

NHHSMTA

SCORING RUBRIC

9-10 Outstanding (exceptional performance)

7-8 Above average (very good /solid performance)

5-6 Average (meets required standards)

3-4 Below Average (fair/weak performance)

OPENING STATEMENT

9-10 Provided case overview. Effective use of a theme. Discussed burden of proof. Non argumentative. Mentions key witnesses and their role. Excellent eye contact. Effective use of movement and hand gestures

7-8 Provided case overview. Theme not effective. Mentions burden of proof. Non argumentative. Mentions witnesses minimal eye contact. Some movement

5-6 Case overview is not clear. No theme. Minimal explanation of the burden of proof. Witnesses mentioned but no detail. No eye contact. No movement

3-4 Poor explanation of the case. Does not set up a map of the case No explanation of the burden of proof. Minimal mention of witnesses. No eye contact no movement.

DIRECT EXAMINATION

9-10 Proper form of questions (non leading). Did not ask questions that led to an objection. Demonstrated an understanding of the facts. Used case theory and theme effectively. Good eye contact and movement.

- 7-8 Proper form of questions. Able to make reasonable offers of proof in responding to objections. Questions support case theory. Some eye contact and movement. Very little use of the theme
- 5-6 Proper form of questions but led to objections. Struggled to make an offer of proof when objections are made. Questions do not support the case theory very well. No reference to the theme Minimal eye contact and movement.
- 3-4 Most questions have the proper form but do not support the case theory. No movement and eye contact. Unable to make offer of proof on objections.

Witness on direct examination

- 9-10 Fluent with their part. Performs spotlessly. Remains in character. Avoids harming their side using only information from their witness statement. Avoids long and non responsive answers Excellent eye contact with the jury/judge. Spontaneous and does not appear memorized
- 7-8 Witness is fluent with part. Remains in character. Some answers non responsive. Appears somewhat memorized Brings out relative facts. Good eye contact
- 5-6 Knows their part but fails to stay within their statement. Sometimes the attorney needs to refresh their memory. Minimal eye contact
- 3-4 Does not know their part. Needs to be constantly refreshed with their statement. No eye contact

Cross Examination

- 9-10 Consistently uses proper form of questions. Used various techniques. Effectively handled non responsive answers Handled objections appropriately showing knowledge of the Rules of Evidence. Effectively controls the witness. Questions support their case theory and undercuts the opposing team's case. Able to think on their feet. Excellent eye contact

- 7-8 Proper form on questions. Techniques vary somewhat. Struggled a bit with the witness but able to control the witness. Struggled a bit with handling objections. Sometimes was caught off guard by surprises. Good eye contact
- 5-6 Cross examination is good but wastes time unimportant facts. Allowed the witness to take control at times. Stumbles with objections or unexpected answers. Poor eye contact
- 3-4 Touches briefly on effective arguments but does not paint a coherent picture. Witness was able to control the attorney. Asked questions that harmed their case theory.

Witness on Cross Examination

- 9-10 Continues to remain in character. Does not open themselves up to impeachment. Excellent eye contact. Knows their part very well.
- 7-8 Somewhat remains in character. Sometimes opened themselves up to impeachment. Tried to over explain answers. Good eye contact
- 5-6 Unable to remain in character. Was able to be impeached often. Over explained answers. Caught off guard by some questions. Some eye contact
- 3-4 Unable to remain in character. Poor eye contact Poor knowledge of statement and easily impeached

Closing Argument

- 9-10 Case theory and theme continued. Presented a clear and persuasive argument. Excellent summarization of the evidence. Emphasized the supporting points of their own and those that damaged the opposing side. Avoided the trivial and concentrated on the important facts. Explained the burden and asked the jury for a verdict. Excellent eye contact and movement
- 7-8 Case theory and theme continued. Argument was clear but not as persuasive. Emphasized supporting facts and some of the opposing

side. Explained the burden of proof and asked for a verdict Good eye contact and movement.

5-6 Case theory and theme not continued. Argument was clear but unable to support their argument with testimony from the trial. Poor eye contact and movement. Mentioned the burden of proof but did not ask for a verdict

3-4 Case theory not continued Argument was not clear with little or no use of evidence to support their argument. Does not mention the burden of proof or ask for a verdict. Little or no eye contact or movement.