

## MOCK TRIAL MATTERS

[www.nationalmocktrial.org](http://www.nationalmocktrial.org)

### IMPORTANT DATES

**January 14 —**  
Preliminary Interest forms due. If your state is competing at Nationals, you must complete the form which can be found at:  
[inmocktrial.org/2013Nationals.aspx](http://inmocktrial.org/2013Nationals.aspx)

**January 15 —**  
\$250.00 Membership Fees Due (see end of newsletter for invoice)

**March 1—**  
Justice Gene Franchini Golden Gavel Award Nominations due. For more information go to [www.nationalmocktrial.org/GoldenGavelNominationForm.PDF](http://www.nationalmocktrial.org/GoldenGavelNominationForm.PDF)

**March 15—**  
1) Letters of intent to run for Board candidacy [dंबरl@duhigglaw.com](mailto:dंबरl@duhigglaw.com)  
2) Spring newsletter items due [Laura@crf-usa.org](mailto:Laura@crf-usa.org)  
3) State Coordinator Survey Due

**April 1—**  
National Case release at: [www.inmocktrial.org/2013Nationals.aspx](http://www.inmocktrial.org/2013Nationals.aspx).

**April 15—Deadline**  
1) Online team registration  
2) Online event ticket Orders  
3) Tournament schedule adjustment  
4) Hotel reservation

**April 19—Deadline**  
Payment for registration and event tickets

**May 9-11—**  
National Tournament, Indianapolis, Indiana.

## 2013 NATIONAL HIGH SCHOOL MOCK TRIAL CHAMPIONSHIP Indianapolis, Indiana



### INDIANAPOLIS IS REVVED AND READY! By Ann Marie Waldron, Host Director

Indianapolis is excited to be hosting the National Competition in May. The Host Committee is revved up for the teams' championship finish. May in Indianapolis is an exciting time. Events related to the Indianapolis 500 Race will be occurring simultaneously with our competition. Opening day at the Track is Saturday, May 11<sup>th</sup>, so teams and observers can extend their trip and take advantage of the opportunity to visit the famous Brickyard.

The average temperatures in Indianapolis in May are highs of 70 degrees and lows of 55 degrees. But we have had record highs of 90 degrees and lows of 29 degrees so check the weather before you come. One thing can be said about Indiana weather – if you don't like the weather wait ten minutes and it will change!

Last year Indianapolis hosted the Super Bowl (which we say was just a warm up for Mock Trial Nationals!) We are benefitting from all the improvements made in preparation for the Super Bowl. The JW Marriott opened in 2011 in downtown Indianapolis. We will be using this amazing hotel as our headquarters.

The hotel will feature large rooms with double queen beds and amazing views of the City with a guaranteed room rate of \$129 per night. For more information on the JW, you can view their website at: <http://www.marriott.com/hotels/travel/indjw-jw-marriott-indianapolis/>

The hotel is conveniently located in a thriving area for students and observers to enjoy the sights and sounds of Indianapolis. Just a walk across the street from the hotel is White River State Park where students, families, and friends can stroll along the city's beautiful downtown canal. Other exciting attractions next to the hotel include Victory Field, home to the Indianapolis Indians, the Indianapolis Zoo, the NCAA Hall of Champions, the Eiteljorg Museum of American



Indians and Western Art, the Indiana State Museum with IMAX theatre and other attractions. Within a ten minute walk from the hotel are hundreds of restaurants, theatres, Circle Center Mall, Lucas Oil Stadium (home of the Colts) and Bankers Life Fieldhouse (home of the Pacers and World Champion Fever). Students will have the opportunity to visit many of these venues while in Indianapolis as part of the scheduled events or on their own.

The first four rounds of trials all will be held in a single facility at the City-County Building within walking distance from the hotel. The courthouse for the United States District Court, Southern District of Indiana, will serve as the site for the Championship round. This historic courthouse will provide a stately setting worthy of the high caliber of competition the National Mock Trial Championship delivers. A video feed will be provided into an overflow room to give others the opportunity to experience the Championship finals.

The teams will be on their own for breakfast each morning (due to the cost of providing breakfast at the hotel), but there are numerous restaurants and coffee shops between the hotel and the courthouse so finding a breakfast location should not be difficult. We are making arrangements for lunches near the courthouse for the teams on Friday. If we meet our fundraising goal, we will be able to provide the lunch to the teams without charge. Otherwise, teams may purchase tickets for lunch. In addition, the area around the courthouse has a large number of restaurants which will be open both Friday and Saturday to accommodate observers.

We have many exciting events planned for the weekend. First, the pin exchange will be held on Thursday evening at the Indiana State Museum. The Museum will be closed to the public during this time. Team members will have the opportunity to view the galleries of the Museum as part of the pin exchange. In addition, observers will be permitted to purchase discounted tickets to tour the galleries during this time. The website for the State Museum is <http://www.indianamuseum.org/>

Friday night will feature an Indianapolis Indians baseball game at Victory Field. Victory Field is located next to the hotel and the Indians are hosting the Toledo Mudhens. Observers will be able to purchase tickets to the game at a discounted price. In addition, on Friday evening we will host the Judges' Reception at the Indiana Historical Society. The Historical Society is also located along the Canal a few blocks from the hotel. Several of the exhibits will also be open for the guests. The website for the Historical Society is <http://www.indianahistory.org/>

Saturday evening will be the awards ceremony. The awards ceremony will be held at the JW Marriott and will be followed by a dance for the teams. Following the success of the New Mexico ceremony, we will be featuring a dessert bar at the awards ceremony. Teams will have time before the ceremony to take advantage of the wonderful restaurant choices offered in Indianapolis and to take photos of teammates and new mock trial friends at a photo booth stationed outside the banquet hall. We hope that you are as excited about coming to Indy as we are about hosting. See you in May!

**For more information about the 2013 NHSMTC Tournament,  
visit our website at:  
[inmocktrial.org/2013Nationals.aspx](http://inmocktrial.org/2013Nationals.aspx)**

# Nationals 2014 Host Wisconsin!

## State Bar of Wisconsin, Madison to Host 2014 National Mock Trial Championship

By Andrea Gage, Public Relations Coordinator

A huge honor for Wisconsin and its legal community will come with a huge undertaking by State Bar of Wisconsin members. Madison will be the host city for the 2014 National Mock Trial Championship, with State Bar sponsorship. The competition will run from May 8-10, 2014. The Dane County Courthouse and Madison's historic Capitol, with their proximity to shops, restaurants and the U.W.-Madison will all be ready to welcome mock trial participants and observers.

Attorney Kevin Lonergan, chair of the State Bar's Public Education Committee, has served as a coach for 12 years and has traveled to three national championships. Lonergan is glad that Wisconsin won the honor to host the 2014 National Championship.

"I had three children participate in the program. Two of my children and many other students in our program have gone on to law school. Mock trial is a team activity, but students must perform individually. They learn public speaking and they learn to think on their feet. Even those students who do not go on to law school benefit from those experiences," said Lonergan.

"Over the years, I've heard from students that this was the most memorable experience of high school, the best thing they ever did. We want to ensure that their three days in Madison leaves a lasting imprint," said Marsha Varvil-Weld State Bar of Wisconsin, Public Education Coordinator.



Xavier High School Mock Trial team with Wisconsin Supreme Court justices. Xavier took first place in the 2012 state competition and went on to the National Championship held in Albuquerque, New Mexico.

# Nationals 2015 Host North Carolina!

## **The Carolina Center for Civic Education to Host 2014 National Mock Trial Championship**

By M.Gordon Widenhouse, Jr., Host Director

The Carolina Center for Civic Education, which operates North Carolina's high school mock trial program, is excited to host the 2015 National High School Mock Trial Competition. Coincidentally, it will mark the tenth anniversary of North Carolina hosting the national competition in Charlotte.

The 2015 competition will be in Raleigh, our capital city. Raleigh's downtown has been revitalized and offers a wide range of entertainment venues, restaurants, and other establishments. By May 2015, Raleigh will have a new judicial conclave with more than sufficient courtrooms for the competition. The two main hotels, the Sheraton and the Marriott, are excellent facilities and in easy walking distance of the courthouses, as is the Raleigh Convention Center, where most large events will take place.

CCCE enjoys the strong support of the state judiciary. In particular, a number of Justices on the Supreme Court of North Carolina and Judges on the North Carolina Court of Appeals consistently serve as presiding judges. The historic building that houses the Supreme Court is only a few blocks from the competition headquarters, as are the newly renovated home of the Court of Appeals and the Capitol.

The Campbell University School of Law, which hosts the finals of our state competition, is also only a short walk from the hotels. The law school is excited about playing a role in the May 2015 event.

While we are obviously only in the early planning stages, North Carolina is the birthplace of Pepsi, the home of barbecue (best enjoyed with hush puppies and fried pork skins), and, if recent political conventions are an indication, the destination for shrimp and grits. We feel confident you will enjoy true southern hospitality.

**National High School Mock Trial is looking for  
a 2016 host!**

Have you ever considered hosting? Now's your chance  
to be the national host in 2016!

Contact Rando Hicks for more information ([rhicks2177@gmail.com](mailto:rhicks2177@gmail.com))

# A Word From Our Chair

By Dewain Fox



My mother-in-law had open heart surgery about three weeks ago. On a Saturday afternoon, a few days after the surgery, my wife (Kim), her dad and I crammed into the small hospital room to spend time with Kim's mom. The room was barely big enough to accommodate the four of us. A short time later, our niece arrived for a visit--along with her 12 high school basketball teammates. The room that could barely fit four people now was bursting at the seams with 17 people--and 13 of them had come straight from basketball practice, if you know what I mean! The conditions would have been unbearable, if not for the tremendous positive energy and boost in spirit that these high school students provided to Kim's mom.

I will forever remember Kim's mom--choking back her emotion--telling these high school students how we so often hear when our country's teenagers do something bad, but we seldom hear all of the good things that they do. This comment made me think of all of our mock trial students, because I've heard the same sentiment expressed with respect to them. In fact, I'm sure that I've shared this same thought with others--and I suspect many of you have as well. All of us in the mock trial community are very fortunate that--unlike many in our society--we regularly see and interact with the best and brightest of our high school students! We get to see the good things that they do, and we can forget, at least temporarily, all of the bad things that we hear about our country's youth. During this holiday season, remember to give thanks for these students who are a true blessing in our lives.

During the holiday season, like many of you, I reflect on the people and things in my life for whom and which I am thankful. Mock trial has been such a big part of my life that it even creeps onto my "thankful" list. I am grateful that we have great people on NHSMTC's board who truly care for one another and for the long-term success of NHSMTC. John Wheeler deserves particular thanks for the outstanding job he did leading NHSMTC over the past six years. He certainly left big shoes to fill! I'm also thankful that we have a great bunch of state coordinators who step up and come through in times of need. I especially want to extend my personal thanks to the state coordinators (and others) in Wisconsin and North Carolina who answered our call and stepped up to host the national championship in 2014 and 2015. My "thankful" list will be more complete when one of you comes forward to host in 2016!

Finally, I know that many of you are busy running your state mock trial programs throughout the holiday season. I hope that all of you are able to take a short break from mock trial and spend some quality time with your families and other loved ones. Kim and I wish every one of you a blessed holiday season, and look forward to seeing you in Indianapolis in May!

Best wishes for 2013!

A handwritten signature in black ink that reads "Dewain Fox". The signature is written in a cursive, flowing style.

# Rule Updates

By Pete Jones, Rules Committee Chair

As some of you know, on December 1, 2011, the Federal Rules of Evidence upon which our Rules of Evidence are based underwent a complete restyling for the first time in the thirty-six years since they were introduced.

This wholesale restyling was undertaken because, over the years, the rules' phrasing had grown archaic and the rules had come to vary in their construction and tone. Critically, the Judicial Conference Advisory Committee on Evidence took extraordinary pains not to change the substance of any of the rules, even as it changed their expression. More information about the decisions that the Judicial Conference made and the process by which they were decided can be found at: [www.uscourts.gov/News/TheThirdBranch/11-09-01/Restyled\\_Rules\\_of\\_Evidence.aspx](http://www.uscourts.gov/News/TheThirdBranch/11-09-01/Restyled_Rules_of_Evidence.aspx).

Because the rules were not effective during the entirety of the last mock trial season, the National Board elected to conduct last year's competition under the old rules. However, after careful consideration, the Board has determined that the restyled rules are clearer, more internally consistent, and easier for students to understand than the older version. Accordingly, and because our goal remains to provide as accurate an experience for the students as possible, the National Board has, at the unanimous recommendation of the Rules Committee, adopted the language of the restyled rules in all but a few cases, where mock trial specific reasons militated in favor of the language we have been using.

The new Rules of Evidence can be found on the national website at the following link: <http://www.nationalmocktrial.org/NHSMTCRulesofEvidence08-29-2012.pdf>

Most importantly, like the restyling of the Federal Rules of Evidence, we have not changed the substance of any of the rules we have restyled. With that said, the Board continues to work to improve the rules from year to year, and this year is no exception. You will note that several rules have been added: a modified version of Rule 201 (permitting judicial notice to be requested under very limited circumstances) and three additional exceptions to the hearsay rule, Rules 803(7) (absence of a business record), 803(10) (absence of a public record), and 803(16) (ancient documents). These changes were considered separately, and they were recommended by the Rules Committee and adopted by the full Board.

We hope you agree that these changes represent an improvement in the rules, and we look forward to seeing you in Indianapolis!





ABOTA  
FOUNDATION



Proud Sponsor of the 2013

## **National High School Mock Trial Championship**

Check out our Justice by the People lesson plans,  
created in collaboration with Scholastic, Inc.

Ideal for classroom or mock trial team use.

Available **FREE** at [www.scholastic.com/americanjustice](http://www.scholastic.com/americanjustice)

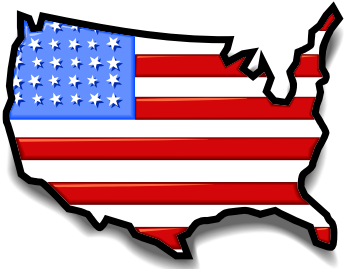
New this year!

Teachers from around the country are participating in  
**ABOTA's Teachers Law Schools** where middle and high  
school  
teachers receive a crash course on the American legal system.

Call Brian Tyson, Executive Director, if you'd like to participate  
in a Teachers Law School near you.

*The Foundation of the American Board of Trial Advocates (ABOTA)  
6,600 members around the world dedicated to preserving justice for all.*

[www.abota.org](http://www.abota.org) (800)779-JURY (5879)



*NEWS AND  
NOTES FROM  
AROUND THE  
NATION*

## Arkansas

By Crystal Newton

The Arkansas High School Mock Trial competition dates have been set! Our regional competitions will be held Saturday, March 2, 2013, and State Finals held on Saturday, March 3, 2013. This year we have selected a wrongful death case based on an original case from South Carolina. This year the Mock Trial Committee appointed an Outreach sub-committee. The goal of this sub-committee is to encourage new team participation from schools in our state by visiting with teachers & principals, and assisting in pairing attorney coaches with teams in need. The efforts of this committee have proven successful so far, and we anticipate a higher number of participating teams this year than in recent years. In an effort to assist new and existing teams, the Arkansas Bar Association has recently updated the Mock Trial page on our website, and will continue to offer more resources for teachers & students. With the material made available by Arizona Foundation for Legal Services & Education, we have been able to develop a Teacher Coach Manual for new teams. In addition to new online resources, the Mock Trial Committee plans to hold training workshops throughout the state this year to help new teams prepare for competition. Feel free to follow us on Twitter @ArkBarMTreader

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## California

By Laura Wesley

Constitutional Rights Foundation is excited to host its 32nd Annual California Mock Trial state finals in Riverside March 22<sup>nd</sup>-24<sup>th</sup>. The program currently involves 36 California counties and over 8000 students. This year's case is a criminal case involving issues of texting while driving with a pretrial argument based on the 5<sup>th</sup> Amendment. The program has grown to include courtroom journalist, courtroom artist as well as a pretrial brief writing contest.

Although there is not a state finals for middle school students, Los Angeles County and San Luis Obispo County are thrilled to host local competitions for 1000 middle schools students. It's a great opportunity to introduce students to the high school program and get them engaged in our legal system!

For more information about CRF or the mock trial program, visit our website at [www.crf-usa.org](http://www.crf-usa.org).

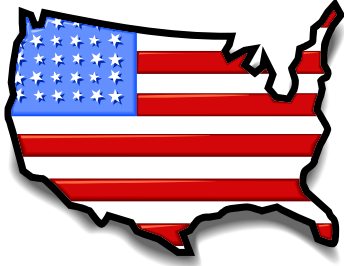


California Middle School Mock Trial Students



# Delaware

By Delaware State Bar Association's Journal, November 2012  
edition, volume 36, Number 4



## NEWS AND NOTES FROM AROUND THE NATION

Feedback regarding the first annual Delaware Mock Trial Internship Program revealed that the program's inaugural year was a resounding success. Judges and attorneys throughout the state contributed their time and energy to give students the opportunity to have a week-long experience of learning about the law and Delaware's justice system. The showing of support by our Bench and Bar was impressive. Equally impressive was the fact that the program was created and administered by a student.

