

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

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| --- | --- | --- | --- |
|  | **5 - Exemplary** | **4 - Proficient** | **3 - Developing** |
| **Character portrayal** | Portrayal is credible; infused with personality  Uses 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.

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|  | **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**

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|  | **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**

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|  | **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. |
| **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 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.*

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|  | **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: