STEPS IN A MOCK TRIAL CASE

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| Step | Description | Keys to Success |
| **Team introductions** | * Judge will ask each member to stand and introduce themselves. The purpose is largely so the evaluators and judges can put names with faces. | * Speak LOUDLY and CLEARLY * Make eye contact * Get your vocabulary correct * Witnesses respond with “I AM” not with “I will be playing” * Give a good “team” first impression |
| **Pre-Trial Motions** | * Lead attorney will get permission to move around the courtroom, find where to place exhibits, and clarify when witnesses will be sworn in. * May also be used to draw attention to a particular rule or stipulation the judge needs to be aware of | * Knowing exactly what you need to ask for * Eye contact, assertiveness * Being prepared in case the judge asks you to swear in witnesses * Even if the other team goes first, still ask that all the same privileges apply to each team (they always will) |
| **“P” side opening statement** | * Opportunity for the “P” side to lay out their case * This essentially explains WHY everyone is in court today | * Good “attention getter” * Slow, clear speaking pattern * Easy-to-follow theme * Describes law and burden of proof in easy to follow terms * Tells the jury exactly what they will hear today * Witnesses stand when called * Ends by clearly stating the position of the prosecution |
| **“D” side opening statement** | * Opportunity for the “D” side to lay out why there should be no trial | * (same as above) |
| **“P” side witness direct examination** | * This is the beginning of the “evidence” of the trial * The witness will testify to things that help the “P” side make their case * The witness will testify to things they have seen or heard by answering open-ended questions that tell a story | * Questions are “open-ended” * The witness is lively, believable, and KNOWS THE STATEMENT! * Attorney is prepared for and can respond easily to objections * (See the 5 “Musts” for more) |
| **“D” side cross examines witness** | * The “D” side gets to ask the “P” witness some questions that make the witness seem less believable OR raises concerns with some of the facts brought up from the direct examination | * Questions are “closed” or “leading” * The attorney is IN CONTROL of the witness * Attorney is prepared for and can respond easily to objections * (See the 5 “musts” for more) |
| **Re-direct/recross** | * Optional procedures used if something damaging came up on cross * Rarely needed and supposed to be short and to the point | * Usually no more than 1-2 questions * Focused on ONE specific part of the cross |
| **“D” side witness direct examination and “P” side cross** | * The reverse of above. * The defense calls their witnesses for directs and the “P” side gets a chance to cross | * Same as above |
| **“P” Side Closing argument** | * “P” side gets a chance to begin closing and then save time for rebuttal * Differs from opening in that now evidence has been presented so the attorney can make an argument for victory with evidence | * Similar to opening * Uses specific quotes and facts that came up during the tria * Reinforces the theme/theory of their side |
| **“D” side closing argument** | * Makes an argument for why the jury should find in favor of the defendant by using SPECIFIC evidence from the trial | * Similar to defense opening * Uses specifics and reinforces theme/theory of the case |