SCORING JUDGE / JUROR GUIDELINES

SPECIAL GUIDELINES FOR VIRTUAL COMPETITION

Prior to trial, your coordinator should have sent you an email with links to your Zoom trial and an electronic scoresheet (or the paper form if your region is using an editable pdf).

1. Logging In  Prior to trial, log on to the Zoom link (or other platform), usually about 15 minutes before trial. It is strongly recommended you participate on a laptop, desktop, or tablet, and not a smaller device such as your phone. Your device must have video and audio capabilities.

If you have never used Zoom, you will be asked to load it to your device (it will only take a few moments). Your coordinator should advise you how to enter your name on Zoom. If you are not advised, enter your name as “Judge First, Last Name.” You can also change your name at any time by hitting the three dots near your video feeds and editing how your name appears.

Please use a professional workspace as your Zoom background, without political or religious items, references to drugs or alcohol or school affiliations. Virtual backgrounds are discouraged but if used should be black or white.

You may be placed in a “waiting room” until trial is ready to start. Your coordinator might provide a short orientation to you and the Presiding Judge before the teams join.

2. Electronic Scoresheets  Before trial begins, open the scoresheet link and fill in any fields not auto-filled. After each segment of trial, your PJ should provide a short break to enter scores. You won’t have to do any math since your point totals will be added automatically!

After the Zoom trial ends and you leave the meeting, you will have a chance to type in Comments. **DO NOT** spend time during trial typing in Comments. When you are finished with your scoresheet, click SUBMIT (on the bottom of the scoresheet) to send your scoresheet to your coordinator.

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1 For a more detailed discussion of virtual trial issues, check out these guidelines. The first is primarily directed to Presiding and Scoring Judges and the second to the teams and coordinators.

[So You're Gonna Judge a Virtual Mock Trial](https://www.pabar.org/site/For-the-Public/Mock-Trial-Competition/Score-Sheet)

2 A sample scoresheet can be accessed here: [https://www.pabar.org/site/For-the-Public/Mock-Trial-Competition/Score-Sheet](https://www.pabar.org/site/For-the-Public/Mock-Trial-Competition/Score-Sheet)
3. **Trial Settings**  Have your **VIDEO ON at all times but your AUDIO ON MUTE except** when introducing yourself pre-trial and making post-trial comments. We recommend “Speaker View” during opening statements and closing remarks and “Gallery View” at all other times. When exhibits are displayed via screen-sharing, it will be helpful to use “Side-by-Side mode” (click “view options” to select). When the screen share is ended, your screen will revert back.

We recommend that you “hide non-video participants,” which means you will not see anyone whose video is off and thus can focus on the team members you will be scoring. (To do this, click the caret (^) next to the “stop video” button in the lower left; go to “Video Settings” and check the box for “Hide non-video participants.”)

4. **Communication During Trial** If you must communicate during trial (e.g. bathroom break, connection issues, notice you might have a conflict), unmute yourself and inform the Presiding Judge or Coordinator at an opportune time or send a note on the Chat function. You should not need the Chat function for any other reason.

5. **Issues Specific to Virtual Trials:** Student team members can use cell phones and can participate without video if necessary. Students may use different devices from different locations or may share devices in a central location.

All student participants will remain seated during the entire trial. The non-examining attorney should stay muted during each examination. This means it may take an extra second or two for an objection to be noted. Please do not score this down (unless it comes considerably too late) as a scoring judge.

The Chat function should only be used in emergencies (e.g. connection issues, bathroom break) and for the timekeepers to post time. The six competing members for each team are permitted to communicate separately via another instant messenger, text messages, etc., but cannot use the Chat for these communications.

Because teams cannot approach the witness with a physical exhibit, teams will use Screen Sharing to display exhibits. These will be viewable to all judges (presiding and scoring).

6. **Post-Trial Comments** Keep your oral comments brief and general; we recommend no more than two or three general comments. You can write more detailed comments on your scoresheet’s Comment section. Please **DO NOT** comment on how much better you would have liked in-person competition. We are fortunate that virtual technology has allowed this competition to go forward during these trying times. Please remember that these are high school students.
GUIDELINES FOR JURORS (SCORING JUDGES) (Traditional)

For those of you who are new to mock trial or want to refresh your memory, please check out these two short videos: (1) PBA Mock Trial Training Video for Both Presiding Judges and Scoring Judges (9 mins.) and PBA Mock Trial Training Video for Scoring Judges (16 mins.).

Team Identification (Conflict of Interest)

All teams will be identified by an anonymous code. If you recognize a team, or believe you have any conceivable conflict of interest, please tell a mock trial official immediately. If there is a conflict, we will assign you to another trial if possible. You should not be assigned to a trial involving a team that you observed earlier in this competition. Mere recognition of a team and its members from years past will not generally be a conflict.

Trial Enactments - General Guidelines

Student-attorneys may use notes but witnesses may not. The students may not use enlargements, costumes or props. Witnesses are permitted to affect accents, so long as they do so realistically and inoffensively.

Student-attorneys conducting cross examinations may ask questions beyond the scope of direct exam. Re-direct and re-cross examination are permitted, but the scope is limited to issues covered on cross and re-direct, respectively. The plaintiff will close first, and it is permitted to reserve time for rebuttal. It is not required to reserve this time before beginning.

Trial proceedings are governed by a simplified Rules of Evidence that encompass basic concepts such as relevancy and hearsay (including numerous exceptions), among others.

The participants are under time restrictions and penalties will be assessed for violations. The coordinator will handle imposition of time penalties and you should not concern yourself with that; however, you should score teams based in part on whether they used their allotted time wisely. There is no minimum time required and teams should not be penalized for working efficiently.

Scoring:

Scoring is based upon a scale of 1 to 10. Award a 10 only for a truly exceptional performance. Extreme scores of 1, 2, 3, or 10 should be extremely uncommon.

- Fill in every box on the Scoresheet – NO BLANKS.
- Base your scores on the students’ performances and not the merits of the case.
- Choose a team in the Tiebreaker Category after the trial is complete.

Keep in mind to:

- reward attorneys who do not read from notes or overly rely upon them
- reward attorneys who know the rules of evidence and courtroom procedure
• reward witnesses who portray interesting characters consistently through both direct and cross examination
• penalize witnesses who filibuster or are deliberately evasive on cross examination
• when scoring objections, base your score on the students’ ability to explain or defend the objection, not on the judge’s ruling
• refrain from finally scoring one aspect of the trial until both sides have completed their respective presentations
• not penalize attorneys for delayed objections due to the use of virtual technology

If you have questions about scoring, ask a mock trial official.

Each juror is assigned one vote based upon the score from his/her scoresheet (minus penalties). The winner of your scoresheet will be the team with the higher score. The winner of any individual trial is the team that has won the majority of scoresheets.

**Witness Presentation**

**Limits of Testimony and Extrapolation**

Testimony is limited to the four corners of the witness’ written statement, and fair and neutral extrapolations derived therefrom. If a witness says they do not know the answer to a question, they are probably adhering to competition rules. Witness statements are available here: Case Materials.

If a witness testifies in contradiction to a fact in the written statement, the opposing attorney can either impeach the testimony by using the statement, or may raise an “unfair extrapolation” objection, which is unique to this competition. Students are encouraged to impeach.

An attorney who asks a cross-examination question requiring an answer outside the four corners of the statement is bound by the response given; that is, the witness may make up facts favorable to his/her team if the questioner opens the door.

**Witness Filibustering**

Witnesses have been strongly discouraged from filibustering or being evasive during cross examination. Filibustering is sometimes used as a deliberate team tactic to use up the other team’s time allotment and cause it to rush its case and possibly incur penalty point deductions. Since time constraints are a highly artificial element in a trial, you are encouraged to penalize filibustering behavior when you score the witness or team.

We have encouraged student attorneys to handle filibustering by asking questions that call for a “yes” or “no” answer. Presiding judges may permit a witness to explain the “yes” or “no” answer, but presiding judges should permit only brief explanations. Where a team is unable to reign in a filibustering witness, the student attorney may bring it to the attention of the presiding judge.
Supplemental Facts
Witnesses are permitted to testify from information contained in a and the Supplement to Case Materials. The Supplement was created to clarify problems that were discovered after the case materials were published.

Trial Conclusion – Comments, Scoresheet Submission

When the trial presentations is over, you will finish entering your scores and remain on the Zoom session. You should wait until after the Zoom session ends to Submit your scoresheet and after you add any Comments you would like to share.

Prior to leaving the session, each team will recognize the other team’s Best Advocate and Best Witness and award them social media badges. In addition, you may be provided a moment to make oral comments. Again, keep your comments brief and general (two or three general comments). You can write more detailed comments on your scoresheet. DO NOT COMMENT ABOUT HOW YOU THOUGHT THE CASE WAS WEIGHTED.

The trial winner will be the team that wins the majority of the scoresheets. There will normally not be an announcement of the winner after trial. IF YOU DO FIND OUT WHO WON YOUR TRIAL, PLEASE DO NOT SHARE THAT INFORMATION.

A mock trial official will end the Zoom session when the trial is concluded. Again, please wait until after you leave the Zoom meeting to fill in the Comments portion of the scoresheet. If you will be judging another round, follow the directions of the coordinator for how to do that.

*** Thank you for your service! ***