2016 - HINTS FOR PREPARING FOR THE MOCK TRIAL COMPETITION

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I. TRIAL OVERVIEW

A. Governing Rules

All trial proceedings are governed by:

1) The Case Materials and Supplements
2) The Rules of Competition
3) The Rules of Evidence (Pa. Mock Trial Version)

B. Trial Basics

Each trial will last approximately one hour and fifty minutes (1:50). Each side will have forty (40) minutes to present its case. (Rule of Competition 6.23)

First, each side will present an opening statement lasting a maximum of five (5) minutes, which informs the judge and jury of the relevant facts, as well as how its theory of the case will be proven. The Plaintiff/Prosecution's statement is made first and the Defendant's second.

Next, each witness is "examined" for the facts and knowledge he or she can bring to the case. Plaintiff/Prosecution's attorney questions his or her first witness. This is a "direct examination." Then, one of the defense attorneys has the opportunity to question the same witness. This is "cross examination." Witnesses may also be examined on "re-direct" if new information was raised during the cross examination and on "re-cross" regarding information raised on re-direct. The same procedure is used to question the Plaintiff/Prosecution's second and third witnesses.

After the Plaintiff/Prosecution's three witnesses have testified, one of the Defense attorneys questions his or her first witness in a direct examination. The Plaintiff/Prosecution's attorney then has the opportunity to cross-examine, followed by re-direct and re-cross examination. The same procedure is used for the defense's second and third witnesses. The specific mechanics of direct and cross examination are detailed in the enclosed materials. As some testimony may be more important to the case, the amount of time an attorney chooses to spend with each witness will vary. Each team has thirty (30) minutes to examine all witnesses. (Rules of Competition 6.10, 6.23)

Finally, the attorneys will present their closing statements, lasting a maximum of five (5) minutes each. This is a summation of the theory of the case and the recovery requested. This phase should not be a mere restatement of facts, as this should have occurred in the opening statement. It is the emotional peak of the trial. At the end of the closing statements, the trial will conclude and the jurors (scoring judges) will leave the courtroom to add up their scoresheets. (During this time, the presiding judge may render a non-binding advisory decision on the merits.)

II. OPENING STATEMENTS

Objective: To concisely acquaint the jury with the case and to outline what each team will prove through testimony and exhibits.

A. Structure and Outline to Organize Your Opening

1. Introduce yourself, your co-counsel, the parties and the witnesses.

2. Briefly summarize the case.

3. Date and Time. Where these are important, they should be described in detail.

4. Create the Issue. The Plaintiff/Prosecution should proceed directly to the "how it happened" phase. The Defense should deny the Plaintiff/Prosecution's version of the disputed facts before presenting its picture of the story. The defense must force the jury to get away from the Plaintiff/Prosecution's version, and get the jury to keep an open mind about the evidence.

5. How It Happened. Up to this point, you have established the necessary foundation and set the stage for your picture of the event. The parties, date and time have all been created. The jury has a mental picture against which you describe the actual event with the kind of force and pace that will recreate the event and make it come alive.

6. Basis of Liability/Non-Liability (Civil Case) or Guilt/Non-guilt (criminal case)

   Plaintiff/Prosecution: Summarize the facts and conclude, in a civil case, why your client entitled to damages or why, in a criminal case, the defendant is guilty.

   Defendant/Defense: Suggest that the Plaintiff/Prosecution picture of the disputed events will not be persuasive or convincing, then emphasize your own picture and conclusion.

7. Damages (Civil Case Only)

   Plaintiff: Clearly describe relief sought so that the jury will know what loss was suffered and what you are looking for.

   Defendant: Express regret that the Plaintiff was injured, but firmly state that it was the Plaintiff's fault, or certainly not your client's.

8. Conclusion. Both attorneys should conclude their openings by simply and directly telling the jury that the facts support your side, respectively, and ask for a verdict in favor of your side.

B. Suggestions

1. Learn and know the facts thoroughly.

2. Be clear, concise and positive.

3. Do not be argumentative; argument is reserved for the closing.

4. Develop your theory of the case; use uncontested facts, as well as your party's version of the disputed facts. Give a logical, coherent, integrated overview of the evidence.

5. While you may refer to notes, do not read your statement.

III. DIRECT EXAMINATIONS

Objective: To elicit facts from your witnesses which you need to prove your side of the case and/or to disprove the other side's case. Your goal is to have your witness testify in a clear and logical progression so that the jury understands, accepts and remembers the testimony.

