

## Mock Trial Competition 2024

### Mock Trial Run Sheet

**Instructions:** Pursuant to the Competition Rules, each mock trial judge has the discretion to run their mock trial and courtroom as they see fit. This Run Sheet is intended to serve as a guide to help students understand what's expected of each individual role within the trial and help both judges and students ensure the trial is conducted within the time limits.

To assist with trial time management:

- Times for each component of trial are detailed below (this assumes the trial started at 5:30pm).
- The time reflects the latest time that component of trial should start at in order for trial to finish by 8pm.
- It is not an issue if the trial runs faster than these indicative times and actual times vary and depend on Case Materials and students in each trial
- If both teams and the mock trial judge are present, ready to go and agree to commence early, trials may commence prior to 5:30pm.

Please note this document is largely the same as the information contained in the "Procedures for the Court Hearing" part of the previous Competition Manual. Additional information has been included to help mock trial judges manage the conduct of the mock trial proceedings. Any queries about the conduct of the mock trials should be directed to the Mock Trial Coordinator.

| Indicative Time                  | Who (Role)                             | What should happen   | Comments  |
|----------------------------------|--|--|---|
| <b>Prior to trial</b>            |  |  |   |
| From 5pm<br>(once judge arrives) | Judge's Associate<br>and Court Orderly | <p>JA and CO should make themselves known to the mock trial judge, find out what they may require (and whether/how they can assist) and when/how the judge wants to commence trial.</p> <p>CO makes sure the judge has the Notice of Appearance and advises the judge whether each team is ready to proceed.</p> | If there are any issues have teacher inform MTC Coordinator |
| <b>Commencing the Trial</b>      |  |  |   |
| 5:30pm                           | <b>Judge</b>                           | <i>Knocks on the bench to indicate that they are ready to begin the mock trial.</i>  |   |
|                                  | <b>Court Orderly</b>                   | <i>"Silence! All stand, please."</i>   |   |

|                                       |                          |   |  |
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|                                       |                          | <p><i>Everyone in the court room stands, the judge bows. In response, everyone in the court room bows and the judge will take their seat. Once the judge has sat, everyone else should be seated.</i></p> <p><i>"This Mock Court is now sitting."</i></p>   |  |
|                                       | <b>Judge's Associate</b> | <p><i>Stand and announce the case</i></p> <p><i>e.g. Police against Robinson (if criminal) or Robinson and Jones (if civil)</i></p>   |  |
| <b>Giving Appearances</b>             |                          |   |  |
| 5:30pm                                | <b>Judge</b>             | <i>"Who is appearing in this matter?"</i>   |  |
|                                       | <b>Barrister 1 (P)</b>   | <p><i>Barrister 1 for the P should stand while they give the appearance for themselves and Barrister 2 of their team. You can either just use surnames or preferred pronoun and then surname e.g. SMITH or Ms Smith</i></p> <p><i>E.g. If Your Honour pleases, my name is _____ and I am appearing with my learned friend (Barrister 2) for the plaintiff/prosecution. We are instructed by _____(Instructing solicitor).</i></p>   |  |
|                                       | <b>Barrister 1 (D)</b>   | <i>Barrister 1 for the D should stand while they give the appearance for themselves and Barrister 2 of their team.</i>  |  |
| <b>House Keeping (if appropriate)</b> |                          |   |  |
|                                       | <b>Judge</b>             | <p><i>If the mock trial judge has any questions in relation to housekeeping matters this is their opportunity to have those administrative tasks/queries answered before the parties open their case formally commences.</i></p> <p><i>There may not be any house keeping issues to address. Examples of a house keeping issue that might arise in a mock trial is if the judge does not have a working pen, a copy of the Case Materials or Scoresheet etc. Ideally the Judge's Associate should assist the judge if they require these things (and bring copies for the Judge in case they are needed).</i></p> |  |

