



Indiana Mock Trial Rules & Guidelines for an Online Mock Trial Competition

This document describes the processes and structure of an online competition that will be used for the 2022 Indiana Mock Trial competition in an FAQ format, designed to be an overlay of the standard mock trial rules. While this is complete to the best of our knowledge and capacity at this moment, all rules, dates, deadlines, and procedures are subject to change and update based on new information, changing guidelines, and other concerns. New editions will be dated within the document and on the website. New versions will be posted on the mock trial website.

This document will contain changes and updates that are different than a typical, in-person trial. In instances of conflict with the standard rules of competition, this document prevails and supersedes the standard rule. The rule it is superseding is noted. If there isn't a conflict or an issue isn't addressed here, the standard rules controls.

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Competition Procedures

1. Q: Will there be regional competitions?

A: Yes, the Bar Foundation is planning regional competitions. The Evansville and Indianapolis regionals will take place on February 19. The Hammond and South Bend regionals will take place February 26. The typical procedures for regional assignments will be employed. (Rule 1.5)

2. Q: When will the trials take place for the regional competition?

A: Teams generally are assigned a regional competition day corresponding to their geographic region (Evansville & Indianapolis – Feb 19; Hammond & South Bend – Feb 26). Each day will have 3 trials. They are planned to begin at 9:00 am, 1:00 pm, and 5:00 pm (all times Eastern). Teams should follow the instructions on emails sent to them prior to the competition for instructions on log in times, links, etc. (Rule 1.5)

3. Q: When do we have to register our team(s)?

A: On time team registration was December 17. Late registration is still being accepted. Teams can still withdraw from the competition if their availability changes. Withdrawal deadline for full refund is January 14. (Rule 3.6)

4. Q: When is my roster due?

A: Rosters were submitted with the Team registration. If your roster changes (team members changing teams or adds to a team), please inform the Bar Foundation. Students dropping from the team don't need to be reported. (Rule 4.1)

5. Q: Do teams still need to recruit judges for their trials?

A: Yes, it is still expected that teams recruit one person as a judge for each round of competition. The Bar Foundation will continue to recruit additional judges to fill in any judging gaps. (Rule 3.8)

6. Q: How many rounds of competition will there be at the regional competition?

A: The Bar Foundation is planning to hold 3 trials at the regional, like usual. However, each trial will be a randomly assigned opponent, instead of using power matching for trials 2 and 3. (Supersedes Rule 5.7)

7. Q: How will the bye procedure change?

A: The standard procedures require byes to be given to teams based on their ranking after any given round. Because the trials will be random, this cannot take place. Therefore, byes will be randomly assigned as well, based on the random draw of team matchup assignments. No team will have more than one bye per competition date. (Supersedes Rule 5.9, 5.10)

8. Q: Will the procedure to advance to the state competition change with the mock trial competitions being online?

A: No, that is not anticipated to change. (Rule 1.5)

9. Q: How will state qualifying teams be notified of their advancement to the state competition?

A: Due to the timing of the trials each day and the time it takes to get all the scores submitted and analyzed, scores will not be distributed nor will there be an award ceremony immediately after the regional competitions. Teams advancing from the regional competition based on their score will be posted to the Bar Foundation's website the following business day. 20 teams will advance from the state competition to the state competition based on proportional regional representation. Four wild card teams will be selected per the standard protocol. (Rule 1.5)

10. Q: What is the competition procedure at the state competition?

A: There will be a three-round state competition on Saturday, March 12 using the same format as the regional competition. At the conclusion of the three trials, the top four teams will advance to the state semi-final round on Sunday, March 13. The semi-final round will take place on Sunday morning. A statewide award ceremony will take place in the early afternoon and the state championship trial will follow later that same day. (Supersedes Rule 1.6)

Trial Process

11. Q: What format will the competition take this year?

A: The 2022 competition will take place online via Zoom. The Bar Foundation recommends those participating in the statewide competition to practice using Zoom, especially if your school uses a different platform (Google Meet, WebEx, Skype, etc).

12. Q: Can we see what an online Zoom trial looks like?

A: The 2021 Indiana Mock Trial State Championship trial was conducted via Zoom and can be viewed at <https://youtu.be/gBX2wEoCl9c>.

