

SAN DIEGO COUNTY HIGH SCHOOL MOCK TRIAL COMPETITION TEAM-IN-A-BOX GUIDEBOOK

San Diego County High School Mock Trial Committee

This document is meant to be a high-level checklist to help team coaches and teacher sponsors organize their competition year.

I. The Purpose of High School Mock Trial

The San Diego County High School Mock Trial (HSMT) Competition is an opportunity for students to develop advocacy skills by taking on the role of attorneys, witnesses, bailiffs, and clerks in a trial based on a given set of facts and evidence. By preparing and participating in a mock criminal trial, students learn valuable lessons about, and develop respect for, the principles and protections of the U.S. Constitution, the American legal system, and trial procedure. Suggested learning outcomes for these three pillars of the mock trial program are described below.

1. The United States Constitution

Learning objectives - the successful student will learn that the U.S. Constitution is the highest law in the land, that it was adopted in 1789 through a ratification process agreed to by the 13 states, and that it was a document of compromise and is imperfect. Instruction should also include the fact that the original document was amended by what is called the Bill of Rights, which began with 10 Amendments. Cornell University's Legal Information Institute provides an excellent resource to prompt further discussion: <https://www.law.cornell.edu/constitution/billofrights>. Most criminal law cases will implicate at least one of those enumerated rights, usually the Fourth Amendment, the Fifth Amendment, or the Sixth Amendment. The High School Mock Trial Competition will include pre-trial argument involving one or more Constitutional issues. At the end of the mock trial competition, all students should be familiar with the Constitutional protections implicated by the pretrial motion.

2. The American Legal System

Learning objectives - the successful student will learn that the courts comprise one of the three branches of government and that the judicial branch is separate and independent from the other two branches (executive and legislative). The American legal system is an adversarial system where each side is allowed, within the bounds of the rule of law and ethical precepts, to advocate zealously for their client's position. From that dueling and zealous advocacy, the truth should emerge, and justice should be served. By the end of the mock trial competition, students should be able to identify the distinguishing characteristics of the judicial branch.

3. Trial Procedure

Learning objectives - Every trial includes the presentation of evidence and both legal and factual arguments. Students will learn the difference between a jury trial and a bench trial and that the trial conducted during the High School Mock Trial competition is a bench trial, meaning that both the legal and factual issues are tried to the judge who will serve as both the trier-of-law and the trier-of-fact. Students should learn that the basic components of a trial are similar regardless of where the trial is conducted and regardless of whether the trial is a jury trial or a bench trial. Specifically, there are pre-trial legal arguments that will request the judge to admit or exclude certain key pieces of evidence. After the ruling on the pre-trial motion, each side is permitted to introduce the facts of the case through an opening statement. Students should be taught that argument is prohibited during opening statement. Student learning outcomes should also include the fact that the prosecution has the burden of proof by the standard known as "beyond a reasonable doubt" and therefore goes first. That priority includes not only opening statement, but also the presentation of evidence and closing argument.

The prosecution will present evidence via direct examination in its case-in-chief. During the prosecution's case-in-chief, the defendant will be allowed to test the credibility of the prosecution's witnesses using the trial procedure known as cross-examination. This is followed by optional redirect examination. Students should be able to articulate the main difference between direct- and cross-examination, specifically that leading questions are allowed (even encouraged) on cross-examination and disallowed on direct examination. Students should be instructed that after the prosecution believes it has met its burden of proving each of the elements of the crime beyond a reasonable doubt it will "rest" its case-in-chief.

The defense then presents its case-in-chief, which means that the defense will call witnesses on direct examination. The prosecution will have the right to cross-examine the defense witnesses. Once the defense believes that it has admitted evidence sufficient to raise reasonable doubts as to the prosecution's case-in-chief and any affirmative defenses (e.g., self-defense), the defense "rests" in the same way that the prosecution "rested" its case-in-chief. Each side is permitted to make closing arguments. Again, because the prosecution has the burden of proof, it is allowed to go first. Learning outcomes for the students should include the fact that High School Mock Trial is unique in that the defense gets a rebuttal closing after the prosecution rebuttal.

