



Empire Mock Trial  
Educate. Connect. Empower.

# A Guide for Competitors from Ireland

## General

Empire Mock Trial	Irish Mock Trial
1 case	2 cases
Each Side 4 witnesses	Each Side 2 witnesses
Choose a combination of 3 witnesses	Have to use both witnesses
Witnesses with specialized training, knowledge and education can be offered as an expert to the Court	No Expert Witnesses
Witnesses have Affidavits	Witnesses have Statements
No Ushers/ Court Clarkes	Students having the roles of Ushers and Court Clarkes- and being scored.
Lawyers are called Attorneys	Lawyers are called Barristers
3 Attorneys	2 Barristers, 1 solicitor
Each attorney conducts a direct and cross examination	
2 different attorneys deliver the opening and closing statement while the 3 <sup>rd</sup> attorney does not give a speech	One Barrister opens; the other closes
Demonstratives can be used to aid a witness' testimony (must be showed to adversary before trial)	No demonstratives are allowed
Competition includes a Captains' meeting 30 minutes before the round where the genders of the witnesses are defined and demonstratives (if a team plans to use them) are shown to the opposing team	The genders are defined during the round
4 rounds, plus a championship round for the top two teams and placement round for the third and fourth place teams	3 rounds, semi-final round, plus a championship round
Jury – 2 judges of the comp + both time keepers	Jury consists of students from another school

## Content of the Case

Empire Mock Trial	Irish Mock Trial
The case is approximately 100 pages	1 case is approx. 6 pages
Each affidavit ranges from 5-9 pages	Each statement is a page and a quarter (max)
Only exhibits provided in the case materials can be used – there are between 8-20 in the case	No official evidence to be produced – evidence is normally assumed; although teams are allowed to Bring their own evidence
Exhibits introduced during direct or cross exams once proper foundation is laid	Exhibits introduced through 'examination-in-chief' and 'cross-examinations'
Defense can offer exhibits into evidence	Only if exhibit is referred to specifically in the

	case, can it be introduced to the court
The attorneys can chose which exhibits are offered into evidence and which are not	---
Attorneys are provided with Case Law which can be used in the case to argue a particular issue.	No case law, although a basic understanding of Objections and General law is required
The case package includes: Special Instructions, Captain’s meeting Notice of Intent, Indictment, Statutes and Stipulations	The case includes the Indictment, which is read by the Court Clarke

### Timings

Empire Mock Trial	Irish Mock Trial
Opening Statement: 5 minutes each	Opening statements: 3 minutes
Directs: 25 minutes for 3 witnesses collectively	Each witness’ exam-in-chief: 5 minutes for Prosecution and Defense
Cross Exams: 25 minutes for 3 witnesses collectively	Cross Exams: 6 minutes for each witness on both sides.
Closing Statements: 9 minutes each (prosecution can reserve up to five minutes of their closing for a rebuttal argument, given after the defense’s closing argument)	Closing statements : 3minutes
--	Staff from a team keeps the time and the page with the recorded time is handed to the judge before the verdict.

### Procedure

Empire Mock Trial	Irish Mock Trial
Pre Trial	No Pre Trial –but the Jury are sworn in + The Court Clerk reads the indictment.
Opening statement by Prosecution	Opening statement by Prosecution
Opening statement by Defense	Prosecution Calls 1 <sup>st</sup> witness – exam-in-chief + Cross
Prosecution calls 1 <sup>st</sup> witness – direct + cross	Prosecution Calls 2 <sup>nd</sup> witness – exam-in-chief + Cross
Prosecution calls 2 <sup>nd</sup> witness – direct + cross	
Prosecution calls 3 <sup>rd</sup> witness – direct + cross	That is the case for the Prosecution
Prosecution rests	Opening statement by Defense
Recess – 5 minutes	Defense Calls 1 <sup>st</sup> witness – exam-in-chief + Cross
Defense calls 1 <sup>st</sup> witness – direct + cross	Defense Calls 2 <sup>nd</sup> witness – exam-in-chief + Cross
Defense calls 2 <sup>nd</sup> witness – direct + cross	That is the case for the Defense
Defense calls 3 <sup>rd</sup> witness – direct + cross	Closing speech – Prosecution

Defense rests	Closing speech - Defense
Closing statement – Prosecution	Judge summarises the case
Closing statement – Defense	Jury sent out + 5 minutes to return the verdict.
Rebuttal statement – Prosecution	Jury returns the verdict
Judges’ comments	Judges’ comments

## Scoring

Empire Mock Trial	Irish Mock Trial
2 Scoring Judges (sat as Jury) + a presiding Judge who also Scores	1 judge
<i>Each Judge scores both teams on the following:</i>	<i>Judge scores both teams on the following:</i>
Attorneys: (SUBSTANCE + PRESENTATION)	Barristers: (SUBSTANCE + Presentation)
Opening statement out of 10	Opening statement out of 10
Direct out of 10	Direct out of 10
Cross exams out of 10	Cross exams out of 10
Closing Statements out of 10	Closing Statements out of 10
Witnesses: (PRESENTATION + Substance)	Witnesses: (PRESENTATION + Substance)
Judged both on directs and cross exams	Judged both on directs and cross exams
The winner of each round is not announced until the Sunday night Awards’ Ceremony; all 3 ballots are taken to the ‘Tabulation Room’ where the organisers calculate the results	At the end of the round the Judge totals the scores and announces the round winner
One coach representative from each school can come to the Tabulation Room 30-45 minutes after the conclusion of the trial to check their round’s result	-----

## Objections

Empire Mock Trial	Irish Mock Trial
There are 37 recognised objections used. (Some objections over-lap in the categories)	Objections are assumed to be known
12 objections to the Substance of the Question.	-----
7 objections to the Form of the Question.	-----
18 objections to the Witness’s Answer	-----
Attorneys must know how to argue each objection from both sides	-----
Attorneys must know how to argue against the objections too	-----
Voir Dires can too be used when a team attempts to offer a witness as an Expert	No Voir Dires

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Work on objections during the online seminars -----  
with Empire Mock Trial staff

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## **Etiquette**

### **Empire Mock Trial**

Refer to judge as “Your Honour”

“Opposing counsel”

Flamboyant and dramatic style

Free to move about the well

Suits worn

### **Bar Mock Trial**

Refer to judge as “Judge”

“Opposing counsel/My friend”

Extremely formal style and language

Must stand at the bench

Uniforms and Barrister gowns worn