



**2005 PENNSYLVANIA STATEWIDE
HIGH SCHOOL MOCK TRIAL COMPETITION
*GALLO V. URBANSKI a/k/a SKEE POLL***

TO: Teacher Coaches
FROM: Jillian Duhl and William Higgins, Mock Trial Co-Chairs
James A. Wells, Young Lawyer's Division Chair
RE: 2005 MOCK TRIAL COMPETITION
DATE: Nov. 19, 2004

Thank you for registering to compete in the 2005 Pennsylvania Statewide High School Mock Trial Competition, sponsored by the Young Lawyer's Division of the Pennsylvania Bar Association (PBA/YLD)!

All the materials you will need to prepare for this year's Competition are posted on the PBA's mock trial web site, at www.pabar.org, under the Young Lawyer's Division link (www.pabar.org/yldstatewidemock.shtml).

If you cannot access the website documents, please request paper copies from Jayanne Hayward at the PBA (Jayanne.Hayward@pabar.org ph. 1.800.932.0311 ext. 2223; fax 717.238.7182)

IMPORTANT ITEMS and CHANGES:

NOTE to Philadelphia Schools: Some of these changes may not apply to your competition. Please consult the Philadelphia Rules of Competition that will be posted on the web site.

Teacher Email List - A mock trial teachers e-mail list (mocktrial@list.pabar.org) will once again be utilized to communicate with you using the e-mail address you provided on your registration forms. We will utilize this list to send you information on the competition, including case supplements. If you have not provided us an e-mail address and would like to be included, please contact Jayanne Hayward at the number listed above. If you do not have an email account, you can provide us one from someone else on your team.

2005 Rules of Competition – This year’s Rules have been completely reformatted. The new format includes a table of contents and is organized more logically. The 2005 Rules subsume all of last year’s Rules and include some new items. For your convenience, any language in the 2005 Rules that includes substantial changes to last year’s Rules has been *italicized*.

Highlights of substantive changes from last year include the following:

Multiple Teams - Rule 2.5 addresses issues related to schools that enter two teams. We have also limited to two the maximum number of teams per school.

Expert Witnesses – Rule 4.9 clarifies that a witness not specifically identified as an expert may be qualified as such if the proper foundation is laid.

Exhibits - Rules 5.1 through 5.7 address issues related to exhibits.

Timekeeping – Rule 6.23 explicitly permits that each team, through its student attorney, may ask the official timekeeper the time remaining at the trial midpoint (i.e., after plaintiffs’ witnesses have testified). Each student attorney may pass this information along to his or her student timekeeper. This Rule formalizes what was otherwise occurring in many trials.

Student Timekeeper - Rule 6.9 clarifies that the student timekeeper may be seated inside the bar and preferably, in the jury box. If in the jury box, the student timekeeper may not sit immediately next to or behind a juror (scoring judge).

Objections During Opening Statements and Closing Arguments - Rule 6.19 is changed to extent that if a team raises such an objection, the opposing team is permitted to make a short rebuttal. The prior Rule did not allow any response from the non-objecting team.

Jurors - Rules 7.6 and 7.7 address how jurors are selected and when they should be disqualified due to potential conflicts.

Dispute Resolution – The section (Rule 9.1 et seq.), addressing dispute resolution procedures, is reserved until we finalize the language. This section will be published prior to the start of the Competition. We will notify everyone when this is done.

2005 Rules of Evidence - One change has been made:

Rule 611(e) – Permitted Objections - New language clarifies that the list of permitted objections is not exclusive. Instead, the list provides examples of permitted objections. Teams are not precluded from raising additional objections consistent with the Rules of Competition or Rules of Evidence.

REMINDERS:

1. New Teacher Orientation - All teacher coaches without prior mock trial experience must attend a teacher orientation session. The orientation sessions will be scheduled locally between November 20 and December 12, 2004, in each District (or Region where there are no Districts). **New teachers should contact their district or regional coordinators for the date and time of the session.** A coordinator's list is posted on the mock trial web site.
2. Conflict Dates Form - Please return your Conflict Dates Form to your district and regional coordinators no later than **December 19, 2004**. This form is posted on the website.
3. Schools with Multiple Teams – You must submit rosters, for each team entered, to your regional coordinator prior to the start of trials. These rosters may not be changed at any point after the competitions starts, including the state competition, except for compelling reasons and with the permission of the regional coordinator
4. Schedules - Please direct all questions about competition scheduling to your coordinator(s). Schedules are generally completed around mid- to late-January.
5. Questions about the Case - Answers to properly submitted questions will be periodically posted on the web site in a supplemental memo. Please review the contact page in the Gallo v. Urbanski a/k/a Skee Poll case materials for more information on how to submit questions.
6. Documents to bring to Trial - Every team must bring to every trial a signed copy of the Code of Ethical Conduct and a Trial Roster. Both documents are posted on the web site.
7. Attorney Advisor - If you do not have an attorney advisor or if your attorney advisor is not fulfilling his/her responsibilities, please notify your coordinator as soon as possible.
8. Please stress with your team the educational aspect of this program. While the format of this program is a competition, the intent of the YLD is to provide high school students with a unique educational experience. We hope that you have fun with this program and that it is a positive and enjoyable experience for your students.

GOOD LUCK and THANK YOU FOR PARTICIPATING!