



Empire Mock Trial
Educate. Connect. Empower.

A Guide for Competitors
from the United Kingdom

General

Empire Mock Trial	Bar 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 Clerks	Students having the roles of Ushers and Court Clerks- and being scored
Lawyers are called Attorneys	Lawyers are called Barristers
3 Attorneys	2 Barristers
Each attorney conducts a direct and cross examination	One attorney is responsible for both directs, while the other does both crosses
2 different attorneys deliver the opening and closing statement while the 3 rd attorney does not give a speech	The Barrister who does the Directs also does the opening—the other one does the closing
Demonstratives can be used to aid a witness' testimony (must be shown 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, plus a championship round.
Jury – 2 judges of the comp + both time keepers.	Jury consists of a team from another school

Content of the Case

Empire Mock Trial	Bar Mock Trial
The case is approximately 100 pages	1 case is approximately six pages long
Each affidavit ranges from 5-9 pages	Each statement is a page and a quarter (max)
There are anywhere from 8 to 20 exhibits that can be used	1 exhibit
Exhibits introduced during directs or cross exams once proper foundation is laid	Exhibit introduced after the second witness
Exhibits cannot be read from until proper foundation is laid and the exhibit has been admitted into evidence	The Barrister reads the Exhibit out loud for the benefit of the jury and then it is admitted into evidence
Defense can offer exhibits into evidence	Only prosecution bring out the exhibit
Attorneys can chose which exhibits are offered	The exhibit MUST be brought out

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

Layout of the Case

Empire Mock Trial

Nothing in the case is underlined

Attorneys are allowed to cross examine on any fact in the witness affidavits

Bar Mock Trial

Everything in dispute is underlined

Barristers are only allowed to cross-examine on what is underlined

Timings

Empire Mock Trial

Opening Statement: 5 minutes each

Directs: 25 minutes for all 3 witnesses collectively

Cross Exams: 25 minutes for all 3 witnesses collectively

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)

Time is stopped for objections

There is an all loss time of 3 hours (if the round is longer than 3 hours, both teams lose).

Bar Mock Trial

Opening statements: 3 minutes

Each witness directs: 10 minutes together for prosecution, and 9 minutes together for Defense

Cross Exams: 10 minutes together for prosecution witnesses, 9 minutes together for defense witnesses

Closing statements: Prosecution: 4 minutes

Defense: 5 minutes

No objections

No all loss time

Procedure

Empire Mock Trial

Pre Trial

Opening statement by Prosecution

Opening statement by Defense

Prosecution Calls 1st Witness – Direct + Cross

Prosecution Calls 2nd Witness – Direct + Cross

Prosecution Calls 3rd Witness – Direct + Cross

Prosecution rests

Recess – 5 minutes

Defense Calls 1st Witness – Direct + Cross

Defense Calls 2nd Witness – Direct + Cross

Defense Calls 3rd Witness – Direct + Cross

Defense Rests

Closing statement – Prosecution

Bar Mock Trial

No Pre Trial –but the Jury are sworn in + the Court Clerk reads the indictment

Opening statement by Prosecution

Prosecution Calls 1st Witness- Direct + Cross

Prosecution Calls 2nd witness- Direct + Cross

Exhibit read

That is the case for the Prosecution

Opening statement by Defense

Defense Calls 1st Witness – Direct + Cross

Defense Calls 2nd Witness – Direct + Cross

That is the case for the Defense

Closing speech – Prosecution

Closing speech - Defense

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	Bar 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: (PRESENTATION + SUBSTANCE)	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	Bar Mock Trial
There are 37 recognised Objections, outlined in the ‘Rules of Evidence’ (Some Objections overlap in the categories)	NO OBJECTIONS
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
Work on objections during the online seminars with Empire staff	-----

Other Tips

- Refer to judge as “Your Honour”
- Refer to your adversary as “Opposing counsel”
- Feel free to use drama and theatrics for both your attorneys and witnesses while sticking to the facts of the case
- Move freely about the well, you are not confined to a podium
- Dress conservatively and respectfully in Court (attorneys wear suits, witnesses wear outfits appropriate for their part)