Re-direct examination is permitted, however, the scope of re-direct is limited to those matters raised on cross examination (Rule of Evidence 611(d)).

A. Advice for Preparing (for Student Attorneys)

1. What should be included?

a. Isolate exactly what information each witness can contribute to proving your case and prepare a series of questions.

b. Be sure all items that you need to prove your case will be presented through your witnesses.

2. Other Suggestions.

a. Ask direct questions and avoid leading questions.

A proper direct examination question is designed to get a short narrative answer. Questions such as "who, what, when, where, and why" rarely lead to objections for asking leading questions. Example of a direct question: "When did you last see Mrs. Jones?"

A witness on direct examination may not be asked a "leading question" by the attorney who calls that witness. (Rule of Evidence 611(c)) A leading question is one that suggests to the witness the answer desired. Example of a leading question: "Isn't it true that you last saw Mrs. Jones on January 1st?"

Important exception: At times, the Court may allow the attorney to ask leading questions on issues which are not in dispute or which provide background information (questions about the witness' age, family, work, etc.) This is done for the purpose of saving time when the answer is not prejudicial to either side.

b. Practice with your witnesses.

c. Do not ask for opinions unless the witness has been identified as an expert. See Section C.4 below.

B. Advice for Presenting (for Student Attorneys)

1. Try to keep to the questions you have practiced with your witnesses and ask a limited number.

2. Be able to think quickly if the witness gives you an unexpected answer and add a short follow-up to be sure you obtain the testimony you want.

3. Be relaxed and clear in the presentation of your questions.

4. Listen to the answers.

5. Have copies of all documents handy before you refer to them. Refer to documents as Exhibit A, etc. If exhibits help your case, ask the judge to admit them into evidence.

C. Advice for Preparing (for Witnesses)

1. Learn the case inside and out, especially your witness statement.

2. Know the questions that your side's attorney will ask and prepare clear and convincing answers that contain the information that the attorney is trying to elicit from your testimony.

3. Practice with the examining attorney.

4. If you have been identified as an "expert witness," you may testify to an "expert opinion." An "expert" has specialized knowledge in a particular subject. (Rule of Evidence 702). The expert must be qualified as an expert by the attorney calling the witness. For purposes of the mock trial, the problem will specifically identify all experts.

   Otherwise, you are considered a "lay" witness and can only testify as to observed facts, unless a proper foundation is established for you to give an opinion. (See Rule of Evidence 701). A common example of an acceptable lay opinion is the speed of an observed car if the witness has had some experience in driving or observing cars traveling.

D. Advice for Presenting (for Witnesses)

1. Be as relaxed and in control as possible. An appearance of confidence and trustworthiness is important.

2. Do not read or recite your witness statement verbatim.

3. Be sure that your testimony is never inconsistent with the facts set forth in your witness statement. You are permitted, however, to make fair extrapolations from your testimony. A fair extrapolation is one that is neutral and can be reasonably inferred from the information in the witness' statement. An unfair extrapolation is one that has no basis in the witness' affidavit and has been invented by the witness in order to strengthen his/her testimony. (See Rule of Competition 4.6 addressing unfair extrapolations)

4. Do not panic if the attorney or judge asks you a question you have not rehearsed.

5. Do not have your testimony sound rehearsed or scripted. If it sounds rehearsed, you will not score well. Testify as if you were the witness and you personally saw or have knowledge of the facts to which you are testifying.

6. Play the part of your character. You will be scored best if you "become" the witness you are portraying.

7. Do not stall or "filibuster" while testifying. You are prohibited from doing this under the Rules of Competition (Rule 6.24) where it may be considered a deliberate attempt to use up the other team's time allotment. Your team may be penalized if you do so.

IV. CROSS EXAMINATIONS

Objective: To make a witness, who has provided testimony harmful to you, appear less believable or credible. This is called "impeaching" the witness. You also cross examine to bring out testimony favorable to you.

Re-cross examination is permitted; however, the scope of re-cross is limited only to those matters raised on re-direct (Rule of Evidence 611(d)).

A. Advice for Preparing (For Student Attorneys)

1. Ask Leading Questions:

The cross-examining attorney should ask leading questions of his or her opponent's witnesses (Rule of Evidence 611(c)). Example: "Isn't it true, Ms. Jones, that you were wearing a light blue jacket on the night of January 1st?"

