*Bergeron v. Glampers*

The Harrison Bergeron Mock Trial

**Section 5**

**Scoresheets &**

**Evaluation Rubrics**

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Official OR Mock Trial Score Sheet for Attorneys 118

Official OR Score Sheet for Witnesses 120

Individual Evaluation Rubric for students & teachers 122

**Oregon High School** 

**Mock Trial**

**Presiding Judge Ballot**

*The Presiding Judge shall score the teams on their* ***overall performance****.*

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_ v. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Round** (circle one)**: 1 2 3**

**(Team Code-PLF) (Team Code-DEF)**

**SCORING:** *For each criterion, score the* ***team as a whole*** *as follows.*

**9-10: Excellent, Amazing:** mastery or near mastery of the criteria at all times

**7-8: Good, Very Good:** proficiency with the criteria, nearly all of the time

**5-6: Fair, Average:** meets the criteria, some of the time

**3-4: Weak, Needs Practice:** developing the criteria, but inconsistent

**1-2: Poor, Unprepared:** weak or unpracticed; does not meet criteria

|  |  |  |  |
| --- | --- | --- | --- |
| **Criteria** | **Plaintiff Scoring 1-10** |  | **Defense Scoring 1-10** |
| **Theme/theory/strategy** were consistent and emphasized throughout the opening, closing, and witness examinations. |  |  |  |
| Overall presentation of the case created a **clear and coherent portrayal** of the events and issues, including legal issues. |  |  |  |
| Team members stayed **in character throughout the trial** and were **memorable in their performances**, contributing to the success of the overall presentation, and never distracting from the process. |  |  |  |
| Team members were **attentive and collaborative** at all times, quietly and appropriately conferring at the counsel table, and acting in support of one another. |  |  |  |
| Team members exhibited **knowledge, flexibility, and spontaneity** when dealing with courtroom procedures, rules, objections, and the unexpected. |  |  |  |
| Team members handled introductions, judge's questions, objections, and the unexpected with **confidence, poise, and professionalism**. |  |  |  |
| **TOTAL POINTS (up to 60 points each, NO TIES):** |  |  |  |

**Team with the best overall performance: Circle P or D**

**Procedural Roles (these do not impact overall team score):**

|  |  |
| --- | --- |
| Answer by Circling **Yes** or **No** for each: |  |
| **Clerk (plaintiff):** Did the clerk fulfill his/her duties and contribute to the team’s performance? | Y / N |
| **Bailiff (defense):** Did the bailiff’s fulfill his/her duties and contribute to the team’s performance? | Y / N |

*Feel free to take notes on the reverse. These notes, along with your ballot, will be shared with the teams.*

**Presiding Judge Notes:**

|  |  |
| --- | --- |
| ***Plaintiff***  **theme/theory/strategy**  **clear and coherent portrayal**  **all characters memorable in their performances**  **attentive and collaborative**  **knowledge, flexibility, and spontaneity**  **confidence, poise, and professionalism** | ***Defense***  **theme/theory/strategy**  **clear and coherent portrayal**  **all characters memorable in their performances**  **attentive and collaborative**  **knowledge, flexibility, and spontaneity**  **confidence, poise, and professionalism** |

**Oregon High School** 

**Mock Trial**

**Attorneys Ballot**

*The Attorney Judge shall score the performances of the* ***attorneys only.***

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_ v. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Round** (circle one)**: 1 2 3**

**(Team Code-PLF) (Team Code-DEF)**

**SCORING:** *For each component, score the* ***attorney*** *as follows; see the reverse for additional detail.*

**9-10: Excellent, Amazing:** mastery or near mastery of the criteria at all times

**7-8: Good, Very Good:** proficiency with the criteria, nearly all of the time

**5-6: Fair, Average:** meets the criteria, some of the time

**3-4: Weak, Needs Practice:** developing the criteria, but inconsistent

**1-2: Poor, Unprepared:** weak or unpracticed; does not meet criteria

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | | **Plaintiff Scoring 1-10 points** |  | **Defense scoring 1-10 points** |
| **Plaintiff Opening:** | |  | **Defense Opening:** |  |
| **Plaintiff First Witness** | **Plaintiff Direct:** |  | **Defense Cross:** |  |
| **Plaintiff Second Witness** | **Plaintiff Direct:** |  | **Defense Cross:** |  |
| **Plaintiff Third Witness** | **Plaintiff Direct:** |  | **Defense Cross:** |  |
| **Defense First Witness** | **Plaintiff Cross:** |  | **Defense Direct:** |  |
| **Defense Second Witness** | **Plaintiff Cross:** |  | **Defense Direct:** |  |
| **Defense Third Witness** | **Plaintiff Cross:** |  | **Defense Direct:** |  |
|  | **Plaintiff Closing:** |  | **Defense Closing:** |  |
|  | **TOTAL POINTS PLAINTIFF**  **(up to 80 points,**  **NO TIES):** |  | **TOTAL POINTS DEFENSE**  **(up to 80 points,**  **NO TIES):** |  |

**Team with the best overall attorney performance: Circle P or D**

**Outstanding Attorney for the Plaintiff:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Outstanding Attorney for the Defense:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Scoring Guidelines for Opening Statement, Directs, Crosses, & Closing Argument**

**Note:** Using notes is not a penalty by itself, though over-reliance, scripted, or distracting use can be marked down, just as a fluid, note-free performance can be rewarded.

### Opening Statement

* Provided a case overview and story
* The theme/theory of the case was identified
* Mentioned the key witnesses
* Provided a clear and concise description of their team’s evidence and side of the case
* Stated the relief or verdict requested
* Discussed the burden of proof
* Presentation was non-argumentative; did not include improper statements or assume facts not in evidence
* Professional and composed
* Spoke naturally and clearly

### Direct Examinations

* Properly phrased and effective questions
* Examination was organized effectively to make points clearly; questions had clear purpose
* Used proper courtroom procedures
* Handled objections appropriately and effectively
* Did not overuse objections
* Did not ask questions that called for an unfair extrapolation from the witness
* Demonstrated an understanding of the Modified Federal Rules of Evidence
* Handled physical evidence appropriately and effectively
* Professional and composed
* Spoke confidently and clearly

### Cross Examinations

* Properly phrased and effective questions
* Examination was organized effectively to make points clearly; questions had clear purpose
* Used proper courtroom procedures
* Handled objections appropriately and effectively
* Did not overuse objections
* Did not ask questions that called for an unfair extrapolation from the witness
* Used various techniques, as necessary, to handle a non-responsive witness
* Properly impeached witnesses
* Demonstrated an understanding of the Modified Federal Rules of Evidence
* Handled physical evidence appropriately and effectively
* Professional and composed
* Spoke confidently and clearly

### Closing Argument

* Theme/theory reiterated in closing argument
* Summarized the evidence
* Emphasized the supporting points of their own case and mistakes and weaknesses of the opponent’s case
* Concentrated on the important, not the trivial
* Applied the relevant law
* Discussed burden of proof
* Did not discuss evidence that was not included in the trial presentation
* Overall, the closing statement was persuasive
* Use of notes was minimal, effective, and purposeful
* Contained spontaneous elements that reflect unanticipated outcomes of this specific trial
* Professional and composed
* Spoke naturally and clearly

