

Classroom Law Project

Classroom Mock Trial

Evaluation & Rubric Resources

Included in this Mock Trial Set:

* Mock Trial Evaluation Criteria
* Rubric for Witnesses
* Rubric for Attorneys who Question
* Rubric for Opening Statements
* Rubric for Closing Statements
* Rubric for Self-Evaluation

Mock Trial Evaluation Criteria

Evaluation of Attorneys

Opening Statement: introduces self and co-counsel; clearly presented a credible case theory; summary of witness testimony; well-organized statement summarized key facts; reviewed applicable law; explained what jury was to decide; used legal terminology appropriately; good public speaking skills.

Closing Argument: stated decision wanted from the jury; accurately identified weakness in other side’s case; effectively tied law with facts; highlighted key facts from witness testimony during trial; good public speaking skills; rebuttal makes effective use of final pleas and identifies weakness in defense’ case

Direct Examination: effectively asked witness to provide all relevant background info; demonstrated effective rapport with witness; questions supported theory of the case; demonstrated knowledge of mock trial rules of evidence; good public speaking skills; responded appropriately to opposing counsel’s objections; makes reasonable objections demonstrating solid grasp of mock trial rules of evidence.

Cross Examination: questions related to direct or witness statements, suggested the answers, short and simple, place witness’ credibility in question, support team strategy; good public speaking skills; makes reasonable objections demonstrating solid grasp of mock trial rules of evidence; responds appropriately to opposing counsel’s objections.

Evaluation of Witnesses

**Witnesses** responded appropriately to questions, demonstrated clear understanding of facts

**Direct Examination** Convincingly tells the story, responsive to questions, doesn’t sound rehearsed, uses voice inflection, clear story, appropriate gestures and facial expressions

**Cross Examination** Witness remains calm, unshaken and is consistent in story

**Evaluation of Team**

**Witnesses** responded appropriately to questions, demonstrated clear understanding of facts

**Attorneys** effectively presented the legal elements and applicable facts; followed appropriate trial procedure; made effective objections with supporting rationale; used appropriate courtroom demeanor demonstrating respect for the court, opposing counsel and witnesses; impeached witnesses using appropriate procedures.

**Teamwork:** cooperation among all members; performance showed cohesiveness in developing a theory of the case from attorney presentations to witness testimony.

**Evaluation of Clerk/Bailiff**

Effectively called the court to order, demonstrated good timekeeping skills, poised, swore in the witnesses, effectively managed the exhibits.

**Evaluation of Judges**

Effectively maintained order in the court and ran the trial; familiar with order of trial; effectively responded to objections, clear instructions to the jury.

## Scoring Guide for Mock Trials

Name:

Role:

**Witness**

Responded appropriately to questions, demonstrated clear understanding of facts**.**

* **Under direct examination:** Convincingly tells the story, responsive to questions, doesn’t sound rehearsed, uses voice inflection, clear story, appropriate gestures and facial expressions.
* Under **Cross Examination** Witness remains calm, unshaken and is consistent in story

|  |  |  |  |
| --- | --- | --- | --- |
|  | **5 - Exemplary** | **4 - Proficient** | **3 - Developing** |
| **Character portrayal**  | Portrayal is credible; infused with personalityUses voice inflection, appropriate gestures, and facial expression. | Credible, effective portrayal. Some character personality evident. | Portrayal of role is credible, however, it’s clear the witness is not in complete command of the witness testimony |
| **Conveys story; true to witness statement** | Answers to questions are responsive and correspond to witness statement. Seems as if witness is testifying to actual events | Answers to questions are responsive and correspond to witness statement | Answers unclear and/or sound too rehearsed |
| **Delivery** | Poised; consistent eye contact with jurors; articulate; confident | Poised; some eye contact with jurors; articulate | Speaks too softly/loudly, or too quickly. Little eye contact. |
| **Under Cross examination** | Maintains credibility & demeanor during cross examination | Generally credible during cross examination | Confused, unable to stay in character. Simple yes/no answers on cross. |

## Scoring Guide for Mock Trials

Name:

Role(s)

**Attorney Questioning of Witnesses**

Questions supports overall strategy, uses good speaking skills.