Open-ended questions that permit a witness on cross examination to give a narrative such as "Why..., How..." should be avoided. However, witnesses may not be prohibited from explaining an answer and may not be restricted to a simple yes or no response.

2. Impeaching a Witness

Impeachment involves attacking the witness's truthfulness by bringing out a reason a witness might lie or favor one side, such a bias or prejudice, or why the witness' might not be generally trustworthy, such as prior convictions, particularly those involving truth and deception (perjury, forgery). (See Rules of Evidences 404(b); 608(b) and 609). Arrests are not convictions and may not be used to impeach witnesses.

Types of Questions to Ask:

a. Questions that establish that the witness is not truthful or forthright on important points (e.g., the witness first testifies to not being at the scene of the accident but later admits the contrary).

b. Questions that show that the witness is prejudiced or biased (e.g., the witness testifies that s/he been jealous of the defendant since childhood).

c. Questions that weaken the testimony of the witness by showing his/her opinion is questionable (e.g., the witness with poor eyesight claims to have observed details of a fight that took place 50 feet away in a dimly lit crowded bar).

d. Questions that show that an expert witness or even a lay witness who has testified to an opinion is not competent or qualified due to lack of training or experience (e.g., a psychiatrist testifying to the defendant's need for dental work or a high school graduate opining that defendant suffers from schizophrenia).

e. Questions that reflect on the witness' credibility by showing that s/he has given a contrary statement at another time. This is done by asking the witness, "Did you make this statement on June 1?" and then read it or show a signed statement to the witness and ask, "Is this your statement?" and then ask the witness to read part of it aloud or read it to the witness yourself and ask "Did you say that?"

3. Other Suggestions.

a. Anticipate each witness' testimony and write your questions accordingly. Be ready to adapt your questions at trial depending on the actual testimony.

b. Only ask leading questions (questions that suggest the answers and normally only require a yes or no answer).

c. Be brief. Do not ask so many questions that well-made points are lost.

d. Prepare short questions using easily understood language.

e. Ask only questions to which you already know the answers. If you ask a cross examination question requiring an answer outside the scope of the witness' affidavit, you are bound by the response given by the witness, even if improbable and harmful to your case. Rule of Evidence 611(b)(2).

f. If you believe a witness is filibustering, i.e. stalling to reduce the effectiveness of cross-examination or to cause a time violation, you may interrupt the witness with an objection that the answer is non-responsive. Or you may argue the witness is violating Rule of Competition 6.24 and ask the presiding judge to direct the timekeeper to stop the clock for filibustering, direct that the witness give his or her explanation on re-direct examination and/or request that additional time be added to the examining team's allocated time.

Remember that you must stay within the given time limits. It is better to miss a secondary issue than to lose penalty points for overtime violations.

g. Do not use an aggressive or adversarial demeanor with sympathetic witnesses such as an innocent injured person, crime victim, someone whose relative has died, the very old and very young.

B. Advice for Presenting (for Student Attorneys)

1. Be relaxed and ready to adapt your prepared questions to the testimony that is actually heard during the direct examination.

2. Always listen to the witness' answer.

3. Do not give the witness the opportunity to re-emphasize the strong points made during the examination.

4. Do not quarrel with the witness.

5. Never try to allow the witness to explain anything. Keep to the yes or no answers whenever possible. Try to politely stop the witness if his explanation is going on and hurting your case by saying "You may stop there, thank you" or "that's enough, thank you."

C. Advice for Preparing (for Witnesses)

1. Learn the case thoroughly, especially your witness statement.

2. Anticipate what you will be asked on cross-examination and prepare answers accordingly. In other words, isolate all the possible weaknesses, inconsistencies or problems in your testimony and be prepared to explain them.

3. Practice.

D. Advice for Presenting (for Witnesses)

1. Be as relaxed and in control as possible. An appearance of confidence and truthfulness is important.

2. Be sure that your testimony is never inconsistent with the facts set forth in the witness statement. You are permitted, however, to make fair extrapolations from your affidavit. If you are asked a question on cross examination calling for an answer outside the scope of your affidavit, you may improvise and make a statement favorable to your side. (See Rules of Competition 4.6 regarding unfair extrapolations))

3. Do not read or recite your witness statement word for word.

4. Cross-examination can be tough, but try not to get flustered.

V. CLOSING STATEMENTS

Objective: To provide a clear and persuasive summary of the evidence you presented to prove your case and the weaknesses of the other side's case.

A. Structure and Outline of Closing Statement

1. Introduction. Thank the jury for their attention in listening to and synthesizing your theory of the case. Lead into a discussion of the evidence.

2. Parties. Remind the jury of certain background facts that bear directly on witnesses' credibility.

3. Damages (civil cases). State that your client has been harmed.

4. Issue. Identify the central issue as simply as possible. After stating the issue, you should emphatically answer the issue in your favor.

5. What Happened. This discussion should parallel the opening statement and be in the same narrative you used up to this point.

6. Basis of Liability/Non-Liability (Civil cases). Sum up the facts you have just reviewed in legal terms so that the court clearly understands that what happened necessarily leads to the legal conclusion which requires a verdict in your favor. This should be the emotional culmination of your narrative.

7. Corroboration. Pick significant parts of the important testimony that are the heart of your case and argue them emphatically as support for your position.

8. Other Side and Refutation. You should at least mention what the other side's contentions are and refute them.

9. Damages (civil only). Reiterate the damages. What are you asking for?

10. Conclusion. Smoothly and efficiently sum up your position and request a proper verdict.

B. Suggestions

1. Advice on Preparing - What should be included?

   a. Thank the jury for their time and attention.

   b. Isolate the issues and describe briefly how your presentation resolved these issues.

   c. Review the witnesses' testimony. Outline the strengths of your witnesses. (Remember to adapt your statement at the end of the trial to reflect what the witnesses actually said as opposed to the anticipated testimony.)

   d. Review the physical evidence. Outline the strengths of your evidence as well as the weaknesses of the opposing party's evidence. (This section must also be adapted at trial).

   e. If appropriate, state the applicable law to show it supports your side.

   f. Remind the jury of the required burden of proof (the amount of evidence needed to prove a fact). If you are a Plaintiff/Prosecution's lawyer, you must tell and convince the jury that you have met that burden. If you are the attorney for the defense, you must convince the jury that the Plaintiff/Prosecution has failed to meet its burden.

   g. Argue your case by stating how the law applies to the facts as you have proven them.

   h. Do not forget to request the verdict/remedy you desire.

   i. Be sure your statement is well organized.

   j. Rehearse as much as possible.

2. Advice on Presenting:

   a. You must be flexible. Adjust your statement to the weaknesses,

contradictions, etc. that actually come out at trial. You cannot anticipate everything before the actual presentation of the case.

b. Argue your side, but do not appear vindictive. Fairness is important.

c. Be relaxed and ready for interruptions.

d. You are prohibited from making an objection during the other side's closing statement. You may raise an "objection" at the conclusion of the closing. See the Rule of Competition 6.19 addressing this objection.

e. Do not read your argument, but have notes available to assist you in your presentation.

f. Keep eye contact with the jury.

VI. OBJECTIONS

Objections should be raised when an attorney feels the opposing attorney is violating the Rules of Evidence (Pa. Mock Trial Version) or in some instances, a Rule of Competition, and the objecting attorney does not wish to have the answer or information at issue placed in the record or heard by the jury.

A. Permitted Objections - (listed in Rule of Evidence 611(e) – note that the list in Rule 611(e) provides only examples of permitted objections, other objections may be raised if they are consistent with the Rules of Competition and these Rules of Evidence.)

1. Leading Questions: "Your Honor, I object to Counsel's leading the witness." This objection is only available where the witness is testifying on direct and redirect examination. (Rule of Evidence 611(c))

2. Irrelevant Evidence: "I object your Honor, the question is not relevant to the facts in this case." This is used sparingly because opposing counsel does not care that the direct exam is wasting time and is not getting to the important facts. Raise the objection only if the irrelevant evidence is prejudicial to your case. (Rule of Evidence 401, 402)

3. Non-responsive Answer: "Your Honor, the witness is not answering the question asked." During direct examination, this objection should be raised when the witness provides testimony not in accordance with the attorney's question. During cross examination, it should be raised if the witness repeatedly tries to avoid answering questions. It may not be used to restrict a witness to a "yes" or "no" response.

4. Hearsay: "Objection Your Honor. Counsel is asking for hearsay testimony." If the question is proper but the witness gives an answer that is hearsay, raise this objection. Hearsay and its Exceptions are listed below in Section B.

5. Improper opinion or conclusion: "Objection Your Honor. Counsel is calling for an opinion from his witness who is not an expert"; or, "Objection, the witness is offering a conclusion rather than facts."