Zach Boulden, a rising senior at Saint Mark's High School, wanted to gain more exposure to law related occupations through some type of real world experience. Zach was heavily involved with St. Mark's mock trial team and decided that he wanted all of the students who participate in mock trial to have an opportunity to put their experience in mock trial into a real-world context. He put together a proposal with all of the details of the program and approached Judge Joseph R. Slights, III with the idea. Judge Slights fully supported the proposal and took it to the Delaware Law Related Education Center for approval. Zach then went on to manage the summer program from start to finish. He wrote the letters to notify both students and potential mentors (judges/attorneys) about the program, collected all of the responses, matched mentors with students according to location in the state, wrote letters to inform participants of acceptance, and created a survey to receive feedback from the participants so that the program could be improved for future participants.

It is hard to find programs where students can gain invaluable practical experience and preview a career in which they have a keen interest. The fact that the program was administered at no cost to the students was a bonus. Thanks to all who participated!

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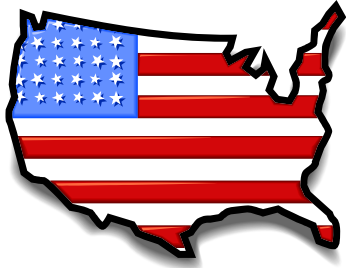
## Georgia-

By Michael Nixon

The 2013 mock trial season in Georgia is off under new leadership. Stacy Rieke, the Georgia state coordinator since 2001, returned to teaching and is now the teacher coach at her home district school. The new State Coordinator, Michael Nixon, came out of the classroom after 11 years of teaching high school geography and government and coaching the school's mock trial team.

We are off to a wonderful start of our 25<sup>th</sup> season with the 15<sup>th</sup> annual Law Academy, held October 4<sup>th</sup> – 7<sup>th</sup> at the UGA School of Law in Athens, GA. Over the 4 day weekend, 52 students from across the state spent the weekend in large and small group sessions led by attorneys and judges from around north Georgia. The students heard from the session leaders on various topics to help them hone their mock trial skills, and ended the weekend with the Student Bar Exam.

We have also registered 125 schools with several new teams for this season's competition in February. We expect to have many talented high school artists register for the Craig Harding Memorial Court Artist Contest again, where the state winner will travel with the state champion team to Indianapolis in May. This year's civil problem, Cowell v. Roberts, is a negligence suit filed by a high school student against the band director for the student's injuries during practice. We are excited about this season and look forward to seeing everyone in Indianapolis!



## *NEWS AND*

## *NOTES FROM*

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## Indiana

By Susan Roberts



Indiana recently released its 2012-2013 case for its competition to be held in February. This year's mock trial case takes us into the world of dog shows. The plaintiff has suffered injuries from a dog biting incident at the dog show. The breed is known for its aggressive tendencies. The Plaintiff claims that the defendants, the dog's owner and its handler, knew of the dog's propensity to bite. The defendants contend that the dog was properly restrained at the time of the incident and the defendants exercised reasonable care. The defendants also contend that the plaintiff provoked the dog to bite. In addition to gearing up for the State (and National) competitions, Indiana has been working on getting CLE credit for attorneys that judge the competition. The Chief Justice of the Indiana Supreme Court, Brent Dickson, longtime supporter of mock trial and civics education, has recently paved the way for attorneys to receive CLE credit for judging! Maybe we can continue the trend across the country!

## Nevada-

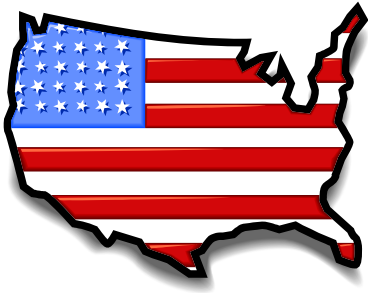
By Kathleen Dickinson

Our Mock Trial season is off to a great start. We had a Mock Trial workshop on Saturday September 2012 for new coaches, teachers and students. We were able to use the court room at our Law and Leadership Magnet High School. We have 18 teams competing in Southern Nevada and 9 teams so far in Northern Nevada. Our program has been growing and we are very happy with the increase in attorney volunteers this year. Our Southern Nevada Regional Competition will be February 9, 2013 at the Regional Justice Center. Our Northern Nevada Regional Competition will be February 22, 2013 at the Thompson Federal Courthouse and our State competition will take place March 8th and March 9th 2013 at the Federal Courthouse in Reno, Nevada.

## Mississippi

By Rene Garner

In celebration of the 30th anniversary of the Mississippi High School Mock Trial Competition, The Mississippi Bar's Young Lawyers Division is sponsoring the 2013 Mississippi High School Mock Trial T-shirt Design Contest. Mississippi High School mock trial teams are invited to submit design entries for a "2013 Mississippi High School Mock Trial T-Shirt" design. The winning t-shirt design will be announced in December, and all members of the winner's team will receive a free t-shirt. The t-shirts will be available to order prior to the competitions, but will also be sold at the Regional and Statewide Competitions.



*NEWS AND  
NOTES FROM  
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## New Jersey

By Sheila Boro

When Garden State school bells rang again this fall, the thoughts of thousands of students and their teachers in grades 3-12 turned to mock trial—specifically, the various mock trial programs under the auspices of the New Jersey State Bar Foundation.

Each program is grade-appropriate and aims to promote young people's understanding of how the law and the justice system work. In **Law Fair**, the mock trial competition geared to grades 3-6, teachers guide their pupils in creating an original criminal or civil case on any age-appropriate topic of their choice. In the spring, winning cases are performed by the students who created them at the New Jersey Law Center in New Brunswick before an audience of fellow students acting as jurors.