II. What is Required to Compete?

To participate in the 2023-2024 HSMT Competition season, each school must do the following tasks. These are usually completed by the Teacher Sponsor and Attorney Coaches:

- Designate a Teacher Sponsor who must attend one of the two mandatory Teacher Orientation meetings. Both meetings will be held in September via Zoom.
- Register your mock trial team by the September deadline.
- If you have a pre-existing relationship with an Attorney Coach(es) and they have confirmed they wish to coach your team, they must attend one of the two mandatory Attorney Coach Orientation meetings. Both meetings are held via Zoom in September. If you do not have an Attorney Coach(es) and would like a coach(es) assigned to your team complete the Attorney Coach Status and Request Form which can be found on our website at sdmocktrial.org in the Materials/Team Registration tab.
- Make sure that your Attorney Coach(es) completes the Attorney Coach Commitment Form which can be found at sdmocktrial.org by the September deadline.
- Pay the registration fee of \$400 and submit student Participation Agreement/Photo Release and Team Roster by the deadline in December.
- Have one teacher and one coach attend the Rules Refresher sessions in November.

Monitor the San Diego County Mock Trial website frequently for errata and additional instructions and tips.

III. Building a Team

1. The Basics

Ninth through twelfth grade students prepare and present the mock trial from the perspectives of both the prosecution and the defense. Team members assume different roles, including trial attorneys, pre-trial motion attorneys, witnesses, clerks, and bailiffs.

Every team will compete in four rounds, twice as the prosecution and twice as the defense. The competition also includes a semifinal round involving the four top scoring teams and a final round between the two top scoring teams from the semifinal round. The winner of the final round will represent San Diego County at the California State Mock Trial Competition.

Each team must have the following:

- 8 to 25 students (from the same high school)
- 1 defense pre-trial attorney / 1 prosecution pre-trial attorney
- 3 trial attorneys for the prosecution (maximum)
- 3 trial attorneys for the defense (maximum)
- 4 witnesses for the prosecution
- 4 witnesses for the defense
- 1 clerk (participates with the prosecution team)
- 1 bailiff (participates with the defense team)

Students may play more than one role throughout the competition. However, pretrial attorneys may not serve as a trial attorney during the same round, but may serve as a witness, unofficial timer, or bailiff.

See, <https://sdmocktrial.org/san-diego-competition/>

2. How to Form a Team

If this is your first year participating in the program, it is recommended that you recruit as many students as you can. Try to set your sights higher than the minimum number of eight students. Students sometimes drop out before the competition when other activities or obligations conflict with the HSMT Program. The time involved with preparing a team for the HSMT Program varies, but as the competition draws closer in February, you can count on an increase in the weekly hours of preparation for the students. Please let students know this from the start so they can check their schedules and decide whether or not to commit to this activity.

There are several ways to recruit students to participate in the HSMT Program. Some schools have created mock trial clubs and other schools have developed a mock trial course. Students interested in government, social issues, speech and debate, and performing (theater, athletics), as well as AVID students, are likely candidates for High School Mock Trial. Check with your school administrators to determine what would be the best way to facilitate the program in your school. If you need assistance forming a team, the San Diego County High School Mock Trial Committee can assign your school a Teacher Sponsor mentor from another school with several years of experience. This Teacher Sponsor can guide you during your first year taking part in the competition. See, <https://sdmocktrial.org/san-diego-competition/>

3. How Does a Team Get an Attorney Coach?

Although not mandatory, most mock trial teams find it useful to have Attorney Coaches and it is strongly encouraged to have attorney coaches. They advise the students on general trial techniques and procedures as well as on specific strategies for the case. Attorney Coaches participate on a volunteer basis. Many schools have had success identifying and recruiting parents (and other relatives) who are lawyers to serve as Attorney Coaches.

Once the team's Attorney Coach Status and Request Form is submitted, the San Diego County HSMT Committee, if requested, will assist in finding an Attorney Coach(es) for each high school team. When matched the Teacher Sponsor and the Attorney Coaches will be given contact information for each other so they may communicate directly. It is up to the Teacher Sponsor to work with and involve the Attorney Coaches in team meetings and practices. If the assigned Attorney Coach is

not a good match for whatever reason, or if your school does not need assistance from an assigned Attorney Coach, please immediately notify us at sdmocktrial@gmail.com. See, <https://sdmocktrial.org/san-diego-competition/>

4. Recruiting and Tryouts

If your school is new to mock trial without returning students, you will need to begin by recruiting students. Flyers and emails and in person/virtual “information sessions” targeted at history and government classes and clubs are natural choices. Members of the San Diego County High School Mock Trial Committee and experienced coaches would be happy to speak at a school assembly or to a specific class to impart the excitement and value of participating in high school mock trial. The San Diego HSMT Committee has some great testimonials on its Instagram feed: <https://www.instagram.com/sdmocktrial/?hl=en>

Before beginning recruitment, it is helpful to consider how your team will balance inclusiveness and the opportunities for learning against a desire for competitive success.¹ A team focused more on winning might place an emphasis on competitive tryouts and a strict team hierarchy that requires students to work their way up to one of the more active roles, such as a trial attorney. A team that is less focused on competition may be more willing to “accept all comers” and so a rigorous tryout experience might not be as important. Regardless of your team philosophy, you might want to also leave room for “understudies” – students who do not compete, but who practice and scrimmage with the team for the educational experience or as training for future competitions.

If you want to do rigorous tryouts, one recommendation is to require an application or statement of interest. Tryouts are usually held at the end of the previous year or very early in the school year.

Make announcements about four weeks in advance of tryouts. If you do applications or statements of interest, make those due about two weeks before tryouts, then assign a short (3-5 min.) closing and/or cross-examination. It can be helpful to use a previous year’s packet, but if you do, take seriously Teach Democracy’s copyright

¹ The San Diego High School Mock Trial Competition is first and foremost intended to be an educational experience. Although designed as a competition, it is expected that all schools will emphasize civility, rule-following, and good sportsmanship above competitive success.

of their materials and the prohibition for using these materials without permission. You can also use search engines to find shorter case packets that have no copyright limitations.

Once you have chosen a sample case for tryouts, send emails to each applicant with the case packet and roll assignments. Set aside an afternoon or weekend for students to present to coaches, teachers, and possibly upper-level students. That last point should be considered carefully. Not every team has senior students who are mature enough to respectfully judge fellow students.

It is also helpful to score team prospects by using the actual competition scoring rubric. Using the official rubric, which can be found in the mock trial rules, may reduce subjective decisions at the try-out phase. That being said, there are some characteristics that cannot be numerically scored, such as team spirit, attitude, cooperativeness, and coachability. You can try to assign pre-set scores to these attributes or just take notes and use those notes in coaching discussions and decisions.

Even if you know that you are going to take every student who tries out it can still be valuable to conduct tryouts to build a sense of buy-in.

5. Civility and Creating a Healthy Team Culture

Mock Trial is a competitive endeavor involving a skill that intimidates even mature adult professionals. There is usually at least some intensity, emotion, and anxiety. Those emotions can give rise to conflict. Working from the beginning of team formation to establish good boundaries is important. Having students discuss and sign a statement of normative behavior can be a good starting point. These norms can include respect for each person's opinion about the facts and law of the fact pattern, an agreement to take turns speaking during what can become animated debates, and unwavering support for each student's learning process.

The most important factor in developing a strong and successful team culture is a consistent focus on *civility*. Part of the learning objectives should include a commitment to civility both inside and outside the courtroom. The San Diego County Bar Association, a San Diego County High School Mock Trial partner-organization, has drafted Civility and Practice Guidelines which have been adopted by the San Diego Superior Court (see Attachment A below). Talking through these guidelines with the students is an excellent exercise for the entire team.

6. Practice Schedule and Location

Practice locations should be chosen in accordance with the school's requirements for extra-curricular activities. Some schools practice in the host teacher's classroom. The practice schedule will depend on whether the activity is a class (as it is in some schools) and the team members' individual scholastic and extracurricular schedules. Some schools practice one to two times per week after regular school hours. As the competition gets closer, longer weekend practices may become necessary in order for the team to get through full run-throughs of the trial and/or scrimmage with other teams.

