



TRIAL COURT

JUDICIAL SECTION GUIDE



TEXAS YOUTH AND GOVERNMENT

Table of Contents

INTRODUCTION 3

TEAM COMPOSITION 3

JUDGES..... 4

EVALUATORS AND SCORING 5

POST-TRIAL INFORMATION..... 6



TEXAS YOUTH AND GOVERNMENT

INTRODUCTION

1. The YMCA Texas Youth and Government Mock Trial Competition is governed by the rules set forth below. These rules are designed to ensure excellence in presentation and fairness in scoring all trials and tournaments. These rules are supplemented by any specific stipulations and comments provided in the current case. These rules are also supplemented by the Rules of Evidence, Rules of Procedure any other documents issued by the Texas Judicial Section Leader.
2. These materials should be interpreted to be consistent with one another. In the event of an actual conflict between different sections of the Mock Trial materials, the following order of precedence should be used: (1) any official case or rule clarification published by the Judicial Section Leader for the current case; (2) the current case stipulations and comments; (2) Rules of Procedure; and then (3) Rules of Evidence.
3. You are permitted to submit any questions regarding the case, trial rules and procedures and simplified rules of evidence. Such questions should be submitted via e-mail to txyg@austinyymca.org by October 22nd, 2018. An official response by the Judicial Section leaders will be e-mailed to all District Directors for distribution no later than October 29, 2018. The written response will serve as a "clarification" as stated in item number (1) above and will become part of the case materials.

TEAM COMPOSITION

1. All teams must consist of students who are currently in grades 9-12.
2. Teams will be composed of five to eight people. No more than two people will serve as attorneys or three people as witnesses in any given trial. No team member that has an attorney or witness role on prosecution/plaintiff side will be allowed to serve as bailiff. If the teams is made up of only 5 team members, that team is responsible for filling the bailiff role with an advisor/coach/parent. All team members are expected to serve as a witness or an attorney at least once. No team member's role should solely be to serve as the Bailiff.
3. The roles are defined as:
 - 2 attorneys for plaintiff
 - 2 attorneys for defendant
 - 3 witnesses for plaintiff



TEXAS YOUTH AND GOVERNMENT

- 3 witnesses for defendant
- 1 court bailiff – each prosecution team is required to have a student, coach, advisor or parent available to serve as bailiff
4. Each team must use two attorneys and three witnesses in each trial. Three different students must play each of the three witness roles.
5. Delegations may enter more than one team in the competition. However, if a Delegation enters more than one team, the teams must have no members in common.
6. Teams must be prepared to present both sides of the case (Prosecution and Defense), and will present each side at least once during the competition. The side that each team will represent will be posted outside the judicial office as soon as possible before each round. Every effort will be made to post the rounds at least 15 minutes prior to the beginning of each trial.
7. All witness roles are gender neutral and may be filled with either male or female students.
8. There will be 42 slots available at the State Conference for District Court Teams and 30 slots available for County Court Teams.
9. NOTE: A TEAM THAT IS SENT FROM A DISTRICT TO COMPETE AT STATE IN THE DISTRICT COURT PROGRAM MUST HAVE SUBSTANTIALLY THE SAME MAKEUP AS IT DID COMPETING AT THE DISTRICT CONFERENCE. NO MORE THAN TWO TEAM MEMBERS CAN BE CHANGED AND THE ATTORNEYS MUST REMAIN THE SAME. ANY TEAM THAT CANNOT SATISFY THIS RULE MUST CONTACT STATE DIRECTOR AT txyg@austinyca.org NO LATER THAN 2 WEEK PRIOR TO THE STATE CONFERENCE TO DISCUSS OPTIONS

JUDGES

1. For every two trial teams your school has, you must also enter one judge. Waivers may be issued based upon circumstances presented to State Director. Requests must be sent in writing to txyg@austinyca.org.
2. Any student serving as a judge must have previously served as an attorney. Waivers may be issued based upon circumstances (for example, if you have someone who previously served as a witness who you believe to be knowledgeable enough to serve as a judge). Requests for waivers must be presented to the State Director. Requests must be sent in writing to txyg@austinyca.org.



TEXAS YOUTH AND GOVERNMENT

3. There will be 21 slots available for District Court Judges and 15 slots available for County Court Judges.

EVALUATORS AND SCORING

1. The decision on team and judge scores will be made by one or more evaluators who are Youth and Government judicial alumni, law students, sitting or retired trial and appellate judges, licensed attorneys, or other community members who have completed our judicial evaluator training.
2. Evaluators score individual and attorney team performances and judges. Each evaluator fills out an individual ballot. If there is more than one evaluator, the evaluators should not consult with one another during this process.
3. The criteria for scoring is provided on the ballots and evaluators will be provided a document entitled "Tips for Evaluators" as a scoring guide.
4. **NO COMPLETED BALLOTS ARE TO BE VIEWED BY ANY TEAM MEMBER OR ANY OTHER PERSON DURING THE COMPETITION**, in compliance with the educational goals of the Judicial Program. These are to be returned to the tournament staff after the round has been concluded and the winning team recorded. Score and comment sheets for a team will be copied and distributed to that team's coach after the competition is completed.
5. Conference staff will check evaluator ballots for complete scoring and for improper scores. Whenever possible, evaluators will be asked to make any necessary corrections. When an evaluator cannot be located, or other circumstances prevent timely consultation with the evaluator concerning the ballot, conference staff will correct improper entries before the ballot is totaled, or take other appropriate action.
6. Scoring will be calculated as follows:
 - a. **FOR TRIAL TEAMS AT DISTRICT CONFERENCE:**
 - i. At the district conference, each team's score per round shall be calculated by adding the scores from each category set forth on the score sheet.
 - ii. At the end of the district competition each team's scores from each round will be compiled for an overall ranking. Each team's lowest score will be dropped. (depending on the number of rounds each judge participated in).



TEXAS YOUTH AND GOVERNMENT

- b. FOR JUDGES AT DISTRICT CONFERENCE:
 - i. At the district conference, each judge's score per round shall be calculated by adding the scores from each category set forth on the score sheet.
 - ii. At the end of the district competition each judge's scores from each round will be compiled for an overall ranking. Each team's lowest score will be dropped (depending on the number of rounds each judge participated in).
- c. THE SCORING AT THE STATE CONFERENCE WILL BE CONDUCTED IN ROUGHLY THE SAME MANNER.

POST-TRIAL INFORMATION

1. At the State Conference, the rankings of the top ten teams will be posted during the closing ceremony on the Saturday night of the conference, dependent upon the other activities taking place on Saturday night and the ability of the Judicial Section Leader to finalize the list.
2. The rankings of all teams will be posted to the online app (YAPP) no later than the 1 week after the conference. If time permits the complete rankings will be shared on YAPP after closing ceremonies the Saturday evening of the conference.
3. Any challenges to or concerns about critique sheets, score sheets, evaluators and/or rankings should be brought to the judicial office at either state or district conference. An advisor or coach will need to provide a copy of the critique sheet and a short written statement as to the issue in question. This must be done as soon as your team becomes aware of the problem (ie: immediately following a trial when you receive your critique sheet or if in regards to a score sheet, as soon as you receive your score sheets). The Section Leader or his/her designee will review the critique sheet and score sheet to determine what if any action should be taken.
4. Questions arising after the conference should be made via e-mail to txyg@austinyymca.org they will be reviewed and a response provided.



Judicial Trial Court Evaluation

Evaluator's Name (Printed): _____

Court Room: _____

PROSECUTION: Team #: _____ Round: _____

DEFENSE: Team #: _____ Round: _____

School: _____

School: _____

Plaintiff

Defense

Atty #1	Atty #2		Atty #1	Atty #2
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. Opening Statement (Using the scale of 0-5)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. Provided a case overview; Theme/theory of the case was identified;
- b. Mentioned the key witnesses
- c. Provided clear and concise description of their team's side of the case;
- d. Discussed the burden of proof; Stated the relief requested; **Did not use notes**

Atty 1	Atty2		Atty 1	Atty2
<input type="checkbox"/>	<input type="checkbox"/>	2. Direct Examinations (Using the scale of 0-5)	<input type="checkbox"/>	<input type="checkbox"/>