| Opening Addresses   |                        |  |  |
|---|------------------------|--|--|
| 5:35pm  | <b>Barrister 1 (P)</b> | <i>Barrister 1 for the P delivers their opening address.</i>   | Maximum time 5 minutes.  |
| 5:40pm  | <b>Barrister 1 (D)</b> | <i>Barrister 1 for the D delivers their opening address.</i>   | Maximum time 5 minutes.  |
| Giving and Testing of the Evidence – Witness 1 of 4 (P witness) (allow 25 mins) |                        |  |  |
| 5:45pm  | <b>Judge</b>           | “Call the first witness for the plaintiff/prosecution.”  |  |
|   | <b>Barrister 1 (P)</b> | “I call ____” (name of witness 1)  |  |
|   | <b>Court Orderly</b>   | <i>Calls out the name of witness loudly so the witness can be located and the audience can hear. CO then escorts the witness to the stand and swears them in.</i><br><br>E.g. “It is your duty to assist the Court in these proceedings by faithfully answering the questions put to you. Do you understand?”  | Witnesses are permitted to remain in the Court at all times allowing learning by observation of court procedure. |
|   | <b>Witness 1 (P)</b>   | “Yes”  |  |
|   | <b>Barrister 1 (P)</b> | <i>Begin the examination-in-chief of witness 1 and indicate when you have concluded.</i><br><br>E.g. “That concludes this witness’ evidence in chief, Your Honour.”<br><br><i>If Barrister 1 (D) notices that some of the substantive content of the witness statement has been left out, they should at this point stand and bring that to the judge’s attention.</i><br><br><i>If the witness has not given all their substantive content from the witness statement in E-I-C, then the judge should indicate the missed evidence will be taken as if it had come out from the witness.</i><br><br><i>For the sake of time, the judge is not required to read out the rest of the witness statement.</i> |  |
|   | <b>Judge</b>           | <i>The judge will indicate when they are ready for cross-examination to commence.</i>  |  |
|   | <b>Barrister 1 (D)</b> | <i>Barrister 1 (D) should begin cross-examination of witness and indicate when you have concluded.</i>   |  |

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|  |                        | E.g. "I have no further cross-examination questions of the witness, Your Honour."  |  |
|  | <b>Barrister 1 (P)</b> | <p><i>The judge will ask if there is any re-examination. If there is, Barrister 1 (P) should begin and then indicate when they have concluded.</i></p> <p>E.g. "I have no further re-examination questions of the witness, Your Honour."</p> <p><i>At the end of the witness's evidence, Barrister 1 (P) should ask the judge to excuse the witness.</i></p> <p>E.g. "May the witness be excused?"</p>   |  |
|  | <b>Judge</b>           | <p>"The witness is excused from the witness stand and may return to their seat."</p> <p>"Call the second witness for the plaintiff/prosecution."</p>   |  |
| <b>Giving and Testing of the Evidence – Witness 2 of 4 (P Witness) (allow 20 mins)</b> |                        |  |  |
| 6:05pm   | <b>Barrister 2 (P)</b> | "I call ____" (name of witness 2)  |  |
|  | <b>Court Orderly</b>   | <p><i>Calls out the name of witness loudly so the witness can be located and the audience can hear. CO then escorts the witness to the stand and swears them in.</i></p> <p>E.g. "It is your duty to assist the Court in these proceedings by faithfully answering the questions put to you. Do you understand?"</p>   |  |
|  | <b>Witness 2 (P)</b>   | "Yes"  |  |
|  | <b>Barrister 2 (P)</b> | <p><i>Begin the examination-in-chief of witness and indicate when you have concluded.</i></p> <p>E.g. "That concludes this witness' evidence in chief, Your Honour."</p> <p><i>If Barrister 1 (D) notices that some of the substantive content of the witness statement has been left out, they should at this point stand and bring that to the judge's attention.</i></p> <p><i>If the witness has not given all their substantive content from the witness statement in E-I-C, then the judge should indicate the missed evidence will be taken as if it had come out from the witness.</i></p> |  |

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|  |                        | <p><i>For the sake of time, the judge is not required to read out the rest of the witness statement.</i></p> <p><i>The judge will indicate when they are ready for cross-examination to commence.</i></p>  |  |
|  | <b>Barrister 2 (D)</b> | <p><i>Barrister 2 (D) should begin cross-examination of witness and indicate when you have concluded.</i></p> <p>E.g. "I have no further cross-examination questions of the witness, Your Honour."</p>   |  |
|  | <b>Barrister 2 (P)</b> | <p><i>The judge will ask if there is any re-examination. If there is, Barrister 1 (P) should begin and then indicate when they have concluded.</i></p> <p>E.g. "I have no further re-examination questions of the witness, Your Honour."</p> <p><i>At the end of the witness's evidence, Barrister 2 (P) should ask the judge to excuse the witness.</i></p> <p>E.g. "May the witness be excused?"</p> |  |
|  | <b>Judge</b>           | "The witness is excused from the witness stand and may return to their seat."  |  |
|  | <b>Barrister 2 (P)</b> | <p><i>Barrister should then close the case for the Prosecution.</i></p> <p>E.g. "Your Honour, that is the case for the plaintiff/prosecution."</p>   |  |
| <b>Giving and Testing of the Evidence – Witness 3 of 4 (D witness) (allow 25 mins)</b> |                        |  |  |
| 6:25pm   | <b>Judge:</b>          | "Call the first witness for the Defence."  |  |
|  | <b>Barrister 1 (D)</b> | "I call ____" (name of witness 3 (D))  |  |
|  | <b>Court Orderly</b>   | <p><i>Calls out the name of witness loudly so the witness can be located and the audience can hear. CO then escorts the witness to the stand and swears them in.</i></p> <p>E.g. "It is your duty to assist the Court in these proceedings by faithfully answering the questions put to you. Do you understand?"</p>   |  |
|  | <b>Witness 3 (D)</b>   | "Yes"  |  |

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|  | <b>Barrister 1 (D)</b> | <p>Begin the examination-in-chief of witness and indicate when you have concluded.</p> <p>E.g. "That concludes this witness' evidence in chief, Your Honour."</p> <p><i>If Barrister 1 (D) notices that some of the substantive content of the witness statement has been left out, they should at this point stand and bring that to the judge's attention.</i></p> <p><i>If the witness has not given all their substantive content from the witness statement in E-I-C, then the judge should indicate the missed evidence will be taken as if it had come out from the witness.</i></p> <p><i>For the sake of time, the judge is not required to read out the rest of the witness statement.</i></p> <p>The judge will indicate when they are ready for cross-examination to commence.</p> |  |
|  | <b>Barrister 1 (P)</b> | <p><i>Barrister should begin cross-examination of witness and indicate when you have concluded.</i></p> <p>E.g. "I have no further cross-examination questions of the witness, Your Honour."</p>   |  |
|  | <b>Barrister 1 (D)</b> | <p><i>The judge will ask if there is any re-examination. If there is, Barrister should begin and then indicate when they have concluded.</i></p> <p>E.g. "I have no further re-examination questions of the witness, Your Honour."</p> <p><i>At the end of the witness's evidence, the Barrister should ask the judge to excuse the witness.</i></p> <p>E.g. "May the witness be excused?"</p>   |  |
|  | <b>Judge</b>           | "The witness is excused from the witness stand and may return to their seat."  |  |
| <b>Giving and Testing of the Evidence – Witness 4 of 4 (D witness) (allow 20 mins)</b> |                        |  |  |
| 6:50pm   | <b>Judge</b>           | "Call the second witness for the Defence."   |  |
|  | <b>Barrister 2 (D)</b> | "I call ____ (name of witness 2) "   |  |
|  | <b>Court Orderly</b>   | <i>Calls out the name of witness loudly so the witness can be located and the audience can</i>   |  |

|  |                        |  |  |
|--|------------------------|--|--|
|  |                        | <p><i>hear. CO then escorts the witness to the stand and swears them in.</i></p> <p>E.g. "It is your duty to assist the Court in these proceedings by faithfully answering the questions put to you. Do you understand?"</p>   |  |
|  | <b>Witness 4 (D)</b>   | "Yes"  |  |
|  | <b>Barrister 2 (D)</b> | <p><i>Begin the examination-in-chief of witness and indicate when you have concluded.</i></p> <p>E.g. "That concludes this witness' evidence in chief, Your Honour."</p> <p><i>If Barrister notices that some of the substantive content of the witness statement has been left out, they should at this point stand and bring that to the judge's attention.</i></p> <p><i>If the witness has not given all their substantive content from the witness statement in E-I-C, then the judge should indicate the missed evidence will be taken as if it had come out from the witness.</i></p> <p><i>For the sake of time, the judge is not required to read out the rest of the witness statement.</i></p> <p><i>The judge will indicate when they are ready for cross-examination to commence.</i></p> |  |
|  | <b>Barrister 2 (P)</b> | <p><i>Barrister should begin cross-examination of witness and indicate when you have concluded.</i></p> <p>E.g. "I have no further cross-examination questions of the witness, Your Honour."</p>   |  |
|  | <b>Barrister 2 (D)</b> | <p><i>The judge will ask if there is any re-examination. If there is, Barrister should begin and then indicate when they have concluded.</i></p> <p>E.g. "I have no further re-examination questions of the witness, Your Honour."</p> <p><i>At the end of the witness's evidence, the Barrister should ask the judge to excuse the witness.</i></p> <p>E.g. "May the witness be excused?"</p>   |  |
|  | <b>Judge</b>           | "The witness is excused from the witness stand and may return to their seat."  |  |

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|---|------------------------|--|--|
|   | <b>Barrister 2 (D)</b> | <p><i>Barrister should then close the case for the Prosecution.</i></p> <p>E.g. "Your Honour, that is the case for the defendant/defence."</p>   |  |
| <b>Adjourning for 10-minute Break (to prepare closings)</b> |                        |  |  |
| 7:10pm  | <b>Judge</b>           | <p><i>This is an opportunity for the judge to address any house-keeping issues that may have arisen or that they wish to clarify (e.g. the judge may flag if they will step out during the break and/or if they need the JA or CO to let them know when there is a minute left in the 10-minute break time.</i></p>  |  |
|   | <b>Court Orderly</b>   | <p><i>The judge should indicate to the CO they are ready for the adjournment at which time the judge should stand.</i></p> <p><i>The CO should stand and in a loud voice for everyone in the courtroom to hear and say:</i></p> <p>"All Stand! This Mock Court is adjourned for ten minutes. Participants and spectators are requested to remain quietly in their seats. Please note that there is to be no discussion between the barristers and solicitor of each team with any other participants or spectators."</p>                                 |  |
|   | <b>Judge</b>           | <p><i>Bows (and can either leave the court room or remain at the Bench during the adjournment)</i></p>   |  |
|   | <b>Everyone Else</b>   | <p><i>Each team's barristers and instructing solicitors should remain at their area to prepare their closing submissions. They are not permitted to talk with any other students or their teachers during this time. If there are any issues, please speak to MTC Coordinator.</i></p> <p><i>Everyone in the court room should remain quietly in their seats, or alternatively, quietly make their way out of the courtroom if they require use of the facilities (bathroom, water, stretch legs outside court room etc) but return once called.</i></p> |  |
| 7:19pm  | <b>CO</b>              | <p><i>Check in with the mock trial judge to let them know there is a minute left to go and ask if they are ready to recommence trial. Ask spectators outside court to return inside.</i></p>   |  |



| Closing Addresses |                        | (allow 20 mins for both)  |              |
|-------------------|------------------------|---|--------------|
| 7:20pm            | Judge                  | <i>Knocks on bench to indicate the mock trial will re-commence.</i>   |              |
|                   | CO                     | <i>"Silence! All stand, please."</i>  |              |
|                   | Judge                  | <i>Stands and bows</i>  |              |
|                   | Everyone Else          | <i>Bows in response</i>   |              |
|                   | Judge                  | <i>Sits</i>   |              |
|                   | Everyone Else          | <i>Sits</i>   |              |
|                   | CO                     | <i>"This Mock Court is now sitting".</i>  |              |
|                   | Judge                  | <i>Indicate when ready for closings to commence</i>   |              |
| 7:20pm            | Barrister 2 (P)        | <i>Delivers closing address</i>   | Max. 10 mins |
| 7:30pm            | Barrister 2 (D)        | <i>Delivers closing address</i>   | Max.10 mins  |
| 7:40pm            | Judge                  | <i>After closings, ask the teams to get their notes ready for the CO to collect and then indicate to the Court what will happen next (e.g. do you plan to have a quick break to tally up scores, if so, should people talk amongst themselves or return to court at a certain time etc)</i> |              |
|                   | Instructing Solicitors | <i>Gather the notes your team (barristers and solicitor) made during the trial and hand them to CO (use a manilla folder labelled with your school and team name on the front).</i>   |              |
|                   | CO/JA                  | <i>Collect the notes from the instructing solicitors and hand them to JA to hand to the judge.</i>  |              |
|                   | Judge                  | <i>Once you have the notes, indicate to the CO you are ready for their announcement.</i>  |              |
|                   | CO                     | <i>"All Stand! This Mock Court is adjourned."</i>   |              |
|                   | Judge                  | <i>Bows</i>   |              |
|                   | Everyone Else          | <i>Bows</i>   |              |
|                   | Judge                  | <i>Either leave court room or stay at bench to consider verdict, tally up scores and finalise the Scoresheet.</i><br><br><i>If you have any queries, ask the CO or JA to have one of their team reserves locate the Mock Trial Coordinator (if Coordinator isn't already present).</i>      |              |
| 7:45pm            | Judge                  | <i>Knock on bench to indicate you are ready to deliver judgement and give feedback.</i>   |              |

|             |  |   |  |
|-------------|--|---|--|
|             | CO   | “Silence! All stand, please”  |  |
|             | Everyone   | Stand   |  |
|             | Judge  | Stands and bows   |  |
|             | Everyone   | Bows  |  |
|             | Judge  | Sits  |  |
|             | Everyone   | Sits  |  |
| 7:45pm      | Judge  | <p><i>Delivers judgement in the case, announces the final scores and winning team and provides constructive feedback.</i></p> <p><i>Note to Judges - It is up to each judge how they want to manage this part. Some judges keep in character to deliver a verdict and then indicate the end of formalities for the evening so they can give feedback as themselves for educational purposes.</i></p> <p><i>How much constructive feedback you give is up to you and how much time is left. Please indicate to the courtroom whether you are happy to stay behind for any questions or if you have to leave.</i></p> <p><i>There is no requirement to deliver an actual verdict or judgement (some judges choose to do so others just say which side they were more persuaded by).</i></p> <p><i>The only requirement is that the final team scores, and therefore the winner (for competition purposes) is announced.</i></p> |  |
| 8:00pm      | End of trial.  |   |  |
| After Trial |  |   |  |
| From 8:00pm | <p>The Mock Trial Coordinator will commence vacating the court room.</p> <p><i>Judges - please hand Scoresheet and any documents from the mock trial to Mock Trial Coordinator before you leave (or leave those documents on the desk in the foyer if the Coordinator is not present at the time of your departure. Remember to sign the CPD Attendance Shete and note the time you leave the building for CPD purposes.</i></p> <p><i>Students – please vacate the courtroom but once outside the court building follow the directions of your teacher.</i></p> |   |  |