Teachers and coaches should avoid practice sessions that conflict with exams, including mid-terms, finals, AP, ACT, and SAT examination periods. The holidays can be an effective time for individual preparation, but school closure as well as travel plans may make meetings impractical.

7. Parental Involvement

As a high school activity, parents/guardians may or may not be a part of the equation. Communication with parents/guardians, and compliance with all school standards regarding transparency in communications, is imperative.

8. Coaching Mastery of the Facts and Evidence

- Assign reading of the case file. It can be helpful to assign certain students to a close reading of the prosecution case and other students a close reading of the defense case.
- Consider assigning the development of a factual chronology; a sample chart is attached as Attachment B.
- Charts that combine matching of the legal elements to the key facts can be helpful; a sample chart is attached as Attachment C.
- Set a brainstorming session to share insights gleaned from the above. Use of a whiteboard or Promethean Board to capture all the insights of the group can be very helpful.

9. Coaching Mastery Legal Principles, including Basic Evidentiary Principles

- Pull the cases and rules cited in the fact pattern from free sites such as www.justia.com.
- Have the students use a simple outlining method to crystalize the main themes and principles.
- Discuss what the students have gleaned from their independent study.
- Work through and discuss each of the trial objections in the case packet. The Attorney Coaches should note that the rules of evidence have been modified for this competition. The Simplified Rules of Evidence are similar to the California rules with some exceptions:
 - Common: Relevancy, Hearsay, Foundation, Leading
 - Less Common: More Prejudicial than Probative, Improper Opinion, Impeachment with Prior Acts, Compound Question, Calls for a Narrative, Asked and Answered, Non-Responsive, Beyond the Scope
 - Unique to Mock Trial: Unfair Extrapolation
 - Unique to SD Mock Trial: Unreasonable Running of Time
 - Review the rule for Handling and Admitting Evidence
 - Review the Constitutional Rights Foundation evidence tutorials at <https://sdmocktrial.org/resources/>

10. Coaching Presentation Skills

Students who have participated in speech and debate or drama/theater may have an advantage in this skill set, but there are endless resources, including books, articles, and videos that can bring even novice public speakers up-to-speed. Many of the resources relative to teaching public speaking and speech-and-debate skills can be found on-line and customized to your students.

11. Helpful Websites & YouTube Videos

- <https://sdmocktrial.org/resources/>
- 2020 Finals of the California State Competition: <https://www.youtube.com/watch?v=RIKs5V4zQnY>

- There are also championship rounds from across the country easily accessible on YouTube.
- Professor Wes Porter’s YouTube videos for law students that are clear enough to be accessible to high school students: <https://www.youtube.com/c/wporterable>
- The Minnesota Bar Association has a volunteer, Mx. Chris Erickson, who has prepared two YouTube videos on mock trial skills:
 - <https://www.youtube.com/watch?v=X-AsbKbSfVk>
 - https://www.youtube.com/watch?v=HkK_O1Vteks&t=174s

12. Overcoming Lack of Confidence

One of the great benefits of participation in High School Mock Trial is its potential to increase a sense of mastery and self-confidence. Just working through the entire mock trial experience, from a first read of the case packet to the last competition, will naturally encourage resilience, grit, and increased self-confidence. In addition to letting the process work, it is extremely important that coaches and teachers balance a commitment to excellence with compassionate critique. Encourage your students to “keep plugging” – just getting up on their feet at each practice will help immensely with confidence.

13. The Advantages and Limitations of Inviting Outside Lawyers to Demonstrate, Coach or Judge

On occasion some teams will invite a judge or attorney from outside the team to judge a scrimmage and that can be very useful. It is recommended that this person be invited within two to three weeks before the competition. Too early and the students won’t have enough mastery of the basics; too late and the students won’t be able to integrate the critique into their final presentation.

Note that judges and attorneys who assist your team in any way during practices will be precluded by local mock trial rules from participating in the current year’s competition, so use them judiciously and please don’t use more than one or two. They should be made aware of this rule particularly if they intended to preside over or score the competition.

14. Drills

Drills that teach the basics of laying foundation and making and responding to objections can be very helpful. An excellent book on drills is NITA's Compendium of Trial Advocacy Drills (January 15, 2016) -

<https://www.amazon.com/Compendium-Advocacy-Drills-SteinBen-Rubinowitz/dp/1556819617>

15. Scrimmages

Once the students have achieved a basic mastery of the evidentiary rules, the facts, and the issues in the case packet, then inter-squad scrimmages are highly recommended. Scrimmages can be interspersed with practices that focus on discrete elements, but should not be left to the last week before competition. An inter-squad scrimmage is a practice round against a real potential opponent. It can be a great way to decrease jitters and increase confidence. Some competitors worry about letting their "secrets" out. Experience has shown that most, if not all, teams have given thought to just about every argument and angle. On balance, an inter-squad competition will add value and enhance the learning experience.

If you do scrimmage, take seriously CRF's copyright of their materials because they will enforce their rights in this regard.

16. Knowing the Rules, Raising and Responding to Allegations of Rules Violations

Adherence to the rules of the competition is important, both for success in the competition, but also for understanding our system of justice, which is held together by complex sets of rules. Keeping the students focused on successful presentation of the trial, and away from rules violations, will enhance the overall experience for the students.

While the HSMT Committee hopes for a competition where there are no rules violations, it is important to know how to address them if they happen. If your team suspects that another team has violated a competition rule, there will be an opportunity to raise material rule violation with the judge. Challenges to minor, technical rule violations are strongly discouraged. The San Diego County Team Rulebook outlines the process for asserting or raising irregularities. Always cite to the current year's rulebook, as the numbering often changes.

While every teacher, coach, and student are strongly encouraged to read the San Diego County Team Rulebook thoroughly, here are some high-level reminders about key rules:

Strongly Discouraged Actions (For Which Mandatory Point Deductions Apply):

- Ignoring team composition requirements
- Running of time/Filibustering
- Failure to call a witness
- Failure to cross-examine a witness
- Objection by wrong attorney during direct, cross or re-direct
- Objection during pretrial argument, opening statement, or closing argument
- Unfair extrapolation
- Failure by clerk to provide time warnings
- Assertion of hyper-technical rules violations
- Improper trial communication with coaches, teachers, spectators, and between pretrial and trial attorneys and team members
- Pretrial attorneys cannot sit with trial attorneys
- No use of electronic devices
- Mandatory 5-point and 2 point deduction relating to communication violations
- In deciding whether to raise a violation – Know the process and the script:
 - Only one active team member can raise
 - 30 seconds to consult with coach and team after pretrial argument and after trial
 - If raising, cite the specific incident and corresponding rule
 - Judge will hear from both sides – 30 seconds each

- ❑ If not a mandatory point deduction, scorers will exercise discretion
- ❑ Do not raise hyper-technical violations, especially not to embarrass or gain unfair advantage. That will result in mandatory 5 point deduction
- ❑ Do not use the time for arguing rule violations to make additional legal arguments, or to raise issues which could have been addressed with an objection

17. Scoring

While this is an academic exercise with rich opportunities for experiential learning, there is no doubt that students, coaches, and teachers hope to score well. Students should be encouraged to understand the scoring system. Having your students assign themselves scores based on the competition rubric can be immensely helpful. Adding a short reflection exercise (either in writing or orally) about why they chose the score they did, will provide students, teachers, and coaches with helpful feedback and insight, while also giving them the best chance to score well.

The competition is scored by volunteer attorneys. The attorneys receive training on scoring. A few items to keep in mind:

- ❑ Independent scoring – Scoring attorneys do not consult with each other or the judge. The Judge does not score.
- ❑ Scorers score students’ individual presentations – not as compared to the opposing team.
- ❑ Scorers’ primary goal is to apply Evaluation Criteria and score based on that criteria. Secondarily, scorers will be noting particular points for comments/constructive criticism after scores are submitted.
- ❑ Some point deductions are preset; some require judicial finding first. Be mindful of preset point deductions.
- ❑ Each scoring attorney will independently use the evaluation and scoring criteria to assign a numerical value (1-10) to individual and team presentations except as to the bailiff and clerk, who are assessed on a 1-5 scale.

- ❑ Scoring attorneys are instructed to start from the middle of average range in a 10-point scale, which would be 5 based on the guidelines.
- ❑ Be mindful of trial phases that have greater weight for tallying the team score (pretrial motion and closing arguments are x2).
- ❑ Coach and audience communication could result in deduction of points.
- ❑ Judges will rule on alleged rule violations. If the judge determines there has been a rule violation ~ unless a specific point deduction for a particular infraction is provided in the rules ~ each attorney scorer will determine the appropriate amount of deduction (if any) individually. Scorers may also deduct points for rule violations they observe.

18. Timekeeping

Precise timekeeping and time management is easy to overlook, but critical to team success. Failing to keep accurate time can result in the loss of points, but more importantly, the loss of opportunities for students to perform and get the experience that they have been training for. It is also a blow to overall team morale and cohesion as one team member is perceived to be responsible for running overtime. To avoid this, all team members should be in the habit of keeping time during every practice. This will support and help train the official timekeeper but will also remind the students to attend to this critical, but often ignored, element of trial advocacy. While it may seem an artificial part of trial competition, it has a real-world application as many courts impose time limits on real trials~and even where there are no time limits, real juries lose interest in long-winded presentations.

The San Diego County HSMT Committee will be presenting a timekeeper clinic in late 2023 or early 2024. Look for more information and helpful materials on the San Diego County Mock Trial website and Instagram feed.

Some Basic Time-Keeping Principles:

- ❑ The Clerk has an essential and neutral role (as does the bailiff), as timekeeper; providing verbal warnings and displaying timecards (2 minutes, 1 minute, 30 seconds, and stop).
- ❑ Coaches are urged to work with clerks, so they understand the requirements of the role.

- Here is a list of events which stop time:
 - Witnesses called to stand and be sworn by bailiff
 - Attorneys make objections
 - Judge questions attorneys and witnesses
 - Judge offers observations
 - A witness asks for a question to be repeated
 - Attorneys request time remaining (remaining time must be provided for both sides)
- Time checks are limited to 4 per side per trial

IV. The Competition

1. How Teams Are Matched for Each Round:

- Round 1: Random Selection.
- Round 2: Teams will flip sides from Round 1. Matched based on win/loss record first and second by “ballots” from Round 1, and placement in bracket. See, “Rankings and Match-Ups” section of San Diego County Rule Book.
- Round 3: Match based on win/loss record first, cumulative “ballots” from Rounds 1 and 2, and placement in bracket.
- Round 4: Teams will flip sides from Round 3. Match based on win/loss record first and by cumulative “ballots” from Rounds 1 - 3, and placement in bracket.
- Semifinal Round: The top four teams will compete in the semifinal round.
- Championship Round: The two winning teams of the semifinal round will compete in the championship round.
- In the event of a tie, the winning team will be determined by the official judge tie ballot.

2. Be on Time

- Rounds 1 - 3 will start promptly at 5:30 p.m. Teams should plan to be in the courthouse by 4:30 p.m.
- Round 4 will start promptly at 9:00 a.m. Teams should plan to be in the courthouse by 8:00 a.m.
- Note: if a scheduled team is not present in the assigned courtroom within 15 minutes of the designated start time, the team forfeits the trial and is subject to disqualification.

3. Nuts and Bolts/Logistics

- If a student needs an accommodation, please notify the Committee in advance via Gmail at sdmocktrial@gmail.com.
- You will receive courtroom assignments prior to each trial - look for an email from the Committee.
- A coach or teacher must check-in in courthouse lobby.
- Allow time for going through security.
- Best if your team arrives together.
- Do not congregate on steps or in lobby, go directly to assigned courtroom after clearing security.

4. A Note About Photography

Teams may only take video/audio/still photography of a trial involving their own team with the permission of the opposing team and the judicial officer. Any team has the option to refuse video/audio/still photography during a round. Video/audio/still photography is for training purposes only and may not be posted on the internet or published in any manner.

5. Ideas for Team Preparation

- Attire - Simple, but professional clothing is all that is required.

- ❑ Supplies – Bring your own pens, legal pads, your own official copy of the case packet, stickies, etc.
- ❑ Demonstrative Exhibits – The prosecution team is responsible for bringing the trial exhibits. Blow-ups of the exhibits are allowed, and students should be encouraged to use enlargements with witnesses on direct- and cross-examination. A simple, inexpensive way to create a blow-up without having to purchase \$40 to \$50 foam boards is to copy the exhibit on 11 x 17 or 24 x 18 paper that you then attach to inexpensive or recycled poster board with binder clips. Note, the Rules limit exhibits in size to 22 x 28 inches.
- ❑ Pre-Competition Logistics Meeting – A meeting to iron out inventory of supplies, who is bringing what, car-pooling, etc.
- ❑ Pre-Competition Dinner or Pizza Party- Good for team bonding and a nice reward for all the hard work.
- ❑ Post-Competition Celebration and Wrap-Up – Good for team bonding and a nice reward for all the hard work.

V. Conclusion

This Team-in-a-Box guidebook has been provided to help teams organize their competition year. It by no means covers all aspects of a robust High School Mock Trial competition. You are encouraged to review the San Diego County mock trial rulebook, scoring criteria and guidelines regularly; to routinely look for website announcements, FAQs, and training tips and materials at <https://sdmocktrial.org>; and to respond to Mock Trial emails quickly. For any questions, please email the Committee at sdmocktrial@gmail.com.

Attachment A
SAN DIEGO SUPERIOR COURT
ATTORNEY CIVILITY AND PRACTICE GUIDELINES

PREFACE

The San Diego County Bar Association has adopted Attorney Civility and Practice Guidelines. They are set forth below. The San Diego Superior Court expects all attorneys who appear before it to abide by these guidelines.

I. DUTIES OWED TO THE COURT

- A. We expect lawyers to be courteous and respectful to the court and all court and court-related personnel.
- B. We expect lawyers arguing for an extension of existing law to clearly state that fact and state why.
- C. We expect lawyers appearing in court to dress neatly and appropriately, and encourage their clients to do the same.
- D. We expect lawyers to be on time and adhere to time constraints.
- E. We expect lawyers to be prepared for all court appearances.
- F. We expect lawyers to attempt to resolve disputes promptly, fairly, and reasonably, with resort to the court for judicial relief only if necessary.
- G. We expect lawyers to discourage and refuse to accept a role in litigation that is meritless or designed primarily to harass or drain the financial resources of the opposing party.
- H. We expect lawyers to honor and maintain the integrity of our justice system, including by not impugning the integrity of its proceedings, or its members.

II. DUTIES OWED TO OTHER LAWYERS, PARTIES, AND WITNESSES

- A. We expect lawyers to address legal arguments with other lawyers professionally, and not personally.
- B. We expect lawyers to treat adverse witnesses, litigants, and opposing counsel

with courtesy, fairness, and respect.

- C. We expect lawyers to conduct themselves in the discovery process as if a judicial officer was present.
- D. We expect lawyers to not arbitrarily or unreasonably withhold consent to a reasonable request for cooperation or accommodation.
- E. We expect lawyers to refrain from attributing to an opponent a position the opponent has not clearly taken.
- F. We expect lawyers to be accurate in written communications intended to make a record.
- G. We expect lawyers to refrain from proposing a stipulation in the presence of the court or trier of fact unless the other parties have previously agreed to it.
- H. We expect lawyers to refrain from interrupting an opponent's legal argument unless making an appropriate objection for a legitimate basis.
- I. We expect lawyers in court to address opposing lawyers through the court.
- J. We expect lawyers to seek sanctions sparingly, and not to obtain a tactical advantage or for any other improper purpose.
- K. We expect lawyers to refrain from seeking to disqualify opposing counsel for any improper purpose or for any reason not supported by fact or law.
- L. We expect lawyers to encourage other lawyers to conform to the standards in these guidelines.
- M. We expect lawyers to conduct themselves so that they may conclude each case amicably with the opposing lawyer or party.

