



NEVADA HIGH SCHOOL MOCK TRIAL COMPETITION RULES

Effective: September 1, 2021

The Nevada High School Mock Trial Competitions are governed by these Competition Rules and the National High School Mock Trial Championship Federal Rules of Evidence. Any clarification of rules or case materials will be issued in writing to all participating teams in a timely manner and no less than two weeks prior to the tournament. The State Bar of Nevada, upon the advice and consent of the Nevada High School Mock Trial Committee will distribute to each team such clarification.

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RULES OF THE COMPETITION

Administration

Rule 1.1. Purpose and Rules

The purpose of the Nevada High School Mock Trial Competition is to provide a forum for student demonstration of competence in the trial advocacy process, including courtroom decorum, professionalism, application of the Rules of Evidence, and knowledge of trial procedure. All trials will be governed by the Rules of Competition and the National High School Mock Trial Championship Federal Rules of Evidence with this purpose in mind. Questions or interpretations of these rules are within the discretion of the Nevada High School Mock Trial Committee whose decision is final.

The Mock Trial program is intended to be solely an extracurricular activity. The current year's mock trial case materials may not be used in any class offered or comprise any part of the curriculum of any class, at any school during the applicable year in which these materials are to be used in competition.

Rule 1.2. Code of Conduct

The Rules of Competition, as well as proper rules of courthouse and courtroom decorum and security, must be followed. The Nevada High School Mock Trial Committee possesses the discretion to impose sanctions, including but not limited to disqualification, immediate eviction from the current and future competitions, and forfeiture of all awards (if applicable) for any misconduct occurring while a team is present for the competition, for flagrant rule violations, and for breaches of decorum which affect the conduct of a trial or which impugn the reputation or integrity of any team, school, participant, court officer, judge, or the mock trial program. All teams are responsible for the conduct of persons associated with their teams throughout any mock trial event.

Rule 1.3.A Emergencies – General

During a trial, the presiding judge shall have discretion to declare an emergency and adjourn the trial for a short period of time to address the emergency.

In the event of an emergency that arises during a regional or state competition that would cause a team to participate with less than six members, the team must notify the Nevada High School Mock Trial Committee designee as soon as is reasonably practical. If the Nevada High School Mock Trial Rules/Dispute Subcommittee, in its sole discretion, agrees that an emergency exists, the Subcommittee shall declare an emergency and will decide whether the team will forfeit or may direct that the team take appropriate measures to continue any trial round with less than six members. A penalty may be assessed.

A forfeiting team will receive a loss and points totaling the average number of ballots and points received by the losing teams in that round. The non-forfeiting team will receive a win and an average number of ballots and points received by the winning teams in that round.

Final determination of emergency, forfeiture, reduction of points, or advancement, will be made by the

Rule 1.3.B Emergencies – Virtual Competition

In the event of technical difficulties during the trial in a virtual competition, the presiding judge shall have discretion to declare a brief recess to resolve any technical difficulty substantially impairing a participant's participation in the trial. If the technical difficulty cannot be resolved within a reasonable, but brief, amount of time, then the trial will continue with another member of the impacted team substituting for the impacted team member. The emergency substitute must be a member of the same team as the impacted participant.

Before making an emergency substitution, the impacted team must make the presiding judge aware, by stating words to the effect of, "Your honor, before I begin I would like to inform the court that I am [insert name] and I am substituting for [insert name], who is unable to compete due to technical difficulties." Teams shall advise the Mock Trial Committee of any emergency substitution following the round of competition.

The presentation will be scored based on the performance by the initial team member and the emergency substitute, taken as a whole.

Once the presiding judge determines either at the request of the team or *sua sponte* that a student is unable to compete in a role due to technical difficulties, to minimize disruption, the impacted student is not permitted to return and compete in the role for which a substitution was made. If the technical difficulty is resolved, the impacted participant may return and participate in his or her other roles, if any. For purposes of this rule, a witness examination consisting of direct, cross, any re-direct and any re-cross is one role, so that a participant who requires an emergency substitution for a witness examination may not return and participate until the entire witness examination is completed.

For purposes of this rule, technical difficulties include internet failure and computer, device or microphone failure; failure of a camera only does not permit emergency substitution under this rule. Students who lose internet connection shall rejoin the trial using a telephonic connection, if possible.

In the event of a loss of connection for a timekeeper, that team shall defer to its opponent's timekeeper for that trial segment. The team whose timekeeper lost connection may substitute another timekeeper qualified under Rule 1.4 for the remaining trial segments. The timekeepers shall confer consistent with Rule 4.6(b) regarding time remaining at the beginning of each trial segment.

Technical emergencies resulting from the loss of the connection of a presiding or scoring judge shall be handled in accordance with Rule 5.2.A.

In the event that a technical emergency prevents an entire team from completing in part or all of a round, the presiding judge shall declare a recess of up to 15 minutes, to allow that team to reconnect, either via video or by connecting on audio-only via telephone. If reconnection is impossible, a forfeit shall be declared in favor of the team that maintains its connection. If at least five witnesses have been subject to

cross-examination, the Committee or its designee may in its sole discretion complete the ballot, assigning scores equal to their average score on all segments that could not be completed by the disconnected team and a “10” to the team that remained connected.

No student or team may feign technical difficulty or invoke the technical difficulty rule for purposes other than a genuine technical difficulty. Such an act would violate the Rules of Competition and Code of Ethical Conduct and may be sanctioned at the discretion of the Mock Trial Committee or its designees through point deductions or other means up to and including disqualification from the current and future competitions.

Rule 1.4. Coaches Meeting

At the beginning of each competition, a coaches’ meeting may be held to familiarize attorney and teacher coaches with the tournament schedule, tournament officials, and how to contact those officials if a concern arises.

Rule 1.5. Tabulation Room

The tabulation room will be closed while scores are being tabulated but will otherwise remain open during a tournament. Coaches will have access to ballots and score sheets pertaining to their teams in the trial rounds in which they competed.

Rule 1.6. Inclement Weather/Unforeseen Circumstances

If inclement weather or unforeseen circumstances cause a team or teams to be delayed or prevented from attending a competition, the non-coaching members of the State Bar of Nevada Mock Trial Committee shall have the discretion to alter the competition schedule, including but not limited to:

- a) The starting times for trial rounds;
- b) The number of trial rounds per competition; and
- c) The selection of alternative competition dates.

The Committee’s decision is not subject to appeal.

Rule 1.7. Relationship to Other Laws; Accommodation of Disability

These Rules will be interpreted and administered consistent with all applicable laws. Accordingly, should any applicable law require variance from these rules or accommodation of any competitor for any reason, including a legally-recognized disability, that team member or their coach may apply to the Committee or its designee for accommodation, and such reasonable accommodation as the law requires shall be granted. Where possible, teams competing against the team for which an accommodation was granted shall be informed of the accommodation in advance of a competition round but will ordinarily not be informed of the specific nature of the issue that led to the accommodation.

The Problem

Rule 2.1. The Problem

The problem will be a fact pattern, which may contain any or all the following: statement of facts, pleadings, indictment, stipulations, witness statements/affidavits, jury charges, orders/rulings and exhibits.

Stipulations may not be disputed at trial. Witness statements may not be altered. The problem shall consist of three witnesses per side, all of whom shall have names and characteristics that would allow them to be played by either males or females. All three of the witnesses must be called.

Rule 2.2. Witness Bound by Statements

Each witness is bound by the facts contained in his/her own witness statement, the Statement of Facts, if present, and/or any necessary documentation relevant to his/her testimony. Fair extrapolations may be allowed, provided reasonable inference may be made from the witness' statement.

If, in direct examination, an attorney asks a question which calls for extrapolated information pivotal to the facts at issue, the information is subject to objection under Rule 2.3, as being outside the scope of the problem.

If, in cross-examination, an attorney asks for unknown information, the witness may or may not respond, so long as any response is consistent with the witness' statement or affidavit and does not materially affect the witness' testimony. A witness is not bound by the facts contained in other witness statements.

Rule 2.3. Unfair Extrapolation

A fair extrapolation is one that does not materially add to or alter the facts of the case. Unfair extrapolations are best attacked through impeachment and closing arguments and are to be dealt with during the trial. Attorneys shall not ask questions calling for information outside the scope of the case materials or requesting an unfair extrapolation.

If a witness is asked information not contained in the witness' statement, the answer must be consistent with the statement and may not materially affect the witness' testimony or any substantive issue of the case.

Attorneys for the opposing team may refer to Rule 2.3 in a special objection, such as "unfair extrapolation" or "This information is beyond the scope of the statement of facts." Possible rulings by a judge include:

- a) No extrapolation has occurred;
- b) An unfair extrapolation has occurred;
- c) The extrapolation was fair; or
- d) Ruling is taken under advisement.

The decision of the presiding judge regarding extrapolations or evidentiary matters is final. When an attorney objects to an extrapolation, the judge will rule in open court to clarify the course of further proceedings.

Rule 2.4. Gender of Witnesses

All witnesses are gender neutral. Personal pronouns changes in witness statements indicating gender of the characters may be made. Any student may portray the role of any witness of either gender.

Rule 2.5. Voir Dire

Voir dire examination of a witness is not permitted.

Teams

Rule 3.1. Team Eligibility

Teams must be comprised of students who attend the high school for which they compete. Traditional and non-traditional high schools where the student population does not support the formation of a mock trial team may seek permission to create a team of students from multiple schools. The Nevada High School Mock Trial Committee shall have the sole discretion to grant such permission. Each school may enter up to three teams in the regional competition. A team may advance to the state competition no matter what school they represent. All teams from a school will be held to the same requirements as apply to all other teams. The Committee shall extend invitations to the State Competition based on the rank order of finish at each regional competition as defined by Rule 5.5 (Team Advancement).

The Committee shall extend a total of eight invitations to participate in the State Competition; the top 2 teams from each regional competition shall automatically advance. The remaining 4 invitations will be extended based on a calculation of the ratio of teams appearing at that region's competition to the number of teams participating statewide. For example, if Region 1 has 12 teams in the regional competition and a total of 18 teams competed statewide, Region 1 would receive $12/18 \times 4$ available spots – or 3 invitations – to the state competition. Normal rounding will be used to determine a whole number of teams.

All schools north of Tonopah are assigned to the northern regional competition. All schools in Tonopah and all schools south of Tonopah are assigned to the southern regional competition. Each team competing in the State competition must be comprised only of students listed on the Team List for that team at the regional competition.

Each qualifying team from the regional tournaments must notify the State coordinator within 72 hours after the completion of the regional competition whether that team will attend the State competition. If a team is unable to fulfill its State earned slot, the State Coordinator will designate a replacement team which will be the team from the applicable regional competition with the next best record.

Schools or regions may not enter an "all-star" team. The Nevada High School Mock Trial Committee shall determine what an "all-star" team is. The Committee's decision will be final.

Rule 3.2. Team Composition

Teams consist of up to nine official members, one of whom may be the timekeeper, assigned to roles representing the prosecution/plaintiff and defense/defendant parties. Each team must have six members. Only six of the nine official members may participate in any given round as attorneys and witnesses. (See Rule 3.3 for further explanation referring to team participation). The official timekeeper must be an official team member, who may (but is not required to) participate as an attorney or witness in rounds in which he or she is not functioning as timekeeper. If a team has no timekeeper, the official timekeeper in every round in which that team participates will be the timekeeper from the opposing team. If neither team has a timekeeper, the Nevada High School Mock Trial Committee will designate a timekeeper for that trial.

Each team shall provide a copy of its Team List to the registration official upon arrival at the regional competition or by 5:00 p.m. on the day prior to the first round of competition for a virtual competition. The Team List must contain the name of each team member and contain at least six, but no more than nine names. At no time may any team for any reason substitute any person in place of any team member identified on the Team List. The Team List will not be provided to any scoring or presiding judge. The Team List will become official at the time of on-site registration at the regional tournament.

The team coaches will send the Team Lists of the teams advancing to the State competition to the State Coordinator within 72 hours of the regional tournament.

Rule 3.3. Team Presentation/Participation

Teams must present both the Prosecution/Plaintiff and the Defense/Defendant sides of the case, using six team members in each round. For each trial round, teams shall use three students as attorneys and three other students as witnesses.

Rule 3.4. Team Duties

Except as permitted under Rule 1.3 B, team members are to evenly divide their duties. Each of the three attorneys will conduct one direct examination and one cross-examination; in addition, one will present the opening statement and another will present closing argument (which includes any rebuttal argument by the prosecution/plaintiff team). The eight attorney duties for each team will be divided as follows:

1. Opening Statement, (One attorney from each team)
2. Direct Examination of Witness #1 (side one)
3. Direct Examination of Witness #2 (side one)
4. Direct Examination of Witness #3 (side one)
5. Cross Examination of Witness #1 (side two)
6. Cross Examination of Witness #2 (side two)
7. Cross Examination of Witness #3 (side two)
8. Closing Argument - One attorney from each team (including any Rebuttal by the prosecution/plaintiff team)

Each team at the beginning of the trial must give an Opening Statement.

The attorney who will examine a particular witness on direct examination is the only person who may make the objections to the opposing attorney's questions of that witness' cross-examination, and the attorney who will cross-examine a witness will be the only person permitted to make objections during the direct examination of that witness.

Each team must call three witnesses. Witnesses must be called only by their own team and examined by both sides. Witnesses may not be recalled by either team.

Violation of Speaker Duties distribution (such as one attorney giving both the opening and closing) will be considered a Major Rules Violation and carry a 10-point team deduction.

A minor violation of this rule would include the wrong attorney making objections during a witness' testimony. Minor rule violations do not carry an automatic penalty; however, scoring judges may determine individually whether to deduct points in a category because of the violation.

Rule 3.5. Team Roster Form

The Team Roster identifies team members participating in the competition. All team members identified on the Team Roster Form must compete in at least one round of competition in which the team participates. The official timekeeper is considered to have complied with this rule by keeping time for at least one round of competition at each event, regional and state, in which the team participates.

Copies of the Team Roster Form must be completed and duplicated by each team prior to arrival at the competition site. For virtual competition, teams must submit Team Roster Forms in accordance with the protocol established by the Mock Trial Committee. No Team Roster may be altered except to provide the information requested. Teams must be identified by the code assigned at registration. No information identifying a team's origin should appear on the form.

Before beginning a trial in an in-person competition, the teams must exchange copies of the Team Roster Form. Team Roster Forms will be distributed to the respective teams and judges in a virtual competition according to the protocol established for the competition. Witness lists should identify the gender of each witness so that references to such parties will be made in the proper gender. Copies of the Team Roster Form shall be made available to the judging panel and presiding judge before each round.

The Trial

Rule 4.1. Courtroom Setting

For an in-person competition, the Prosecution/Plaintiff team shall be seated closest to the jury box. No team shall rearrange the courtroom without prior permission of the presiding judge.

For a virtual competition, participants may log into the virtual platform as individual team members or a

single connection for the entire team. Each group and individual participant logged in shall use a screen name and/or name plates or tags formatted according to the protocol established and announced for the competition. Once the trial begins, only participants who are competing in a particular trial segment must keep their video and microphone active. Individual team members who are not actively participating in that trial segment must have their video off and microphone muted.

In a virtual competition, team members may elect to use a virtual background graphic that is provided by the Mock Trial Committee. No other virtual backgrounds are permitted. Alternatively, team members may use the real-life background of the room they are using so long as there are no objects which identify their school; no non-team members present and no other distractive or inappropriate content or objects.

Rule 4.2. Stipulations

Stipulations will be considered a part of the record and already admitted into evidence.

Rule 4.3. Reading into the Record Not Permitted

Stipulations, the indictment and the Charge to the Jury will not be read into the record.

Rule 4.4. Swearing of Witnesses

The presiding judge shall administer the following oath to the witnesses at the commencement of each trial:

“Do you promise that the testimony you are about to give will faithfully and truthfully conform to the facts and rules of the mock trial competition?”

For a virtual competition, all witnesses will be deemed to be sworn.

Rule 4.5. Trial Sequence and Time Limits

The trial sequence and time limits are as follows:

1. Opening Statement (3 minutes per side)
2. Direct and Redirect (optional) Examination (20 minutes per side)
3. Cross and Re-cross (optional) Examination (15 minutes per side)
4. Closing Argument (4 minutes per side)

The prosecution/plaintiff gives the opening statement first. The prosecution/plaintiff gives the closing argument first; the prosecution/plaintiff may reserve a portion of its closing time for a rebuttal. The prosecution/plaintiff need not request or state that it is reserving rebuttal time. The prosecution/plaintiff's rebuttal is limited to the scope of the defense's closing argument.

Attorneys are not required to use the entire time allotted to each part of the trial. Time remaining in one part of the trial may not be transferred to another part of the trial.

Rule 4.6. Timekeeping

- (a) Each team is required to provide one student who will serve as the official timekeeper for that

team. Timekeepers are responsible for fairly and accurately keeping and reporting the time during the trial presentation and during any disputes under Rule 6.0. During the rounds of competition, timekeepers are to act as a neutral entity. Timekeepers are not to communicate with their respective teams during the course of the trial presentation, recesses, or during any dispute procedure, except to display the time remaining or to indicate (as directed by the presiding judge) how much time is remaining during a particular part of the trial.

(b) Time limits are mandatory and will be enforced. Time runs from the beginning of the witness examination, opening statement, or closing argument until its conclusion. Introduction of counsel or witnesses prior to the opening statement shall not be included in the time allotted for opening statements. However, if counsel or witnesses are introduced once the opening statement has commenced, such time shall be included in the time allotted for the opening statement. Time stops only for objections, questioning from the judge, or administering the oath. Time does not stop for introduction of exhibits. The presiding judge shall have discretion to stop time for technical difficulties in a virtual competition that do not rise to the level of an emergency under Rule 1.3.B.

(c) For an in-person competition, timekeepers should display applicable “Time Remaining” cards simultaneously. For an in-person competition, the Mock Trial Committee will provide “Time Remaining” cards. Teams are not permitted to use other cards. Teams may not use these cards to signal time other than the aggregate time remaining. (For example, teams may not use these cards to show the time remaining of the time allocated by that team to a particular trial segment.

(d) At the end of each task during the trial presentation (i.e. at the end of each opening, at the end of each witness examination, at the end of each cross examination and at the end of each closing argument) if there is more than a 15 second discrepancy between the teams’ timekeepers, the timekeepers must notify the presiding judge of the discrepancy. The presiding judge will then rule on the discrepancy, the timekeepers will synchronize their stopwatches accordingly and the trial will continue. Any discrepancies between timekeepers less than 15 seconds will not be considered. No time disputes will be entertained after the trial concludes. The decisions of the presiding judge regarding the resolution of time disputes are final.

(e) During a virtual competition, after each witness, timekeepers shall confer using the “chat” or similar feature regarding how much time remains for each item.

(f) In a virtual competition, the timekeepers must signal time by posting the time signals permitted by subsection (a) in the chatroom function of the virtual competition platform. The timekeepers also may display “Time Remaining” cards supplied by the Mock Trial Committee by activating their camera to do so.

(g) Students keeping time may use stopwatches or cellular phones. Any cellular phone used for timekeeping must be kept in airplane mode and silenced during the duration of the trial round.

Rule 4.7. Time Extensions and Scoring

The presiding judge has sole discretion to grant time extensions. If time has expired and an attorney

continues without permission from the Court, scoring judges may determine individually whether or not to discount points in a category because of overruns.

Rule 4.8. Prohibited Motions

The only motion permissible is one requesting the judge to strike testimony following a successful objection to its admission.

Rule 4.9. Exclusion of Witnesses

Teams may not invoke the rule of exclusion.

Rule 4.10. Request for Bench Conferences

Bench conferences are not permitted in either in-person or virtual competitions. Objections are deemed to have occurred at sidebar.

Rule 4.11. Supplemental Material; Costuming

Teams may refer only to materials included in the trial packet. No illustrative aids of any kind may be used, unless provided in the case packet. No enlargements of the case materials will be permitted. Absolutely no props or costumes are permitted unless authorized specifically in the case materials. Costuming is defined as hairstyles, clothing, accessories, and make up which are case specific. An accent is not considered costuming.

The student playing the witness is allowed to act as though she/he is afflicted with any condition, deformity, or disability described in the affidavits. Under no circumstances is the opposing team permitted to question the existence of such conditions based on the fact that the student playing the witness does not actually have them. While the opposing team may cross examine the witness on the extent of the condition based on information provided in the affidavits, the opposing team may not challenge the witness to prove the existence of the condition by asking him/her to show it to the jury.

The only documents which the teams may present to the presiding judge or scoring panel are the individual exhibits as they are introduced into evidence and the Team Rosters. No exhibits may be modified before trial, but attorneys and witnesses may highlight, underline, or otherwise mark exhibits during direct or cross examination. Such marked documents may be used as demonstrative exhibits during the trial and during closing arguments but may not be entered into evidence. If a team wishes to mark an exhibit entered by the opposing team, it must substitute its own clean copy of that exhibit for this purpose before any markings are made. Exhibit notebooks are not to be provided to the presiding judge or scoring panel.

In a virtual competition, students may be directed to display screen names according to a protocol established and announced for a virtual competition. Such display is not a violation of this rule.

Rule 4.12. Trial Communications

Coaches, teachers, alternates and observers must remain in the spectator section of the courtroom. Only attorneys and the parties participating in this round may sit at the counsel tables.

Coaches, teachers, alternates, and observers shall not talk to, signal, communicate with, or coach their teams during trial. This rule remains in force during any emergency recess, which may occur. Team members may, among themselves, communicate during the trial; however, no disruptive communication is allowed and no participant may communicate with a witness while that witness is testifying other than through the course of that witness's questioning. Signaling of time by the teams' timekeepers shall not be considered a violation of this rule. Coaches, teachers, alternates and observers must remain outside the bar in the spectator section of the courtroom. Only team members participating in this round may sit inside the bar and communicate with each other.

During a virtual competition, no team member, coach, or judge nor students may use the "chat," "instant message," or "chatroom" function of the electronic platform, except to: (1) display timekeeping messages, as permitted by Rule 1.4, and (2) to communicate in the case of a technical emergency where audio and video functions are lost but access to the chat or instant messaging function is intact. Observers are not permitted to use the chat or instant messaging functions at any time.

During a virtual competition, only the six participating team members may communicate with one another. The six participating team members may use computers, cellular telephones, or other devices to facilitate this communication.

Rule 4.13. Viewing a Trial

Team members, alternates, attorney coaches, teacher coaches, and any other persons directly associated with a mock trial team, except for those authorized by the Nevada Mock Trial Committee, are not allowed to view other teams' performances during the regional or state competition, so long as their team remains in the competition. No person shall display anything that identifies their school or team affiliation while in the courtroom.

Rule 4.14. Videotaping /Photography

Any team has the option to refuse participation in videotaping, tape-recording, still photography by opposing teams. Media coverage will be allowed. Media representatives authorized by the Nevada Mock Trial Committee will wear identification badges.

In order to provide maximum opportunity for family, friends, peers, and teachers to view teams during a virtual competition, all participants must consent to the State Bar of Nevada and Mock Trial Committee facilitating a video or audio stream, recording and electronic posting (including video meeting, social media, or other platforms) of each performance at regional and state competitions.

No team may post, share with another competing team, or otherwise disseminate any recording of any competition round. Each team shall inform any family member or other observer of this rule. Violations of this rule, even by an individual who is not a team member, may result in sanction of the team affiliated with the individual who recorded and/or posted, shared, or otherwise disseminated the recording up to and including disqualification from the current and future competitions.

Rule 4.15. Jury Trial

The case shall be tried before a jury; arguments are to be made to the judge and jury. Teams may address the scoring judges as the jury.

Rule 4.16. Standing During Trial

Unless excused by the judge during an in-person trial, attorneys will stand while giving opening and closing statements, during direct and cross examinations, and for all objections.

For virtual trials, student attorneys may elect to stand or remain seated for all parts of the trial, except that all objections shall be made while seated.

Rule 4.17. Objections During Opening Statement/Closing Statement

No objections may be raised during opening statements or during closing arguments. If a team believes an objection would have been necessary during the opposing team's opening statement or closing argument, the attorney for that trial segment may, following the opening statement or closing argument, object and provide a basis for the objection. The opposing team is then allowed to respond to the objection. The presiding judge will not rule on this objection.

Presiding and scoring judges will weigh the "objection" when scoring the opening statements or closing arguments.

Rule 4.18. Objections During Trial

With the exceptions noted in Rule 4.17, attorneys may raise an objection as soon as a good faith basis for making the objection arises. When objecting, attorneys must (1) stand and (2) clearly state the objection to the presiding judge and provide the reason for the objection. The presiding judge has discretion to allow the opposing team an opportunity to respond before ruling on the objection.

Attorneys may cite from the list of Commonly Used Evidentiary Objections provided by the Nevada High School Mock Trial Committee and from the objections listed in the National High School Mock Trial Rules of Evidence.

Rule 4.19. Student Work Product

All opening statements and closing arguments, all direct and cross examinations, and all objections shall be substantially the work product of team members and not scripted by coaches, teachers or attorneys.

Rule 4.20.A Procedure for Introduction of Exhibits – Generally

As an example, the following steps effectively introduce evidence:

1. All exhibits will be pre-marked as an exhibit.
2. Ask for permission to approach the witness. "Your Honor, may I approach the witness with what has been marked for identification purposes as Exhibit No. ____?"
3. Show the exhibit to opposing counsel.
4. Ask the witness to identify the exhibit. "I now hand you what has been marked for identification as Exhibit No. _____. Would you identify it please? Witness should answer to identify only.

5. Ask the witness a series of questions that are offered for proof of the admissibility of the exhibit.

These questions lay the foundation or predicate for admissibility, including questions of the relevance and materiality of the exhibit.

6. Offer the exhibit into evidence. "Your Honor, we offer Exhibit Number _____ into evidence at this time."
7. Court: "Is there an objection?" (If opposing counsel believes a proper foundation has not been laid, the attorney should be prepared to object at this time.)
8. Opposing Counsel: "No, your Honor", or "Yes, your Honor." If the response is "Yes", the objection will be stated on the record. Court: "Is there any response to the objection?"
9. Court: Exhibit Number _____ is/is not admitted."
10. If the exhibit is admitted into evidence, the attorney may now solicit testimony on its content.
11. If an exhibit is introduced into evidence, a team may publish it to the jury at the presiding judge's discretion.

Rule 4.20.B Procedure for Introduction of Exhibits – Special Rules for a Virtual Competition

During a virtual competition, the procedure in Rule 4.20.A shall be followed, except that:

1. All witnesses shall have all case materials available and in their possession during their testimony but may only refer to them when prompted by an examining attorney.
2. Attorneys will not physically approach witnesses. Instead, attorneys will identify the exhibit they wish to show the witness and request the Court's permission for the witness to view it.
3. Attorneys will not be required to confirm that they have shown the exhibit to opposing counsel.
4. Instead of the language in Step 4, above, the attorney will say words to the effect of "I now show you what has been marked for identification as Exhibit No. _____. Would you identify it please?" Witness should answer to identify only.
5. When an exhibit – or, during impeachment or refreshment of recollection, some other document – is shown to a witness, a member of the examining attorney's team shall make that document available to all participants via "screen sharing" or similar technology. The member of the team responsible for posting the exhibit must be a team member competing in the round or the timekeeper for the round.
6. Exhibits or other documents posted in this manner will be deemed not to have been shown to the jury unless they are admitted into evidence and formally published to the jury. Publication to the jury is at the presiding judge's discretion.

7. Teams may use technology to mark exhibits electronically only to the extent that marking physical exhibits would have been permitted by Rule 4.11. Any marked electronic exhibits may only be used as provided in Rule 4.11.

Rule 4.21. Use of Notes

Attorneys may use notes in presenting their cases. Witnesses are not permitted to use notes while testifying during the trial. Attorneys may consult with each other at counsel table verbally or through the use of notes. The use of laptops or other electronic devices is prohibited, except during a virtual competition.

Rule 4.22. Redirect/Re-cross

Redirect and Re-cross examinations are permitted, provided they conform to the restrictions on Rule 611 in the National High School Mock Trial Championship Federal Rules of Evidence.

Rule 4.23. Scope of Closing Arguments

Closing Arguments must be based on the actual evidence and testimony presented during the trial.

Rule 4.24. The Critique

The judging panel, including the presiding judge, is allowed no more than 10 minutes for debriefing, critiquing and finishing ballots. Presiding judges are to limit critique sessions to the total time allotted. Judges shall not make a ruling on the legal merits of the trial. Judges may not inform the students of score sheet results.

Judging and Team Advancement

Rule 5.1. Finality of Decisions

All decisions of the judging panel regarding the presentations of the participants are FINAL.

The final round of competition at the state tournament will determine the state championship. The winner of the final round will be the state champion and represent Nevada at the national competition. If for any reason the championship team cannot compete at the national tournament, the runner up team in descending order of placement from the final round will compete as the state representative.

Rule 5.2. Composition of Judging Panels

The judging panel for the regional and state panels will consist of at least three individuals. There must be an odd number of scoring judges except as described below. The composition of the judging panel and the role of the presiding judge will be at the discretion of the Nevada High School Mock Trial Rules/Dispute Subcommittee, with the same format used throughout the competition, as follows: (options are listed in the preferred order)

1. One presiding judge and three scoring judges (scoring judges only complete score sheets); or

2. One presiding judge and two scoring judges (all three of whom complete score sheets and shall be considered scoring judges for the purposes of this Rule).

The scoring judges may be persons with mock trial coaching, student participation, scoring experience, or attorneys. Each scoring panel shall include at least one attorney. In the event that an insufficient number of scoring judges meeting these criteria is available, substitute scoring judges may be used at the discretion of the Nevada High School Mock Trial Rules/Dispute Subcommittee. The presiding judge shall be an attorney.

If a judging panel is comprised of more than three scoring judges, the tabulation room will disregard the score sheet(s) and ballots of the scoring judge(s) whose last name(s) fall first alphabetically.

The championship round may have a larger panel at the discretion of the Nevada High School Mock Trial Rules/Dispute Subcommittee; however, the panel must consist of an odd number of scoring judges. All presiding and scoring judges receive the mock trial manual, the case, and orientation materials.

In the event of an emergency (i.e. sudden illness, etc.), if a member must leave the courtroom, the presiding judge will call for a brief recess, assess whether the judging panel member will be able to return in a reasonably short period of time, and then resume the proceedings upon the panel member's return to the courtroom. If the panel member is unable to return to the courtroom, the dispute resolution committee must be informed. Once the panel composition is adjusted by this committee to best meet the requirements of the rules, then the round should continue. During any recess under this rule, the teams, whenever possible, should remain seated in their appropriate positions within the courtroom until the round resumes.

If the technical or other emergency impacts the presiding judge, a designated scoring judge will serve as the presiding judge until the dispute resolution committee can be informed and can act to adjust the panel composition.

Rule 5.3. Score Sheets/Ballots

The term "ballot" will refer to the critique made by a scoring judge as to each presentation in the round. The term "score sheet" is used in reference to the form on which speaker and team points are recorded. Score sheets are to be completed individually by the scoring judges. Scoring judges are not bound by the rulings of the presiding judge. The team that earns the highest points on an individual judge's score sheet is the winner of that ballot. The team that receives the majority of the three ballots wins the round. The ballot votes determine the win/loss record of the team for power-matching and ranking purposes. While the judging panel may deliberate on any special awards, such as Outstanding Attorney/Witness, the judging panel shall not deliberate on individual scores.

Rule 5.4. Completion of Score Sheets

Judges will not make a ruling on the legal merits of the trial. Judges will not inform the students of score sheets results.

Each scoring judge shall record a number of points (1-10) for each presentation of the trial. At the end of the

trial, each scoring judge shall total the sum of each team's individual points, place the sum in the Column Totals box, and enter the team ("P" for the prosecution/plaintiff and "D" for the defense) with the higher total number of points in the Tiebreaker Box. **NO TIE IS ALLOWED IN THE COLUMN TOTALS BOXES.**

In the event of a mathematical error in tabulation by one or more of the scoring judges which, when corrected, results in a tie in the Column Totals boxes, the Tiebreaker Box shall determine the award of the ballot.

Rule 5.5. Team Advancement

Teams will be ranked by the following criteria in the order listed:

1. Win/Loss Record - equals the number of rounds won or lost by a team;
2. Total Number of Ballots - equals the number of scoring judges' votes a team earned in preceding rounds.
3. Total Number of Points Accumulated in all rounds;
4. Point Spread Against Opponents - The point spread is the difference between the total points earned by the team whose tie is broken less the total points of that team's opponent in each previous round. The greatest sum of these point spreads will break the tie in favor of the team with the largest cumulative point spread.

Rule 5.6. Power Matching/Seeding (listed in order of preference)

Regional Competition:

Option A: The Regional Competition may follow the state competition schedule with or without the final round.

Option B: A random pairing will determine the first round. Power matching will occur in the next round with a limited number of teams advancing beyond the second round. (i.e. four teams advancing out of an eight-team pool.) A power match system will determine opponents for the second round. A discussion of the power match system is included.

The teams will compete in a single elimination format after the second round during all elimination rounds.

Option C: A random pairing will determine the first round. Power matching will occur in subsequent rounds. The Committee will apportion bids to the State Competition in accordance with Rules 3.1 (Team Eligibility) and 5.5 (Team Advancement).

State Competition:

A random method of selection will determine opponents in the first two rounds in a three or four round preliminary tournament. Procedure for random draw:

Rounds one and two are preset making sure teams compete on both the prosecution and defense

side of the case. Example follows:

Round I	Round II
P D	P D
1 2	4 5
3 4	6 7
5 6	8 1
7 8	2 3

1. All teams will draw the team number prior to the start of the competition.
2. All teams will be treated as separate entities no matter the school affiliation.

The third round and all rounds thereafter will be power matched. A power matching system is included. The two teams emerging with the strongest record from the three or four rounds will advance to the final Championship round. The first-place team will be determined by the ballots from the championship round only.

Power Matching will provide that:

1. The teams in the first round of a tournament will be randomly matched.
2. All teams are guaranteed to present each side of the case at least once notwithstanding any other provision.
3. Brackets will be determined by win/loss record. However, if the number of teams in a win/loss bracket is equal to or greater than twelve (12), the bracket will be split in half to create two (2) sub-brackets for power-matching purposes only. Sorting within brackets will be determined in the following order:

(1) win/loss record; (2) ballots; (3) total points; then (4) point spread. The team with the highest number of ballots in the bracket or sub-bracket will be matched with the team with the lowest number of ballots in the bracket or sub-bracket; the next highest with the next lowest, and so on until all teams are paired.
4. If there are an odd number of teams in a bracket, the top team in the higher bracket will be matched with the top team from the next lower bracket, therefore creating a new bracket.
5. Teams should not meet the same opponent twice; however, if it is necessary in a bracket, they shall be on opposite sides from the first meeting.
6. To the greatest extent possible, teams will alternate side presentation in subsequent rounds. Bracket integrity in power matching will supersede alternate side presentation.
7. All teams will be treated as separate entities no matter the school affiliation except that if more than one team has the identical competition standing as another team under the factors described in 3 above, the bracket will provide that two teams from

the same school do not have to meet each other in the next round.

Rule 5.7. Selection of Sides for Championship Round

In determining which team will represent which side in the Championship Round, the following procedure shall be used unless the teams have previously met:

1. The team assigned the lower number will be considered the “Designated Team.”
2. The coin will be tossed by a designee of the Nevada High School Mock Trial Committee;
3. If the coin comes up heads, the Designated Team shall represent the plaintiff/prosecution in the Championship Round. If the coin comes up tails, the Designated Team shall represent the Defendant.

If the teams have met in the tournament, the sides will be locked on the opposite sides.

Rule 5.8. Effect of Bye/Default

A “Bye” becomes necessary when an odd number of teams are participating in a tournament. The Nevada High School Mock Trial Committee may, if time and space allow, arrange a “bye round” to allow teams drawing a bye to compete against one another to earn a true score.

1. For the purpose of advancement and seeding, a team that draws a bye or wins by default in round one will be given a win, two ballots and the average number of points for all round one winners, which total will be adjusted at the end of each round to reflect the actual average earned by that team.
2. Each team drawing the bye or winning by default in all subsequent rounds will receive a win and two ballots for that round. For the purpose of power-matching, each such team will temporarily be given points equal to the average of its own points earned in its preceding trials. At the end of the last round, the average of its own points in all its actual trial rounds will be used for the final points given for that team’s bye round.
3. Byes will be determined by random draw.
4. No team will receive more than one bye in any tournament if possible.
5. The Nevada High School Mock Trial Committee has the sole discretion on how to handle a bye in all rounds of the tournament.

Dispute Resolution

Rule 6.1. Rules Violations/Inside the Bar or Courtroom

Only student attorneys may raise and argue rules violations that occur inside the bar or courtroom. Student attorneys may consult with team members who are participating in that trial. At no time in the process may any other person consult with student attorney or team members.

Disputes, which: involve students competing in a competition round and involve the presentation of the

evidence, must be brought to the attention of the presiding judge as a contemporaneous objection to the violation, orally argued by the attorneys and ruled upon by the presiding judge to facilitate fair presentation of the evidence. The severity of any violation and the handling of the argument by the students should be considered by the scoring judges as part of the students' overall scores for the round. Failure to make a contemporaneous objection to the rules violation constitutes a waiver of the claim.

Disputes which: (a) involve students competing in a competition round; and (b) occur in the courtroom; and (c) do not involve the presentation of the evidence, must be brought to the attention of the presiding judge at either the commencement or the conclusion of the trial as appropriate and orally argued by the attorneys. The presiding judge shall make a finding as to: 1) whether or not the violation occurred; 2) whether or not a point violation is appropriate; and if so 3) the amount of the point violation, if any, and against which team. If a point violation is directed by the presiding judge, it shall be announced after the score sheets are collected and noted by the presiding judge in the "Penalty Points" section of each score sheet. The decision of the presiding judge is final and not subject to review.

Rule 6.2. Other Rules Violations During the Competition

The Dispute Resolution Subcommittee will be appointed by the Nevada High School Mock Trial Committee. The purpose of the Subcommittee is to facilitate the just and timely resolution of disputes during competition.

Disputes arising during competition and not otherwise covered under these Rules may be brought by the teacher or attorney coaches exclusively. Such disputes must be made promptly to a member of the Nevada High School Mock Trial Committee, who will ask the complaining party to complete a dispute form. The form will be taken to the tournament communication center (designated by the Nevada High School Mock Trial Committee), whereupon the Dispute Resolution Subcommittee will rule on the dispute, after conducting an inquiry into the matter. The Dispute Resolution Subcommittee may take any action deemed appropriate. All decisions of the Subcommittee are final.

Rule 6.3. Disputes After the Competition

Once the competition has concluded, any challenge to the results of the competition must be submitted in writing to the State Bar of Nevada Law Related Education Coordinator within two business days after the ballots and tabulation cards for any team making the challenge have been provided to that team. The Nevada High School Mock Trial Committee will confer and the Chair will respond within three business days. The decision of the Committee regarding corrective action or none, by a majority vote of a quorum, is final.

RULE 6.2 DISPUTE FORM

Date: _____

Round: _____

Describe Nature of Dispute and All Related Parties/Witnesses:

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Describe Requested Resolution:

--

Dispute Resolution Subcommittee Notes:

--

Dispute Resolution Subcommittee Decision:

--

Signature of Dispute Resolution Subcommittee Members:

Date: _____