



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 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.

	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
<p>Content Includes:</p> <ul style="list-style-type: none"> • 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 <p>Content Explains:</p> <ul style="list-style-type: none"> • what you want judge/jury to decide 	<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • 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.
<p>Organization</p> <ul style="list-style-type: none"> • Includes introduction and conclusion • logically organized • tells story of case 	<ul style="list-style-type: none"> • Effective, creative introduction • Clear sequencing that logically weaves together all required content • Effectively tells story of case • Balanced details • Effective, creative conclusion. 	<ul style="list-style-type: none"> • Recognizable introduction • Clear sequencing of ideas / required content • Tells story of case • Details fit • Effective conclusion. 	<ul style="list-style-type: none"> • Introduction undeveloped • Sequencing of ideas unclear or not effective • Partially tells story of case • Details sometimes fit, sometimes misplaced. • Undeveloped conclusion.
<p>Public speaking / Delivery:</p> <ul style="list-style-type: none"> • 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) 	<p>Skillful delivery</p> <p>Articulate, ideal volume and speed, clear enunciation, effective use of pauses and gestures, effective eye contact with jurors.</p>	<p>Solid Delivery with minor weaknesses</p> <p>Articulate, good volume and speed, clear enunciation, some pauses and gestures; eye contact with jury present but not consistent</p>	<p>Delivery more weak than strong</p> <p>Difficult to hear/ understand. Spoke too quickly or slowly; frequent space fillers (“um”, “like”); no or ineffective gestures. Little eye contact with jury.</p>

Mock Trial Scoring Guide

Closing Argument

	5 - Exemplary	4 – Proficient	3 - Developing
<p>Content Includes:</p> <ul style="list-style-type: none"> • 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 <p>Content Explains:</p> <ul style="list-style-type: none"> • what you want judge/jury to decide and • why the jury should decide that way 	<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • 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.
<p>Organization</p> <ul style="list-style-type: none"> • Includes introduction and conclusion • logically organized • tells story of case 	<ul style="list-style-type: none"> • Effective, creative introduction • Clear sequencing that logically weaves together all required content • Effectively tells story of case • Balanced details • Effective, creative conclusion. 	<ul style="list-style-type: none"> • Recognizable introduction • Clear sequencing of ideas / required content • Tells story of case • Details fit • Effective conclusion. 	<ul style="list-style-type: none"> • Introduction undeveloped • Sequencing of ideas unclear or not effective • Partially tells story of case • Details sometimes fit, sometimes misplaced. • Undeveloped 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.*

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

	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. <ul style="list-style-type: none"> • 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. <ul style="list-style-type: none"> • Teamwork: Collaborates well; offers constructive assistance; shares understanding as needed • Attitude: Generally positive; flexible 	Limited assistance, poor attitude, little flexibility. 60-70% effort throughout. <ul style="list-style-type: none"> • 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 <ul style="list-style-type: none"> • 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. <ul style="list-style-type: none"> • 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%). <ul style="list-style-type: none"> • 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 <ul style="list-style-type: none"> • 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 <ul style="list-style-type: none"> • 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						