**Oregon High School** 

**Mock Trial**

**Witnesses Ballot**

*The Witness Judge shall score the performances of the* ***witnesses only****.*

**\_\_\_\_\_\_\_\_\_\_\_\_ v. \_\_\_\_\_\_\_\_\_\_\_\_\_ Round** (circle one)**: 1 2 3**

**(Team Code -PLF) (Team Code-DEF)**

**SCORING:** *For each examination, score the* ***witness*** *as follows; see the reverse for additional detail.*

**9-10: Excellent, Amazing:** mastery or near mastery of the criteria at all times

**7-8: Good, Very Good:** proficiency with the criteria, nearly all of the time

**5-6: Fair, Average:** meets the criteria, some of the time

**3-4: Weak, Needs Practice:** developing the criteria, but inconsistent

**1-2: Poor, Unprepared:** weak or unpracticed; does not meet criteria

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Witnesses for the Plaintiff** | | **Plaintiff’s**  **Witnesses Scoring 1-10 pts** | **Witnesses for the Defense** | | **Defense’s**  **Witnesses Scoring 1-10 pts** |
| **Plaintiff First Witness** | **Direct** |  | **Defense First Witness** | **Direct** |  |
| **Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **Cross** |  | **Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **Cross** |  |
| **Plaintiff Second Witness** | **Direct** |  | **Defense Second Witness** | **Direct** |  |
| **Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **Cross** |  | **Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **Cross** |  |
| **Plaintiff Third Witness** | **Direct** |  | **Defense Third Witness** | **Direct** |  |
| **Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **Cross** |  | **Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **Cross** |  |
| **TOTAL POINTS PLAINTIFF**  **(up to 60 points, NO TIES):** | |  | **TOTAL POINTS DEFENSE**  **(up to 60 points, NO TIES):** | |  |

**Team with the best overall witness performance: Circle P or D**

**Outstanding Witness for the Plaintiff:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Outstanding Witness for the Defense:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Scoring Guidelines for Witnesses**

**9-10: Excellent, Amazing**

* Character was carefully created to strongly reflect values, manners, knowledge and personality consistent with the trial context.
* Remained consistently and convincingly in character.
* Fluent, persuasive, clear, understandable.
* Showed mastery of the case and materials; adhered to the content of the affidavit.
* No errors in testimony or inconsistencies in the story line.
* Used no notes; used no unfair assistance in testifying.
* Convincing spontaneity was demonstrated in responses to questions. 

**7-8: Good, Very Good**

* Character was created to reflect values, manners, knowledge and personality mostly consistent with the trial context.
* Remained consistently and convincingly in character.
* Fluent, persuasive, clear, understandable.
* Showed solid understanding of the case and materials; adhered to the content of the affidavit.
* Testimony may have contained some minor errors in testimony or inconsistencies in the story line.
* Used no notes; used no unfair assistance in testifying.
* May have had minor problems handling unexpected questions.

**5-6: Fair, Average**

* Character was created to reflect values, manners, knowledge and personality mostly consistent with the trial context.
* May at times have slipped slightly out of character.
* May have been minor problems understanding witness testimony.
* Showed understanding of the case and materials; may have deviated in minor ways from the affidavit.
* Some errors in testimony or inconsistencies in the story line.
* Used no notes; used no unfair assistance in testifying.
* May have had some problems handling unexpected questions.

**3-4: Weak, Needs Practice**

* Character only weakly reflected values, manners, knowledge and personality consistent with the trial context.
* Problems remaining in character.
* Witness was difficult to understand.
* Witness seemed somewhat unprepared or deviated from the affidavit; may have been impeached.
* Significant errors in testimony or inconsistencies in story line.
* Used no notes; used no unfair assistance in testifying.
* Witness struggled with unexpected questions.

**1-2: Poor, Unprepared**

* Character was largely undefined and witness did not stay in character
* Witness was difficult to understand.
* Witness seemed unprepared, used notes, showed misunderstanding of the case and materials, or was impeached.
* Errors or inconsistency in testimony that fundamentally detracted from the team’s case.
* Witness was unable to answer unexpected questions.

Name:

**Mock Trial Individual Evaluation**

*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 Self Score** | **Teacher**  **Score** |
| **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. |  |  |
| **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 |  |  |
| **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 |  |  |
| **Total out of 15** | | | | |  |  |

What was the best part of your Mock Trial Experience and why: