



MCCE Mock Trial

Judging Resources

Judging Resources

Please use these materials to aid in successful Mock Trial judging.

The resources should outline procedures unique to MCCE High School Mock Trial and aid in your evaluation of the trials. Thank you for sharing your time, care, and expertise with us.

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Contacts - feel free to text!

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Additional Event Contact Information and/or Notes:







www.miciviced.org



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Appreciation and Recognition

MCCE Donors and Sponsors, anticipated or known as of January 2025

<p>Guardian Level</p>  <p>LITIGATION SECTION</p> <p>State Bar of Michigan</p> <p>Defender Level</p> <p>Pete Battey</p> <p>Advocate Level</p>  <p>OAKLAND COUNTY BAR FOUNDATION</p> <p>Steelcase Foundation</p>	<p>Trustee Level</p>  <p>do some good</p>  <p>MACOMB BAR FOUNDATION</p> <p>Young Lawyers Section, State Bar of Michigan</p> <p>Envoy Level</p> <p>Daniel Attaway</p> <p>Proponent Level</p> <p>Barbara Gazda</p>	<p>Endorser Level</p> <p>Kristina Bilowus Fatima Bolyea Dr. Kimberly Jones Amanda Rice Alex Constantelos</p> <p>Supporter Level</p> <p>Hillary Baker Lena Brundin Donald Fulkerson Eric Roberts Brian Stevens Joanne & Lody Zwarensteyn</p>
<p>Appreciation to:</p> <p>The Public Outreach and Education Committee of the State Bar of Michigan MCCE Board of Directors and the Advisory Board All Courthouses</p>		

Please Join MCCE for the 2025 Celebration

CELEBRATE A YEAR OF CIVIC LEARNING

Alumni - Volunteers - Educators - Donors



Join us for the annual MCCE Civic Joy reception for a celebration of civic education!

FRIDAY, MARCH 21, 2025

7:00p.m

AC Hotel Lansing
3160 East Michigan Ave; Lansing

RSVP: <https://bit.ly/2025CivicJoy>





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New This Year and Key Reminders

- New for 2025

- **New Footnote on Custodian of records**

- Because the structure of mock trial makes it impossible for students to call a custodian of records to lay foundation regarding the authenticity of a document and whether it was kept in the regular course of a business activity, judges should consider that requirement satisfied where a student otherwise properly seeks to admit evidence or testimony under Rule 803(6).

- Integrity

- MCCE continues to advance Administrative Order 2020-23 to promote Professionalism and Civility in our legal and civic communities. Please adhere to the guidelines and ensure our participants do too.
 - Participant expectations before, during and after
 - Welcoming to all schools and students - all deserving of belonging and pathways
 - Multiple levels of experience
 - Multiple perspectives and viewpoints
 - Welcome new programs and established programs
 - Grace, flexibility, dignity of all participants
 - Communication of sensitive student information and/or accommodations

- Balloting

- Please keep and record scores first on paper and keep your paper ballots
 - Enter ballots into tabroom (see link - staff happy to help)

- Review Performance Evaluation

- Content key in student presentations
 - Separate merits of the case from performance in the trial
 - Scoring - Start mid-point. Move up as deserving. Below a 5 should indicate something seriously went wrong - offensive, unwilling, or otherwise demeaning behavior. Please talk with tab staff.
 - Sensitive student issues
 - Inclusion
 - Objections (timed) - your role to limit frivolous objections
 - What not to judge
 - Witness Notes



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Judging Process Checklist

Registration and Michigan Center for Civic Education Permissions

- ☐ Code of Conduct (agreement at volunteer registration)
- ☐ Video, Name, and Likeness Permissions
- ☐ Please inform us of any mobility, communications, and/or dietary accommodations

In Advance of the Trials

- ☐ Attend Orientation (especially for new volunteers)
- ☐ Tabroom Online Schedule and Balloting Procedures
- ☐ Schedule, Logistics, and Location Information
- ☐ Day of and Trial Schedule

What to Bring, How to Prepare

- ☐ Laptop or Tablet if Available
- ☐ Dress - Courtroom attire
- ☐ MCCE will provide folder on site with materials and a limited number of case materials & rules

