

1. The revised rules say: "As a reminder, all evidence will be pre-marked as exhibits and timekeepers will not stop keeping time during the introduction of evidence." However, shouldn't you add "except during any objection to an exhibit" or something like that?

### **Rule 3.8 — Clerk, Bailiff, and Unofficial Timers**

#### **G.** The time will be stopped when:

- Witnesses are called to the stand
- Attorneys make objections
- Presider questions attorneys and witnesses
- Presider offers their observations.
- There are technical difficulties and a substitute team member notifies the presider of the change.

2. It is not clear whether or not witnesses who are NOT testifying must leave their video and audio off. I presume so, but it is not clear. Also, although I conclude (hopefully, correctly) that any attorney not presenting should have BOTH their video and audio turned off, it might be good to specifically state that just to be clear.

In addition to the rule stated below, we have added it to the individual rules for the witnesses, attorneys, clerk, bailiff and artists/journalists.

### **Rule 1.3 — Trial Procedures**

**A.** All team members, team substitutes, artists/journalists, and coaches must have their video off and microphone muted when not presenting.

3. The rules state that the Clerk must "bring a stopwatch" to the trial. I know it stands to reason that the stopwatch is what is to be used for timekeeping, but given the new virtual reality, perhaps it should be specifically stated that cell phones, etc., may not be used to keep time, unless CRF wants to relax that rule for the virtual trials this year.

We will allow, this year only, for clerks to use a phone to keep track time, see revised rule below.

### **Rule 3.8 — Clerk, Bailiff, and Unofficial Timers**

The clerk and unofficial timer may use stopwatches or cell phones to track time. If using cell phones, phones must be kept in airplane/silenced mode.

4. How do the clerk and the unofficial clerk check times with each other?

They may use the chat feature to communicate with each other for time checks only, see rule below.

### **Rule 3.8 — Clerk, Bailiff, and Unofficial Timers**

**A.** The Mock Trial competition involves timed presentations. The clerk is the official neutral timekeeper for the trial. The clerk must keep accurate time for both teams, provide time remaining warnings, and complete a time sheet. In addition, any member of the team presenting defense may serve as an unofficial timer. This unofficial timer must be identified before the trial begins. To avoid timing issues, both the clerk and unofficial timers may use the chat feature for time checks during the trial.

5. How do the clerks submit their official timesheets after the trial?

Clerks will email their completed timesheets to [jasmin@crf-usa.org](mailto:jasmin@crf-usa.org) at the end of the trial.

6. During the trial, how will the attorneys be able to chat with each other?

Via the chat feature only.

### Rule 3.3 — Trial Communication

C. Communication between trial attorneys (and the defendant) is allowed during the trial using the chat feature only.

7. Will all team members be able to communicate privately when they reach the 30 second rule or would just specific students like the attorneys be able to chat privately.

It would be up to the team to which if all team members or only a few designated team members will communicate during the 30 second rule.

8. For the Attorney section, it states that trial attorneys are allowed to communicate during trial via the chat feature. Will the chat feature allow them to chat privately with their fellow attorneys or will chat be seen by all? Also, are they only able to chat (if private) with one other attorney or all three together?

The trial attorneys must be cautious that they only send private messages to the trial attorney and not send as a public message, where all in the virtual courtroom can see. The chat feature only allows to send an individual private messages to one attorney at a time.

9. Will the attorney who has the closing argument be able to hear all the witness testimony, or have to rely on the chat for input from his/her co-counsel regarding testimony he/she does not hear directly?

All active members and substitute team members in the virtual courtroom will be able to hear the presentations in the trial.

10. How will the prosecution identify the witness Croddy?

**STIPULATION** - 11. Lee Croddy, the defendant, is present during the trial. Under the conditions of an online trial, any witness that reasonably knows or should know the defendant, is assumed to have correctly identified Lee Croddy as the defendant in this case.

11. Could you clarify when can the original student continue with a presentation, if the original student resolves the technical issue?

...if an attorney is presenting their opening statement and loses connection halfway and a sub jumps in to finish presenting the opening statement...

Yes, if the original attorney regains access they can present a direct examination of a witness (or closing argument).

... What if my bailiff loses connectivity? Does our bailiff-sub take over for the rest of the trial? Or can my actual bailiff log back on and swear in subsequent witnesses?...

Yes, if the bailiff regains access they can continue with the swearing in of the subsequent witness.