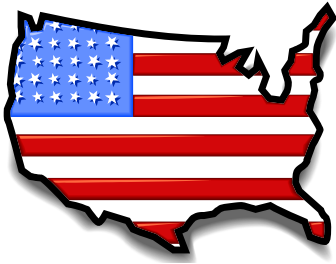
The **Law Adventure** competition is open to students in grades 7 and 8. In those grade levels, the students develop an original case on one of two themes determined by the State Bar Foundation. The choices for 2013 are New Jersey motor vehicle law and social media. Cases adjudged to be the best will likewise be performed in the spring at the Law Center before an audience of peer jurors. Judges and attorneys will preside over both Law Fair and Law Adventure mock trials.

The **Vincent J. Apruzzese High School Mock Trial Competition** is celebrating its 31<sup>st</sup> year of service to the educational community in New Jersey. Teams throughout the state are now preparing for the 2012-2013 competition. The new, original case deals with the death of a champion show dog allegedly resulting from the use of an over-the-counter flea treatment.

For information about the competitions, visit the Foundation's website, [www.njsbf.org](http://www.njsbf.org), or contact Sheila Boro, director of Mock Trial Programs, at 732-937-7519 or email [sboro@njsbf.org](mailto:sboro@njsbf.org)



News of the death of the famous champion show dog, Sally, rocked the industry. But what killed the two-year-old West Highland Terrier? That's the subject of the New Jersey State Bar Foundation's 2012-2013 original high school mock trial case.



**NEWS AND  
NOTES FROM  
AROUND THE  
NATION**

## Oregon

By Tyler Kaltenbach

Oregon's Mock Trial preparations for our 25<sup>th</sup> year are underway! As mock trial continues to be a strong program, we are now allowing for three teams from each school. To encourage teachers or attorneys to start a mock trial team, new teams are offered our Mentor Package. With this package, coaches of new teams are set up with a former teacher-coach/attorney-coach as a mentor, substitute pay for planning time with his or her mentor and a travel stipend if needed, and a free DVD of a past state, winning round. Their team's registration fee is also waived!

We are currently planning, recruiting, and getting ready for our all-comers, Mini-Mock event on December 14<sup>th</sup>. Teams argue both sides of a case. There is no scoring or power matching, just a fun way for students to "try out" for mock trial and see if it is something for them. Last year we had 32 teams and 400 students – they even came from Washington! This makes for one crazy evening, but what an experience for the students!

## North Carolina

By Sue Johnson

In **North Carolina** our season has gotten off to a great start! We already have 61 teams registered for our competition, nearly double the number at this time last year. Many of these teams are brand-new to the program and are the fruit of a concerted outreach to provide additional support to new schools. We have specifically reached out to lower-income schools in the mountains, eastern rural piedmont areas, and urban inner-city schools to encourage them to establish a mock trial program. As part of the outreach, we have developed training materials and curricula for on-site training sessions to help the schools build from a strong foundation. We are very excited to see these new schools and students reaping the academic and social benefits which are a hallmark of mock trial participation!

Written as an original case for this year's competition, *Mia Donovan v. Shannon Dempsey, Jordan Reddick, and Rubicon Soccer Club, Inc.* is a civil negligence case filed by the parent of a youth soccer player who suffered debilitating injuries after sustaining multiple concussions. While fictional the case draws upon actual North Carolina law and current research in the field, exposing students to a topic that is interesting, timely, and important. In fact, one of the premier research centers on the prevention, diagnosis, and treatment of sport-related concussion is located at UNC-Chapel Hill, providing us with local connections and expertise as our case was developed.

Finally, we are excited to be hosting the 2015 National High School Mock Trial Championship in Raleigh, North Carolina! We look forward to showcasing our great state to mockers from across the U.S. and beyond in just a few short years!

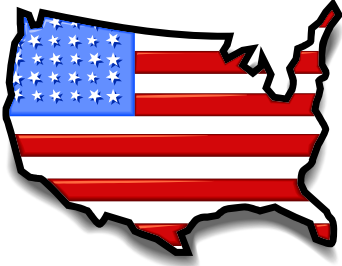
## Ohio

By Todd Burch

The Ohio Center for Law-Related Education marks its 30<sup>th</sup> anniversary with this year's High School Mock Trial program. Ohio Mock Trial is based on an original case written by a team of volunteer attorneys. This year, students will argue *State of Ohio v. Dakota Allen*. In this case, a high school student is interviewed by police regarding a fire at school which resulted in the death of an employee. The defendant eventually admits to setting the fire but later moves to suppress the confession as being improperly coerced under the Fifth and Fourteenth Amendments.

It is expected that more than 350 teams and 3000 students will participate in addition to approximately 1000 volunteer attorneys who serve as committee members, team advisers and judges. Teams will compete in up to three levels of competition at more than 40 sites across the state. Ohio Mock Trial will hold its State Championship on March 7<sup>th</sup> - 9<sup>th</sup>, 2013 in Columbus. For more information regarding Ohio Mock Trial and all of the Center's programs please visit

<http://www.ocltre.org>



*NEWS AND  
NOTES FROM  
AROUND THE  
NATION*

## Washington

By Sarah Clinton

# JOIN US FOR A NEW NATIONAL COMPETITION EXPERIENCE

**National Judicial Competition (NJC)**

**YMCA OF THE USA/ AMERICAN BAR ASSOCIATION**

**Wednesday, July 31 - Saturday, August 3, 2013**

### **WHAT IS NJC?**

The National Judicial Competition (NJC) is a program of the YMCA of the USA in partnership with the American Bar Association. Our goal is to provide a high quality, national competition that puts youth development at the forefront.. We hope you will join us this year!

### **APPELLATE COMPETITION**

Appellate teams are made of 2-4 students. Participants will try a case as attorneys in front of the Supreme Court. Participants will also sit on the bench and hear a case as a Supreme Court Justice.

### **MOCK TRIAL COMPETITION**

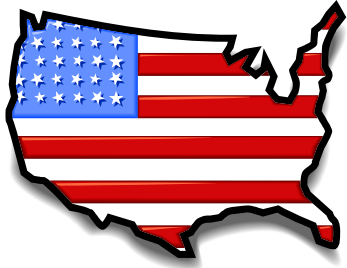
Mock trial teams are made up of 5-8 students who take part in a courtroom trial. Teens study a mock case, take on the roles of attorneys and witnesses, and go head to head with teams from around the country. Each round is presided over and scored by a panel of legal professionals.

### **CHICAGO HERE WE COME!**

NJC is a competition and so much more! Join us at the Holiday Inn Mart Plaza in downtown Chicago for stellar views of the city and waterfront. Celebrate the final day of competition on a dinner boat cruise on Lake Michigan. It is a beautiful backdrop, in front of which teens will develop their skills in oral advocacy, build confidence, and create lasting friendships.

### **PARTICIPATION**

To find out how you can participate, contact Brent Veysey ([brent@myig.org](mailto:brent@myig.org)) or Orville Lindquist ([orville.lindquist@ymcatwincities.org](mailto:orville.lindquist@ymcatwincities.org)), Planning Committee Co-Chairs!



*NEWS AND  
NOTES FROM  
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## Michigan

By Jeffrey May

These are exciting times here in Michigan. It's the 30th anniversary of the Michigan Center for Civic Education High School Mock Trial Tournament. This year, we're adding a third regional tournament! Our numbers continue to grow, and we're hopeful that the additional tournament will help us lessen the burden on our Pontiac, MI, Regional tournament where we had 52 teams registered in 2012.

We're also thrilled to hold our annual High School Mock Trial Clinic at three of Cooley Law School's Michigan campuses for the second year in a row. Through Cooley's Distance Education System, we are able to offer real-time, three-way communication between all of our presenters and attendees at the three campuses. Last year, we had over 180 students in attendance, and we hope to increase that number this year. As always, the MCCE offers its thanks to the Oakland County Bar Association, the State Bar of Michigan, and the State Bar Litigation Section.

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## Wisconsin

By Andrea Gage

Wisconsin is gearing up for its state 2013 High School Mock Trial Competition. According to Marsha Varvil-Weld, students are very excited about this year's case—an attempted first degree homicide. The past several years have involved civil mock trial cases, so students and coaches are thrilled to try their skills at a criminal case. Wisconsin's regional tournaments will be held on Feb. 9, 2013. The semifinals will be March 10 and the final round will be held in the Supreme Court Oral Hearing Room on March 11. The Wisconsin Supreme Court Justices will determine the State Champion that will go on to represent Wisconsin in Indianapolis in 2013.

# Spring Board Elections

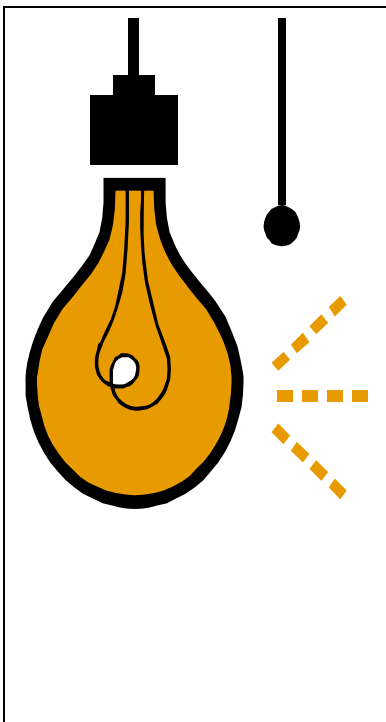
Calling all possible candidates! The National Board is seeking energetic candidates to become NHSMTTC Board members. An election will be held during the State Coordinator's meeting in Indianapolis in May 2013.

There are four at-large Board positions up for election this year. The at-large positions expiring in May 2013 are currently held by Rando Hicks, Pete Jones, Emily Reilly, and Susan Roberts.

The 2014 Host Board position has been filled by Marsha Varvil-Weld from Wisconsin and the 2015 Host Board position has been filled by Gordon Widenhouse from North Carolina.

Interested candidates should submit a letter of intent to run to the chair of the nomination committee, David Berlin at [dumberl@duhigglaw.com](mailto:dumberl@duhigglaw.com). Letters of intent are due by March 15<sup>th</sup>, 2013.

If the deadline is missed but a person still wants an opportunity to be nominated for a board position, such person must contact Mr. Berlin by the end of the May Board meeting. This communication must be accompanied by a nominating petition signed by at least three State coordinators.



## State Coordinators Membership Fees Due January 15<sup>th</sup>

As a reminder, in order to be eligible to participate at Nationals, each state must pay a Membership Fee. The fee is \$250 and is due by January 15<sup>th</sup>. This membership fee is separate and in addition to a team's \$500 tournament registration fee. Both fees are required for participation in the tournament. The funds collected through this membership fee have been earmarked specifically for costs borne by NHSMTTC, Inc. for hosting or aiding in the hosting of the national championship.

See Invoice at the end of the newsletter.

# Justice Gene Franchini Golden Gavel Award

The Justice Gene Franchini Golden Gavel Award is named after the Honorable Justice Franchini, who served as both a trial and an appellate judge over a career spanning decades, and earned a reputation among his peers as a highly-principled man, who truly loved the law. His unfailing passion for helping young people learn about his favorite subject led him to serve each year as a judge in regional, state and national mock trial competitions, and the admiration and respect he garnered from the students whose lives he touched cannot be overstated. This award recognizes any adult individual who has demonstrated this type of exemplary dedication and commitment to the goals and ideals of the National High School Mock Trial Championship.

To nominate someone for this prestigious award, complete the nomination form found on the NHSMTC website and submit it along with at least two letters of support for the nomination by the published deadline. The nomination should include the nominee's qualifications such as length of service/participation in the NHSMTC, the extent of that participation, the importance or significance of the nominee's contributions; and how these qualifications help to further the goals and mission of the NHSMTC. It is helpful to the committee if letters of support are provided by a variety of sources, including members of the local and state mock trial committee with which the nominee works.

Nominations are due each year by March 1st to the Chair of the Awards Committee, Larry Bakko at [larry@nationalmocktrial.org](mailto:larry@nationalmocktrial.org).





# Persuasive Style for Mock Trial

by Brian K. Johnson and Marsha Hunter

Winning advocacy is a combination of *what* you say, and *how* you say it. Here are five suggestions to help you polish your persuasive skills.

**ONE. Psych yourself *up*, and not *out*.** Turn off those negative thoughts about the fear of failure. Nervousness is a natural response to performance pressure. The secret is to make your nervousness work for you and not against you. Even experienced, successful trial lawyers admit to feeling nervous before trial. It's more than okay; it's essential! Embrace that feeling and convert it to your advantage.

**TWO. *Breathe consciously to feel better, speak better, think better.*** When you feel that rush of adrenaline leading up to your mock trial competition, take a long, deep breath. While awaiting your turn to speak, take several relaxing breaths. When you stand to speak, take one final deliberate breath before uttering your first word. Breathe in, then speak out. This puts breath support under your voice so you can speak with confidence and authority. It gives your voice more volume and keeps it from shaking or cracking. Conscious breathing also brings more oxygen into your blood stream, helping you think and feel better.

**THREE. Channel the physical energy of adrenaline out of your body using natural gestures.** Adrenaline is part of the fight-or-flight response. Extra energy flows into your legs (to run), your arms (to fight), and into your diaphragm (to power your breath). This is why legs, hands, and voices sometimes shake, especially at the start. To channel your adrenaline rush, first plant your feet and stand still. Feel the floor. Anchor yourself. Do not pace aimlessly, or let your fidgety feet start the dance of discomfort, which merely makes you look and feel more nervous. Adopt a strong stance, with your feet about shoulder-width apart.

**FOUR. As you plant your feet, prepare to gesture immediately.** Bring your hands together at waist height, right in front of your belly button. Forearms are parallel to the floor. Loosely touch your fingers together. Feel ready to gesture, like an athlete ready to catch a ball thrown to you. As you start to speak, gesture immediately. Be aware that adrenaline makes the first gestures fast and jerky, and tell yourself to be *slow* and *smooth*. Slower, smoother gestures calm you down, channel the adrenaline out of your body, and help you speak at a moderate, comfortable pace.

**FIVE. Control your rate of speech.** Speaking in *phrases*, not whole sentences, gives you reliable control of your pace. Speaking in phrases isn't really talking "slow," but it feels slow. Enunciate each phrase at a normal rate of speed, while separating those phrases by a brief silence. Persuasion happens in this silence. You have more time to think about what to say, and how to say it persuasively. It gives your listener time to process your thoughts in bite-sized, digestible chunks.

If you practice these five suggestions, separately and together, you can dramatically improve your ability to speak confidently and persuasively in mock trial.

*Brian K. Johnson and Marsha Hunter are courtroom communication consultants with an international practice. Visit <http://www.johnson-hunter.com/mock-trials/> to download additional handouts and to watch videos to help improve your mock trial speaking skills.*

# Law Related Resources

## **American Bar Association - Division for Public Education**

The mission of the ABA Division for Public Education is to promote public understanding of law and its role in society.

[http://www.americanbar.org/groups/public\\_education.html](http://www.americanbar.org/groups/public_education.html)

## **Bill of Rights in Action (BRIA)**

BRIA is a free resource for social studies teachers. Each lesson includes a content reading and interactive classroom activity. Search the online database for topics such as due process, equal protection and the first amendment.

<http://www.crf-usa.org/bill-of-rights-in-action/>

## **Civic Action Project**

Have a senior project or service learning requirement at your school? Looking to engage students in project based learning and incorporates 21st learning skills into your classroom? Civic Action Project (CAP) is a free curriculum to engage high school students in civics in a relevant and meaningful way. By taking civic actions, students practice what real citizens do when they go about trying to affect policy and solve a real community problem.

<http://www.crfcap.org/>

## **Great Rivers Technologies National Mock Trial Practicum**

This is a web resource that provides an opportunity for coaches to supplement the mock trial resources available to teams participating in mock trial programs throughout the nation. It is an interactive site whose purpose is to enhance the mock trial experience for students, teachers, coaches, and judges, to provide an interactive area that will help students better understand how to give a statement, ask questions, control a difficult witness, and make timely objections. It also allows coaches to run a strong Mock Trial program even if they are new to the activity, don't have access to an attorney coach, or would just like to better understand the process and involvement. Contact Tim Shade at [tshade@greatrivertech.net](mailto:tshade@greatrivertech.net) for more information or to place an order for this resource.

## **Justice by the People**

A website sponsored by Scholastic and the Foundation of the American Board of Trial Advocates (ABOTA) that provides free classroom materials, games and pintables'. [www.scholastic.com/americanjustice](http://www.scholastic.com/americanjustice)

## **Make Your Case**

Make Your Case is an interactive mock trial online game featured on Scholastic/ABOTA's Justice by the People website. Take part in this courtroom

trial simulation and learn how important trials are to the American legal system:  
<http://www.scholastic.com/browse/article.jsp?id=3752426>

## **May It Please the Court**

A video/print guide resource for mock trial teams offered by the Georgia mock trial office. An order form may be found on the NHSMTC website (<http://www.nationalmocktrial.org/about.cfm>) under the “About the Competition section.” The cost is \$40/copy.

## **Washington YMCA Youth and Government Website**

YMCA Youth & Government has a multitude of resources to ensure that adults and students alike have the greatest opportunity for success. Check them out today!

