

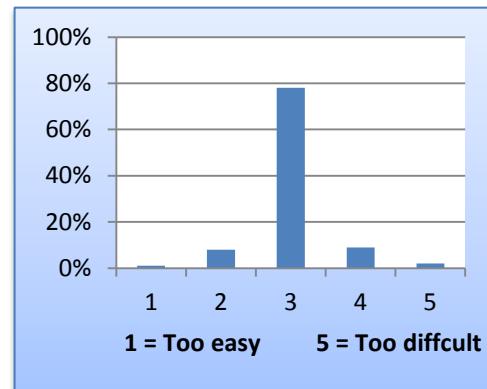
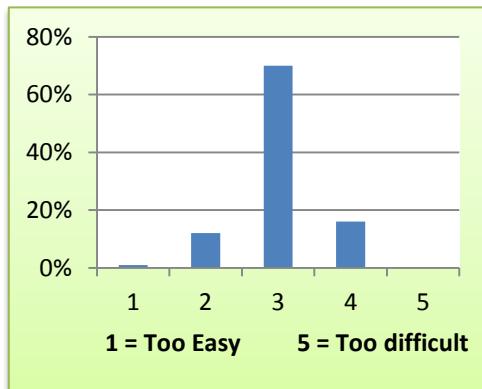
## 2015-2016 California Mock Trial Teacher and Attorney Coach Survey

**Total number of Teacher Responses (Green charts) - 111**

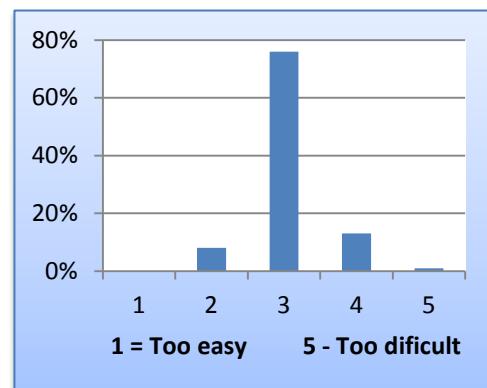
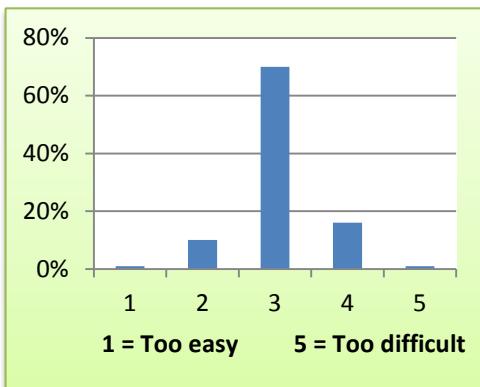
**Total number of Attorney Coach Responses (Blue Charts) - 73**

**Case Materials – The following questions relate to the California Mock Trial case packet.**

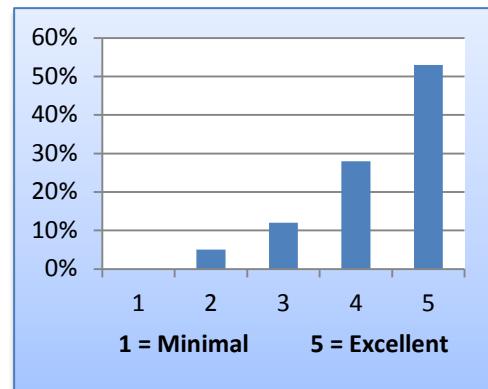
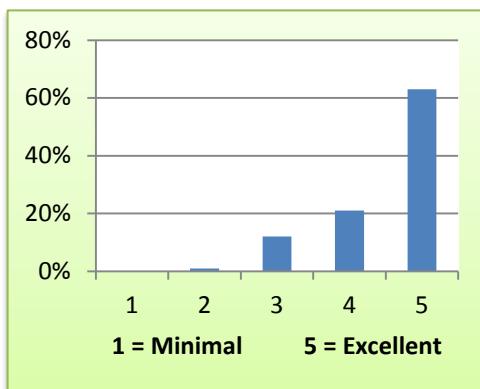
**1 - For my students, the case reading level is:**



**2 - For my students, the sophistication of the case is:**



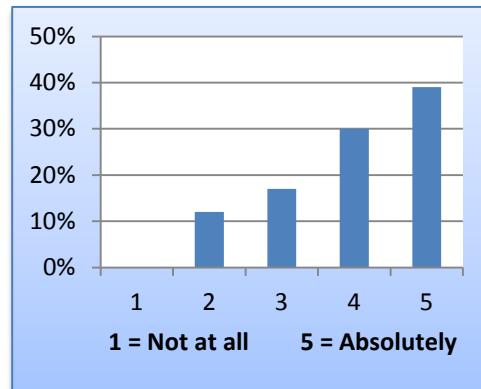
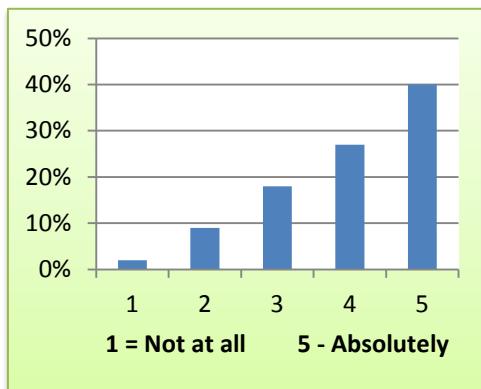
**3 - The potential to build critical thinking skills is:**



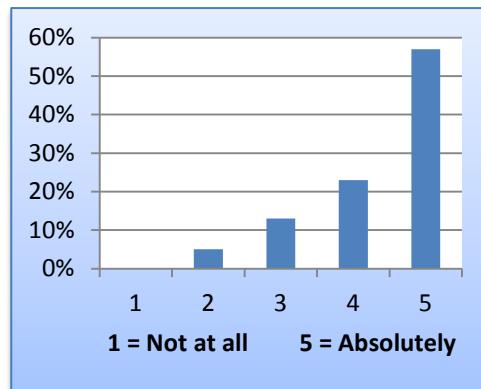
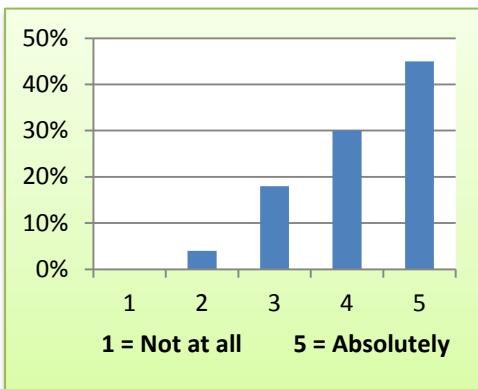
## Opportunities/Experiences

4 - California Mock Trial provides opportunities for students:

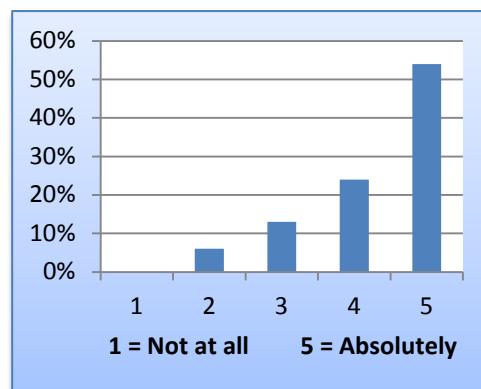
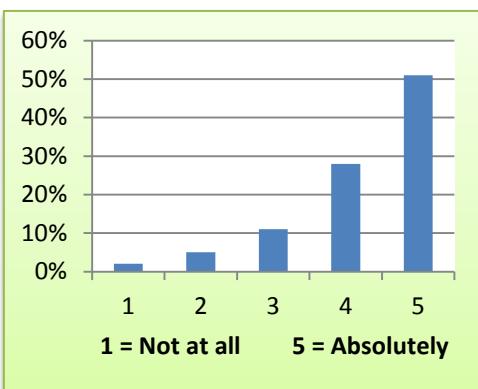
a - of different learning styles and academic levels to participate.



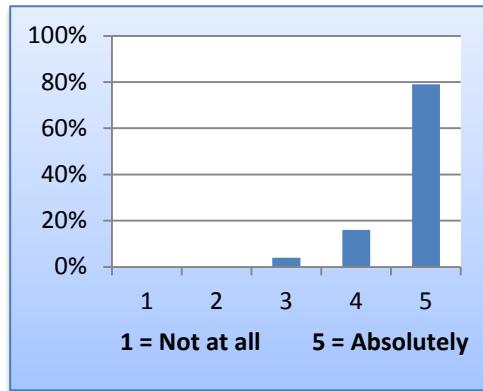
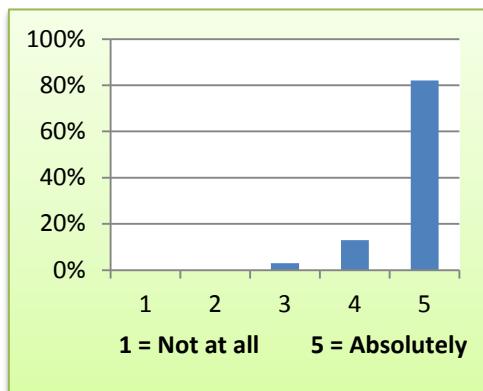
b - to work with other students from different social groups.



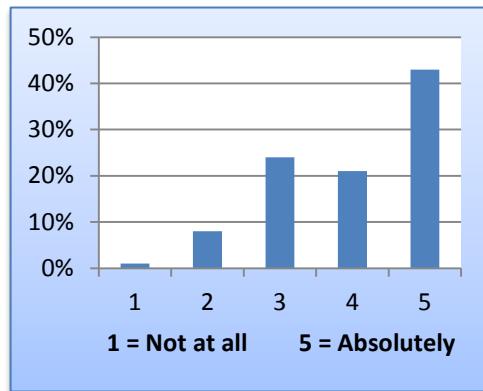
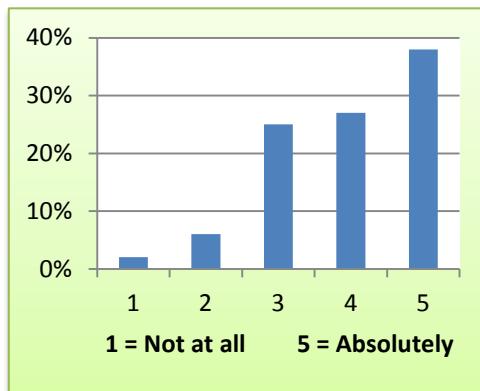
c - to be creative.



d - to develop new skills.

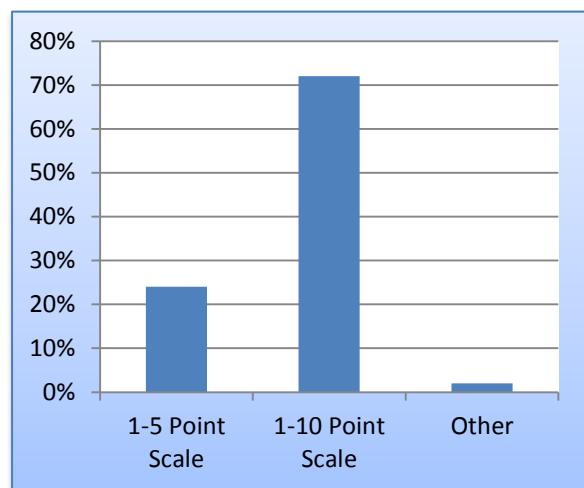
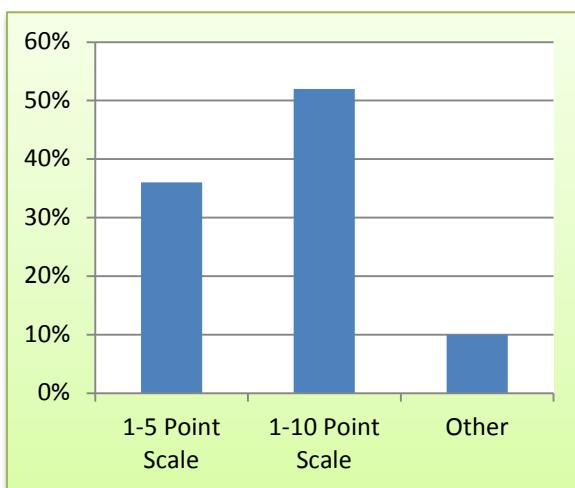


e - to interact with other students from other schools.

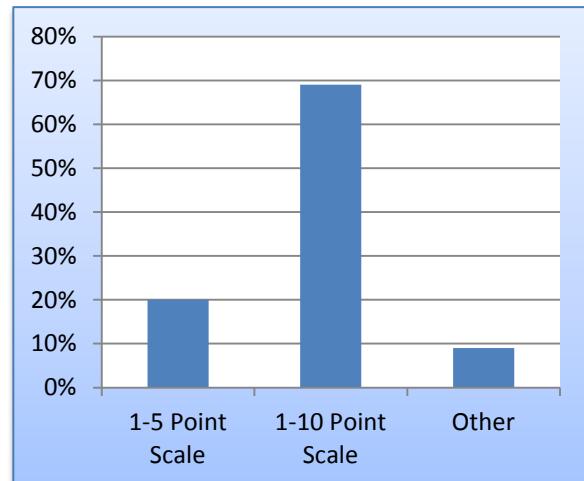
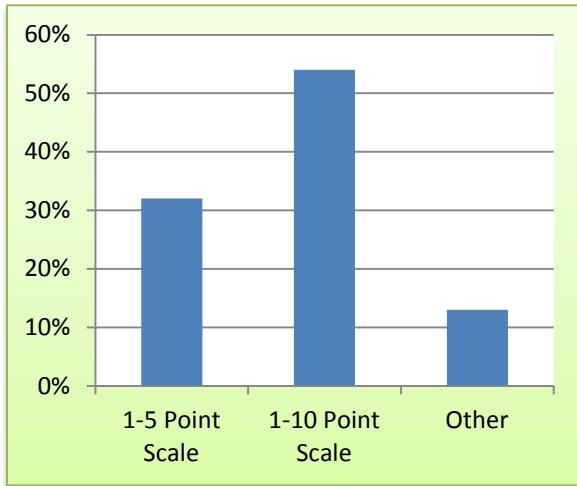


Competition - The following questions concern details about aspects of the California Mock Trial competitions.

5 - What type of scoring system would you like to see at the county level?



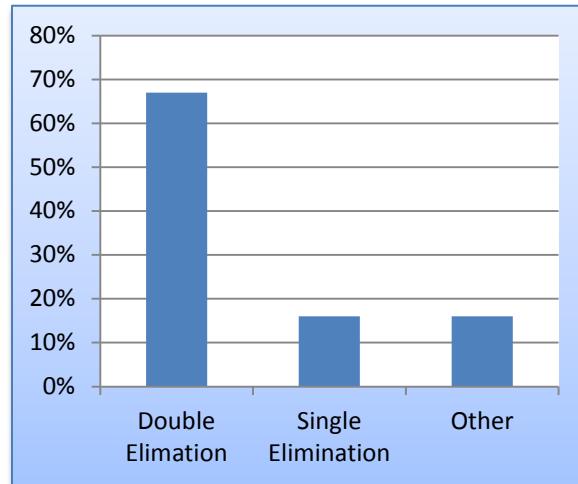
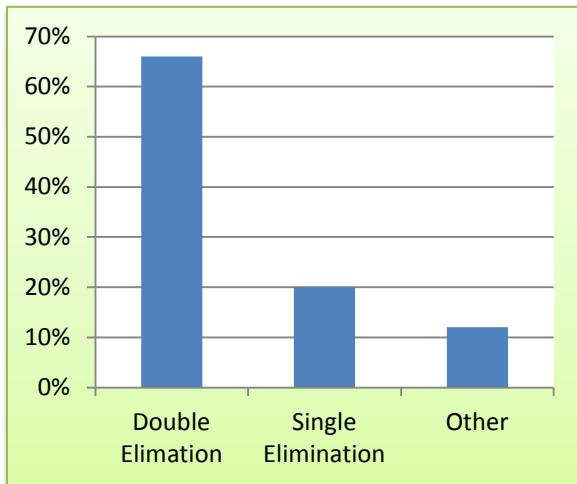
## 6 - What type of scoring system would you like to see at the state level?



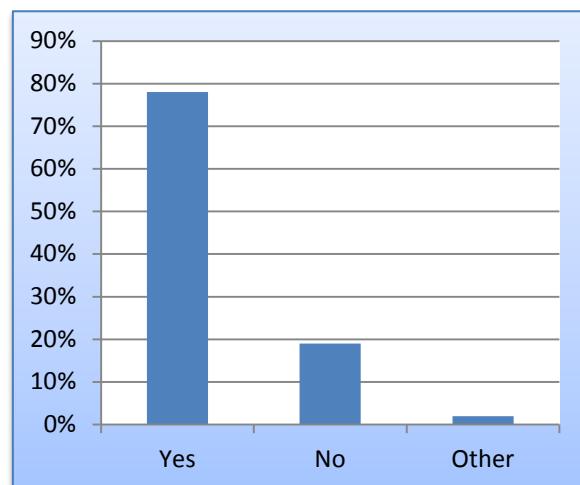
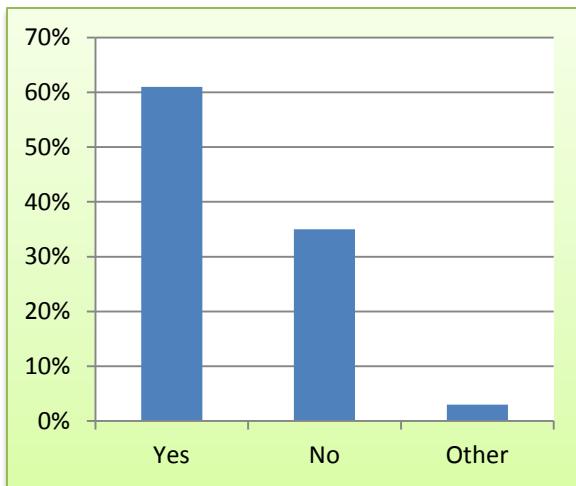
## 7 - Final Rankings - How would you like to see the top rankings at the state level? Keep in mind, Round 1 assignments are randomly matched.

**Double Elimination:** Like National MT, top rankings are determined after the completion of Round Four of the competition, first by win/loss record and then by cumulative percentages. This allows for the possibility of a team to lose one trial (regardless of which round) to be considered for the top rankings.

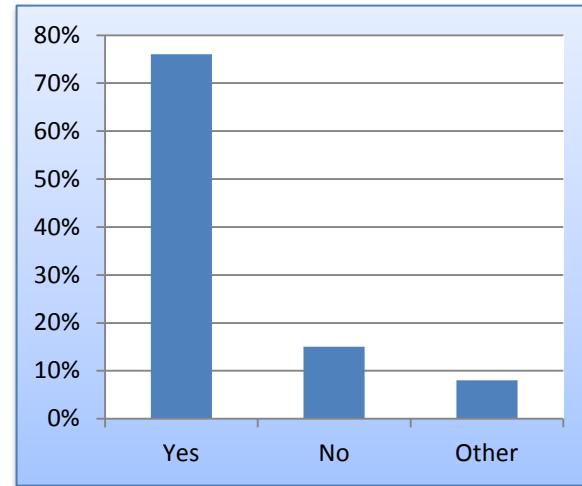
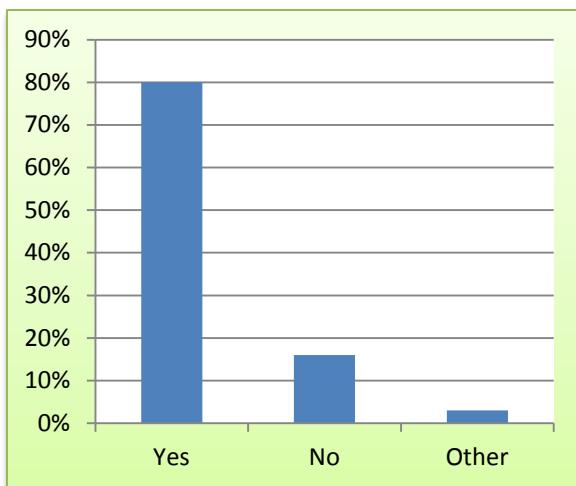
**Single Elimination:** Rankings are determined after the completion of Round Four of the competition, first by win/loss record and then by cumulative percentages, with the exception of the top rankings. The top rankings will be reserved for teams who complete Round Three with a 3-0 record. This method will eliminate teams who lose one round (prior to Round Four) from placement in the top rankings.



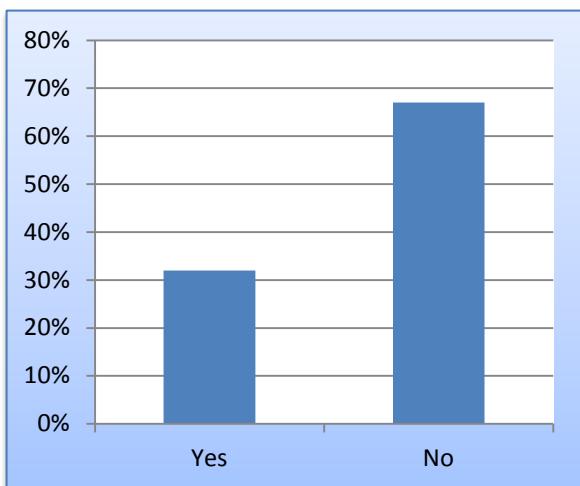
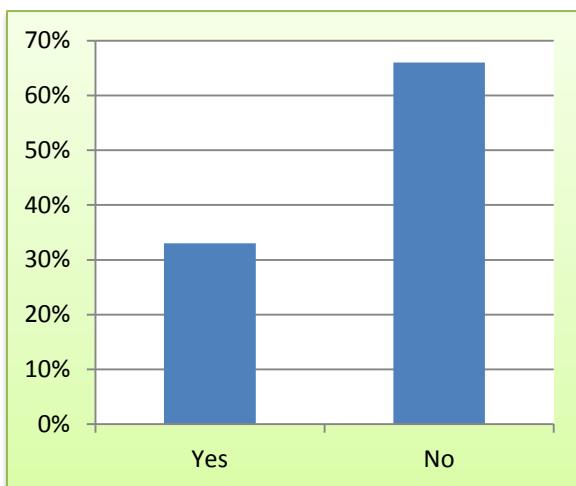
**8 - Competition Results - Would you like the results of each trial (ex: rankings, cumulative percentage, etc.) for each team to be made public online after the competition?**



**9 - Do you want a revised copy of case incorporating errata items?**



**10 - I am concerned that Mock Trial is becoming overly competitive.**



To protect anonymity, CRF omitted name of counties, schools, and individuals.

**I am concerned that Mock Trial is becoming overly competitive.** Teacher comments:

I am concerned that attorneys and coaches write too much of the case and focus on the questions rather than letting students learn critical thinking skills such as objections and arguments made during closing statements based on exactly what happened in trial.

Also, I am concerned that many schools treat their witnesses as if they were in a theatrical performance instead of in court. (And that scoring attorneys award flamboyant testimonies even though they are inaccurate.)

Awesome Job. The students love this program and they are always eager to come back.

At our level, I feel that some of the judges were prejudicial towards the higher social-economic schools. Our student who won the pre-trial motion was not lauded as much as the loser in that part. I wish that the names of the schools were not revealed to the judges. There were too many "pre-conceived" critiques given.

This was my first year as a teacher/coach and I was pleased with the level of competition and sportsmanship.

The level of competition in the Mock Trial program is extremely high, and I feel it will only increase with time.

I think the majority of schools/coaches handle the competition with the students' best interests in mind.

I am concerned that teams who do not have access to seating judges as attorney coaches have no chance to advance based on scorer recognition and desire to keep judges happy

Well, if enough resources are available, any school can be competitive....we have 2 teacher coaches, three attorney coaches...so we always are very competitive....but some junior highs in [county name] are lucky if they have 1 teacher coach, and 1 attorney coach. We have won our county 3 yrs. in a row because our program is so stable. We even try to help some of the schools who are not as lucky as we are...

I feel that having students take the process seriously, and working to achieve a high level of skill helps all teams improve.

Our County is very competitive. All students work hard to present their case; it is very discouraging when they do not get any recognition for their work. [County name] has come a long way in recognizing more students. But there are many more students who should receive recognition.

We print our own casebooks. Students mark them up, then we get a revised casebook and page numbers changes, then again, and again, and again. We printed four versions this year. There needs to be a way to keep the page numbers consistent that don't require reprinting and remarking pages.

However, I am incredibly concerned that scoring and judging is flawed due to too much subjectivity and scorers not understanding Mock Trial rules.

I started the program at our school and we are the only school in our district so it is difficult for our Mock Trial team to compete against other schools. Other schools in our county are private schools and they have much more resources. They get sent to state every year. I think that it might be interesting to separate private versus public schools to eliminate some of the competitive challenges of participating in Mock Trial.

Thank you so much for doing this survey! I love CRF and mock trial. I think you provide an invaluable education.

I think some teams are using materials written by the attorney-coaches rather than the students. I do not mind coaches working with student to help fine tune what they have created, but it should not be written for them by their coaches.

Competition is a means to an end: education. Indeed. The previous county director of the program said we've lost the educational aspect of the program. She was lamenting the fact that the competition in my county was overshadowing the educational aspect.

I have witnessed and heard of numerous examples of unethical behavior from the teams that make it to the final rounds.

Students have so much riding on 3 practices and it is hard enough to find volunteers to score the rounds that there is a great deal of inconsistency which makes students feel like they have no chance of succeeding. The teams with the most money have the most volunteers while poorer schools can never find anyone and have to teach the ins & outs of the case to themselves. Is it any wonder the wealthier schools consistently find themselves in the top tier and most common winners?

I think schools at county and state levels should be ranked and matched against teams of equal abilities. Some schools are much better than others and crush lesser teams. We do not do this ranking and pairing of teams by divisions in high school sports, why do we allow it to happen here? It does nothing for a team to be destroyed in 4 consecutive rounds and then expect that they learned something.

Also, your case packet has a couple mistakes. You allow state of mind as an exception in evidence. Past state of mind requires the witness be unavailable. Can you split off the exceptions and only allow present state of mind, not past? Would not be able to do past because all witnesses must be called to the stand.

Additionally, you teach students that "isn't it true" is a correct phrasing of a cross-examination question. It is actually incorrect and can be correctly objected to in the real world as the improper form of the question. You are teaching students how to do an incorrect cross-examination. It should be "Is it true?" Supposed to be a real world experience, right?

Competition exists in the real world. Win or lose Mock Trial is a good experience.

I would like to see competition divided into divisions based on such criteria as public school divisions and private schools divisions.

At County level, I would like to have implementation of a power ranking system. This way, when a team competes early against a stronger team, it will compete with a more evenly matched team the next round. This will eliminate more powerful teams feasting on lower teams without increasing their competitiveness..

Too competitive it is not, but last year there were considerable erratas and a few teams and even judges were not aware of them.

There are counties with very ,very few teams and those with many (LA and others) who both only have one team represented at state. It would be nice if it were more of a proportional representation.

It's pretty obvious that attorneys are doing more than just coaching and coming up with legal arguments and strategies that no high school student would be able to conceive on their own. Some of these strategies are pretty low and dirty and do not teach any of our students desirable life skills.

I think the purpose of Mock Trial should focus on growth, critical thinking, and developing professional interpersonal skills while maintaining courtesy in the courtroom. The terms win and lose should not be a part of any discussion ever.

Clearly, it has become a competition of haves and have nots. Schools from affluent areas or with home-schooled students have countless advantages over other schools without such resources.

Competition leads to the extra effort to achieve greatness

I see this as the whole point of MT.

I have not seen an "Overly" competitive change in my years with MT. It depends on who the coach and/or the attorney is for the team. Some new coaches or attorneys try harder to make an impression. It is more about a style.

The competition level is intense, but the learning that results is a direct result of students understanding that they will need to compete against other strong teams

The Mock Trial program seems to run by so quickly and I feel that the very short time span is an enormous challenge for especially underprivileged students who lack computer access at home or specialized Mock Trial classes at school.

I actually find each year I want to quit because it seems the same teams win. I work really hard to try to get placed in an upper level. No matter what I fix.....something goes awry. One year I stopped and then got talked back into it and then another mishap happened.

Some coaches have intentionally sabotaged others in subtle ways that cannot be reported. For instance sportsmanship of students is not conducive of a good working environment.

It's just the right balance for me

The numerous erratas can get a little difficult to keep track of mid-competition, especially for schools who can't reprint things once we are underway...

What I really mean is it would be nice for LA county to perhaps split into two smaller competitions - with almost 100 teams, it feels somewhat unfair (especially given the smaller size of most other counties' competitions).

I have not observed poor sportsmanship or other behavior that would indicate students prioritizing winning over everything else. As long as the students are enjoying themselves, and are able to greet and congratulate the other team after a trial, I think a certain level of competitiveness helps the students strive for excellence.

The 30 second "find-a-broken-rule" at the end of the trial has become very nit-picky and petty and often not valid. Almost a desperate attempt not the score points for your team, but to lose points for the opposing team. Please do away with it. The Judges should be versed in the rules, and between them, if something is wrong, they should catch it.

Not being overly competitive, but there is a movement towards more robotic presentations, rather than real-life courtroom presentation. And the scoring system needs to be modified. When bailiffs get perfect scores after not swearing in witnesses, then there is an issue. Also, the team score element needs to be reexamined. Perhaps add an overall trial score?

I've watched as a team from a (middle school) drama magnet school took first place at county level - the judges seemed to be scoring less on the presentation of the case, and the ability of a team and the individuals within it to demonstrate their knowledge of both the case packet and courtroom protocols, than on slickness and look of the team (in this case, the school had their competitors all dress in immaculate black outfits that would be, frankly, beyond the means of many of the parents of other teams) and, as a drama magnet, had students drilled to present themselves as actors. When it became apparent that team members were unable to think on their feet, but instead

relied upon their rote learning, the scorers allowed themselves to be swayed by the dramatic quality of the delivery, rather than those elements that are intended to be judged and scored. Frankly, a dispiriting experience, and not one that lends much of a gloss to the Mock Trial competition.

For a new team, you are pretty much flying blind. Some schools seem to spend a whole year working on the items. It is what it is and people will assign resources according to history, need and student engagement and interest. Just wish that some of the "helpers" allow the students to prepare their own cases and work -- that is where the mock trial prep really correlates to real life. If the students are simply rehearsing a script that their coaches wrote for them, then that takes all the value out of it. Some students were clearly coached heavily and it was clear when the judge was asking questions that they had not done the prep themselves.

Some teams particularly at the high school level are somewhat a little too competitive. A few "winning" teams have two teams and then pull the strongest students to stack one of the two teams. Our team's philosophy is to use the students that have been assigned to a particular role who have put in the work even if there is another student that could replace them.

I want my students to have numerous opportunities to compete, but with the number of middle schools competing and only quarterfinals, semifinals, and finals, they only got to compete once for each side. Why can't the losing teams volunteer to play each other to get more experience and have more fun.

I am relatively new to Mock Trial. I am content with the way it is.

I would like some specific written commentary of what we did right and what we did wrong so we can improve more efficiently in the next round.

During our second round, the opposing team and their supporters were overtly hostile to us...no sense of a friendly competition.

### I am concerned that Mock Trial is becoming overly competitive. Attorney coach comments:

competition motivates the students and makes it more interesting to spectators

Although competing against other schools is a strong motivating factor for the students, in the larger scheme of things it is beside the point. All those who participate in this wonderful program are winners.

It is very (prohibitively expensive) to print out the errata. Please consider whether the corrections justify the costs.

Not yet, but that potential arc is foreseeable.

This is a mock trial competition. It has always been, and should continue to be, a competitive event. Mock Trial was very competitive when I participated as a student in 1986-1989. It is equally competitive now. Please don't ever change that. The students work very hard in order to become the best witnesses and attorneys they can be. They test their skill level by running the crucible of competition rounds. The reason students love mock trial is because it is not easy. Hard work is rewarded with competition wins and/or good scores. So long as we emphasize professionalism and fair play, our students will receive a rich and empowering experience. Losses are part of that.

Mock Trial is not just the ultimate competition, but each team's effort to do a good job. If it is "overly competitive" at some levels or in some districts, that was imposed by the adults, not the students, who tend to appreciate each other's willingness to work hard and contribute in a positive way, even when not exceptionally talented. Yes, there are pushy parents and pushy coaches, but as a coach of a team that won the last two County finals, I can safely say that the trophy was the least of what was gained by the students and their families.

It's fine the way it is,

Despite my concerns, I don't think there's anything that can be done about this. When you have a competition about anything, someone will always be overly-competitive.

I don't like "mock trial" camps or clinics. They should be banned. This fosters excessive competition. Also, they are expensive and only those families with means can pay for them. The students I work with cannot afford such luxuries.

There are a number of students, including some of my own, who take the testimony of witnesses or rulings of the court too seriously. It would be helpful to emphasize and teach the importance of professionalism, maturity, and mutual respect above all else, and for these areas to be the cornerstones of mock trial.

The program rewards form over substance, with the scoring favoring those who provide robotic presentations without mistakes over those who understand the materials and issues, but do not appear as "polished."

Scripted presentations have their place (as long as it is the students who are doing the scripting), but the essence of trial work is ability to adjust to unanticipated developments.

It's the appropriate level at this time, but it has quickly risen to that point with the influence of certain teams/coaches.

If a school has a mock trial class that provides students with the opportunity to work on the case several days per week, as part of the school day, for academic credit, with a teacher dedicated to it as part of their teaching load, it is

really not fair to treat them the same way as the bulk of the schools who do it as an afterschool activity. I don't see why the rules could not specify that the competition is only open to teams that operate as an extracurricular activity.
It would be nice to level the playing field a bit and have organized scrimmages for ALL teams.
It is supposed to be competitive. That is what motivates students to work harder.
Need a better way to avoid scoring favoritism. We tried numbering the teams one year so their name wouldn't be evident, but that didn't seem to help. It always seems the same teams are favored. If teams were more anonymous that would make the playing field more even. Not sure how to do that, but it's necessary.
Being that some schools do not have the attorney coach support as others, the case materials should be distributed on September 1st to the teacher sponsors and attorney coaches if possible.
This applies to the school administration from the wealthier areas where there are as many as 12 coaches [all attorneys] and even classes with credit dedicated to Mock Trial while other smaller schools from poorer neighborhoods have trouble getting even one attorney coach and filling a full roster for competition
I am very disappointed with the coaching of witnesses to purposely run time on opponents. On cross examination, certain teams would coach their witnesses to add on to every answer every time, even though it was a very focused, leading question. When our team objected as non-responsive, often times we were overruled because the judge did not know the rules. Also, the scoring attorneys often were not familiar with the rules either and would complement witnesses for this behavior. It was extremely frustrating for our team, who were trying to play by the rules and not run time on other teams.
Please proof-read your survey before going live. It will help the participants participate! See question 4's "participate" reference. And forgive me for any misspellings in my responses.
I think the competition level is healthy, and is an integral part of our legal justice system. In my experience, the legal process is more competitive than the mock trial program, but the mock trial program is good introduction to that competition.
The Competition brings out the best in all of the students and based on my experience over the past 25 years, it is never unfriendly or inappropriate.
Love it. But, juggling all the kids' extra-curricular activities while preparing the case in just two months is extraordinary. If it were released in mid-August, at least we could get moving on it before school starts. Seems like there's no way to compete with the schools that are able to make the trial class part of the regular day curriculum versus doing it as an after school activity.
I view mock trial as an opportunity to help students develop self-confidence, improve their understanding of our justice system, and improve their public speaking skills. As it gets more competitive, the children with natural speaking abilities and confidence are pushed to the front where they just enhance their gifts. Teams are too concerned about points and moving to the next round, resulting in kids who have less natural ability not to receive the opportunity to participate or at best get limited opportunities.
I would like to see a real "exhibition season" or "practice round" where the scores don't count and less qualified kids could be given a chance without fear that they would hurt their teams' chances. It would need to be real at the courthouse to have value. The scrimmages held at schools don't do the trick. Think of the NFL: the games are in the stadium, on TV, and the players get a chance to strut their stuff without consequences for the real season.
As in little league sports, the adults can be
I do not think it is becoming overly competitive from the students standpoint, but I fear that Mock Trial is becoming overly competitive from the scoring/coaching standpoint. Particularly, in a small community, where there are not a substantial number of lawyers, there seems to be an aura of favoritism of particular schools or bias against particular schools. It is disappointing when students seem to be judged based upon who their parents are or based upon a particular belief about a school in general, versus the students actual performance in the competition.
Where do I start. I think it is critical that we teach/coach our students to be ethical. Indeed, lawyers are duty bound to be ethical and to have a duty of candor to the Court. Without question, the competitive nature of Mock Trial is resulting in behavior which is unethical and violates of my understanding of the rules. More importantly, teams that are notorious for this behavior tend to advance (and one team finished #[ranking] in the State this year). The gravamen of the concern is the rule against creating a material fact (CMF) and whether negative inferences are allowed. Some believe the CMF evidentiary objection combined with the annual (clumsily-worded) stipulation precluding the admissibility of evidence not provided for in the materials (but saying nothing about prohibiting negative inferences). Indeed, when having 14 minutes for a prosecution to convict someone of murder, it is easy for a defense team to ask experts and arresting officers of 'things they didn't do' in forming their opinion or making the arrest. The list is endless. Yet a team that does nothing but ask "negative inference" questions -- over CMF objections, yet has practiced the art of convincing a novice/volunteer judge to allow the question manages to bypass the rule and advance. It results in my team wanting to do the same thing. Wanting to instill ethics and pride in my team, I refuse (and, as a result, I'm left with disappointed students). Something must be done. I'm hoping CRF can resolve it but am looking into speaking with the National High School Mock Trial Championship. Can't we teach and encourage ethics while still being competitive? I think so but nothing will change unless teams that violate the rules get reprimanded. I'm available to discuss further: [Name and phone number]

It is my personal belief that certain coaches have lost perspective that mock trial is not the real world, and they are coaching their students that "the end justifies the means". I have personally experienced a number of mock trial competitions that have advocated unethical practices which would be condemned in college ethics courses. Yet, because the outcome would be favorable to the particular school's results, the students were coached to lie to the judges, argue for positions which their counterparts on the opposite side would not support, all in an expectation that the end ("winning") justifies the means ("deceiving a volunteer judge who is unfamiliar with the Mock Trial Rules"). Our own students asked for permission to argue the same way at the county level as the leading team argued, and we said absolutely "NO!" Our school, and I, will not countenance the twisting of facts and arguments at the county level simply because the leading team says "that is what it takes to win at the state level". If they are right, if they are saying that the state level pretends this is real life in which the defense is free to lie, and the prosecution must prove the defense is lying, then I will no longer be affiliated with Mock Trial and I will recommend that my school terminate the program. Please call me for particular information if you wish. [Name and phone number]

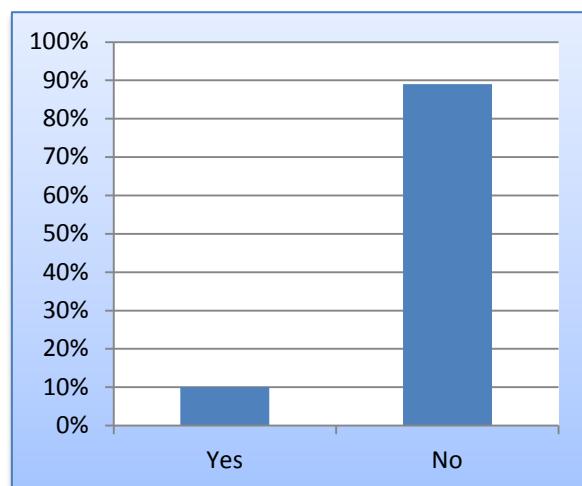
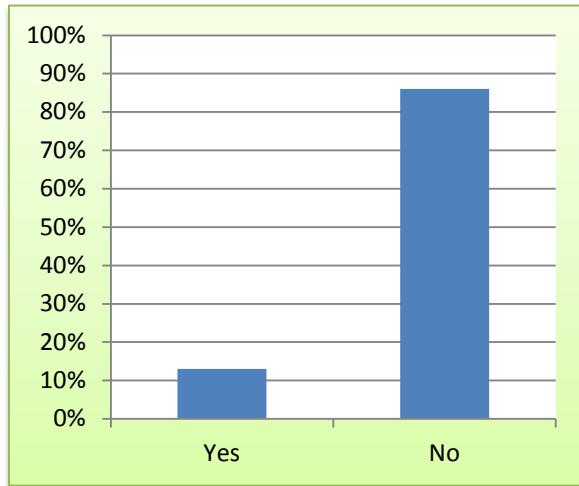
Except that, even in the limited exposure I have to other schools in the competition, some schools appear to flout the honor rules about the students doing their own work.

It's just right.

Mock trial is certainly becoming more competitive with more and more preseason tournaments popping up. I don't think this is taking away from the enjoyment of mock trial; in fact, it allows for more team bonding and provides students with more opportunities to hone their skills. However, I think in some counties, certain schools feel they cannot compete with other schools who have the time and resources for other tournaments and become discouraged. In [county name], for instance, [school name], a school that participates in an elite preseason tournament with teams from other counties and the homeschool mock trial tournament in the spring, has won four consecutive championships and 31 consecutive trials. I think the solution is to slightly expand the number of teams advancing to state finals to allow larger counties to send two teams, so that every team believes they have a chance to reach state finals. Alternatively, there could be a mini one-day tournament for neighboring county runners-up to compete against each other to advance to the state finals.

In [county name] it's taken very seriously, but we like the challenge of competition.

## 11 - I would like Mock Trial to be more competitive.



### I would like Mock Trial to be more competitive. Teacher comments:

I thought it was an excellent experience for my students

The competitive is just fine

I am happy where it is at the county level - we knew we will never be number one but the kids get good experience and we meet teams that are better than us (to raise our game) and teams that aren't as good (to raise our esteem). I was very happy with last year.

It's a great mix of competitiveness.

OK as it is for us.

There are some things that ring as unfair in our country's mock trial process. Some teams seem to have an unfair advantage.

Our County is already very competitive.

Mock trial builds skills. It is a great program. The focus should NOT be on a winning formula, ways to get more objections in ("use lack of foundation because judges allow that more, keep objecting lack of foundation"), blocking and memorizing a script. Students SHOULD write their own material, use outlines rather than memorize content. Our county has 4 "World Champions, two champions for the same year. Schools spend a lot of money to get to New York or San Francisco to be "crowned" in a competition that is NOT a world championship. Sadly, the local newspaper hails the headlines of World Championship. The focus is on performance. They calculate times for each witness and create their script. Teams where students write their own material learn a lot, but are compared to polished rehearsed teams

Competition is good. However, realistically I feel that students are challenged by participating against private schools that have more resources. How can we address that?

I don't actually think mock trial should be more or less competitive but the survey made me pick one. :)

In [county name] we have a very competitive county competition.

I didn't know how to answer this question, since it only gives me two opposite possibilities. I am fine with the way things are.

We NEED a moot court competition! The nearest one is in Berkeley. It is not convenient at all. Having an academic team on campus gets more support when they are active beyond 2 months of the year. Mock Trial is not sufficient to get all students on the team a chance to be lawyers. Having a Moot Court competition would give students that opportunity!

Competition is good, it genuinely prepares students for real life. As long as the need and integrity are there, it should be ok.

This is our first year offering it as a class, so I'm afraid I don't know enough to answer this fairly.

As it is, there are many schools that nitpick rules and interpret them in particular ways to suit them. Also, though it can be helpful in building skills and meeting other teams, hosted scrimmages and tournaments have begun instead to foster higher competition.

The only concern I have is that the judges were not consistent in their reviews of the teams - it appeared that there was no coordination of "benchmark standards" that all three followed. This caused a level of confusion with our students as to how to improve on the next round.

