**Mock Trial: Team Work**

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| (Name/Role of each attorney)  **Attorney #1: Attorney #3:**  **Attorney #2:**  *\*Lawyers need to choose what they will present (opening statement, direct examination, cross examination, closing statement)*  *\*Attorneys will be graded on their ability to use logical strategies to prosecute the defendant. Their speaking and courtroom etiquette will be taken into account.*  *\*Attorneys should prep their witnesses before the trial begins*  **Witnesses (in order they will be called):**  **1.**  **2.**  **3.**  *\*Witnesses need to memorize their testimony like the back of their hand. They also need to help the attorney’s in developing the case/direct examination of themselves, this includes creating at least 20 pre-planned questions and answers about their character, credibility, and contribution of knowledge to the case.*  *\*Witnesses will be graded on their ability to stay true to their script/character, and answer questions effectively*. |

\*All information given in the witness testimonies/affidavits is the main evidence (see loop holes sheet)

\*Exhibits are also the main source of evidence, be sure to use them

\*Witnesses can be called in any order (usually weakest-strongest case)

\*Objections and how to use them: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Grading Criterion :**

**OPENING STATEMENT**

Provides a case overview; mentions the key witnesses; provides a clear and concise description of their case.

**DIRECT EXAMINATION**

Uses properly phrased questions (who, what, where, when, how); uses proper courtroom procedure; demonstrates understanding of issues and facts; proper introduction of evidence; defends objections in clear, concise terms; uses time effectively

**CROSS EXAMINATION**

Uses leading questions; raises proper objections and states reasons clearly; knows Rules of Evidence and did not overuse objections; courteous of opponent

**WITNESSES**

Credible; understands facts; responds spontaneously; poised and observed courtroom decorum

**CLOSING ARGUMENTS**

Summarizes the evidence; emphasizes the supporting points of their own case and damages

the opponent's; concentrates on the important, not the trivial; applies the applicable law; and

responds to the judge's questions with poise.

**\*Order of trial\***

1. Judge enters and reads oath to jury

2. Prosecution attorney gives opening statement to jury

3. Defense attorney gives opening statement to jury

4. **Prosecution calls first witness**

5. Witness takes the stand and swears to oath.

6. Prosecution directly examines its witness (pretty much “canned” from practice)

7. Defense cross-examines the prosecution’s first witness

8. Prosecution reexamines its witness if needed (provides clarity after defense cross-examined)

9. Defense reexamines witness

\*\*\*\*this goes back in forth until both are done with that witness” (i.e. “The prosecution says “that’s all your honor”… “the defense says “that’s all your honor”)\*\*\*

10. Witness leaves the stand and the **prosecution calls its second witness**

\*\*\*repeat steps 5-9, until “that’s all your honor”\*\*\*

Witness takes the stand and swears to oath.

11. Witness leaves the stand and the **prosecution calls its third witness**

12. Witness takes the stand and swears to oath.

\*\*\*repeat steps 5-9, until “rests”\*\*\*

13.. “The Prosecution Rests”

**14. Defense calls first witness**

15. Witness takes the stand and swears to oath.

16. Defense directly examines its witness (pretty much “canned” from practice)

17. Prosecution cross-examines the defense’s first witness

18. Defense reexamines its witness if needed (provides clarity after defense cross-examined)

19. Prosecution reexamines witness

20. Witness leaves the stand and the **defense calls its second witness**

21. Witness takes the stand and swears to oath.

\*\*\*repeat steps 13-16, until “that’s all your honor”\*\*\*

22. Witness leaves the stand and the **defense calls its third and final witness**

23. Witness takes the stand and swears to oath.

\*\*\*repeat steps 13-16, until “that’s all your honor”\*\*\*

24. “The Defense Rests”

\*\*\*witnesses can be re-called as long as it is approved by both attorneys and judge\*\*\*

25. Prosecution gives their closing statement

26. Defense gives their closing statement

27. Court is “recessed”. Jury makes unanimous decision.

28. Jury leader announces whether or not they find the defendant “guilty” or “not guilty”

29. Court is adjourned; sentencing doesn’t happen in Mock Trial