13. Q: Does every participant need to be on camera during the entire trial?

A: No. People should be on camera when they are actively participating. Student attorneys should be on camera when giving opening, closing, and during the entire examination of which they are a

part. Witnesses should be on camera when they are on the stand. Timers should be on camera anytime they indicate the time. Judges will be asked to stay on camera during the entire trial.

14. Q: Does everyone need to be on their own camera/computer?

A: That is one easy format to make things cleaner and have a cleaner flow. However, students may share a device only if they are not participating in the same element. (Example, Witness A and Witness B may share a device because they will not participate at the same time. Witness A and the attorney questioning the witness cannot share). If students do share, they will need to be following the Zoom naming protocol each time they change. Teams may also choose to have one camera viewing multiple participants if those viewing can see and hear people as needed (for example, one camera for the entire counselor table). Regardless of how the cameras are set up, witnesses are reminded they are not to be reading scripts or notes during their testimony and judges will explicitly be trained to watch for this.

15. Q: Can team members be in the same room together?

A: The Bar Foundation doesn't take a stance on this as long as school and local protocols are followed. If this includes a social distancing distance away from others and mask wearing, then the local rule needs to be followed. Teams should be aware that there is a higher likelihood of audio feedback when multiple microphones and speakers are too close to each other. Teams should practice in the locations and using the devices they would like to use during the competition to check for tech issues.

16. Q: How and when do we swear in the witnesses?

A: According to the standard rules, the witnesses are assumed to be sworn in. But either at the beginning of the trial or after the opening statements but before witness testimony, the presiding judge can ask all witnesses to come on camera and be sworn in as a group. (Rule 4.4)

17. Q: How should a team member be allowed to communicate as they normally would?

A: Teams will be allowed to communicate with team members if they are normally allowed in the rules. This can be easier if they are in the same room together in a situation that mirrors the physical set up of a courtroom. However, it's understood that this set up might not happen in every case, so team members who are allowed to communicate should use another medium, including texting, Google chat, iMessage, etc. This does not lift the prohibition on unallowable communication, including communication between students and teachers, coaches, legal advisors, parents, etc. (Supersedes Rule 4.12)

18. Q: How should an attorney object? Do they need to stand?

A: Attorneys may stand for an objection if doing so doesn't change their ability to be heard and seen on camera completely. Attorneys also have the option to remain seated and not stand for objections. In either case, when the attorney objects, they should state their objections and wait to be acknowledged by the presiding judge. (Supersedes Rule 4.16)

19. Q: How should an attorney give their opening, closing, and examinations? Is standing necessary?

A: Attorneys may stand for their opening, closing, and examinations if doing so doesn't change their ability to be heard and seen on camera completely. Attorneys also have the option to remain seated and not stand for their opening, closing, and examination. (Supersedes Rule 4.16)

20. Q: How do exhibits get introduced and used at trial?

A: Attorneys should go through the same procedure of identifying, laying foundation for admissibility, and moving into evidence as they typically would. The attorney, or with the assistance of a co-counsel, should use Zoom's Share Screen to broadcast the exhibit to all in the trial. Additionally, all people involved in the trial should have printed copies of all exhibits to reference as needed. (Supersedes Rule 4.11)

21. Q: Can attorneys or witnesses mark an exhibit?

A: The Zoom annotation tool will be turned off and attorneys/witnesses should not plan to digitally mark any exhibit. Attorneys and witnesses may physically mark their printed documents as allowed in the rules. (Supersedes Rule 4.11)

22. Q: How do attorneys show a witness a statement for purposes of impeachment or recollection?

A: Attorneys and witnesses should have copies of the witness statements handy and available in case an attorney chooses to use it for impeachment or recollection purposes. Additionally, a questioning attorney, or with the aid of a co-counsel, can screenshare a witness statement so it can be seen by the parties during an impeachment or recollection. The questioning attorney will then need to be direct and specific in their questioning about the statement so all people can understand and follow along. A witness cannot otherwise actively use their statement while on the stand and the judges will be instructed to watch for unallowable use of scripts and statements by the witnesses. (Supersedes Rule 2.6)

