

Rules and Procedures

Please make sure to read the 2020-21 California Mock Trial Student Rulebook – Updated Version for the complete rules and procedures. Below are the highlights of the modifications for a virtual format.

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. All active team members and team substitutes must have the case, official exhibits, team rulebook readily available but may only refer to them when allowed. The Mock Trial Competition is a bench trial. Attorneys and witnesses are not allowed to verbally address the scoring attorneys as if they were a jury.
- 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.
- C. Teams will be identified by team code only and not by school name. All attendees must follow the naming rule to be admitted to the virtual courtroom and throughout the trial – (Trial#) Team Code (P/D) First and Last Name (Role).
- D. All participants are required to wear appropriate courtroom attire and are prohibited from wearing clothing that identifies their school. All participants should have a blank background (light neutral colors as white, beige, or grey), if possible, without any distracting objects in the background. Virtual backgrounds or profile pictures are prohibited.
- E. Coaches are to remain in the virtual courtroom throughout the trial as much as possible as to not disrupt the trial.
- F. Teams are required to submit team rosters by the designated deadline prior to each round. Team rosters must identify each active member, team substitutes, and artists/journalist with their individual roles, as well as the maximum of two coach names. No changes to the roster may be made after submission and students must perform the roles as identified on the roster.
- L. A laptop, computer, tablet, or a phone must be used to attend and participate in the virtual competition. The use of such device is limited to present their case and may not be used for communication with team members, coaches, etc. (The exceptions are communication between trial attorneys during the trial using the chat feature only, during the 30 seconds rule between team members and their coaches via the chat feature to discuss any substantial trial irregularities, and between the clerk and unofficial timer via the chat feature for time checks.)
- M. All participants must consent to video and audio recording and electronic posting (including video meeting, social media, or other platforms) of each presentation for the California Mock Trial Competition. Check with the county coordinator regarding guidelines for video/audio recording at the local level. Any recording is for educational purposes only, and videos should not be shared with any other team before the State Finals without the permission of both teams recorded. CRF will not accept any video for complaint purposes.

Rule 1.4 — Copyright and Plagiarism

- E. It is not permissible to share Zoom links and passwords with anyone other than your own team members/coaches. Do not post links or passwords on social media or any other platforms. Anyone who violates Zoom security measures will be automatically disqualified from the competition.

Rule 2.2 — Team Composition

- G. In the event of technical difficulties from a team member during a trial, it is permissible to have the designated substitute team member fill in as an emergency substitute for the team member experiencing technical difficulties.

- H. A technical difficulty includes internet failure, computer difficulties, and audio/microphone failure. Camera failure is not considered a technical difficulty and a substitute is not permitted for camera failure.
- I. No student or team may feign technical difficulties or invoke the technical difficulty rule for purposes other than a genuine technical difficulty. Such an act would violate the Rules of Competition and Code of Ethical Conduct and may be sanctioned at the discretion of CRF staff through point deductions or other means up to and including disqualification from the competition.
- J. Before substituting a role, the team member must notify the presiding judge (time stops during this transition and starts as 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.”
- K. The presentation will be scored on the presentation by the initial team member and the substitute, taken as a whole.
- L. Once a student is deemed unable to compete in a role due to technical difficulties, to minimize disruption, they are not permitted to return and compete in the unfinished role. If the technical difficulties are resolved, they can participate in their other roles in the trial, if any.

Rule 3.2 — Physical Evidence

- A. All active team members and substitute team members must have access to physical evidence listed under the heading “Physical Evidence” in the case materials but may only refer to them when allowed
- C. Procedures for introducing items into evidence —Attorneys may introduce physical exhibits if listed under the heading “Evidence,” provided that the objects correspond to the case materials’ description. Below are the steps to follow when introducing physical evidence (maps, diagrams, etc.).
 - 1- All participants must have all exhibits readily available but may only refer to them when prompted.
 - 2- The attorney wishing to use an exhibit will identify the exhibit and page number where the exhibit can be found and request the court’s permission to mark the exhibit for identification.
 - 3- Before the evidence can be admitted into evidence, the witness testimony must lay a foundation (authentication, relevance, etc.).
 - 4-The attorney will ask the witness to identify the exhibit. For example, “Are you familiar with this document? Please identify it?” or What is it?
 - 5- The witness will identify the exhibit.
 - 6- The attorney may ask "how" the witness is familiar with the exhibit.
 - 7-After a foundation has been laid, the attorney will offer the exhibit into evidence. “Your honor, we offer Exhibit ___ into evidence at this time.”
 - 8- The court will respond: “Is there an objection?” (If opposing counsel believes a proper foundation has not been laid, or other appropriate objection, the attorney should be prepared to object at this time.)
 - 9- Opposing counsel: “No, your honor,” or “Yes, your honor...” If the response is “Yes,” the objection will be stated on the record. Presider: “Is there any response to the objection?”
 - 10- Presider: “Exhibit ___ is/is not admitted.”
 - 11- Note, an attorney may choose to ask the court to admit the exhibit into evidence at the conclusion of the witness testimony. Regardless, an attorney must lay a foundation that the witness has knowledge of the exhibit prior to asking questions about the contents of the exhibit.
 - 12-As a reminder, all evidence will be pre-marked as exhibits, and timekeepers will not stop keeping time during the introduction of evidence.
- E. Whether a team introduces, uses, and moves the physical evidence into evidence is entirely optional, but all physical evidence must be accessible by all team members.

