

Explanation of the Performance Ratings Used on the Mock Trial Scoresheet

As the trial progresses, the Scoring Evaluators will award point to students at each stage of the trial. Individual students will be rated on a scale of 1-10 speaker points, according to their role(s) in the trial. The Scoring Evaluator is scoring **INDIVIDUAL PERFORMANCE** in each speaker category, and separately the **TEAM PERFORMANCE** in the Team Points box. **The scoring Evaluator is NOT scoring the legal merits of the case.**

The following page contains a guideline of appropriate points for attorneys and witnesses. This is not meant to be a checklist of assigned points but more of a guideline to adjust points as each student presents their role. Though an attorney does something that falls in the 4-5 category, they may hit everything else at a higher number. Evaluators should weigh the entire performance of each student and score them with these guidelines in mind.

Scoring Evaluators may individually consider penalties for violation(s) of the Rules of the Competition or the Code of Ethical Conduct. Penalties would reduce point awards in the appropriate performance categories below. Penalties will not be indicated separately on the scoresheet. Please see **Rule 30(b)** for the treatment of rule infractions.

Team Points

On a scale of 1-10 (with 10 being the highest), rate the performance of each team as a whole in the categories on the scoresheet. Each category is to be evaluated separately. **DO NOT GIVE DECIMAL, PARTIAL OR FRACTIONAL POINTS.** After scoring speaker points for individuals, award 1-10 points to each team as Team Points. Each scoring Evaluator should consider "6" as the average Team Points award, with reductions made for team penalties and additions for outstanding team performance:

- As a whole, did the team present an effective case?
- As a whole, did the team members show an understanding of the rules of the competition, the rules of evidence, the applicable law and the facts of the case?
- As a whole, did the team present their case within the letter and the spirit of the mock trial rules? Were all trial strategies used ethical and the team adhere to the Code of Ethical Conduct? – see **Rule 7(f)**.
- Was the team's demeanor positive and did all members observe proper courtroom decorum at all times?
- Was a cohesive theme of the case was used throughout each portion of the trial presentation?
- Was each member of the team able to present information in a logical and articulate manner?
- As a whole, did the team seem poised, knowledgeable and well prepared?
- Did witnesses respond to questions accurately, within the scope of the information contained in their witness statement and related exhibits (unfair extrapolation)? Did they answer questions on cross concisely (time sucking)? Were they consistent with their character and performance on both direct and cross?
- Did the attorneys ask witnesses for information outside the scope of the appropriate case materials (unfair extrapolation)? – See **Rules 3 & 4**
- Did team members direct comments to the appropriate audience - judge, jury or witness - with good eye contact?
- Was there was minimal reliance on notes throughout the **entire presentation**? - see **Rule 52**
- Were appropriate time limits followed in each portion of the trial? – see **Rule 17**
- If there were rule infractions, you may deduct them from the Team Points per **Rule 30(b)**.

Teams MAY NOT receive the same Team Point award. Ties are NOT ALLOWED in the Team Points box.

The team with the largest number of Total Points on the scoresheet will win the ballot. The team with the largest number of ballots per courtroom wins the courtroom. Please sign the scoresheet.

Outstanding Attorney and Witness Awards

Scoring Evaluators are strongly encouraged to exercise their **OPTION** of recognizing outstanding individual performance by honoring one **OUTSTANDING ATTORNEY** and one **OUTSTANDING WITNESS** per competition Round. This would be a joint decision of the majority of the Judging Panel, including all scoring Evaluators and the Presiding Judge. The appropriate certificates should be completed and signed by the Judging Panel and returned to the trial Coordinator for distribution during the awards ceremony.

SCORING MATRIX

	ATTORNEYS	WITNESSES
9 – 10 Outstanding and Superior	<p>Case/rules/legal issues excellent understanding Trial procedure understanding was superior Delivery was compelling Script not used, reacts to the moment Notes only used for issues raised during trial Questions/arguments were compelling Objections/responses were appropriate and mastered Superior recovery after objections Questions asked called for no unfair extrapolation Eye contact maintained Voice was clear, audible, confident and with conviction Excellent responses to other team’s presentation Compelling trial presentation Took command of courtroom, but not overbearing</p>	<p>Witness statements and exhibits excellent understanding Performance felt spontaneous and natural Responses consistent with facts Did not materially go outside case materials (<i>no unfair extrapolation</i>) Superior recovery after objections Eye contact maintained when appropriate Voice was clear, audible, confident and with conviction Took command of courtroom, but not overbearing Performance was compelling (<i>see Rules 3 & 5</i>) Performance/character was solidly consistent between direct and cross Answered cross questions responsibly, not attempting to waste opposing counsel’s time (<i>time sucking</i>)</p>
7 – 8 Very Good	<p>Case/rules/legal issues well understood Trial procedure understanding was very good Delivery was persuasive Script not used, reacts to the moment Notes only used for issues raised during trial Questions/arguments moved case forward Questions asked called for no unfair extrapolation Objections/responses were appropriate Recovered well after objections Eye contact mostly maintained Voice was clear, audible, and confident Adjusted case other team’s presentation</p>	<p>Witness statements and exhibits well understood Responses mostly felt spontaneous and not memorized Responses consistent with facts Did not materially go outside case materials (<i>no unfair extrapolation</i>) Recovered well after objections Eye contact mostly maintained when appropriate Voice was clear, audible, and confident Performance was mostly credible and convincing (<i>see Rules 3 & 5</i>) Performance/character was mostly consistent between direct and cross Answered most cross questions responsibly, not overtly attempting to waste opposing counsel’s time (<i>time sucking</i>)</p>
6 Average (Proficient)	<p>Case/rules/legal issues fairly understood Trial procedures fairly understood Delivery had some hesitation/stumbles Script/notes used occasionally (<i>see Rule 48</i>) Questions/arguments moved case forward Questions asked called for no unfair extrapolation Missed appropriate opportunities to object Recovered adequately after objections Eye contact maintained some of the time Voice sometimes difficult to hear Minimally responsive to other team’s presentation</p>	<p>Witness statements and exhibits fairly understood Some responses felt scripted Responses consistent with facts Materially went outside case materials once (<i>unfair extrap.; see Rule 4</i>) Recovered adequately after objections Eye contact maintained some of the time when appropriate Voice sometimes difficult to hear Performance was somewhat credible and convincing (<i>see Rules 3 & 5</i>) Performance/character was somewhat consistent between direct and cross Answered most cross questions responsibly, not seeming to attempt to waste opposing counsel’s time (<i>time sucking; see Rule 50 (c)</i>)</p>
4 – 5 Poor	<p>Case/rules/legal issues poorly understood Trial procedures slightly poorly understood Poise and delivery needed work Script/notes was highly depended upon (<i>see Rule 48</i>) Few questions/arguments moved case forward Asked questions intended for an unfair extrapolation Struggled to make/respond to objections No understanding of how to recover from objections Little eye contact made Voice often difficult to hear Failed to consider other team’s presentation</p>	<p>Witnesses statements and exhibits poorly understood Responses felt generic and/or scripted Responses sometimes inconsistent with facts Materially went outside case materials more than once (<i>unfair extrap.; see Rule 4</i>) No understanding of how to recover from objections Little eye contact made Voice often difficult to hear Performance was passable, lacks depth (<i>see Rules 3 & 5</i>) Performance/character was not consistent between direct and cross Deliberately attempted to waste opposing counsel’s time (<i>time sucking; see Rule 50 (c)</i>)</p>
1 – 3 Ineffective	<p>Case/rules/legal issues not understood Trial procedures not understood Delivery not persuasive or articulate Script/notes was totally relied upon (<i>see Rule 48</i>) No questions/arguments moved case forward Asked questions intended for an unfair extrapolation No understanding of making/responding to objections No understanding of how to recover from objections Eye contact not made Voice weak, unclear or inaudible Failed to consider other team’s presentation</p>	<p>Witness statements and exhibits not understood Responses not thorough, persuasive, or natural Responses not consistent with facts Consistently went materially outside case materials (<i>unfair extrap.; see Rule 4</i>) No understanding of how to recover from objections Eye contact not made Voice weak, unclear or inaudible Performance/character was completely inconsistent between direct and cross Performance was not credible nor convincing (<i>see Rules 3 & 5</i>) Deliberately attempted to waste opposing counsel’s time (<i>time sucking; see Rule 50 (c)</i>)</p>