...Or let's say a sub jumps in to finish up for a witness during a direct exam. But then the witness regains access. **Can the actual witness resume the stand to be cross-examined?**

No, they cannot continue with the cross-examine.

12. Can students who are already assigned a role on the team competing also be listed as a substitute? And if a student is a lawyer, can that student be a witness substitute and vice versa? I'm basically trying to figure out if students can jump in for one another even though they're already assigned a role on that competing team.

As long as teams do not break any of the other rules. For example see rule below.

### Rule 2.2 — Team Composition

- A. At any given trial, a team must have a minimum of 8 active team members. The official team roster submitted prior to each trial must list the 8 minimum active team members and their roles.
- C. As much as possible, team members are to evenly divide their duties. Involvement of all possible team members in the presentation of the case is reflected in the team presentation/participation score.
- D. We encourage teams to use the maximum number of student attorneys when possible.
  - A maximum of two Pretrial Motion Attorneys—One pretrial attorney for the defense and one pretrial attorney for the prosecution. Pretrial attorneys may not serve as trial attorneys during the same round but may serve as a witness.
  - A minimum of two trial attorneys for Prosecution and a minimum of two trial attorneys for Defense and a maximum of three Trial Attorneys for Prosecution and a maximum of three Trial Attorneys for Defense—It is highly recommended that different trial attorneys conduct the opening statement and the closing argument and that each trial attorney conduct at least one direct examination and one cross-examination.

13. Will there be someone in the main virtual room at all times?

Yes, there will always be someone in the main room in case someone loses connection.

14. As in previous years, would it also be permissible to admit the exhibit into evidence at the end of the trial...instead of after the witness?

Yes, the rule has not change on that, see rule below.

#### **Rule 3.2 — Physical Evidence**

**D. Moving the Item into Evidence** — Exhibits must be introduced into evidence if attorneys wish the court to consider the items themselves as evidence, not just the testimony about the exhibits. Attorneys must ask to move the item into evidence during the witness examination or before they finish presenting their case.

- 1- “Your honor, I ask that this item (describe) be moved into evidence as People’s (or Defendant’s) Exhibit # and request that the court so admit it.”
- 2- At this point, opposing counsel may make any proper objections.
- 3- The judge will then rule on whether the item may be admitted into evidence.

15. Do coaches also need to have a plain background?

Yes, we ask that the coaches also try to have plain backgrounds if possible.

16. During pre-trial, if the attorney sub has to step in during the main argument time, does the attorney sub also have to finish the rebuttal or can the original attorney do the rebuttal if he is able to do so?

If the original pretrial attorney comes back, they can do the rebuttal.

17. When will the Zoom links be email to teams?

Teacher coaches will receive the Zoom link and trial # on the morning of the trial.

18. What background do the artists sketch – zoom or courtroom?

Artists should not sketch the background to look like the trial took place in a zoom meeting. Let the viewer know right away that the sketch is of a trial that took place in a courtroom. Include one or two items (seal, flag, microphone, etc.) that convey that this is a scene from a courtroom, but do not focus on sketching one of the items instead of the people in the trial (witness, attorney, or presider).

19. Are the substitutes that will be filling in for team members that might have tech issues during the trial expected to introduce themselves at the beginning of the trial, or only if/when they have to step in?

The substitute team members must introduce themselves at the beginning during team introductions, see rule below.

**Rule 1.3 — Trial Procedures**

- B. When the trial begins, the presider will ask the team members, teachers, and attorney coaches to introduce themselves. The active team members, team substitutes, artists/journalists, and coaches will turn on their video and unmute their microphone during team introductions but will remain seated when introducing themselves.

Then, if needed to sub they would announce to the presider, see below.

**Rule 2.4 — Substitute Teams and Substitute Team Members**

- E. Before substituting a role, the team member must notify the presiding judge (time stops during this transition and starts at soon as the presentation starts):  
“Your honor, I would like to inform the court that I am (insert name) and I am substituting for (insert name) who is unable to compete due to technical difficulties.”

20. How do I submit my team roster?

Send the team’s roster to Jasmin at [jasmin@crf-usa.org](mailto:jasmin@crf-usa.org) before 10:00am on the team’s trial date.

21. We were wondering if headsets are permissible for participants in the competition?

Headsets may be used this year but it has to be used for the sole purpose for audio in the zoom presentation.