



YMCA YOUTH IN GOVERNMENT Mock Trial Judge Role Overview

Thank you for volunteering your time to this event. Preparing for YMCA MYIG Mock Trial takes a great deal of time and energy for our participants. We are proud to offer professionals like you as the judges to preside as these students show off their hard work. As a judge, your job is to score the proceedings, working with the student justice. If no student justice is available, you may also be called upon to preside during the round. If time allows at the end, we ask that you give positive and constructive critique to help the students grow and thrive in the practice of law. Please use the YMCA MYIG score sheet provided. Have the students fill out their names before the trial begins. Please bring your completed score sheets back to the Nerve Center after each round. You can leave any other materials in the room, we will collect it later.

YMCA Michigan Youth in Government is a statewide civic engagement program that offers more than 1,000 teens programming across a variety of events modeling all the branches of government as well as a press corps, lobbyists and a debate of national and international topics. The Mock Trial component is part of a larger event to lift up youth voices, further democratic principles and further the YMCA core values of Caring, Honesty, Inclusion, Respect and Responsibility. This work is part of a national movement of programs and teens engaging in programs from Mock Trial and legislative debate to leadership experiences and team building. Thank you for being part of the more than 150 volunteers who make our programs possible for teens from all across the state!

JURY TRIAL

As the case materials indicate, these trials are styled as jury trials with a trial judge presiding. Where possible we will assign a student presiding judge and a scoring evaluator to each courtroom. If we only have one judge available for that courtroom, then that volunteer will both preside and evaluate. The volunteer evaluator will also act as the court bailiff if there is no presiding judge available. The attorneys should be encouraged to address the presiding judge rather than the opposing team.

EXHIBITS AND CASE MATERIAL

There will be copies of the exhibits and the witness statements in each courtroom or in the MJP Office. Please confirm you have these before you begin. If you plan on judging more than one round you can hold on to your materials between rounds. Please return the materials to the MJP office when you are done volunteering for the day.

CALLING THE CASE

When the teams arrive, have them fill out the score sheet forms and confirm the teams are in the correct location. Please remind them no nicknames, and to print neatly. Please adhere to the start time given to you on your scoresheet. This is the official start time. See Trial Rule #8 on page #7 of the rules packet for point deductions if a team is late to the courtroom. After the presiding judge calls the courtroom to order, they should ask each team's attorneys to introduce themselves and their witnesses. Attorneys should always stand when addressing the court. To try to make this experience as realistic as possible, address them formally and expect them to do the same.

TRIAL RULES

The teams are all required to adhere to the MYIG Mock Trial Rules. Each team has been given the rules and should know them. The specific rules for each trial are found on pages 4-8 of the Rules packet. Trial judges may not change the rules. If you have any suggestions on the rules, please let us know- we would love to hear your opinions.

PRELIMINARY MOTIONS

Often teams will make preliminary motions of various kinds. They may ask to move around the courtroom during the trial or to sequester the witnesses. Presiding judges may grant pretrial motions as long as they are constructive and continue the case in a productive manner. For example, **do not** grant any motions that preclude a trial or prevent the examination of any of the witnesses. Never grant a motion for summary judgment, no matter what. The goal of this program is to actually do the mock trial, please ensure the trial

takes place. They may ask to aggregate their time. They may do so, as long as the total does not exceed the total for their side. They may not aggregate time from opening or closing statements.

TIMEKEEPING

According to Rule 7a. (Page 6) each team is responsible for keeping track of their time. They may need to be reminded of this fact. If it is easier for you, please also keep time, as the schedule is very tight and trial times cannot go over. You may use your own discretion in allowing an individual to finish a thought or sentence as time elapses.

PROSECUTION ELECTION

In this case the prosecution has to make an election before or during their opening statement as to what charge(s) they will pursue. They can proceed on one or more than one; they must declare this at the beginning of the trial.

FACTS AS THEY ARE PRESENTED

The teams are required to abide by the facts or the reasonable inferences that can be drawn from the facts as stated in the case materials provided. As long as the teams are sticking to the facts, allow them to be creative on how they get there. We encourage the kids to be a little creative and to be quick thinkers for every team that they go up against as some teams interpret the case materials differently.

WITNESSES

You can swear the witnesses in or not (See Rule 6h, page 6). They must stick to the facts in their statements and cannot make facts up that are inconsistent with their statements. There are specific criteria for scoring the witnesses that are different from scoring the attorneys (see the scoring sheet).

DEFENDANT TAKES THE STAND

Before the defendant testifies, to add to the realism, the trial judge MAY interrogate the defendant along these lines:

"Mr. ____ as the defendant you understand that you have a right to testify or not to testify. If you choose to testify you will be subject to cross examination and the judge will instruct the jury to judge your testimony in the same way it does any other witness. If you choose not to testify (which they can't) the judge will instruct the jury that fact can not be considered in their deliberations. Have you discussed the decision to testify with your attorneys and is it your choice to testify?"

OBJECTIONS

The types of objections that can be made are limited to those in pages 9 - 11 of the Rules. Part of your job is to rate how well attorneys make or respond to objections and or motions. Although you are not to coach teams during a trial (see Rule 12), the presiding judge can suggest ways for attorneys to get around objections just as some real judges do, especially if it is necessary for them to present their case. Aiming to be as realistic as possible the attorney who does **the cross/direct of a witness** is the only one who can make **objections** when that witness is being examined by the opposing team.

RECESS

The presiding judge *may* give the teams a short recess at the end of all of the evidence to collect their thoughts before their closing arguments. Do not have them leave the room. But only do so if there is time left in the 120 minutes allotted for the trial. (see Rules page 6) Trial times can not run over- the schedule is too tight and students have to make sure they are on time for their next trial or have time for their next meal.

SCORING THE TRIAL

Once both teams have rested their case and arguments are completed, dismiss the teams so that you can fill out the score sheets to determine the winner. The winning team is the one that receives the most points regardless of who you think would have prevailed at trial. This is a competition between teams and how well they present their case given the facts presented by the case materials. Once you have completed and signed the score sheets, call the teams back in *if there is still time* left for the "critique" period. **DO NOT TELL THEM WHICH TEAM WON**. You may release the students early, as some trials will not take up the entire time.

THE CRITIQUE

ONLY IF THERE IS TIME- At this time you can introduce yourself and your professional background and then offer your critique of their performance. Feel free to ask them questions about what they did and why they did what they did. You can ask them if they have questions about the trial, or the evidence, or to further explain any rulings you made. Remember, these are high school students; they can be as young as freshmen (14), or

as old as seniors (18). This could be their first year in MJP, or it could be their fourth. **Be as positive as possible and do not denigrate them or their efforts.** We recommend the compliment sandwich approach, what they did well, how they can improve something and an overall positive statement to complete the critique. Please also remember that these students are from all different schools with differing levels of support and resources. Some may have had lots of help, while others may have had none. This should be a good learning experience for them, you can help achieve that by your critique. If there is no time for a verbal critique, there is space on the provided score sheets- and they will be given to each of the teams after the trials have commenced.

JUDGE CONTACT WITH TEAMS

The YMCA Youth in Government program prohibits volunteers from having outside relationships with participants they meet in the course of their participation in our program. You are not permitted to collect or share personal information with the students. If you would like to connect further with a school or our program please contact the staff at staff@myig.org or 517-639-4480

Courtroom Student and Spectator Rules

We have high standards for our students and the way they behave during their trial times. There is no food or drinks in any of the courtrooms with the exception to closed water bottles. They should have cell phones off unless keeping time- and they should be on SILENT, as should spectators and yours. The staff and volunteers will work to limit interruptions from guests, press or others. If an individual is standing near your door they are instructed to wait for a break to enter. It would be helpful if you could facilitate this entering with a quick pause between witnesses or attorneys. If a student is being disrespectful, you may stop the trial and ask them to stop and you have the right to deduct points if you feel necessary. If spectators are being disrespectful, you have the right to ask them to leave. You may direct them to the MJP Office or MYIG staff if they have questions.

Once again, we appreciate your willingness to volunteer with the Michigan Youth In Government Mock Trial program. We hope that you have enjoyed your time and consider volunteering with us again in the future.