

GUIDELINES FOR JURORS (SCORING JUDGES) - 2009

1. Scoring Guidelines: The scoring is based upon a scale of 1 to 5. Reserve a 5 for an exceptional performance and reserve a 1 for a poor performances. Please do not give less than a 1 and do not use fractions or half-points.

- **Please fill in every box on the scoresheet (no blanks).**
- **Base your scores on the students' performances and not the merits of the case.**
- **Please choose a team in the tiebreaker category after the trial is complete.**

You are encouraged to reward student-attorneys who do not use notes or heavily rely upon them. (Student-attorneys may use notes but student-witnesses may not.)

Please refrain from scoring one aspect of the trial, such as the opening statement or examination of a particular witness, until both sides have completed their presentations. Similarly, do not evaluate the performance of witnesses until after you have seen them respond to cross-examination. This will enable you to compare the performances. The presiding judge should provide short breaks between trial segments.

2. Team Identity / Juror Conflicts: You should not be informed of the teams' identities until after you have turned in your scoresheets. However, **if you believe you recognize a team or its members**, which may result in a personal conflict and/or create a situation where you may not be able to fairly score the trial, **please advise the bailiff/coordinator as soon as possible**. You will probably not be disqualified from scoring where you merely recognize team members/parents due to professional acquaintance or participation in mock trials in years previous. Nevertheless, please inform the bailiff/coordinator, who will make the decision whether to disqualify or reassign you.

If you do not become aware of the potential conflict until after the trial and you have completed your scoresheet, it is left to the discretion of the coordinator whether to disqualify your scoresheet.

3. Trial Enactments: Each team will present two witnesses in addition to their opening and closing statements. Witnesses are generally limited to testifying within the scope of their written statements. The teams may not use enlargements, costumes or props. Student-attorneys conducting cross examinations may ask questions beyond the scope of direct exam. Re-direct and re-cross examination are permitted. Non-party witnesses are presumed sequestered but may remain in the courtroom.
4. Time Limits: The participants are under time restrictions. Penalties will be assessed by the bailiff for excessively long presentations or examinations. Do not alter your scoring based upon the length of the presentation or examination.

5. Witness Filibustering: Witnesses are not permitted to be unnecessarily evasive or repetitive on cross (or re-cross) examination for the purpose of using up the other team's time allotment. **Do not reward filibustering.** Witnesses are presumed to know their witness statements.
6. Rules of Evidence / Objections: Evidentiary issues that arise during trial are governed by the Mock Trial Rules of Evidence (fashioned after the Federal Rules of Evidence). While the Rules of Evidence are simplified, they do encompass issues such as relevancy, hearsay and its exceptions, expert opinion, and others. No motions are permitted except a motion to strike inadmissible testimony.
7. Scoring Objections: Do not base your score upon the Presiding Judge's ruling. Score teams on their ability to verbalize why the objection is valid or invalid.
8. Jury Deliberation (Scoresheet Tabulation): Upon the conclusion of the trial, you will be taken to a room for deliberations, which merely involves tabulating your score. If you have any questions regarding how to score the trial, please ask the bailiff / coordinator.

Again, please make sure to choose a team in the tiebreaker category even if you did not have a tie. That category is there in case your scoresheet ends in a tie due to penalty point deductions or an arithmetic error discovered after you are excused.

9. Comments: You may write provide written comments on the various performances on your scoresheet. The teacher coaches may choose to review your comments with the students. Please write legibly and dark enough so that your comments can be photocopied. **Please keep in mind that you are scoring kids.**

You do not have to identify yourself on the scoresheet but can if you want to.

PLEASE REFRAIN FROM COMMENTING ABOUT HOW YOU THOUGHT THE CASE WAS WEIGHTED.

10. Verdict: In most trials, the winner will be determined by majority vote of the panel based upon scoresheets won. If the panel vote is tied, the winner will be decided by certain tiebreakers. In most trials, the winner will be announced by a member of the jury. Normally this is done by one of the jurors simply stating: "we find in favor of the plaintiff/prosecution or defendant." The announcement is unofficial and subject to the coordinator double checking for scoresheet errors.
11. Meeting with the Students: After court is adjourned, please feel free to meet with the teams to answer their questions and offer constructive comments. Most teams greatly appreciate this courtesy.

Thank you for your support of the mock trial competition. Please feel free to offer the mock trial coordinator any suggestions for improvement of the program.