Case Materials & Rules

- ☐ Criminal Case - [State of Michigan vs. Hemingway](#)
- ☐ [Case Q&A Responses](#) -
- ☐ [Rules](#) - including modified **federal rules of evidence Pages 31 - 41**

In Courtroom

- ☐ Presiding Judge Script
- ☐ Performance Rating Sheet
- ☐ Tabroom Procedures (plus ballot / performance paper copy as backup)
- ☐ Feedback. Positive, encouraging, iterative learning goals
- ☐ Congratulate Team
- ☐ Return to volunteer space/tabulation room. Pick up next paper ballot.

In Judges Chambers/Panels

Prior to Trial

- ☐ Resource Check - paper ballot, electronic ballot, performance criteria, PJ script
- ☐ Confirm Roles
- ☐ Discuss any student needs with officer

After Trial

- ☐ Evaluate team - respectful, honoring the students for showing up.
- ☐ Conferring okay. Each judge to evaluate individually from their own perspective
- ☐ Review Paper Notes and **enter electronic ballot on Tabroom**
- ☐ Gather Thoughts for feedback (Plan A)

Collecting and Inputting Scores with Your Court Officer - Network, refresh, enjoy civic community

THANK YOU! MCCE Website: <https://miciviced.org/>



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Timing and Officer Information and Links

Officer Materials

Timekeeping -

Schools to provide one timekeeper each

Timekeepers to position themselves so they may confer

Resources:

2022 Training Video, 2023 Signs starting at 10 minutes

Time Sheets and Explanations and Time Cards

Electronic Ballots

- All ballots are on tabroom
- Judges log into their tabroom accounts
- When their trial round is active and they have been assigned their home screen - found by clicking on their email address at the top right - will show their current assignment.
- Select "Start Round" to begin tabulating.

TABROOM.COM
NATIONAL SPEECH & DEBATE ASSOCIATION

Home Circuits Results Paradigms Help About

MI Mock Trial's Judging

Current ballots

Current Assignments

Round	W1
Courtroom	Round at TEST MI HS MT in Judging Panel Members for Trial Test Tournament - No Room
Role	Scorer
Start	Tue 3:00 PM EST
Entries	Plaintiff ABD Defense 105

Click Start Round to retrieve your scoresheet.

START ROUND

Your Judge Pools

2A - Detroit - Sat, Feb. 17 - ALL Day Shift - (8 AM - 4 PM)	JP
at Region 2 - Wayne	
2B - Detroit - Sat, Feb. 17 - AM Shift - (8 AM - 1:30 PM)	JP
at Region 2 - Wayne	
2C - Detroit - Sat, Feb. 17 - PM Shift - (1 PM - 4 PM)	JP
at Region 2 - Wayne	

Institutions

MI Test High School

Tournaments

Michigan High School Mock Trial Tournament 2/10

Past Tournaments

Judging

Upcoming	History
Standing Conflicts	Paradigm
Judge Certifications	Offer Hired Judging



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Performance Rating Guidelines

You are rating team performance, not the legal merits of the case presented.

In deciding which team (Attorneys and Witnesses) has made the better overall presentation in the case you are judging, please use the following criteria.

It is recommended that you use the “5–6” range as an indication of an average high school performance, and adjust higher or lower for stronger or weaker performances.

Rating must be on a whole point basis (partial points not allowed). A sample ballot may be viewed [here](#).

<u>Points</u>	<u>Performance</u>	<u>Criteria for Rating Performance</u>
9–10	Outstanding	Thinks well on feet, is logical, keeps poise under duress; performance is resourceful, original, and innovative; can sort out the essential from the non-essential; uses time effectively to accomplish major objectives; knows how to emphasize vital points of trial.
7–8	Excellent	Presentation is persuasive, clear and understandable; organized thoughts and use of materials; exhibits a mastery of the case and materials provided; presentation is both believable and skillful. May have room for improvement on a specific performance area or two.
5–6	Good (Average)	Good, but less than spectacular; performance; has fundamental understanding of task and can perform outside the script but with less confidence that when using the script; grasps major aspects of the case but does not convey a mastery of the case in its entirety; communications are clear and understandable but could be more persuasive; acceptable but uninspired performance.
3–4	Fair	Performs all tasks required but presentation lacks organization, original or preparation in all or part of the materials presented; performance is passable but lacks depth in terms of knowledge of task and materials; communication lacks clarity and conviction
1–2	Not Effective (Poor)	Disorganized, unsure of self, illogical, uninformed, demonstrates lack of preparation and understanding of task, simply ineffective in communications.