Rule 3.3 — Trial Communication

- A. Once the trial has begun, coaches, substitute team members, and others are not allowed to communicate (including signaling, texting, IM, chat feature, phone, passing notes, etc.) with the teams.
- B. Mock Trial Competition is a bench trial. Attorneys and witnesses are not allowed to verbally address the scoring attorneys as if they were a jury.
- C. Communication between trial attorneys (and the defendant) is allowed during the trial using the chat feature only.

- E. The pretrial attorneys may not communicate with the trial attorneys at any time.
- F. Once the trial has begun, there must be no communication with student team members.

Rule 3.4 — Witnesses

- A. Although witnesses are excluded from the trial proceedings in actual trials, for educational purposes, witnesses in the Mock Trial Program will remain in the virtual courtroom for the entire trial. All witnesses must have their video off and microphone muted when not presenting. During their examination, the witnesses must turn on their video and unmute their microphone and must remain seated.
- I. Witnesses are not allowed to use notes while testifying during trial. Witnesses must have the case and official exhibits readily available during their testimony but may only refer to them when prompted by an examining attorney.

Rule 3.6 — Attorneys

- A. The prosecution presents the opening statement and closing argument first. All attorneys must have their video off and microphone muted when not presenting. Attorneys may elect to stand or remain seated and must turn on their video and unmute their microphone while giving their opening statement, direct and cross examinations, and closing arguments.
- B. During witness examinations, the two attorneys examining the witness must have their video on. The attorney must unmute their microphone when examining the witness. The attorney not examining witness at the time will have their microphone muted. If the attorney wants to raise an objection, the attorney can unmute their microphone to do so but must remain seated. Attorneys may conduct a re-direct examination when appropriate. No re-cross-examination is allowed. Witnesses may not be recalled to the stand.
- H. There will be 30 seconds provided at the end of the pretrial and at the end of the trial for team members from each team to confer with their team's coaches via the chat feature to discuss any substantial trial irregularities.

Rule 3.7 — Conduct of the Pretrial Motion

- A. The defense will argue the pretrial motion first. The pretrial attorneys may elect to stand or remain seated and must turn on their video and unmute their microphone while giving their pretrial argument.

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 timesheet. 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.
- B. The clerk and unofficial timer, 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. The clerks may only use the timecards from CRF's website, printed out on white paper (card stock recommended but not necessary). The timecards will have the following time remaining warnings:
 - 2 minute
 - 1 minute
 - 30 seconds
 - Stop
- 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.
- J. At the State Finals, both visual and verbal warnings will be given a two-minute, one-minute, 30 second, and stop warnings. The clerk must have their video off and microphone muted when not presenting time warnings. To provide a time warning, the clerk will turn on their video and unmute their microphone to do so. The time remaining cards must be displayed in a manner to ensure that there is a clear view for the counsel and presiding judge. The

clerk will stop students (both visually and verbally) at the end of the allotted time for each section. Thus, there will be no allowance for overtime. Two points must be deducted per score sheet if the presider finds that any section of this rule has been violated.

- M.** The presider and attorney scorers will be allowed 10 minutes for debriefing. Following the verdict, the clerk will begin timing the debriefing. The clerk must have their video off and microphone muted when not presenting time warnings. To provide a time warning, the clerk will turn on their video and unmute their microphone to do so. The clerk will provide the presider and attorney scorers with a 2 minute, 1 minute, 30 second visual warnings and will stop (both verbal and visual) the debriefing.
- O.** The bailiff may elect to stand or remain seated. The bailiff must have their video off and microphone muted when not presenting. The bailiff will turn on their video and unmute their microphone to call the court to order and swear in the witnesses.
- P.** Before calling the court to order, the bailiff will remind the virtual courtroom attendees to turn off all cell phones. In addition, if you are not presenting to turn off your video and mute your microphone.
- Q.** The bailiff will call the court to order using the following language:
“The Superior Court of the State of California, County of (ex. Los Angeles) _____, Department ____, is now in session. Judge _____ presiding.
- R.** The bailiff will swear in the witnesses (witness must remain seated) by using the following language:
“Do you solemnly affirm that the testimony you are about to give will faithfully and truthfully conform to the facts and rules of the Mock Trial competition?”