6. "Unfair extrapolation": "Objection, Your Honor, Counsel is seeking information not contained in the witness' affidavit/statement." Or, "Objection, Your Honor, the witness' testimony is making an unfair extrapolation of information contained in his/her affidavit/statement."

This objection should only be raised during a direct examination by the cross examining attorney. However, while this is a permitted objection, **you are encouraged**, under the Rules of Competition (regarding unfair extrapolations), **to impeach the witness during cross examination instead of raising this objection**; that is, point out the contradiction by introducing the witness' contrary statement into evidence. The attorney should also raise it again during closing arguments.

Testimony is not beyond the scope of the affidavit/statement if it is a "fair extrapolation." A fair extrapolation is one that is neutral and can be reasonably inferred from the information in the witness' statement. An unfair extrapolation is one that has no basis in the witness' affidavit and has been invented by the witness in order to strengthen his/her testimony.

While this objection is also available to a direct examining attorney while his/her witness is being cross examined, there is little value in raising it. If your witness is asked a question during cross calling for information outside the scope of the problem, your witness can invent responses helpful to your side. You want to allow your witness to answer such questions.

If you do raise this objection, the judge may choose to hold a sidebar with the coordinator and examining attorneys. The direct-examining attorney should either concede that the information is outside the scope of the affidavit or be prepared to show the judge the specific section in the affidavit upon which the testimony is based. The judge will determine whether the testimony is beyond the scope of the affidavit, i.e., no extrapolation, a fair extrapolation or an unfair extrapolation.

7. Argumentative: "Objection, Your Honor, Counsel is arguing with the witness."
An examining attorney is not permitted to argue with a witness but must ask questions intended to elicit facts.

8. Asked and answered: "Objection, Your Honor, that question has been asked and answered."
If an attorney continues to ask the same question with the intention of emphasizing a favorable response or of trying to get a different answer, opposing counsel may object.

9. Failure to lay a proper foundation for an exhibit: If an exhibit is not properly authenticated, an objection may be raised to its admission into evidence. See Rule of Competition 5.5.

10. Beyond the scope of cross or re-direct: Questions asked during re-direct and re-cross examination are limited to those exploring information raised on cross and re-direct, respectively.

11. Facts not in evidence: In closing argument, attorneys may only discuss those facts actually brought out in testimony by witnesses. See Rule of Competition 6.18. If other facts are not brought out or objections to them were sustained, this objection is appropriate. Please note that the Rules of Competition prohibit a team from raising any objection during a closing argument (or opening statement). Under Rule of Competition 6.19, following the closing argument, the attorney may stand to be recognized by the judge and may say, "If I had been permitted to object during the opening statement or closing argument, I would have objected to the opposing team's statement that _____." The attorney may cite the Rule from the Rules of Competition in making this Objection. The presiding judge should note the objection but not rule upon it. A short rebuttal is permitted by the opposing

team.

B. Hearsay and Its Exceptions

Hearsay testimony is defined in Rule of Evidence 801(c) and is generally not admissible (Rule of Evidence 802). Example of hearsay: A witness testifies, "Joe told me that Harry was wearing a light blue coat." If this testimony is being offered to prove that Harry was wearing a light blue coat, the testimony not admissible unless an exception exists.

The non-objecting attorney should be prepared to respond to this objection by explaining why the testimony is not hearsay (i.e., not offered for the truth of the matter), or that it falls into one of the many hearsay exceptions/exclusions, as follows:

The following statements, while appearing to possibly constitute hearsay, have been specifically defined in the Rules of Evidence as not constituting hearsay:

Prior Statement by a Witness – Rule of Evidence 801(d)(1)

Admission by a Party-Opponent - Rule of Evidence 801(d)(2) (formerly "Statement by an Adverse Party").

The following are hearsay exceptions in all cases, even when the declarant is available:

Present Sense Impression - Rule of Evidence 803 (1)

Excited Utterance - Rule of Evidence 803(2)

Then Existing Mental, Emotional, or Physical Condition - Rule of Evidence 803(3) (formerly "Present state of mind").

Statements for Purposes of Medical Diagnosis or Treatment - Rule of Evidence 803(4)

Recorded Recollection - Rule of Evidence 803(5) (formerly "Past Recollection Recorded").

Records of Regularly Conducted Activity - Rule of Evidence 803(6) (Formerly "Business Records").

Public Records and Reports - Rule of Evidence 803(8). (Formerly "Official Records and Other Official Writings")

Learned Treatises - Rule of Evidence 803(18)

Reputation as to Character- Rule of Evidence 803(21)

Judgment of Previous Conviction - Rule of Evidence 803(22)

The following are hearsay exceptions available only where the declarant is considered unavailable (See Rule of Evidence 804(a) defining "unavailability of a witness"):

Former Testimony - Rule of Evidence 804(b)(1)

Statement Under Belief Of Impending Death - Rule of Evidence 804(b)(2) (Formerly

"Dying Declaration")

Statement Against Interest - Rule of Evidence 804(b)(3)

Statement of Personal or Family History - Rule of Evidence 804(b)(4)

Forfeiture By Wrongdoing - Rule of Evidence 804(b)(6)

C. Bench Conferences - Sidebars

1. Bench Conferences, or sidebars, are utilized by attorneys to argue or discuss matters with the judge outside the hearing of the jury. See Rule of Competition 6.21. They are often used when the argument on an objection in open court would bring out the very evidence which the attorney hopes to exclude. If the jury hears the evidence through the attorneys, even though the objection to the evidence may be sustained, the jury's ability to reach a proper verdict may be affected.

2. For purposes of the mock trial competition, evidentiary sidebar arguments which would normally be held at sidebar to prevent the jury from hearing the argument shall be held in open court. Either the objecting attorney or the responding attorney may ask the court to hold the argument "as if at sidebar." This will let the jury know that the student attorney recognizes that this argument should normally be held out of the hearing of the jury. Some judges may conduct actual sidebars. This should be avoided by you since it removes an opportunity by the jury to evaluate your performance.

3. If an objection deals with the Rules of Competition and one of the student attorneys believes that it should be outside of the hearing of the jury, actual sidebars should be used to resolve the objection. These sidebars are particularly appropriate when the judge must be directed to a specific rule of competition of which s/he might not otherwise be aware. Additionally, these sidebars are appropriate when the student attorneys would like to get the input of the coordinator in assisting the judge in making his ruling. The mock trial coordinator will participate in such sidebars and may advise the judge as to his interpretation of the rules.

VII. EXHIBITS

A. Physical Evidence – If relevant, physical evidence, usually documents, can be introduced by either attorney when presenting his/her party's case, or during cross examination. For the purposes of the mock trial competition, all exhibits are identified. See generally Rules of Competition 5.1 through 5.7.

B. Introducing Exhibits - Procedure:

1. All exhibits are pre-marked.

2. Exhibit is shown to opposing counsel so that he/she knows what is being discussed.

3. Document is then authenticated. This is done by showing witness the exhibit, for example, "Mr. Jones can you identify this exhibit for the Court?" or "Mr. Jones, I am showing you what has been pre-marked as Exhibit A, can you identify this for the court." The witness should briefly explain what the exhibit is and that it is a true record of what it appears to be.

4. The document can then be shown to the judge and questions can be asked about the document.

5. The attorney then formally offers the exhibit into the record. You do not need to do this if the Exhibit has been previously accepted by the court into evidence. "Your Honor, I offer this exhibit into evidence." At that point, the opposing attorney will either agree to the admission or raise an objection.

   a. Note that if an exhibit is authenticated, questions can be asked about its content even if never offered into the record. Also, the exhibit can be offered at the end of the attorney's case but before the attorney "rests," that is, concludes his/her case.

   b. The opposing attorney can object to the exhibit being offered if it is not relevant, not properly authenticated, or is objectionable under one of the other Rules of Evidence. Also, the opposing attorney can offer the exhibit himself/herself into evidence.

VIII. GENERAL SUGGESTIONS FOR ALL PARTICIPANTS

A. Always be courteous to witnesses, other attorneys, the judge and the jury.

B. Always stand when talking in court and when the judge enters or leaves the room.

C. Dress appropriately (coat and tie for males and dresses, pant suits for females).

D. Always say "Yes, Your Honor" or "No, Your Honor" when answering a question from the judge.

E. If the judge rules against you on a point or in the case, take the ruling gracefully and act cordially toward the judge and the other side.

F. Do not say "thank you" if the judge sustains your position on an objection.

G. Always face the judge when addressing the judge. Do not turn your back on the judge when speaking.

H. Do not chew gum.

I. Special Practices:

   1. While teams are not allowed to scout opposing teams during their trials, teams are permitted to have practice trials with other teams if both teams arrange for and consent to the practice.

   2. Teams may practice in local courthouses if appropriate arrangements to do so are made with court personnel. The teams are responsible for costs associated with courtroom use and making arrangements with courthouse personnel.