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Performance Rating Criteria Explained

The Michigan Center for Civic Education (MCCE) believes participation in Mock Trial helps inspire pathways into various legal careers and civic life. In order to inform and afford the best environment for success, MCCE has integrated related Professionalism Principles for Lawyers and Judges. These “Principles” were established by the State Bar of Michigan, acting in accord with the Michigan Supreme Court (Administrative Order ([Administrative Order No. 2020-23](#), adopted December 2020)).

Throughout the materials, you will find references to the letter and to the spirit of these Principles. Students, coaches, volunteers, observers, and all those involved in the activity are expected to act in accordance with these Principles. Mock Trial serves to exemplify the best of the legal community. Thank you for acknowledging and advancing these Principles.

Judges should consider the following criteria when rating each of the following segments of the trial:

Commitment to Professionalism and Civility

Together as a community of schools and individually as teams and team members, the team exhibits the highest levels of professional conduct to reflect and advance the best of the legal profession. Teams and individuals show civility, honesty, integrity, and are cooperative in all their interactions by treating all people involved in Mock Trial events with courtesy and respect.

The team does not engage in rude, threatening, disparaging, demeaning, or obstructive toward people involved in the event. The team does not act upon, or exhibit invidious bias and will seek reasonable accommodations to ensure full participation by everyone involved.

Moreover, the team presumes the best in others and willingly and joyfully exchanges the Star Witness and Star Attorney Awards.



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Attorneys	<p>Attorneys exhibit exemplary professionalism and civility by:</p> <ul style="list-style-type: none"> • allowing opposing counsel to make their arguments without distraction or interruption • accurately representing and characterizing matters in written and oral communications • drafting documents that accurately reflect parties' understandings, court's rulings, and pertinent circumstances as found in the case materials • making objections that are reasonably grounded in the modified Mock Trial rules of evidence and procedure • being punctual and mindful of the time allocation in any given trial and are considerate of the schedules of judges, lawyers, parties, witnesses, and the tournament staff • using objections strategically - objections that are perceived as frivolous, intentionally intimidating, or otherwise wasting the other team's time must be avoided • readily stipulating to undisputed facts. • are thoroughly informed of the relevant law
Opening Statement	In the opening statement, the attorney presented a clear description of their theory of the case, setting forth what their proofs expected to show and why the court should find in their favor.
Attorney Direct Examination	On direct examination of the witnesses, the attorney used non-leading, non-speculative and non-hearsay questions that brought out key information for their side of the case. The attorney exhibited a clear understanding of trial procedures and responded to objections appropriately.
Attorney Cross Examination	On the cross-examination of the witnesses, the attorney effectively discredits the testimony or impeached the witness. The attorney obtained favorable testimony although the other side called the witness. The attorney controlled the witness by asking good leading questions, demanding a "yes" or "no" answer where appropriate. The attorney exhibited a clear understanding of trial procedures and argued objections appropriately.
Closing Argument	In the closing argument, the attorney effectively showed the reasons for their side prevailing and respectfully pointed out the flaws in the other side's case. The attorney exhibited a clear understanding of the facts and the law. The attorney effectively responded to unexpected testimony or rulings.
Witnesses	<p>Witnesses are to be scored twice - once for their direct examination and once for their cross-examination. An effective witness knows the material, portrays the character with integrity and authenticity, without referring to notes, remains consistent in their portrayal and style between direct and cross, and, if appropriate, advances their team's theme and theory.</p> <p>A witness should be scored for their portrayal of the character and the portrayal alone. This portrayal is a reflection of the witness' affidavit alone. Witnesses do not need to show</p>



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	or have knowledge of the case materials outside their statement. A witness should be believable in their characterizations and convincing in their testimony. The witness acts with integrity to the role, rules, the materials, and chooses to embrace the role with the best of intentions. The witness (to the extent the character permits) acts with professional courtesy to all involved in the trial.
Witness Direct	The witness was well prepared for answering the questions posed under direct examination. The exchange is believable. The exchange should appear authentic and not overly scripted so as to capture the humanity of the character being portrayed.
Witness Cross Examination	Upon cross examination, the witness responded honestly, accurately, and persuasively to questions posed. The witness maintains their character from direct to cross and responds in ways true to their affidavit. The witness should, to the extent their character permits, not be intentionally combative or unnecessarily illusive.
Team Performance	Team Members were courteous, professional, and civil. Team Members observed general courtroom decorum.. Team members worked together well and appeared to value one another's participation. Team members had a coherent theory of the case - with sophisticated integration at key moments throughout the trial. Team members exhibited a clear understanding of the facts, issues, and the law.



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Sample Ballot

- Ballots have a drop down box to select the student you are scoring's name - **Red Box**
- Scoring categories are in the order they appear in the trial - **blue box**
- Scores must be round numbers
- The final score cannot be a tie - **Orange box**
- If a judge is using a paper ballot, the court officer may input it for them.
- If a court officer is bringing the ballot to the tabulation room before entering it online, please first check the score to ensure it is not a tie
- When the scores are all entered, select Save Scores
- A confirmation page will open, you will see all of the scores. At this time you will confirm the information and then select the large green box, "Yes! CORRECT! CONFIRMED! Or the Red No box to return and edit your scores.
- Click home to return to your assignments page

PLAINTIFF Team ABD	DEFENSE Team 105
P Opening Statement Select the speaker: [dropdown] 1-10 [input] x	Def Opening Statement Select the speaker: [dropdown] 1-10 [input] x
P Direct Exam #1 Select the speaker: [dropdown] 1-10 [input] x	D Cross Exam #1 Select the speaker: [dropdown] 1-10 [input] x
P Witness #1 Direct Select the speaker: [dropdown] 1-10 [input] x	
P Witness #1 Cross Select the speaker: [dropdown] 1-10 [input] x	
P Direct Exam #2 Select the speaker: [dropdown] 1-10 [input] x	D Cross Exam #2 Select the speaker: [dropdown] 1-10 [input] x
P Witness #2 Direct Score Select the speaker: [dropdown] 1-10 [input] x	
P Witness #2 Cross Score Select the speaker: [dropdown] 1-10 [input] x	
P Direct Exam #3 Select the speaker: [dropdown] 1-10 [input] x	D Cross Exam #3 Select the speaker: [dropdown] 1-10 [input] x
P Witness #3 Direct Score Select the speaker: [dropdown] 1-10 [input] x	
P Witness #3 Cross Score Select the speaker: [dropdown] 1-10 [input] x	
P Cross Exam #1 Select the speaker: [dropdown] 1-10 [input] x	
	D Direct Exam #1 Select the speaker: [dropdown] 1-10 [input] x
	D Witness #1 Direct Score Select the speaker: [dropdown] 1-10 [input] x
P Cross Exam #2 Select the speaker: [dropdown] 1-10 [input] x	D Witness #1 Cross Score Select the speaker: [dropdown] 1-10 [input] x
	D Direct Exam #2 Select the speaker: [dropdown] 1-10 [input] x
	D Witness #2 Direct Score Select the speaker: [dropdown] 1-10 [input] x
P Cross Exam #2 Select the speaker: [dropdown] 1-10 [input] x	D Witness #2 Cross Score Select the speaker: [dropdown] 1-10 [input] x
	D Direct Exam #3 Select the speaker: [dropdown] 1-10 [input] x
P Closing Statement Select the speaker: [dropdown] 1-10 [input] x	D Witness #3 Direct Score Select the speaker: [dropdown] 1-10 [input] x
Overall P Performance Score Select the speaker: [dropdown] 1-10 [input] x	D Witness #2 Cross Score Select the speaker: [dropdown] 1-10 [input] x
P Professionalism & Civility Score Select the speaker: [dropdown] 1-10 [input] x	D Closing Statement Select the speaker: [dropdown] 1-10 [input] x
	D Overall Performance Score Select the speaker: [dropdown] 1-10 [input] x
	D Professionalism & Civility Score Select the speaker: [dropdown] 1-10 [input] x
PLAINTIFF TEAM TOTAL: 0	DEFENSE TEAM TOTAL: 0
YOUR SELECTED WINNER:	
<input type="button" value="Save Scores"/>	

Do not leave the courtroom until you are released by your Court Officer



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PRESIDING JUDGE WELCOMING AND TRIAL PROCEDURE SCRIPT

Thank you for advancing legal education! Presiding Judge - Please use this script to help guide the process and ensure equitable application of the trial procedures. Thank you.

Welcome to the Michigan High School Mock Trial Tournament! On behalf of the Michigan Center for Civic Education, we would like to publicly thank the State Bar of Michigan, the Litigation Section and Young Lawyers Section of the State Bar of Michigan and many others for their support of Mock Trial. To each student, teacher, coach, and supporter, we are grateful you are here. Before we begin, there are a few procedural matters that we would like to review for the participants, coaches, and your community of supporters.

1. Before we begin let's ensure that rosters have been distributed to opposing counsel, each of the scoring judges, and myself. *[collect paper rosters from teams]*
2. At this time, I would like to **introduce** myself and the scoring judges will do the same [Presiding Judge to briefly introduce themselves followed by Scoring Judges.]
3. A reminder that a **team's identity** or school affiliation should not be revealed to the judges. Please take care to conceal any logos or other identifying items. Teams will be identified by code.
4. Please remember the **Code of Conduct** each of you signed and the importance of your integrity in this event. Per Rule B 5 of the Michigan High School Mock Trial Tournament Rules and Procedures (hereafter "Rules"), **coaching is not permitted** once the trial begins. In order to avoid any appearance of impropriety, no communication of any kind is permitted between the students trying the case and anyone *not* participating in the round. This includes other students from the team, coaches, timekeepers (unless asked for time), parents/guardians, and anyone else. If anyone observes a violation of this rule, they must report it immediately to me. The clock will be stopped and an inquiry made into the circumstances. *Also, witnesses should not use script / notes.*
5. **Scouting** is not permitted. The only people 'authorized' to observe this trial are those affiliated with these two teams or observers that have registered with tournament staff. At this time, does everybody in this Courtroom room meet these requirements? *[Double check with teachers if deemed necessary.]*
6. **Recording.** Per Rule III (I), videotaping using your own device is permitted if notification is given to me, the opposing team is notified, and all permissions are granted by opposing counsel. If a team records any of its trials, that recording **may not be made available to any other schools, including through social media**, for any reason (and especially for the purposes of scouting) prior to the conclusion of state finals. Is anyone going to record the trial?
 - a. [If yes, verify with Court Officer permissions were granted]
 - b. [If no, continue]
7. **Time keepers** should work together and with the designated Courtroom Officer to ensure proper timing - confirming time regularly and resolving any discrepancies. We should have three time keepers.
 - a. Would the Courtroom Officer in charge of timekeeping please identify yourself.
 - b. Now, student timekeepers, please introduce yourselves. You will be expected to work together to keep time.