I enjoy the current level of competition

YES! But there needs to be some revision of the rules. Right now, there are no points awarded for "winning" at trial. Scores are determined entirely by performance. That's like determining the outcome of a baseball game by hits rather than runs. There should be some point differential or award given to the trial team that is victorious in trial. Not having this changes the dynamic of the competition away from lawyering to performance art. This is especially true in later rounds where teams who have good "actors" in roles like witnesses are rewarded for their rapport with attorneys. But, in many instances, those performances failed to sway the judge and, ultimately, lost the case. Still, they would emerge victorious in points because the scoring attorneys liked to see the acting. That's neither in the spirit of learning the complexities of Constitutional law (as the CRF touts) nor in lawyering skills.

Some schools will always be better due to a private school vs a public school. Private schools usually have a MT Class imbedded in their class schedule. Public schools offer MT as a club and require students to come at night and/or weekends.

Good as is.

More of a balanced competition. That means trying to eliminate some of the common errors. Such as a Judge helping a team that is obviously struggling yet the scorers do not know that and the judge prompts them with the actual answer. (It has happened three years in a row). Somehow have a better training manual so there are not so many inconsistencies among score keepers. Many times a Civil trial lawyer will score a closing argument differently.

It seems that the process sufficiently competitive at this point.

There are already horror stories of coaches trying to dredge up rule violations that are not in the spirit of learning. We encountered a team in the last competition that alleged a rules violation without even knowing what they were alleging, which wasted everyone's time. Although we could have countered that the rulebook specifies they must in fact have a rule violation to be able to point to, we chose to let it go. Increased competition will bring even more of these kinds of shenanigans.

Can we separate out the Mock Trial classes versus the Mock Trial clubs? I feel like the students who are in the Mock Trial classes are more competitive and have a better chance.

It is highly competitive as it is and I want all schools to participate.

## I would like Mock Trial to be more competitive. Attorney coach comments:

Mock Trial is a terrific program and does a lot of students a lot of good.

Too much emphasis on competition in a situation where scoring is subjective can lead to devastated students. At this point we incorporate the arbitrariness of scoring subjectivity into a life lesson about fairness and perception and self-presentation. Putting too much power of judgment over a person's performance into the competition has the possibility of harmful impact on the students.

Mock Trial is competitive because students, coaches, and teachers care about the program and work hard to become the very best they can be. I actually can't think of a way to make it more "competitive." California teams are among the best in the country. Many things can be done to improve the way the state competition is run (e.g. increasing the number, quality, and experience of scorers & judges). BUT, the competition level of the teams is awesome.

This is not an opportunity to show off your I.Q., but to learn something new to all of the team, and to find out how hard you are able to work to achieve excellence. This year we had several non-native English speakers whose vocabularies and social skills soared in the months of preparation. All did well in competition, but might not have been chosen had winning been the first consideration when choosing the team. This is education, not the NBA.

The program draws many over-achievers to it. They should not be encouraged.

Mock trial is one among many good experiences available to high schoolers and students should not be encouraged to make this activity their sole focus.

Students, especially the witnesses, should be given greater freedom to express themselves. Accents and costumes should be permitted. Witnesses, especially experts, should be permitted to develop and use demonstrative devices subject to rules set forth by the providers.

The pre-trial students should be permitted, and even encouraged, to cite from the entire cases provided in the packet. And not be limited only to the short summary provided.

I do not think the program needs to get more competitive, but I do think that the case studies need to be more balanced. After three years as a legal advisor in two counties, I have found without qualification that the cases facts are heavily weighted in favor of the defense, to the point where one judge this year acknowledged the prosecution "was not supposed to win."

The program does not need more competition, it needs more competitive materials.

It seems that in recent years, the participants barely go through the motions, not actively engaging in the process, or trying to understand. This is a shift from when I first got involved ten years ago. Then the team would practice on their own time, and come to meetings prepared. Now they only work during meetings. Before they were willing to meet 3 times a week, including Saturday sessions. Now, if we get one meeting a week we are lucky, and many of the team members don't come to meetings at all.

The same high schools in our county always win - one is a magnet IB program so all the participants are top students and the other strong public school which has all the top teachers and thus attracts the top AP students. It would be nice if the other schools had more of a chance. Thus, mandatory scrimmages would help because as it stands, only certain schools, including the top 2 mentioned above are actually scrimmaging.

Mock Trial does not need to be made more competitive.

Mock Trial is a brilliant program for MOST students (that aren't going to win) for the skills and knowledge they gain in the learning legal process before and during competition. A lot of learning happens during the event itself.

Most of us believe that the same teams are likely to win over and over, so for the rest of the schools, and especially those with weak coaching and a less intense program at their schools, the possibility of winning even one round is really valuable. If it gets too (or any more) competitive, then this program will no longer be a useful learning tool for the majority of the students that participate as the admin won't support it as well, and the students will be discouraged and may not return in later years, or encourage other students to join and participate.

Our team has done well in recent years, but we were there once--not sure how much to put into the program, knowing we weren't likely to win (same teams seem to win over and over--favoritism?) Even now, watching some of the schools we compete with tells me they would not participate if they have an even greater chance to win.

For over 20+ years, I have observed and coached mock trial at a HS located in poor district [school name #1] and in a wealthy one [school name #2]. [School name #1] no longer competes. The trend is that mock trial competent has become a completion for private HS and public HS located in middle to higher income levels. This is unfortunate.

The kids themselves in their enthusiasm make it as competitive as it can be. They will throw themselves into it heart and soul, without knowing what they will get out of it, and the lucky ones come away with a new way of life and looking at life

It is already too competitive.

I'm not sure how the program could be more competitive given student time constraints and the case materials.

There's plenty of competition as is.

I think that currently there is an attempt to balance learning with competitive spirit that allows the students to see what it is like in a real courtroom. After all, trials are not about winning, but justice. I think many lawyers forget this, and many scoring attorneys/judges also forget the purpose of mock trial when they are scoring. It has nothing to do with favoritism or how much you like the particular school, but performance. Each student should be judged equally based upon their performance.

CRF's rule about Creation of a Material Fact is so poorly written as to be worthless for the honest participant.

The rule is intended to make sense out of a 14 Minute, made-up trial. However, the Rule is routinely abused by the leading contenders as the major way for them to confuse volunteer judges and present arguments which the team's coaches know are wrong, but which may sway the judges, nonetheless. That is known as UNETHICAL in most educators' worlds. How is it that CRF allows it to be authorized in the Mock Trial world. We spend a good amount of time explaining to our students that lying to a judge, and arguing a known untruth, is not acceptable. I would like CRF to emphasize to all involved that this is not the real world. Defense attorneys do not get to lie to judges, and prosecution attorneys must present the case in the most fair way.

I was frankly disgusted by what I experienced in [county name] this season. The students would have been brought up on ethics charges if they had been members of the Cal Bar. Their coaches should be chastised for leading the students astray.

The political correctness disease permeates the scorers' attitudes. If 'everybody did great' then there are no losers. Either there is a competition with winners and losers or it's a feel-good, no-hurt-feelings exercise with little benefit. If the students weren't capable of taking deserved pride or regret, they wouldn't participate.

Seeding would be a good idea. Schools that have performed consistently well in previous years should not have to meet each other in the first round.

## 12 - One thing I would like CRF to know. Teacher comments:

some scoring personnel were gave critiques of one team but not the other

Thank you so much for everything that you do for our students! As a teacher and a coach in a title I school, my students have to face issues in their own lives that often exceed what an average student has to contend with. With that said, I think this program has really helped many of them to unlock their hidden potential. Mock trial has been a wonderful experience for all of my students, working with professional men and women has provided them with role models that help to shape their own academic ambitions and the critical thinking skills that they have developed have made them into well rounded individuals who are ready to face the world and succeed in college!

My students and now fellow teachers and staff members are so impressed with this program and what it allows the students to do.

I appreciate this competition and everything it does for the kids. Thank you for making Mock Trial a reality for students.

It is hard to explain to my team why we lost to another team using the scoring methodology currently in use. I cannot give valuable feedback and therefore have no way of teaching the team how to improve. This scoring system limits the learning and student growth possible, and makes the competition seem more like a beauty contest or a figure skating competition in the eyes of the students.

With so many closely matched teams, a 1-10 scoring criteria is key

You guys are doing great!

-The characters presented in the cases are extremely rich, and I would like to see more liberty given for witnesses especially to build a character, including professional but in character dress, and, if applicable, an accent.

-Also, the penalty for schools dropping out of the competition at the county level should be much greater (pay a substantial fine and/or be disallowed from participating in the competition the next year), and, if there is an odd number of teams in a county competition, accommodations should be made to ensure all schools have the same number of trials rather than a bye on a given night. It is a huge disappointment to the students to work so hard only to be told they may only present one time if a school divides its teams into prosecution and defense and students are only on one of those teams.

Several times over the past 4 years, the subjective nature of the scoring has been an issue with me. A few points (1-20) can mean the difference between a win, loss, or playoff. Perhaps, draws should be awarded to point differentials of 20. This might alleviate the potential for error and the intangible point scoring system.

Another issue I have is with students reading opening, closing, or pre-trial arguments. This shows a lack of preparation, yet I often see equivalent scores to students who take the time and risk to prepare their speaking roles

without reading. I would not be opposed to an automatic 50% reduction in points to those students who, in the time of 4+ months they have had to prepare for this case, bring a document that could easily have been typed by an adult to be read in court.

This is a fantastic opportunity for students of all learning styles and socio-economic backgrounds; keep up the good work!

I would like a list of all schools by county participating and the adviser contact info if possible.

At the state competition the top teams usually are the teams that do a lot of acting, example crying in the stand. In our local competition that is something that it is discouraged, I would like to see everyone on the same page.

This year with the release of 2 different case packages created a lot of confusion at state, some using the old and others using the new.

I think that Mock Trial is an excellent program.

The Mock Trial Competition in the [region] has always been biased because many of the scoring attorneys tend to favor some of the schools over others. Many attorneys have either graduated from those schools or currently have children attending. The District Attorney is a coach for one of the schools and her employees are sometimes the ones scoring her team. There needs to be more transparency with the scores. The schools competing should be allowed to view each other's scores.

It is a great program..... I have done it in continuation HS, regular HS and now Junior high.....

I get that we are at the bottom of the rankings, but we would like more information that would help us improve. Would it be possible to get our team score sheets back at the end of the trial? That way students would see more individual scorings. Also, it would be nice to know what the winning team's overall percentage was. I can't even tell them how many points they needed to improve by overall in order to win a trial.

Cases could be "juicier". My students are intrigued by personal, romantic relationships, gossip and scandal. Even when it's not relevant, it doesn't hurt the case. I can see where the gender-neutral requirement has complicated that, but maybe it's not impossible.

I think the scoring should DEFINITELY be more transparent. The way that our final 8 teams are chosen in completely unfair and the "power matching" used for each round is a flawed system. I don't understand how 2 teams end up as 3 and 1 in wins and loses, and 1 of those teams beat the other in a head to head competition, but the other team moved on to semi-finals and the winning team did not! Very arbitrary in that decision making process.

The language of the cases is difficult for second language students.

How clerks and bailiffs are evaluated is very ambiguous.

It is important that schools have time to develop skills. When competition ends in December, student are robbed of the opportunity to scrimmage teams, learn and grow. A short window emphasizes competition. It is also crazy to have single elimination if you want students to really develop.

Some counties are huge and others are small. It would be nice to even out the distribution to give schools from large counties more opportunity to compete at the state level.

How can we get more word out about this program in small school districts? Is there any funding available? My school district will not pay the county security fees to use the courthouse during competition so my school has to come up with the money. So is it possible that we could get some local law offices to sponsor our program? Also, we haven't had a consistent attorney coach. How can we get more support for our Mock Trial Programs and guidance from attorney coaches.

I'm new to advising and love the program!

I think this survey is great. And I loved the video at the State competition. But I think it's disingenuous to act like CRF got these ideas out of thin air. The Golden State organization did a video, and then you did a nearly identical video. The Golden State organization did a survey, and then you did a very similar survey. Acting like these are coincidences is embarrassing. I hope you incorporate the Golden State organization into CRF. CRF is great and it can be even better with these good new ideas.

I enjoyed our experience at the State competition this year, but what can be done to ensure enough scorers and judges for each round. In at least two trials my student-attorneys has a far better grasp of the rules of the competition than those who were asked to judge the round. Also, judges should not have to score - it distracts them.

It is a great handicap when a teacher new to mock trial is unable to find an attorney coach. I would like to see more assistance at the local level to ensure this doesn't happen again.

This is an amazing program! Thanks for all you do to support it!

Would like to see an expansion of the playoffs. Let more teams into the playoffs so as to maximize the excitement among the teams. If a team loses a couple rounds, they are out of it. If they have a chance at a playoff slot they stay motivated and interested.

Some schools do not follow basic rules and do not come prepared. They should be penalized. Ex: They do not make copies of the roles of their team members for the opposing team, they have visuals that are too big, their advisers do

not come, etc.

Competitions have become very lopsided as private schools have resources and flexible schedules that allow them an unfair advantage over public schools.

I would like to see less emphasis upon team scoring for professional posturing and repeating of scripted lines and more scoring for critical thinking skills and demonstrating of basic Constitutional rights and procedures.

I still think that the judges and some lawyers and scorers, are not totally aware of the Mock Trial procedures. One message that gets lost in the mix is do we encourage the students to win the Mock Trial competition or to fight for their interpretation of justice (whether prosecution or defense). Yes there is a difference. I think all the lawyers and justices need to be on the same page and score that way. But until we have consensus there is still inconsistency in scoring.

The drawings for the rounds need to be videotaped or allow coaches/advisors to witness the draw for each round if desired.

[County name] participants are at an extreme disadvantage; schools in many other counties compete in the winter. That gives them more time to prepare and are sharper for state competition.

Scoring needs to be consistent; the scorers have their own biases and there appears to be a lack of consistency. We would like the cases to be more balanced - not skewed toward either Prosecution or Defense.

I love this program and participated as a student myself but it's getting very expensive to fund. We could have two teams but \$1,000 x2 just isn't feasible. Also, please stop calling teacher coaches "sponsors." I have often done the lion's share of coaching. It makes it seem like we only handle things like coordinating buses and sending email.

I have seen some incredible growth in my students with stories that would make you cry. I had one student a few years ago face the most severe case of emotional abuse you can imagine. I talked her into being a witness, then the second and third year she became an attorney. Being in the courtroom gave her a space to feel what it feels like to feel confident, if that makes any sense, and she came into her own. Now she's in college!

Excellent program all in all - Appreciated all who worked and volunteered for the kids!!

As a new teacher I did not receive enough support or specific and timely feedback about how the competition worked.

Where to begin? I would love to see an accounting of how the \$1100 entry fee is spent, as this seems like an exorbitant amount of money for schools to have to spend. Second, I would like the scoring rules to reflect that attorneys should be scored on their legal acumen and knowledge of the case primarily as opposed to grandstanding and performance. Third, I would like witness scores to reflect penalties for overacting or performing or deliberately being misleading or wasting time, as what seems to be rewarded has no correlation to witness behavior in a real trial, as isn't that the point of this exercise? Finally, I would like the number of cases for pre-trial attorneys to be a more manageable number, such as 6 or 7 at most.

Can we please get the errata earlier?

Please be careful with the selection of judges for the cases. It would be nice to make sure that a judge has no affiliation with a school.

The logistics for Los Angeles country are always difficult. Too many students and lawyers are trying to get to the courthouse at the same time, and competitions do not start on time as a result. In our first competition, we did not finish until almost 8 at night because we did not start until well after 5. There seem to be too few "jurors"

I want them to keep up all the great work you do!

Get rid of scoring for bailiff and clerk. The scorers score this in a ridiculously arbitrary and potentially costly fashion by not giving perfect scores and the kids have done exactly what they are supposed to do.

Same with team score. No reason for it

It would be beneficial to see more print models of scripts and arguments. My students would benefit from seeing the text.

We believe our judge was a substitute who was familiar with the process of mock trial, but not of the rules of law. There were some aspects of our trial that we believe we got unfairly penalized for, and while we understand that there can never be perfect uniformity, the students made it far only to be eliminated by sometimes that wasn't the fault of their performance. Perhaps an appeals process could take place for the upper rounds, or "judges" can only be actual judges, and if there needs to be a substitute, their scores are not factored into whether a team is eliminated.

Each year the scores of the Bailiff or score keeper make no rhyme or reason. Some are so bad and yet they get scored with a decent number? (I ask for the other teams scores as a learning measure for me). This year, the other team had a time keeper that made so many errors, I was embarrassed for them and yet they received a "decent score". One lawyer kept making the wrong objection, yet because the judge corrected them, it was not that noticeable. Then to lose by 2-3 points is heartbreaking. Hard to feel the competition is fair with so many inconsistencies.

I am tired of my students losing with what appears to be no ability to win.

Please don't

Not all schools have the opportunity to use class time for practice. Our school has this as a club project demanding out of school time.

If I were to make one suggestion, it would be to eliminate the scoring of court clerk and bailiff and in its place simply

tell scoring judges that if the bailiff and court clerk are to in any way make mistakes, then to deduct points from the team score.

There doesn't appear to be much consistency across scorers' opinions. Is there a way to make sure the most charismatic/loudest kids don't always just win because the judges get bored, lose focus and cue into the energy of the performances? I feel like there is definitely a place for showmanship but it almost feels like the 1-5 is sometimes ONLY a reflection of performance, and not technical arguments/skill.

I appreciate all the hard work you put in to making the Mock Trial Competition a success!

I appreciate the amount of time and energy your staff puts in to make this experience possible and overwhelmingly positive for our students.

You do a terrific job! :-)

I wish there were more collaboration between counties. I don't like that LA county competition is in November, while others don't compete until January. It makes things unfair once state competition occurs in March

I would really like to see LA County eventually provide to both schools competing the scores for both teams and by individual judges' ballots.

It would be beneficial to both the students and coaches if there if the scorers gave a short explanation of why the student earned his/her score. Without knowing the reason for the point loss, the coaches are unable to help the student improve in that area. It might also show a pattern for the coaches, so that they can improve on teaching strategies for the next school year.

I also want you to know that I truly appreciate all of the hard work and dedication that the CRF go through for us. MT is an invaluable experience, and I know that the students who participate come away with better critical thinking skills, are better writers, and have a better understanding of how our justice system works.

Have to do something about the lines and getting the students into the building more quickly. It was raining, the parking lot people were horrible and it was a little stressful with all the people hanging around the court building trying to make sure students were safe and where they needed to be. Also emphasize that food should NOT be allowed into the court house so people know to eat before they come.

I wish there was more time between receiving the case and competitive.

The Los Angeles Mock Trial website needs to be updated! It is clunky, old, and not user friendly at all! Especially in the scoring section (there was a typo on it for YEARS before it was fixed this year). At a minimum, total possible points for each score need to be posted.

Also, every year there is a problem on the packet release date which has led our team to never plan to have it on the actual release date.

Some schools are cutting their budgets and excluding funding for mock trial. I would also like us to scrimmage with schools outside our district to get an earlier start in preparing for trial. You need to know that it takes time to first recruit then audition people for their roles so an earlier release of the case would help in that regard.

This year's state opening ceremony was the best I've ever seen. Good job! One other thing - our students have been uncomfortable with the inappropriate dancing at the dance on Saturday night so they choose to not go anymore. I am not sure how closely it is chaperoned, but I would want to know if students were uncomfortable at a dance I was running.

I think cell phones should be allowed for time keeping (ringers off) and a cell phone camera can be helpful to make sure the courtroom is arranged exactly as it was prior to the competition.

## 12 - One thing I would like CRF to know. Attorney coach comments:

Work on the scoring system so that the time between rounds is quicker. Be sure to have a one page guideline for judges. On the guideline give them time guidelines as to how much time to spend on each segment of the trial.

I have been disappointed that CRF is non-responsive to email inquiries. When I say non-responsive I mean 100% non-responsive to questions about the case problem, the rules, and queries about scoring at the state competition. This year's problem contained a confusion about whether manslaughter was part of the problem as appeared to be eliminated via errata but still included in the jury instructions. This was never cleared up. Alternate theories of culpability generally cannot be handed very well within the strict time constraints of the competition.

Keep up the good work!

Having a middle school program is really a great opportunity for the students to learn the elements of mock trial prior to high school. More counties should be encouraged to participate.

I support CRF and am grateful for everything the organization has offered me as a mock trial competitor and the students I have coached for the last 18 seasons. However, if I am being honest, I must share the following: There is a definite impression among teams statewide that CRF organizers lack expertise in organizing and running a good mock trial tournament. I know CRF folks have "experience" doing this (meaning, they have done it for many years). They just don't seem to get better at it. The same lack of planning and silly mistakes get made year after year

(unforced errors).

Areas I recommend be addressed:

Actively recruit qualified & experienced judges and scorers. This should be done year round. (Can an arrangement be made with the State Bar to provide MCLE credit for state final scorers? This might attract quality scorers to the state final - then you select those with county & state scoring experience Just an idea.).

Make sure the Case Packet is thoroughly reviewed and edited. Too many silly errors in this year's packet (esp. in the pre-trial materials).

Recruit experienced mock trial folks to help run the state finals. Trust those who know. (The addition of a former [school name] coach was much appreciated by many of us coaches. She added quite a bit of value to this year's tournament!) Of course, these should be people with no active ties to a competing team. Their loyalty must be to the integrity of the program, not to an individual team or county.

Create & sell better mock trial gear (shirts, sweat shirts, hats, etc.). Market CRF's state tournament. The Empire Mock Trial organization is a good model to follow. Students buy Empire shirts and sweats and wear them proudly (they like to be identified with having competed at an Empire event). Frankly, kids should be even MORE PROUD to have earned the right to compete at the California State Finals. Create cool gear for them to buy ONLY at finals. They will advertise for the state finals every time they wear your stuff.

Revisions (errata) of any significance that arrive after January 1 are very disruptive and even disheartening to the students. I for one would be happy to have the booklets come out a little later, if that would help bring about more critical thinking (by the authors) before publication, and prevent some of the big changes that have come very late in the day in recent years.

Try very hard to avoid needing errata which change issues or significant facts or law.

I would like the judges to be better informed about the applicable evidence rules and the scorers to be better informed about what trial skills to look for, I felt many non-trial lawyer scorers were operating with misconceptions the nature of trials (e.g. the hostility built into cross examination is not necessarily a negative) I would suggest having actual trial judges, if possibly as judges, and allow the Judges to consult with the scorers briefly without coercing them, and give the scorers more time to contemplate their scores.

Our county, [county name], is exceptionally competitive and fields more than 30 teams. I would like to see the County divided to allow more teams a chance to advance to a finals bracket.

This is a wonderful program that has given thousands of students a unique opportunity to learn about our courts. I believe with the modifications I have written above, it could be made even better

Three successive nights of competition is extremely difficult on the students. They often don't get home until midnight and some have homework to do as well. If the competition was held over a weekend it would be far less stressful on the participants. I realize this may slightly burden the courts, in balance, the few administrators who would be inconvenienced would be far outweighed by the huge benefit to the students.

There were too many judges who treated the competition like a real trial. Some rulings by the volunteer judges were supported by legal analysis of case law that went on ad nauseum. This really detracted from the experience for everyone. Perhaps explaining to the judges ahead of time that there is no court reporter, and only a very brief summary of the case law available for the pre-trial attorneys, would be useful.

The rules of evidence are far, far too simplified.

The anonymity of the grading is a farce.

The scoring, at least in our county, is very inconsistent. Also, it would be nice to have more transparency and see the score after each round

If you want more students from disadvantaged backgrounds to participate, the case materials should be interesting and relatable to them. Larceny of a modern art painting from a mansion was not relatable to my students. The 2015-16 case in the 2013-14 case (Adderall overdose) were both appealing and appropriate cases.

Sorry, I'm going to add a second thing: The "optional" lesson plans relating to the subject matter of the case at the beginning of the packet should be included instead in a separate packet. At a financially-strapped school, we need to conserve on duplicating, and it's a pain to take out those pages every time since we don't have time to cover those materials.

It is a great program

Perhaps more incentive to teachers for taking on the mock trial assignment would help. Maybe stipends for a teacher and an assistant would be useful to share the load.

Errata coming out after the competition starts is not very helpful; need to do a better job of editing before releasing the materials. Did a poor job this year clarifying the lesser included offense issue. Also, the last few years, the prosecution witness statements have been significantly longer than the defense witness statements; all witness

statements should be shorter. Would like to see some years where no experts are used in order to have more percipient witnesses; experts can be boring.

Not sure however to resolve the different ways that Mock Trial is handled by various schools (club, class, sport), but CRF should be aware of these differences.

#### SCORING.

Judges that Judge just HAVE to score. We had some Judges sometimes that Judged, but didn't score. It was frustrating not to get the feedback. That's the whole point of the presentations, not just to win, but get the feedback and learn. To have just the attorney scorers is not enough; if a Judge spends her/his precious time to be there, they have to find a way to also score. AND we really want comments and feedback on the score sheets from everybody and lots of them. This year comments (and outstanding student nominations by the scorers) were scarce and not helpful to the students trying to learn. We try to read the minds of the scorers, and tell the students, but if the scorers would share more comments, it would be immensely helpful, as would disseminating the scores more promptly. (One thing-- I know, but it's all on "scoring." :-)

You are making a difference in student's lives, especially those who come from a lower socioeconomic household.

I believe that there should be an open tabulation process during the state competition, so that the possibility of errors in tabulating the results of rounds is minimized. Or, at least, there should be 2 or 3 representatives appointed by the teams to observe the tabulations following each round.

#### Thank you for sending out this survey!

There needs to be a better means of selecting attorney scorers. Unfortunately, our County reaches out to attorneys who are willing to volunteer their time. However, many are not skilled in evaluating high school students. There need to be a set of clear guidelines for attorney scorers to follow that can better help them score. Also, there may need to be guidelines on how many attorney scorers must score a round so that each trial has the same number of scorers.

Scoring attorneys and judges are often completely unaware of the rules of mock trial. They will reward students for things that are against the rules, such as turning towards the scoring attorneys while answering questions or asking questions and for purposely not answering questions and running time. The scoring attorneys need to be told to mark down for this type of behavior, not to reward it.

Scoring consistency is essential to the integrity of the process. Whatever steps you can take to help ensure that the scoring attorneys are well-trained and prepared from day 1 of the competition should be pursued.

I think the scorers should be better trained so that they are all applying (as much as possible) the same standard for each score. Since there are so many scorers with limited availability, I suggest a film that provides examples and a brief training session.

The rating and judging of the rounds is so uneven that it creates real problems of legitimacy from both the students and the coaches. The training of the raters needs serious overhaul. There is no consistency across raters even in the same rounds. Some have pet theories about how points should be awarded, thereby creating very inconsistent rankings of individuals and teams. Looking at some of the scores we have seen, it would be a fair bet to assume that the raters were looking at two different trials! As for the judges, many of them had not even read the case materials and were therefore all over the place in their rulings on objections. A number of the students were demoralized by the experience of being before a judge who did not even know what the case was about. Hardly the message we want to send about preparation.

One of the judges in a round was personally familiar with the opposing team. We did inform CRF during the competition. There should be a way to eliminate a judge from a particular round when that sort of thing occurs. Happens in real trials all the time.

Waiting for the scores is excruciating. I would absolutely be willing to assist with anything to help make the scoring process go more quickly (knowing fully that you have your hands full and are working very hard).

Our county [county name] has a relatively compressed calendar for the county-level competition that makes it difficult for some teams to adequately prepare for the competition. We generally begin competition in early November, complete our first four rounds by mid-November, and finish the competition by early December. At a school like [school name], which has a lot of turnover (though we are slowly building a more loyal core of returning students), it is very difficult to get much substantive work done before the schools have their "club rush" in late September/early October (where new students are informed of the clubs/teams existing on campus and have an opportunity to join them). As a result, our students have consistently felt like they did not have the time necessary to learn about the competition, learn and practice the new and unfamiliar skills, and prepare for the specific case before the competition commences. I have heard that other counties often have their competitions much later in the year, which (1) provides a better learning opportunity for the students in those counties (and fosters more creativity as the students live with the case for a much longer period of time and start thinking outside the box), and (2) creates an imbalance in the skill level of the teams that make it out of each county (with those from [county name] having had less time to prepare for their initial competition and more time to get rusty before the state competition). It seems that having a more standardized calendar (while allowing for minor county-by-county variations that may be necessary) would serve both

the students and the competition as a whole well.

Lourdes and her staff were really helpful.

As a defense attorney with many years of trial experience, I remain appalled at how much the judges in mock trial are swayed by packaging as opposed to content.

In mock trial, as in standardized tests and in life, it is inevitable that students from certain schools will have superior resources and opportunities. In mock trial, as in real trials, judges can be inordinately influenced by style rather than substance. Mock trial judges will and should evaluate the students' persuasiveness, and one's appearance and style are part of one's persuasiveness, of course.

Everyone-cops, prosecutors, jurors, judges-will instinctively look more favorably on people who they see as more like themselves. The CRF looks to be committed to genuinely opening the competition and leveling the playing field. The mock trial judges should be encouraged to make a conscious effort to be aware of the tendency to mistake a smooth delivery, mainstream accent, or classier attire for a stronger argument or more effective demonstration of courtroom skills.

Mock trial can be overly robotic, which is not like being in real court. I would like the kids to be judged more on the creativity of their complete case argument, which would put more emphasis on how the team's trial strategy fits together to win the trial and less emphasis on the formal performance of the individuals. Perhaps there should be some scoring for the overall team cohesion.

I'm repeating my recommendation to use the [school name] lockdown (that happened during the competition period in 2015) and violation of rights as the model for a case. The defendant should be a government official. Government officials, even school officials, commit crimes of corruption every election year all over the state (Ed Code 7054).

D.A.'s never prosecute government officials until an outside force like an FBI investigation such as is going on in Fresno re Fresno Unified or the Los Angeles sheriff occurs or an investigative reporter uncovers something like City of Bell or City of Industry or Vernon or Commerce. Effective prosecutions of public safety officials are almost non-existent. Both underscore a rot in the belly of what's euphemistically still called a justice system. In 18 years, 90% of the cases are about young people committing crimes.

The scheduling wreaks havoc with the students' lives, when no one knows until the day before whether it's the defense or the prosecution that's competing.

It would be helpful for CRF to provide more guidance for judges at the county competition level. I spoke with one of the judges after the competition who was participating for the first time and he said he was surprised at how little instruction he received.

LA County should be split in half.

I served as a scoring attorney for 12 years before becoming a coach--my only complaint is that the comments attorneys make to the students are often not constructive. Most attorneys don't work with teenagers and they don't know how to say things in a way that will reach the kids. They need guidance on this and should not be asked back if they are overly critical or technical in their comments.

1) Revised copy of case with errata: This makes trials run more smoothly. Otherwise, (1) teams need to point out both the witness statement and errata and the judge needs to spend time combining the two, and (2) impeachments become more time-consuming and can unfairly interfere with time if the judge/witness needs a copy of the errata and time to figure out how to combine the witness statement with the errata. However, it should be made clear to teams that they must use the revised copy during the state finals. In one round I judged, one team was using the old packet and one team was using the revised packet, and this created delays.

2) Scoring system: a) Of the two proposed methods, I like the single elimination method, particularly if strength of schedule is not incorporated into the scoring. A 3-0 team should advance over a 2-1 team with a higher percentage of points. While the 2-1 team may have had a particularly competitive schedule and the 3-0 team a particularly weak schedule, the 2-1 team may have the higher percentage of points because it competed against one of the weaker counties. Winning all three rounds should be given more value over winning big over a weak county. Thus, percentage of points, by itself, should not outweigh wins. No one can dispute the fairness of a 3-0 team advancing over a 2-1 team.

b) It would be great if three scorers (two scorers plus presiding judge) scored each round. Scoring is inherently subjective and having three scorers vs. two can minimize the effect of an outlier scorer and also make schools feel more confident in the results. Obtaining enough volunteers can be difficult but I think it is possible, and in rounds where there are three volunteers, the presiding judge should score.

c) I like the AMTA (college) scoring system, but it only works if there are an equal number of scorers in each round. Each scorecard constitutes a win, loss, or tie. This way, if a team convinces all eight scorers (four rounds, two scorers each), they will advance to the championship round over a team that won on seven of eight scorecards but had a higher overall percentage of points. The higher overall percentage of points may have been due to an easier schedule or other random variables, such as having scorers who like creating more separation between teams on their scorecards. After round one, percentage of points can be used for rankings. But, after rounds 2-4, the win total

of each team's opponents is used. Then any tiebreakers are broken by the opponents' opponents win total. A modified AMTA system could be used where strength of schedule is combined with percentage of points. For example, the formula could be strength of schedule plus ½ of opponents' win total. Strength of schedule helps to offset any schedule advantages one team had over another.

3) Miscellaneous:

a) The judge's handbook and orientation are great. I think a one-page cheat sheet, which summarizes the basic rules and provides some sample pretrial questions, would also be helpful. Three common problems I have seen or heard about, both at the county competitions and state finals, are 1) presiding judges not asking any questions during pretrial, either because they are not aware they can ask questions or because they cannot think of any questions, 2) presiding judges asking witnesses questions, and 3) scorers penalizing students for not making certain objections that are not allowed by the rules. I think these problems could be addressed in the one-page cheat sheet.

b) Objection clarifications:

1) The rules provide that a witness cannot be questioned about another witness's statement unless expressly provided in the rules (stipulated facts usually create an exception for experts). Some teams, however, ask the detective about information from other witness's statements and then cite to the rule that the witness statements are to be considered as statements provided to the police and that therefore the detective would be aware of such statements.

2) Some clarification may be helpful on when it is appropriate to assert a creation of material fact objection to a question being asked. Some judges rule that a question can never create a material fact, because a witness can simply say yes, no, or I don't know, but the rules provide that the objection can be made to a question. To me, this rule is more geared towards a direct examination question where information is sought that the witness would not have knowledge of based on the witness statement. Other judges, however, routinely sustain such objections on both direct and cross-examination if an attorney cannot point to the fact in the witness statement, but at times, this seems to restrain cross-examination, especially when a team objects to a question asking the witness to confirm that he or she did not do something, when it is obvious that the witness did not do that thing, based on what the witness statement says the witness actually did. One of the attorney coach questions on the state website was whether Sam Spencer could be asked if Sam used a flashlight since it was mentioned in Alex Rosales's witness statement. The answer provides that the question can be asked to Sam Spencer and that the response could be "I can't remember" because it is not on Spencer's statement. One team objected that this question creates a material fact because Sam's ability to see is a material fact, and Sam's statement does not state whether he had a flashlight, so the question is asking Sam to create material fact. It may be helpful if it is explained why this question did not create a material fact (i.e., is it because a question can never create a material fact, or because the flashlight is referenced in another witness's statement, or because the question reasonably relates to statements included in Sam's statement). One team asked Jamie Hayes: isn't it true that you did not scream for help? Then a team objected that the question created a material fact. The judge sustained the objection, but this seemed to unfairly restrict cross-examination.

3) When a witness provides a long-winded answer, some teams object that the witness is launching into a narrative. And some judges sustain the objection. Other judges rule that the team can only object to a question as calling for a narrative, and can only object to a witness's response as being non-responsive, which is what the rules seem to contemplate. Some clarification could be helpful.

4) Asked and answered: The rules provide an example showing an asked and answered objection being overruled, implying that such an objection on cross-examination is appropriate if the same question was asked twice. There are some judges who continually overrule asked and answered questions on cross-examination, saying that attorneys should have freedom on cross-examination to ask the same question in different ways, and that the only objection in this situation would be that the attorney is badgering the witness.

5) Hearsay: The rules provide no motions are allowed, unless expressly provided. Some teams routinely ask for a limiting instruction when a hearsay objection is overruled based on exception, such as subsequent conduct. While this is not technically a motion, at least one judge has ruled that such a request is an inappropriate motion.

6) Character evidence: In past years, the rules providing that character evidence needed to be in the form of an opinion or reputation, and that was taken out this past year. It was unclear if and when a witness could testify about a specific instance of conduct.

The cases could be more sophisticated. Sometimes the students see them as too simplistic and predictable and therefore not challenging enough. E.g. the last case could have gone into 1st degree murder with an "ambush" component explored. The case before that could have included a burglary charge. More nuances, possibilities and twists would be appreciated.

**13 - One thing I would like Mock Trial attorney coaches to know. Teacher comments:**

let students create the dialogue to "own" it themselves

I would like to thank all of the attorney coaches for taking the time out of their busy lives to help mentor our students. In my own experience, the students really look up to the attorney coaches as mentors and guides. You are making a

huge difference in the lives of our students.

We appreciate you and your commitment so very, very much! As a first year MT coach, I had no idea what I was doing, and my coaches were patient and understanding with myself and my students.

It is okay to be the attorney coach for more than one team.

You rock!

We really appreciate their efforts and are so grateful to them!

"The guide on the side is much more powerful than the sage on the stage."

I appreciate the time and support the attorney coaches give.

put students in activities, don't try and talk too much

The attorney coaches in our district seem to have trouble understanding: 1) how a time limits what can be covered in a trial, and why the time limit necessitates the CMF objection 2) "standard English" is not standard in our community. Students should be rewarded more for presenting complicated concepts in simple language than for embellishing simple ideas with ornate verbiage.

Sorry. That's two things.

I don't think that it is ok for a current, active coach to serve as a scoring judge during competitions, nor do I think that active coaches should have a say in training the scoring judges for the competitions. Both of those are done in my county's competition.

All roles are important, not just the attorneys.

I communicate directly with my attorney coaches. The real issue is what the scoring attorneys should know.

How can we get more word out about this program in small school districts? Is there any funding available? My school district will not pay the county security fees to use the courthouse during competition so my school has to come up with the money. So is it possible that we could get some local law offices to sponsor our program? Also, we haven't had a consistent attorney coach. How can we get more support for our Mock Trial Programs and guidance from attorney coaches.

Thanks for all you bring--you're invaluable!

The students will learn if they are involved with the creation of the statements and examination questions. Let them do the work and then you can help them edit and revise what they created.

We are grateful for your dedication and time, but is there anything that can be done to make the scoring a little less open to bias and more based on objective criteria.

How much I appreciate what they do to train the teams!

We couldn't do it without them!

The process depends upon them making a personal connection with the students and the ability to teach legal concepts in a practical manner for understanding and application.

Be patient with high school students and remember that their hearts are in the right place.

Students have many commitments and Mock Trial is just one. We need to recognize this and be mindful of the fact that they are scheduled out and we cannot expect them to drop everything when our schedules change.

We need you, attorney coaches! The very toughest part is finding attorney coaches who are available consistently. Also, please don't write students' open, closing, directs, or crosses for them-it's incredibly unfair and unethical.

These are kids!!! Think about what is more important, teaching your students how to win a case through hours of hard work, or win by fighting dirty.

Much appreciated!

I'd like our work to be more growth oriented, and to at all times to stress to students professionalism, courtesy.

That they should take advantage of as many scrimmages and non-league tournaments as possible.

Take the time to prepare and have your students ready at the time of trial. Score sheets, introductions and other small items prior to the start of trial.

I would like them to know how much I appreciate their time in making Mock Trial happen. It is an amazing program!

Our students do not thrive with lectures. They need to be taught in a developmentally appropriate way with interactive lessons and opportunities to incorporate their learning right away.

It is the student's job to do the work and research and write ups.

[School name] Team would really benefit from having one!!!! I hope Mock Trial can help us out next year.

The CRF mock trial competition is a competition designed to attract students of all abilities and backgrounds. It's not club mock trial. So if you're one of those attorney coaches who wants club mock trial, fine, go for it, elsewhere, but stopping asking CRF to do what it's not going to do and in my opinion shouldn't do and that is to create a mock trial competition that attracts only the best of the best.

It's no different than high school sports and club sports. One is designed for a certain group of kids and coaches, the

other is designed for a completely different group of kids and coaches.

And that's good. A choice.

But just as the kids and coaches who desire to participate in club sports should refrain from telling high schools to make their sports become more competitive so too should the kid and coaches who desire to participate in club mock trial refrain from telling CRF to create a more competition.

Other coaches care about their kids just as much as you do. If you are disrespectful, the kids are always watching...help us all set a good example of patience and mutual respect.

Some attorney coaches have not learned the Mock Trial rules as opposed to actual state of CA trial rules that they work under. As you know, the rules are not the same.

Teach your students real life court decorum.

It is important for everyone that a school follows the CRF guidelines. For instance, wearing clothing that do not reveal the school name and preparing the proper paperwork for the judge and scorers ahead of time. We ask our students to follow the CRF guidelines, and as coaches we should be modeling that behavior.

Last school year we went up against a team that did not follow the student attorney guidelines, thus my team was unable to present our prepared case properly. It really robbed my students of the opportunity to do have the full MT experience.

I realize that we are all volunteers, and giving up time, but in the long run the students have a better experience if everyone is mindful of the guidelines.

Please let the students do the briefs and do the work themselves. Giving them the key points is not helpful. If you can provide kind of a teachers manual of key things that a layperson -- non-lawyer should look for that would help. Some people will just tell their students -- because people are unethical, but for those of us who really don't know court procedures and building of cases, even having some general outlines of key points that need to be established would help so that we can guide our students.

Love the process, just know that some of the attorney coaches need to present the general how to build a case and if that could be included in the handouts for the teacher coaches as well, that would REALLY HELP, but then allow the students to build their own cases and read the materials and do the follow-up research on their own... That is what makes it so valuable so if you short cut that, you are really not allowing the students to truly learn about the whole process and to develop all the skills that they can from the program.

Being competitive is one thing. It's about the kids, not the prizes. They need to do the work themselves.

We can't do this without you!

We would like more consistent participation when you agree to coach.

Good sportsmanship matters.

### 13 - One thing I would like Mock Trial teacher to know. Attorney coach comments:

Make sure your kids work hard and enjoy the experience. Later in life, whether they were first or last, the kids generally have very fond memories of mock trial.

That Mock Trial is only a simulation of actual courtroom proceedings and should not be confused with reality.

The teacher sets the tone for the students. Many students emulate their teachers and attorney coaches. As educators and mentors, we should set a positive example for all students. The petty bickering on the part of teachers and attorneys eventually trickles down to the students and can ruin what should be a memorable, positive learning experience. Good sportsmanship is a key component of success in the courtroom and in life. As professional adults, we should all model it for the sake of our students and the future of our justice system.

Thank-you for all you do for your students.

The support of the school is EVERYTHING for a team. Volunteer attorneys are strangers to the students at the beginning of the year, and we need the support of the teachers and administration to validate the program and make students want to succeed.

Mock Trial is harder than almost anything these students are asked to do, so RECOGNIZE their efforts.

It's a big job that requires a minimum of two days a week.

One of my favorite aspects of this program is the aspect of sportsmanship. While already a part of the program, I would hope all teachers and coaches would emphasize to their students the importance of competing with class and professionalism.

Consistency is everything for high school mock trial students. It detracts from the learning experience when the students hear one thing from the teacher coach, and another thing from the attorney coach. These are young students who are getting their first real exposure to the legal field through this competition, which makes open communication between attorney and teacher coaches very important.

To be competitive, the students need regular access to more than one legal advisor throughout the course of training.

They have to make Mock Trial a priority themselves, and get the students to make it a priority.

The students really appreciate this program.

Do any scrimmage you can get the opportunity to do--organized or impromptu. Scrimmage, scrimmage, scrimmage!

It's about the journey and discovery, not the win.

Get directly involved in the mock trial team. Those schools that have teachers engaged in the mock trial program get very good results and push students to increase their focus and effort.

They should follow the rules, not figure out how to get around them.

You are doing great work! Thanks for volunteering your time in an excellent program.

That they are truly appreciated and they are making a difference.

Ours is very dedicated as were many of the teachers we have seen.

Having kids develop their confidence and be exposed to our legal system is more important than having a team go to another round in the competition.

Your obligation is to prepare your students to be ethical in all their decisions, even if outside attorney coaches advise them that it is OK to lie to win the case. It is not OK to do that.

The scorers are often inexperienced in trials, so there is a bias in favor of polish and thespian skills over legal knowledge and the ability to think on your feet.

The more sophisticated, the more challenging the case, the more interested the students are.