23. Q: How much time is given to troubleshoot a tech issue?

A: A reasonable amount of time can be allowed from the presiding judge to allow a tech issue to resolve. This can include taking 20-30 seconds to allow a frozen or slow video time to "catch up". If a slow or frozen video continues, or if the person has lost the connection, the team or the presiding judge can call for a sub. It is up to the presiding judge to let the timekeepers know when to pause time to allow a fix for a tech issue. (Rule 4.5, 4.6, 4.7)

24. Q: What happens if there is an internet glitch of just a few seconds, but it is enough to not understand an attorney's statement/question or a witness's response, requiring a portion to be repeated?

A: If there is a short glitch where someone is unable to hear a few words or a sentence of a participants' speech, question, or response, the participant can ask for the speaker to repeat what they just said, stating it was because someone cut out because of a brief internet glitch. The presiding judge will be instructed to make note of times this happens in the trial and be graceful with allowing a few seconds of "make up" time. If this happens too often or for too long of a time, the presiding judge may request the team make a sub to someone with more stable internet connection.

25. Q: What is a sub and how does it work?

A: If an individual has a tech issue that does not let them participate, a sub from the team can come in to complete the trial element. The sub should announce themselves by name, who they are replacing, and what role they are continuing in. The sub then can continue in place of the person with the tech issue. (Supersedes Rule 3.1)

26. Q: What if the person subbed resolves their tech issue after a sub is made?

A: The person that is subbed out may return to the trial but must wait until the trial element in progress is finished (a witness examination, closing argument, etc). They would then follow the

same procedure to announce themselves in coming back into the trial. However, a person can only be brought back into the trial once. If they must be subbed a second time, they cannot rejoin later. (Supersedes Rule 3.1)

27. Q: Can a teacher, legal advisor, parent, etc. help a student to resolve a tech issue?

A: Yes, adult-student communication will be allowed to help resolve tech issues. If possible, bring to the attention of the court that is what is happening (stating it, putting it in chat, etc.). Other adult-student communication about the case is continued to be prohibited. (Supersedes Rule 4.12)

28. Q: How will the timer indicate the time remaining for each segment?

A: The timer(s) should turn on their camera and hold up the sign indicating the time remaining at the prescribed intervals. Additionally, the time can be posted in the chat. Timer(s) should also note the time at the conclusion of each timed element (i.e. opening, direct examination, cross examination, etc). If the time is found to be out-of-sync of the timers by more than 15 seconds, the standard process of Rule 4.6 should be followed. (Rule 4.6)

29. Q: Can a cell phone be used to time the competition at home versus a stopwatch?

A: Yes, but all unallowable communication is still in effect. (Rule 4.6)

30. Q: What kind of recording is allowed?

A: The Bar Foundation is planning to turn off all Zoom recording privileges outside of the pre-approved Bar Foundation facilitators. This eliminates concerns of being able to scout other teams as well as liability issues based on recording minors. (Supersedes 4.3, 4.14)

31. Q: How do I lodge a post-trial complaint?

A: Only the teacher or legal advisor of the team may lodge a post-trial complaint. The Bar Foundation will make the complaint form available online this year. All complaints that take place during the trial should be resolved with the presiding judge, like usual. (Supersedes Rule 6.4)

32. Q: Are there requirements about the background students need to have while on Zoom?

A: The Bar Foundation has no recommendation or preference to a background as long as it's not distracting. Participants may use their actual home/office/school as their background. They may choose to use a non-distracting virtual background, with the suggestion it doesn't have moving pieces, brightly colored, or the participant doesn't "ghost" through it. For participants who would like formal pictures as their background, photos of the Allen County Courthouse are available for [download](#) (Photo credit: Corbin Mathias). Judges will be advised to not take background into account while scoring.

33. Q: How will Best Attorney and Best Witness Awards be handled this year?

A: Each judge will rank his/her own top best attorneys and witnesses for each trial and will submit them with their score sheets. Bar Foundation staff will review the submissions to determine the judges' consensus of the best attorney and best witness. These awards for each trial will be announced later in the competition, not immediately after each trial. (Supersedes Rule 5.4)