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- c. In the event that there are technical issues, I have the discretion to instruct the Timekeeper to stop the time until the problem is resolved.
8. We would like to recognize any **Courtroom Artist and/or Courtroom Journalist**. Please identify yourself. Please adhere to the guidelines regarding submission of your work.
 9. [If American Sign Language (“ASL”) interpreters are present], we would also like to acknowledge any ASL interpreters. Thank you for working to expand access to the courts.
 10. Finally, **congratulations** for participating in Mock Trial. We hope this journey is worthwhile and hope you continue your civic engagement far beyond today. We are looking forward to our time together and please have fun. Best wishes.
 11. **Begin the Trial.** At this time, we will come to order in the case of [State of Michigan vs. Hemingway](#). At this time, I will **swear-in** the teams. Please raise your right hand and repeat after me: “I promise and affirm to faithfully adhere to the Michigan High School Mock Trial Tournament Rules and Procedures.”
 - a. **Preliminary Matters.**
 - i. Statement of Appearances [all teams introduce themselves and their roles]
 - ii. (may provide rosters now or prior)
 - iii. While the **Authenticity of Exhibits** has been stipulated to by the Parties, objections based upon other grounds are permitted. For instance, Teams must still lay the proper foundation for any exhibits and respond to objections regarding hearsay, relevance, etc.
 - iv. Does either counsel have any other preliminary matters they would like to address? (students may ask about moving about the well, standing during statements, your response is your own prerogative)
 - b. **Trial**
 - i. Are the parties ready to proceed with **Opening Statements**?
 - ii. Prosecution, please proceed with your opening statement. [Defendant has the option to defer its opening until start of Defense’s Case and Chief]
 - iii. **Prosecution Direct and Defense Cross Examinations**
 1. Prosecution, please call your first witness.
Is there cross-examination of this witness? Please proceed.
 2. Any redirect?
 3. May this witness be excused? *[response]* You may be excused.
 4. Repeat above for all Team Witnesses.
 - iv. Defense Opening if they deferred.
 - v. **Defense Direct Examinations and Prosecution Cross Examinations**
 1. Defense, please call your first witness.
 2. Is there cross-examination of this witness? Please proceed?
 3. Any redirect?
 4. Any recross?
 5. May this witness be excused? *[response]* You may be excused.
 6. Repeat the above for all team witnesses.
 - vi. Is the Prosecution ready for its **closing argument**? *[response]* Please proceed.
 - vii. Is the Defense ready for its closing argument? *[response]* Please proceed.



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- viii. Does the Prosecution have a rebuttal? *[response]* Please proceed.
- ix. At this time, per Rule III (L) of the Rules and Procedures for Trials, are there any **disputes**?
(Notes on process below)
 - 1. If no, please continue.
 - 2. If yes, please complete the dispute resolution form and deliver to me.
 - 3. [Presiding Judge will review. Presiding Judge May enter Chambers with SJ only if necessary] Should a judge find merit, the attorneys responsible for writing the initial dispute will now share form with opposing counsel. Again, the Presiding Judge will evaluate and take appropriate action.
- x. **Congratulate** the teams for a Great Round.
- xi. **Courtroom officers** - could you inform us as to the time remaining for this trial block? Do we have time to retire to our chambers to prepare feedback or should we proceed with feedback now?
[If time to retire], Judges, we will now retire to our Judges' Chambers. Participants, please stay here and we will return with feedback.
Students, while we are in chambers, please exchange your Star Witness and Star Attorney Awards. Those certificates can be found in your packet.
- xii. Judges return to provide feedback.
 - 1. Please remember Wise feedback.
 - 2. Please be mindful of time - concise and precise feedback.
 - 3. Positive, inclusive, whole team, take-away suggestions
 - 4. There is room for additional feedback on ballot
- xiii. That **concludes** this Mock Trial round. Congratulations on all the effort, time, and care you put into your performance. Judges, it is now time for us to return to chambers.



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DISPUTE RESOLUTION FORM

MICHIGAN HIGH SCHOOL MOCK TRIAL COMPETITION DISPUTE RESOLUTION FORM	
Round Number	Date
Plaintiff Team Code	Defense Team Code
Number of Team Lodging Dispute	
Grounds for Dispute:	
Initials of Team Spokesperson: _____	
Decision of Presiding Judge (CIRCLE ONE) Hearing Granted Hearing Denied	
If hearing granted, response of opposing team:	
Initials of Opposing Team Spokesperson: _____	
Decision of presiding Judge - Please check (DO NOT ANNOUNCE)	
____A substantial Rules Violation has occurred (report to panel).	
____No substantial Rules Violation has occurred (do not report to panel).	
Reasons (s) for presiding judge's decision:	
_____ Typed/Printed Name of Presiding Judge	_____ Signature of Presiding Judge

Please turn in form to the tabulation room or electronically via email: mocktrial@miciviced.org Subject line: Dispute