1. **Direct*:*** Effectively asks witness to provide background, establishes effective rapport with witness, reacts appropriately to witness responses, reasonable objections and/or responses to objections.
2. **Cross:** Questions related to direct or witness statements, suggested the answers, short and simple; places witness’ credibility in question, reasonable objections and/or responses to objections.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **5 - Exemplary** | **4 - Proficient** | **3 - Developing** |
| **Questions related to case theory** | Questions show relationship to and help advance case theory. Purpose of questioning clear and effective. | All questions develop testimony consistent with case theory | Purpose of several questions unclear; not consistent with case theory |
| **Responsive** | Listened and reacted effectively to witness responses | Listened and reacted appropriately to witness responses | Unaware of witness responses.  |
| **Direct Exam = open-ended** | Direct examination questions are open-ended, NOT leading | Direct examination questions NOT leading | Some direct examination questions are leading or attorney tells too much of story |
| **Cross Exam = Leading** | Leading questions in cross cast doubt on opponent’s case theory. No irrelevant questions | Leading questions in cross cast doubt on opponent’s case theory. Few irrelevant questions. | Some open-ended questions; Many questions irrelevant.. |
| **Delivery** | Articulate, ideal volume and speed, clear enunciation, effective use of pauses and gestures, effective eye contact with jurors | Articulate, good volume and speed, clear enunciation, some pauses and gestures, some eye contact with jurors | Difficult to hear/ understand. Spoke too quickly or slowly; no or ineffective gestures. Little eye contact with jury. |
| **Objections** | Objections and responses to opponent demonstrate clear grasp of mock trial | Objections show familiarity with mock trial | No objections made. |

**Mock Trial Scoring Guide**

**Opening Statement**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **5 - Exemplary** | **4 – Proficient** | **3 - Developing** |
| **Content Includes:*** introduction of self and co-counsel
* credible case theory/ theme / motto
* summary of what happened
* summary of witness testimony
* legal elements and review of applicable law

**Content Explains:*** what you want judge/jury to decide
 | * Clearly, accurately and specifically includes & explains all required content.
* Case theory / theme /motto clear and memorable.
* Legal elements and review of law correct and phrased in jury-friendly language.
* Analogies fit and enhance jury understanding.
* Clearly states how jury/judge should decide case.
 | * Clearly and accurately includes & explains all required content.
* Case theory / theme /motto clear.
* Legal elements and review of law correct and understandable.
* Analogies fit
* Tells how jury/judge should decide case.
 | * Mostly accurate and/or clear explanation of required content.
* OR left out one aspect of required content.
* Case theory / theme /motto unclear or not included.
* Aspects of legal elements and review of law unclear or incomplete.
* Did not tell jury/judge how to decide case.
 |
| **Organization*** Includes introduction and conclusion
* logically organized
* tells story of case
 | * Effective, creative introduction
* Clear sequencing that logically weaves together all required content
* Effectively tells story of case
* Balanced details
* Effective, creative conclusion.
 | * Recognizable introduction
* Clear sequencing of ideas / required content
* Tells story of case
* Details fit
* Effective conclusion.
 | * Introduction undeveloped
* Sequencing of ideas unclear or not effective
* Partially tells story of case
* Details sometimes fit, sometimes misplaced.
* Undeveloped conclusion.
 |
| **Public speaking / Delivery:*** Eye contact
* Enunciation and pronunciation
* Variations in rate, volume, tone, voice appropriate to audience
* Fluent delivery
* Appropriate use of nonverbal techniques (i.e., facial expressions, gestures, body movements, stage presence)
 | **Skillful delivery**Articulate, ideal volume and speed, clear enunciation, effective use of pauses and gestures, effective eye contact with jurors. | **Solid Delivery with minor weaknesses** Articulate, good volume and speed, clear enunciation, some pauses and gestures; eye contact with jury present but not consistent | **Delivery more weak than strong**Difficult to hear/ understand. Spoke too quickly or slowly; frequent space fillers (“um”, “like”); no or ineffective gestures. Little eye contact with jury. |

**Mock Trial Scoring Guide**

**Closing Argument**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **5 - Exemplary** | **4 – Proficient** | **3 - Developing** |
| **Content Includes:*** introduction of self
* Review of case theory
* summary of witness testimonies
* specific references to helpful / damaging testimony from actual trial
* legal elements and review of applicable law

**Content Explains:*** what you want judge/jury to decide and
* why the jury should decide that way
 | * Clearly, accurately and specifically includes & explains all required content.
* Numerous references to testimony in trial
* Case theory / theme /motto clear and memorable.
* Legal elements and review of law correct and phrased in jury-friendly language.
* Clearly states how jury/ judge should decide case.
 | * Clearly and accurately includes & explains all required content.
* Some references to testimony in trial
* Case theory / theme /motto clear.
* Legal elements and review of law correct and understandable.
* Tells how jury/judge should decide case.
 | * Mostly accurate and/or clear explanation of required content.
* OR left out one aspect of required content.
* No references to testimony in trial
* Case theory / theme /motto unclear or not included.
* Aspects of legal elements and review of law unclear or incomplete.
* Did not tell jury/judge how to decide case.
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| **Organization*** Includes introduction and conclusion
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**Mock Trial Preparation and Performance**

**Self-Evaluation Scoring Name:**

*Based on everything you’ve just considered, please determine an honest score for yourself, based on your preparation for and performance in the Mock Trial. Because this is a* ***team*** *effort, the weight falls on preparation, not on performance.*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **5 - Exemplary** | **4 – Proficient** | **3 –Developing** | **2 – Beginning****(let team down)** | Student | Teacher |
| **Teamwork, cooperation & attitude: all for the team** | Offers leadership, constructive assistance, adaptability, and a helpful vibe. 100% effort throughout.* **Teamwork**: Collaborates well; constructively shares understanding as needed; encourages focus; a leader
* **Attitude**: Consistently positive, helpful and flexible - adapts well
 | Offers constructive assistance, flexibility, open attitude; shares understanding as needed. 80-90% effort throughout.* **Teamwork**: Collaborates well; offers constructive assistance; shares understanding as needed
* **Attitude**: Generally positive; flexible
 | Limited assistance, poor attitude, little flexibility. 60-70% effort throughout.* **Teamwork**: Limited assistance
* **Attitude**: attitude negative over 30% of the time. Little flexibility.
 | Provides no assistance, exhibits detrimental attitude, and inflexibility. Doesn’t care. Less than 50% effort * **Teamwork**: Provides no assistance to team; unhelpful
* **Attitude**: attitude detrimental to team; inflexible.
 | \_\_\_/20 |  \_\_\_\_/20 |
| **Preparation & focus** | Over prepared and always on task; can compensate for others.* Always has all mock trial materials and other team-agreed materials.
* Consistently arrives with revised and improved work
* Always on task
 | Prepared and knows what’s going on; mostly focused (90%).* Has all mock trial materials, and other team-agreed materials.
* Often arrives with revised and improved work.
* Almost always on task
 | Often unprepared; focus often wavers * Mock Trial materials often missing
* Occasionally arrives with revised work.
* More on task than not
* Occasionally pulls others off task
 | Unprepared; others do your work for you; rarely focused* Rarely brings materials
* Relies on others to revise your work or rally you to action
* Mostly off task
* You pull others off task
 | \_\_\_/20 |  \_\_\_\_/20 |
| **Mock Trial Performance** | My performance in the Mock Trial helped my team succeed. | My performance in the mock trial helped my team. | My performance didn’t help my team, but it also didn’t harm my team. | My performance harmed my team | \_\_\_/10 |  \_\_\_\_/10 |
| **Total out of 50** |  |  |

- What grade have you earned? (see below) **HIGHLIGHT** applicable descriptors: