



CHAPTER TWO

*GETTING STARTED
TO PARTICIPATE
IN THE
MOCK TRIAL PROGRAM*

Getting Started

This section is designed to help you get a handle on all that you need to do to engage student interest, offer an informative meeting to educate potential mock trial students about the program and the opportunity, and to assist you in getting other key players involved in developing and supporting your mock trial team.

Getting students interested in mock trial depends on your enthusiasm for the program. Enthusiasm is contagious and if students can clearly understand what they will be doing as a member of the mock trial team, their interest will be peaked and their fears of uncertainty (about the task, their ability, etc.) will be lessened.

Getting other non-students involved in mock trial will make your jobs as a teacher coach easier. It's important that you don't try to be the Lone Ranger in this task, but recruit the help of other teachers, local attorneys and even parents to assist with the smaller tasks over the time you prepare your team. People volunteer to help because someone asked them.

Developing a Mock Trial Team - What First?

If your school is interested in developing a mock trial team, it may be developed as an in-class project or an extracurricular activity. The Mock Trial Program addresses a number of Colorado's Model Content Standards for Reading and Writing, including elements from Standard 1, Standard 2 and Standard 3. Contact your school principal to discover what options you have for setting up a team, and in doing so, what support will be offered in enticing student participation with incentives.

Most schools provide grades for in-class teams; others are able to provide extra credit for their involvement in the extracurricular activity. Other schools offer a letter for their involvement; some offer no credit or incentive whatsoever, but students get involved, as if they would with a school club, for a number of reasons. They may have an interest in pursuing a legal career or their parents are already involved in the legal community. Students may be seeking an alternative and non-traditional way to be involved at their school. They enjoy performing or simply just want something fun and different to do. Many students who become involved in the mock trial program go on to take school more seriously, have successful college careers, and, in some cases, even go on to pursue legal careers. Students have become more socially involved in this school activity take away a new level of self confidence, and a wealth of learning experiences that will be beneficially applied in all facets of their lives.

Recruiting Students to Join your Mock Trial Team

You've got the green light to plan a team, now you need interested students and attorney coaches. Where do you start?

START EARLY – as soon as school is back in session, if possible. You'll need to promote and announce the decision throughout the school, informing as many students as possible.

The Mock Trial program isn't going to be for everyone; **however be open-minded when inviting students to consider participation** in your Mock Trial program. You'd be surprised by what some students are capable of doing, if they are given the opportunity!

If you narrow your student recruitment to Speech and Debate or theater students, you may experience scheduling conflicts for practices and even the Tournament! Think outside of the box when recruiting students. Look for students with hidden talents. Consider students who don't have the strongest grades; this hands-on learning experience may be what they need. Invite students who aren't involved in other after-school programs. Don't rule out the quiet or bashful students. Many teachers, and attorneys, report that these students, who hardly say a word

in the first few meetings, became their best, and most committed mock trial team members!

Below are a few ideas on how to generate school-wide interest in the mock trial team:

- Announce the decision to develop a mock trial team to the school. Use your school newsletter, posters, and PA announcements to invite students to an information meeting.
- If you've identified a few students who want to be involved, encourage those students to talk about the opportunity with and recruit their friends. Peer to peer word of mouth is extremely effective.
- Do a lunchtime demonstration of a mock trial. The CBA has many scripted mock trials (elementary school level) that could be used for this purpose, for example, *Humpty v. All the Kings Men* or *The Three Bears v. Goldilocks*. Yes, these are fairy tales, but they are short, and easy to read and perform. Invite students who've expressed interest to participate in the demonstration. Another idea is to present a lunchtime video showing of a mock trial tape, or a famous legal movie such as *Time to Kill* or *A Few Good Men*. No matter the demonstration, be sure you are available to be there to explain what a mock trial is, to answer questions and issue the invitation to become involved.
- When preparing flyers, posters, etc., jazz it up to peak the students' interest using well known court room dramas, for example, *The Practice* or *Law & Order*. Use the theme music for your PA announcements.
- Talk up the mock trial program in all opportunities with students – at lunch, in classrooms, etc. Engage your fellow teachers to make announcements or to identify students that might have an interest in the program, then follow up with an invitation to those students to participate.

Regardless of what recruitment methods you use, **your enthusiasm for the program will generate the most interest from students, first and foremost.** Your enthusiastic efforts, and that of your fellow teachers, will be the deciding factors in whether you have enough students or not for a team, as well as the level of excitement and commitment they have.

The Information Session

This meeting needs to be an event! If you aren't incorporating mock trials into a class curriculum, this meeting will most likely be after school. We recommend hosting this meeting as early in the school year as possible (ideally mid- to late-September). But be sure you have some planning in place before you host this meeting:

- Have a general idea of your practice/meeting schedule (how often and when), if possible, so students have an understanding of the commitment.
- Have information on your regional tournament (if available) dates so students know when they are expected to be where as part of their commitment. IT IS VERY IMPORTANT that students come away from this meeting understanding that if they decide to participate, they are making a commitment that affects the entire team; bailing a few weeks before a tournament or even at the last minute could and may affect the entire team's ability to participate.
- Have Mock Trial Team application forms for the students ready to fill out. See Teacher Attachment #8 for a sample form.
- Provide information on what, if any, incentive (grade/credit/etc.) is available to them for their participation, if appropriate.

Once you're armed with information, then you're ready to hold the informational meeting. **Make it fun!!** Here are some suggestions on how other teachers make it interesting and exciting for the students:

- Offer pizza, refreshments, and soda for those who attend.
- Invite a Colorado Bar Association representative, either the State Mock Trial Coordinator and/or an experience mock trial attorney coach to come to your school and do a presentation to speak to the students and for Q&A.
- If you already have an attorney coach lined up to assist with your team, invite him/her to meet the students and talk up the program.
- Have a CBA mock trial video of a national tournament performance to show; or a scene from a popular movie video about the legal system that shows a trial, for example, *A Few Good Men* or *Time to Kill*.
- Things to consider incorporating into the informational meeting include
 1. A fun example of mock trial (using elementary fairytale scripts) for the students to perform.
 2. Explain the many parts of a trial - get students talking about the script, who does what, etc. Even set up the classroom into a courtroom.
 3. Get the students involved by giving them a simple trial sample (available from the CBA) and have them break into groups to discuss how they will argue their points for the prosecution/plaintiff and defense. Regroup and have them "argue" their case with the opposing side.

Whatever you do, ***make sure it's fun, engaging and informational, and that it peaks their interest.*** Don't allow your first impressions of the students' reaction or interest discourage you. Teens need time to warm up to new ideas, and often are interested but reserved in showing it.

A WORD ON SELECTING TEAM PARTICIPANTS

The decision on how you organize your team will be directly related to how many team members you have and how they decide to divide the duties/roles. If you plan on competing in local (and possibly state) tournaments, students should be willing to devote at least two-four hours a week from November until your regional tournament date in February to this mock trial program. Depending on if your team wishes to be competitive (meaning they want to really win) or simply wants to represent its school well and have a fun educational experience, the former goal may require a bigger commitment of time at some point before the tournament. This commitment also applies to attorney and teacher coaches as well.

Team Member Assignments

When developing your best strategy for making team role assignments, you may want to consider a few things when recruiting interest: Most students want to play attorneys, mainly because they believe the role is more glamorous; however, the witness roles are just as crucial as the attorney roles to a successful team performance. **Emphasize this!** Witness performances often make the difference in a team's trial success in the tournaments. Having the students act as witnesses opens up the opportunity for you to bring in those students who are not specifically interested in the law or debate, but are interested in acting.

Preparation for witnesses is a little simpler than the duties of preparing to be attorneys; however, witnesses must master the facts in their affidavit statements, and study their profiles intensely to discover effective ways to highlight their characters' strengths and downplay their weaknesses. Attorney will need to prepare for direct examinations of their one witness, and either a cross of one opposing party's witness, or an opening statement or closing argument. Students have a great deal more preparation as attorneys than do witnesses. And many times, students who act as witnesses often want to play attorneys the next time.

To Audition Or Not To Audition. . . .?

Many schools will conduct try-outs – especially if there is an overwhelming interest in the mock trial team. You could proceed to make initial role assignments, and then allow students who feel they could play a different role

better challenge the person in that role to a try-out, much like band instructors do, or athletic coaches so, when the third chair or string team member wants to move up to the next level.

Finally, you can develop more than one team although, if considering this, it's recommended that there is another teacher coach involved to work with that additional team. Each team can only have a maximum of twelve members; at minimum, it's recommended that each team have a minimum of eight or nine students since you need three student attorneys and three witnesses during any given mock trial round. Having two or three extra students as role alternates is a good back up plan if someone becomes ill; but these alternates would still need to learn a great deal about each of the parts. For example, having nine students would allow a team to have three student attorneys that try both sides of the case, and six different witnesses, three for each side. Regardless of the team's makeup, be sure to have more than six students on your team, and that you have alternates or understudies so in the event of an emergency, your team isn't left short-handed.

NON-STUDENT RECRUITMENT

Involving other community, school and student members to be involved with your mock trial team will help broaden the educational opportunities that the mock trial program offers, as well as assist you and your team with support, encouragement and enthusiasm for your efforts.

Recruiting Attorney Coaches

As the Teacher Advisor/Coach, your role as a mentor and a leader is critical to the success of your team. You and your attorney coach(es) will need to decide between you who will take on what responsibilities when coaching your team. Please see *The Attorney Coach/Teacher Coach Partnership* section in this packet for more information.

While the Colorado Bar Association is available to help locate an attorney to coach a team entered into the program, you, as the local teacher, are often the best judge of a suitable person to assist your team. Possible attorney resources include the following: parents or relatives of students, alumni, acquaintances, local law firms, county attorney's office, school board members or local judges. **(If after exhausting all possible avenues,** you are still unable to find an attorney to work with your team, contact the Colorado Bar Association.)

While a team can be prepared with only one attorney coach, we recommend having at least two attorney coaches to assist your team. If you find one interested attorney, he/she may know of another attorney to invite to participate. If you have more than one team, we strongly recommend that each team have its own teacher coach and attorney coach. Both teams can meet and prepare

together, but when it comes to the teacher's responsibilities, it's best if each team has its own teacher coach.

Since attorneys have time limitations, they should be used as a consultant in their expertise as attorneys when needed. For example, an attorney coach is better utilized when students begin to discuss the case problem, and begin preparations for their opening statements or developing direct or cross examination questions. THEY ARE THE EXPERTS so be sure to allow them to take that lead when time comes to prepare the case! Attorney coaches do not need to be present at all team activities or practices, unless they wish to do so. For example, you may work with the students to understand the participants of a trial, courtroom setup, legal terms, etc. without the assistance of an attorney. Some attorney coaches may wish to be involved in the entire process, or certain portions of the preparation in order to begin establishing relationships and trust with the students. Once you've identified attorney coach(es) to assist your team, collaborate with the attorney volunteer(s) on how involved they can, and want to be and when.

After You Have Identified Your Attorney Coach(es)

1. Invite him/her to join you in attending a program information session (offered by the Colorado Bar Association) in October. This information will be beneficial to you both.
2. Provide him/her with a copy of the mock trial materials, (the case problem, if available, or if not available, direct him/her to the CBA website to access the past year's problem, and this Information Packet) so s/he can become familiar with the program, the case problem, and the rules of competition, evidence and procedure. Discuss meeting times and places with students so s/he can plan their calendar.
3. Discuss how you both want to work together and when to prepare the team for the mock trial program.
4. Discuss the case and the attorney's suggestions regarding strategic ideas on how to introduce it and begin work on it with the students

More information is available in this packet on sample schedules (see section called *Sample Preparation Schedules*), an outline of the roles and responsibilities of the Teacher and the Attorney Coach (see section called *The Attorney Coach/Teacher Coach Partnership*), and strategies in working together in preparing your team for mock trial participation (see section *Introducing Mock Trial to Your Students*).

Involving Other Participants

Non-performing students: Do you have a student who has performance anxiety? Invite him/her to participate in the team as a timekeeper. Each school team has to provide its own timekeeper for the mock trial tournaments. It's good to train one or two students who understand how to keep time during the mock trial rounds. Have a backup plan because sometimes those stage frightened

students often change their minds about their level of participation when they learn more about what's involved!

Involve an art student at your high school to be the team's official "Courtroom Artist". This student can draw pictures of the practices and/or the trials for use in your school's newsletter, the school system's communications publication, or the local community newspaper.

Team Parents: Once you have students involved in your mock trial program, get their parents involved! Here are a few suggestions on how to get them involved.

- Create a schedule in which a parent attends practice meetings to assist students when they break out into group discussions
- Invite parents to participate by providing a snack for each practice meeting.
- Participation in the mock trial program involves costs – such as copies, trial notebook binders, refreshments, awards and certificates, travel to the local tournament, etc. With the tight school budgets, encourage parents to get involved in fundraising events, such as a breakfast burrito event, making calls to local businesses for sponsorships, car washes (which can involve students!), coordinating a student letter writing campaign for donations, etc. Find one or two parents to spearhead the parent group so you can focus your energy on the teams' preparations.
- Recruit parents to coordinate a "pep rally" for the team(s) before their regional tournaments. Parents can prepare posters and signs to tape to students' lockers, in the hallways, all that wish the student's support and luck in their mock trial tournament.
- Get parents to assist with chaperoning students on a field trip to a courthouse, or to the regional tournament. Ask them to consider preparing lunches and snacks for the students for the road trip or after rounds (if courthouse polices allow.)
- While ideally your team's timekeeper would be a student, if this is not an option, ask a parent to serve as your teams' timekeeper.
- Ask one or more parents to be the team's historian by taking photos of practices, team events (such as team outings, meals, etc.) and put together a scrapbook for the team to be shared at the end of the school year.
- Invite parents to attend and support your team during their regional tournament performances.
- Ask parents to plan a mock trial banquet (potluck, barbecue, etc.) for the team after they complete their mock trial program participation.

Parental support can be most helpful to you as the teacher when you need to be focusing on the students and their learning.

Media Support: Other participants may include journalists from your school's newspaper, your community newspaper and local television stations. Invite a journalist or a news reporter to your mock trial practice meetings to learn about their involvement in the state program, get footage or photos of your team in action, and interviews with the students and/or attorney coaches.

Legal Community Support: Invite a local judge to speak to the students about the courtroom and the legal trial proceedings. Be sure to work with the judge in advance to ensure that s/he understands what you hope to achieve with his/her visit, and so they may be prepared as a speaker. Also invite a local judge to preside over an inter-squad scrimmage or a scrimmage with another school (see below); your attorney coach can assist with this invitation.

School Community Support: Invite another participating school in the mock trial program from within or outside your school's regional tournament to scrimmage against your team as a "trial run" or dress rehearsal. Scrimmaging another team can really help your students overcome nervousness and jitters, as well as give them a sense of how running a mock trial feels. The Colorado Bar Association can assist you in connecting you with another mock trial team in your area.

Local Community Support: When your team begins scrimmaging, invite community people (judges, attorneys, school principal, parents, friends, other teachers) to watch and offer feedback to students about their mock trial performances.