

# *Bergeron v. Glampers*

The Harrison Bergeron Mock Trial

## Section 5

# Scoresheets & Evaluation Rubrics

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OREGON HIGH SCHOOL  
**MOCK TRIAL**

# Presiding Judge Ballot

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

\_\_\_\_\_ v. \_\_\_\_\_  
 (Team Code-PLF) (Team Code-DEF)

Round (circle one): **1**    **2**    **3**

**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 <b>clear and coherent portrayal</b> of the events and issues, including legal issues.		
Team members stayed <b>in character throughout the trial</b> and were <b>memorable in their performances</b> , contributing to the success of the overall presentation, and never distracting from the process.		
Team members were <b>attentive and collaborative</b> at all times, quietly and appropriately conferring at the counsel table, and acting in support of one another.		
Team members exhibited <b>knowledge, flexibility, and spontaneity</b> when dealing with courtroom procedures, rules, objections, and the unexpected.		
Team members handled introductions, judge's questions, objections, and the unexpected with <b>confidence, poise, and professionalism</b> .		
<b>TOTAL POINTS (up to 60 points each, NO TIES):</b>		

**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:	
<b>Clerk (plaintiff):</b> Did the clerk fulfill his/her duties and contribute to the team's performance?	Y / N
<b>Bailiff (defense):</b> 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:**

<b><i>Plaintiff</i></b> theme/theory/strategy	<b><i>Defense</i></b> theme/theory/strategy
clear and coherent portrayal	clear and coherent portrayal
all characters memorable in their performances	all characters memorable in their performances
attentive and collaborative	attentive and collaborative
knowledge, flexibility, and spontaneity	knowledge, flexibility, and spontaneity
confidence, poise, and professionalism	confidence, poise, and professionalism



# Attorneys Ballot

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

\_\_\_\_\_ v. \_\_\_\_\_  
 (Team Code-PLF) (Team Code-DEF)

Round (circle one): **1**    **2**    **3**

**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.

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### 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. \_\_\_\_\_  
 (Team Code -PLF) (Team Code-DEF)

Round (circle one): **1**    **2**    **3**

**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 Name: _____	Direct		Defense First Witness Name: _____	Direct	
	Cross			Cross	
Plaintiff Second Witness Name: _____	Direct		Defense Second Witness Name: _____	Direct	
	Cross			Cross	
Plaintiff Third Witness Name: _____	Direct		Defense Third Witness Name: _____	Direct	
	Cross			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.

# 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
<b>Teamwork, cooperation &amp; attitude: all for the team</b>	Offers leadership, constructive assistance, adaptability, and a helpful vibe. 100% effort throughout. <ul style="list-style-type: none"> <li>• <b>Teamwork:</b> Collaborates well; constructively shares understanding as needed; encourages focus; a leader</li> <li>• <b>Attitude:</b> Consistently positive, helpful and flexible - adapts well</li> </ul>	Offers constructive assistance, flexibility, open attitude; shares understanding as needed. 80-90% effort throughout. <ul style="list-style-type: none"> <li>• <b>Teamwork:</b> Collaborates well; offers constructive assistance; shares understanding as needed</li> <li>• <b>Attitude:</b> Generally positive; flexible</li> </ul>	Limited assistance, poor attitude, little flexibility. 60-70% effort throughout. <ul style="list-style-type: none"> <li>• <b>Teamwork:</b> Limited assistance</li> <li>• <b>Attitude:</b> attitude negative over 30% of the time. Little flexibility.</li> </ul>	Provides no assistance, exhibits detrimental attitude, and inflexibility. Doesn't care. Less than 50% effort <ul style="list-style-type: none"> <li>• <b>Teamwork:</b> Provides no assistance to team; unhelpful</li> <li>• <b>Attitude:</b> attitude detrimental to team; inflexible.</li> </ul>		
<b>Preparation &amp; focus</b>	Over prepared and always on task; can compensate for others. <ul style="list-style-type: none"> <li>• Always has all mock trial materials and other team-agreed materials.</li> <li>• Consistently arrives with revised and improved work</li> <li>• Always on task</li> </ul>	Prepared and knows what's going on; mostly focused (90%). <ul style="list-style-type: none"> <li>• Has all mock trial materials, and other team-agreed materials.</li> <li>• Often arrives with revised and improved work.</li> <li>• Almost always on task</li> </ul>	Often unprepared; focus often wavers <ul style="list-style-type: none"> <li>• Mock Trial materials often missing</li> <li>• Occasionally arrives with revised work.</li> <li>• More on task than not</li> <li>• Occasionally pulls others off task</li> </ul>	Unprepared; others do your work for you; rarely focused <ul style="list-style-type: none"> <li>• Rarely brings materials</li> <li>• Relies on others to revise your work or rally you to action</li> <li>• Mostly off task</li> <li>• You pull others off task</li> </ul>		
<b>Mock Trial Performance</b>	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		
<b>Total out of 15</b>						

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