

2020 Mock Trial – Competition Instructions and Timetable

➤ Conditions of Entry

The competition is open to students in years 12, 11, 10, and 9. It is suggested that Year 9 students are only involved in non-speaking roles.

Each School may enter only one team of six students. The performance of each of the six students will contribute to the total score of the team, and for this reason it is suggested that teams prepare three reserves so that last minute stand-ins are available.

Each school will bear all individual costs of participating in the competition, including travel and accommodation expenses.

All registered schools must provide an active email address as all correspondence will be electronic. The Law Society of New South Wales (the Law Society) will not be held responsible for a school missing out on updates due to an invalid email address.

The Law Society reserves the right to alter the roster or competition timetable at any time. Notification will be sent to all schools via email.

Mobile phones, laptops and/or tablets are not to be used by barristers, solicitor's or witnesses under any circumstance during a trial, with the exception of a laptop present for Trial's held over Zoom.

Any disputes between participants, which are unable to be resolved, will be determined by the Law Society. This decision will be final.

The Law Society may arrange for the Mock Trial to be video or audio recorded and will own the recording in perpetuity for use in all format and media.

If a school is unable to comply with any of the conditions and wishes to withdraw from the competition, it must do so in writing to the Law Society.

➤ Competition Structure

The case materials for each round will be emailed to the team coordinator on the first day of each round, as well as available for download from the Law Society website. All materials are password protected and schools will be emailed the password at the commencement of the round.

The competition consists of six rounds. The first three are held in a Round Robin. The final three rounds are conducted on a knock-out basis.

The first three rounds of the competition are run on a regional basis and schools are teamed up with others in their region so travel time can be kept to a minimum when applicable.

After round three the top 8 schools will proceed to contest the Quarter Final round and the winners proceed to subsequent rounds on a knockout basis.

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Each round must be completed by the date nominated by the Law Society and results received at the Law Society on or before that date.

Schools should arrange the Mock Trial date with the Magistrate as soon as possible, as *extensions will not be granted*. It is recommended that the trial be organised for the final week of the round.

Mock Trials should be conducted over Zoom if circumstances do not allow for a face-to-face trial. *Extensions or forfeits will not be granted for failure to organise a face-to-face trial in circumstances that a Zoom trial can take place.*

Magistrate Allocations will be organised by the Mock Law Coordinator, and details sent to the Prosecution team in the first week of each round. Magistrates are to preside over the trial via Zoom.

Effective presentation requires adequate preparation of all facets of your case as a team, including anticipation of the opponent's case, research of any technical matters, identifying likely issues and facts that may be raised in cross-examination of your witnesses. When conducting a trial over Zoom, all pre-trial notes are to be sent to the Magistrate *before* the trial, and opposing witness statements should be made available to your opposition in physical copy if conducting a face-to-face trial or Zoom using the 'upload file' function.

Any team that cannot complete a round by the due date will forfeit the round. No points will be awarded for a forfeit. If a school must forfeit a round, the school should contact the Law Society and the opposing team as soon as possible.

If a school forfeits a third time, the team will be disqualified. Students on this team will not receive Mock Trial Certificates.

Each trial should take between two to three hours.

The structure of the competition has been implemented to allow participation by as many schools as possible across the shortened competition. If any schools cannot comply with any of the above, it is encouraged that they withdraw from the 2020 Mock Trial Competition.

➤ Trial Organisation

Schools will be emailed the roster and script and will be made available online. This will inform them of their opposing team and the allocation of Prosecution and Defence for their trial. The Prosecution team will receive an email confirming the details for the allocated magistrate during the first week of the round.

Schools must be prepared to travel if restrictions allow. Every effort will be made to match schools with the closest opposing school in the circumstances that a face-to-face trial can be held, however, if distance or circumstance impede, a Zoom trial should be organised.

The host school (plaintiff/prosecution) is responsible for coordinating with the Magistrate. However, the plaintiff/prosecution team must consult with the defence team in relation to the time and date.

The following procedure should be followed:

- a) Upon receipt of the mock trial material, contact your opposition in the first week to check on available dates, and mutually agree on a date that is flexible for all participants involved;

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- b) Contact the Magistrate and confirm the date (if communication is via email, please copy the opposing team in on the correspondence);
- c) Schools must attempt to organise the trial at a time suitable for the Magistrate. If the schools cannot agree on a time with the Magistrate, then the Law Society should be notified immediately.

Schools must be flexible as to trial dates and times. Volunteer Magistrates have busy schedules and students have many school commitments; Flexibility is the key in identifying convenient trial times.

In the event of a Magistrate cancelling the mock trial at the last minute, the Law Society will endeavour to find a replacement Magistrate; however, the trial may need to be postponed. If there is not time for a postponement the team coordinators or another teacher from either school will be required to judge the trial. The Law Society should be contacted as soon as possible when this is the case so additional materials for the markers can be provided.

➤ Roles and Responsibilities

One member of staff must always remain with the team during the trial. It can be any member of staff and does not have to be the staff member in charge of the school's mock trial team.

Prior to commencement of the trial, teachers can raise any issues.

Teams must not access the witness statements of the opposing team prior to the trial. This action may lead to disqualification.

Once the trial has commenced, students may not be assisted other than by the instructing solicitor and the other barrister. This includes verbal and non-verbal prompting. When preparing the closing address, there must be no assistance from coaches, teachers, any other team member or members of the audience. The only people allowed at the bar table are the solicitor and the two barristers.

Disputes or arguments with Magistrates are not permitted at any time.

➤ Magistrates

Where possible, Magistrates are encouraged to conduct the trial in the final week of the round. Magistrates are required to score each Mock Trial (please see "Scoring Each Mock Trial" for further information).

Magistrates are reminded that Mock Trials are intended to be educational and to provide positive feedback.

Due to social distancing and COVID restrictions, Magistrate's will preside over trials by Zoom.

➤ Scoring each mock trial

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At the conclusion of the trial, teachers from both teams must check and approve the additions of the Magistrate. Any discrepancy must be brought to the attention of the Magistrate immediately. If the Magistrate agrees to amend the score sheet it must be done before the Mock Trial decision is delivered.

Once the decision is delivered, there will not be any opportunity for any school team to object or seek alteration to the scoresheet. The decision of the Magistrate is final, and no correspondence will be entered into.

It is suggested that Magistrate's score conservatively, reserving scores of 7 or above for performance at a higher than average level. The scale for the awarding of points is set out in the scoresheet below:

Not Effective		Fair		Good		Very Good		Excellent	
1	2	3	4	5	6	7	8	9	10

Points will be deducted if a:

- Witness adds, deletes or changes material in the witness statement;
- Team/barrister goes beyond the time limits;
- Team member is prompted by another person;
- Team member argues with the Magistrate; and
- Teacher/coach/parent offers assistance at any time during the trial or while preparing for the closing address.

It is the responsibility of the winning team to return *the front page* of the score sheet by email to the Law Society by the given date.

➤ Scoring the overall competition

During the Round Robin, teams will be awarded the following scores:

- 3 points for a win
- 1 point for a loss
- 2 points for a bye
- 0 points for a forfeit (if not disqualified)

No draws are allowed – Magistrates must use the “Team” box to give an extra whole point, no half points allowed

When a school is allocated a bye in the scoring rounds, 2 points will be allocated.

When a school forfeits it will receive 0 points and no score. The opposing team will be given 3 points for a win.

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After the Round Robin – trials continued to be scored and schools move forward through to the knock-out rounds.

Only the 8 highest scoring teams will move into the Final Rounds. In the instance that the 8th and 9th schools end the Round Robin with the same overall scores, only one team may progress determined by how many trials are completed and won. Unfortunately, forfeits will not be considered a 'completed' trial.

➤ 2020 Mock Trial Competition Timetable

ROUND ROBIN	
Round 1	Materials released – Wednesday 17 June Results Due – Friday 24 July
Round 2	Materials released – Monday 27 July Results Due – Friday 14 August
Round 3	Materials released – Monday 17 August Results Due – Friday 4 September
FINALS	
Quarter Final	Materials released – Wednesday 9 September Results Due – Friday 16 October
Semi Final	Materials released – Monday 16 October Results Due – Friday 6 November
Grand Final	Materials released – Monday 9 November Grand Final to be held on Monday 30 November
*Please note the Mock Trial Timetable may be altered at any time by the Mock Law Coordinator	