- a. Developed clear picture of how witness fits into the facts to be proven (case theme)
- b. Avoided leading questions' Handled physical evidence appropriately and effectively
- c. Questions are short and to the point
- d. Handled objections appropriately and effectively and did not overuse objections
- e. Developed the direct examination through the use of conversational language

Atty 1	Atty2		Atty 1	Atty2
<input type="checkbox"/>	<input type="checkbox"/>	3. Cross Examinations (Using the scale of 0-5)	<input type="checkbox"/>	<input type="checkbox"/>

- a. Asked only leading questions ; Questions short and to the point
- b. Story was developed through the attorney not witness
- c. Properly impeached or discredited the witness or case through witness
- d. Handled objections appropriately and effectively and did not overuse objections
- e. Used various techniques, as necessary, to handle a non-responsive witness
- f. Used variations in vocal tempo, volume, tone, and pitch when cross-examining

Atty 1	Atty2		Atty 1	Atty2
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Closing Argument (Using the scale of 0-5)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. Theme/theory continued in closing argument
- b. Summarized the evidence; Emphasized supporting points of their own case
- c. Concentrated on the important, not the trivial; Discussed burden of proof
- d. Overall persuasive/pointed out flaws in opponents case; Minimal reliance on notes

W1	W2	W3		W1	W2	W3
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Witness Performance (Using the scale of 0-5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a. Credible portrayal of character; Showed emotion appropriate to role
- b. Showed understanding of the facts; Sounded spontaneous, not memorized
- c. Demonstrated appropriate courtroom decorum;
- d. Well prepared for cross-examination ; Helped their team's case

<input type="checkbox"/>	6. Team performance (Using the scale of 0-5)	<input type="checkbox"/>
--------------------------	---	--------------------------

- a. Team members were courteous, observed general courtroom decorum
- b. Displayed good sportsmanship to competitors, regardless of trial results.
- c. Showed an understanding of courtroom procedures and evidence
- d. Spoke clearly & distinctly; Appropriate use of time ; Appeared prepared & organized

Total Plaintiff	<input type="checkbox"/>	TOTAL TEAM SCORE	<input type="checkbox"/>	Total Defense
-----------------	--------------------------	-------------------------	--------------------------	---------------

Student Judge# _____	School _____	Performance (Using the scale of 0-5)
-----------------------------	---------------------	---

- a. Calling the Court to Order (communicating rules, swearing in witnesses)
- b. Knowledge of Trial Procedure ; Displays knowledge of Evidence Rules
- c. Handling of Objections; Demeanor/Professionalism; Maintains Control of Courtroom
- d. Interactions with Trial Participants ; Decision Making Ability



Judicial Trial Court Evaluation

Comments Sheet

Guidelines for (0-5) Scoring The following are general guidelines to be applied to each category on the score sheet. It is strongly recommended that scorers use "3" as an indication of an average performance, and adjust higher or lower for stronger or weaker performances.

0 — NO PERFORMANCE

- Failure to perform task within their role

1 — FAR BELOW AVERAGE (POOR PERFORMANCE)

- Poor presentation
- Inadequate legal knowledge or understanding of role

2 — BELOW AVERAGE (FAIR, WEAK PERFORMANCE)

- Awkward presentation
- Needs more work on poise and delivery

3 — AVERAGE (MEETS REQUIRED STANDARDS)

- Acceptable but uninspired presentation
- Needs more spontaneity and persuasiveness

4 — ABOVE AVERAGE (GOOD, SOLID PERFORMANCE)

- Well organized and good preparation
- Good smooth presentation

5 — EXCELLENT (EXCEPTIONAL PERFORMANCE)

- Excellent preparation and well organized
- Portrayal both extraordinary and realistic, not overly rehearsed or memorized

PROSECUTION TEAM # _____ ROUND # _____ EVALUATOR NAME _____

COMMENTS:

DEFENSE TEAM # _____ ROUND # _____ EVALUATOR NAME _____

COMMENTS:

JUDGE # _____ ROUND # _____ EVALUATOR NAME _____

COMMENTS:

