oratory skills. While the competitive aspect of mock trial is fun and engaging, sponsors and coaches should remember that they are responsible for ensuring that their students also learn about civility and fair play.

Virginia High School Mock Trial takes seriously the need for a fair and balanced competition with the goal of educating students. VLRE asks that all team sponsors and coaches keep in mind this helpful list of best and discouraged practices.

**Best Practices**

- Prepare and duplicate your team roster in advance of the competition (handwritten rosters will not be accepted). Include one roster to be presented at registration. Rosters must include the following information:
  - Team identification number (assigned at registration)
  - Name of team sponsor
  - The name and position of each attorney (opening, closing, cross, etc.), and
  - The name and gender of each witness, including the team member’s name
- Encourage all students to treat other teams with respect and courtesy
- Allow students to try new and creative ideas, but veto anything that could be deemed unethical or offensive
- Take notes during rounds to give constructive feedback to students
- Help your team understand what constitutes appropriate courtroom attire, but keep in mind that some students may have limited means

**Discouraged Practices**

- Do not write or prepare all the material for students – students should be encouraged to do their own work and sponsors should edit and critique material
- Do not yell at or belittle students
- Do not get into arguments with other team sponsors or competition staff
- Do not attempt to communicate with your team during a round unless there is an emergency (this includes nonverbal communication)
Social Media Guide
Virginia High School Mock Trial Competition

Promoting the activities and accomplishments of the Virginia Law Related Education Institute ("VLRE") allows our partners, donors, attendees, and the community an ability to see the incredible opportunities we provide to our attendees. We encourage social media use as you prepare for and attend the Virginia High School Mock Trial Competition ("VHSMTC"). Follow these guidelines so that we maintain the positive and educational value of this opportunity:

1. Link all mock trial competition related social media comments directly to VLRE social media accounts. These accounts will be provided to you by a VLRE representative.

2. Please submit posts of your competition preparation. We want to see how much fun you are having at practice, but DO NOT give away your solution or strategy prior to the event.

3. Please submit posts of your team and its members during the competition, including during rounds. The following rules apply if you are going to submit a post during each round:
   a. Both teams must both agree to the use of social media prior to each round and advise the judge of their decision. Photography only by spectators is allowed during all rounds.
   b. Team members actively participating in each round may not have electronic devices of any kind on their possession except a stop watch for team timers.
   c. You may not post specifics of the trial during the competition. For example,
      i. You can post “Johnny makes his opening statement to the court!”
      ii. You cannot post “The other team argued that our witness is lying. Sad!”
   d. Any violation of these rules will be considered a violation of mock trial rules and are subject to the mock trial rule resolution procedure set forth in the Mock Trial Handbook.

4. The rules of decorum as set forth in the Mock Trial Handbook apply to this policy. Do not use social media to complain, disparage, criticize, or otherwise state a complaint or concern about the VHSMTC. All competition issues should be addressed to the state coordinator.

5. Many school divisions and schools implement policies regarding the use of social media and academic honesty. VLRE will cooperate with these entities if contacted for information regarding potential rules violations at the VHSMTC.

Enjoy the competition responsibly!