Rule 3.9 — Courtroom Artist and Journalist

- A.** The sketch must depict an actual courtroom scene observed by the courtroom artist. Since there is no physical courtroom in a virtual competition, it is permissible to create details of a courtroom. Artists are reminded not to focus too much on the background. Sketch must be created and completed by the courtroom artist during the course of the designated official trial without the help of any source or person. The courtroom artist may only observe and sketch the trials in which their team is competing in.
- D.** The art submission file must be labeled with the team code and student name only. No name/signature in the front of the submission is allowed.
- E.** The artists must have their video off and microphone muted when not presenting. At the end of the designated official trial, the artist must turn on their video to allow for a screen shot of the drawing. Then, the artist must submit a photo of the sketch within 30 minutes of the conclusion of the trial as designated by staff.
- F.** The journalists must have their video off and microphone muted when not presenting. The article must be based on what the journalist witnessed at the designated official trial and cannot be written prior to the trial. The journalist may only report on their own team’s trial.

Tips

- **Scrimmage** – It is highly encouraged to scrimmage prior to the actual competition. This will not only allow to practice with presenting the case but also practicing the virtual competition rules and procedures.
- **Internet** – A wired connection is better than a wi-fi connection. If you can, plug your device directly into your router. If you are using a wi-fi connection, be as close to your router as possible.
- **Bandwidth** – Be aware of household usage. Try to have exclusive use of the internet in your home, if possible, during the trials to ensure the best connection. Also, close any unnecessary tabs during the trials to reduce bandwidth use.
- **Zoom App** – Download the Zoom app. If you can, download the Zoom app for best results. If you cannot download the app, you can still join using the link on a browser.
- **Zoom Updates** – Make sure you have the most updated version of the Zoom app. Updates are release quite frequently. It is highly recommended to continue to check for new updates and maintain the most updated Zoom app.

- **Device** – Computer, laptop, tablet, or phone. It is recommended to use either a desktop computer or laptop. You can use a tablet or phone, but some features might be limited.
- **Microphone** – Audio devices and proximity. You can use your computer microphone/speaker, an external microphone/speaker, earpiece, headset, etc. To minimize background noise, a headset or earpiece is a general best practice. For the computer microphone/speaker or an external microphone/speaker, be as close to the microphone as possible. We encourage to test the microphone with someone to make sure you are heard loud and clear on their side. We also encourage you to practice muting and unmuting your microphone.
- **Push to Talk** – Zoom has a handy Push to Talk feature which ensures you not to fiddle around too much trying to unmute yourself every time you want to speak in a meeting. Simply press and hold the spacebar to temporarily unmute yourself.
- **Testing audio** – Testing audio is recommended before joining a Zoom meeting. When joining a meeting a pop-up window will appear to test your speakers. If you do not hear the ringtone, use the drop-down menu, or click No to switch speakers until you hear the ringtone. Click Yes to continue to the microphone test. If you do not hear an audio replay, use the drop-down menu of click No to switch microphones until you hear the replay. Click Yes when you hear the replay.
- **Backgrounds** – No virtual backgrounds. Virtual backgrounds (and profile pictures) are not allowed because they take up a lot of bandwidth. All participants should have a blank background (light neutral colors such as white, beige, or grey), if possible, without any distracting objects in the background.
- **Lighting** – You want to make sure you have light (window or lamp) in front of you and not behind you.
- **Exhibits** – All active team members and substitute must have the exhibits (and the case) readily available but may only refer when prompted to.
- **Naming Rule** – Must always be used. All attendees must follow the naming rule to be admitted to the virtual courtroom and throughout the trial – (Trial#) Team Code (P/D) First and Last Name (Role). Teams will receive team codes a couple of weeks before the competition and the trial number the day of trial.
- **Speaker or Gallery view** – There are two options available. You can pick one of the two view options; this only impacts your view. In a speaker view, the person speaking takes up your screen view. In a gallery view, you will view all participants in a grid layout.
- **Chat Feature** – Open the chat feature on the zoom menu bar. To send a private message scroll through the names on the list to select the person you want to send a private message to, then type message and send. You can select in advance the name you might want to send a message to and have it ready. (Reminder – only communication between trial attorneys (defendant) and between the clerk and unofficial timer is allowed during trial. Teams may communicate with coaches during the 30 second rule only.)