<http://www.seattleyymca.org/Locations/YouthAndGovernment/Pages/MockTrial.aspx>

## **NHSMTC Case Library**

The National High School Mock Trial Championship, Inc., is pleased to provide a library of mock trial cases online under the Sample Case Database section of the website. The mock trial cases on the website are available to state coordinators interested in using these materials. Access to the case library requires a coordinator to login. To get the log-in information or update a program’s coordinator contact information, the state coordinator should contact Larry Bakko at [larry@nationalmocktrial.org](mailto:larry@nationalmocktrial.org). All questions about the case library should be directed to Larry, as well.

<http://www.nationalmocktrial.org/casesearch.cfm>

## **NHSMTC Championship Round DVDs**

Order the 2007 championship round DVD (Tx-Civil Case) online at:  
at: <http://www2.dallasbar.org/thsmtc/info.asp?id=9> the cost is \$20. Contact Amy Smith at the Texas Mock Trial Office with questions about the DVD ([asmith@dallasbar.org](mailto:asmith@dallasbar.org) or 214-220-7484 )

Order the 2009 championship round DVD (GA-Criminal Case) online under the Resources section at: [www.georgiamocktrial.org](http://www.georgiamocktrial.org). The cost of the DVD is \$18.

Order the 2010 championship round DVD (PA-Criminal Case) online at <http://www.2010nationalmocktrial.com/>. The cost of the DVD is \$20. Contact Pam Kance at the Pennsylvania Bar Association ([Pam.Kance@pabar.org](mailto:Pam.Kance@pabar.org)).

Order the 2011 championship round DVD 2011 (AZ-Civil case) online at <http://www.azflse.org/mocktrial/2011>



## 2012 Championship Round DVD Order Form

Name	
State/Territory/Country	
School	
Address	
City, State, Zip	
Number of DVDs	
Cost Each \$11 – enter at right (includes mailer, shipping and handling)	
Total Cost	

### For Accounting Use Only

Amount Paid	
Date	
Check Number	
Number Sent	
Date Mailed	
By	

**Please send Payment to**  
 2012 National Mock Trial  
 c/o Center for Civic Values  
 PO Box 2184  
 Albuquerque NM 87103-2184



2013 NATIONAL HIGH SCHOOL  
MOCK TRIAL CHAMPIONSHIP, INC.  
INDIANAPOLIS, INDIANA  
MAY 9-11, 2013

*PRELIMINARY INTEREST FORM – DUE JANUARY 14, 2013*

State: \_\_\_\_\_ State Coordinator Name (or official designee): \_\_\_\_\_

**INSTRUCTIONS:** To indicate your intent to send your State championship team to the National High School Mock Trial Championship, Inc. tournament in Indianapolis, Indiana and to be listed on the 2013 National mock trial mailing list, please complete this form and return it by **January 14, 2013** to:

**2013 NATIONAL MOCK TRIAL CHAMPIONSHIP  
INDIANA MOCK TRIAL, HOST  
P.O. Box 63  
LAFAYETTE, IN 47902-0063  
E-MAIL: [nationals@inmocktrial.com](mailto:nationals@inmocktrial.com)**

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**YES! MY STATE WILL BE REPRESENTED AT NATIONALS IN 2013!**

Coordinator Title: \_\_\_\_\_

Company/Organization: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State:\_\_\_\_ Zip Code:\_\_\_

Work Phone (with area code): \_\_ Fax (with area code): \_\_\_\_\_

E-Mail address: \_\_\_\_\_

***DUE BY JANUARY 14, 2013 – THANK YOU FOR YOUR PROMPT ATTENTION!***



# NATIONAL HIGH SCHOOL MOCK TRIAL CHAMPIONSHIP

## DUES REMINDER

### IT'S TIME TO RENEW YOUR NATIONAL HIGH SCHOOL MOCK TRIAL CHAMPIONSHIP MEMBERSHIP

Membership dues of \$250 are due **January 15<sup>th</sup>** from each participating mock trial program.

Please note: The membership dues are separate and in addition to your state champion team's \$500 tournament registration fee. The tournament registration fee is due April 15<sup>th</sup>, and made payable to Indiana Mock Trial Association. Both fees are required for participation in the tournament (see the updated Articles and Bylaws posted online).

Checks for the MEMBERSHIP DUES should be made payable to NHSMTC, Inc. and mailed to:

NHSMTC, Inc.  
Susan Roberts, Treasurer  
P.O. Box 63  
Lafayette, IN 47902-0063

Return payment with the form below:



***Please help us keep our records current by completing the information below.***

***\*Please note: This is your contact information that will appear in the NHSMTC directory.***

State/Territory/Country: \_\_\_\_\_

Name: \_\_\_\_\_

Affiliation: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_



# NATIONAL HIGH SCHOOL MOCK TRIAL CHAMPIONSHIP

Dewain Fox, NHSMTTC Board Chair  
Sherman & Howard L.L.C.  
201 E. Washington St.  
Suite 800  
Phoenix, AZ 85004-2327E-mail:  
[dfox@shermanhoward.com](mailto:dfox@shermanhoward.com)

## 2012 Board of Directors

Larry Bakko (At-large—Wisconsin)  
David M. Berlin (HBD—New Mexico)  
Donald Christensen (At-large—Nevada)  
Rando Hicks (At-large—Arkansas)  
Pete Jones (At-large—Delaware)  
Paul Kauffman (At-large—Pennsylvania)  
Bob Noel (At-large—Louisiana)  
Emily R. Reilly (At-large—Illinois)  
Stacy Rieke (Board Host Director)  
Susan K. Roberts (At-large—Indiana)  
Marsha Varvil-Weld (HBD-Wisconsin)  
Ann Marie Waldron (HBD—Indiana)  
Laura Wesley (At-large—California)  
John Wheeler (At-large—Iowa)  
M. Gordon Widenhouse, Jr. (HBD—North Carolina)

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Sue Johnson (NC)

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Hon. Robert Kinney  
Anthony Gonzales  
Steve Miller

Dee Runaas  
Kathy Vick-Martini  
Judy Yarbro

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Michelle Giger (NM)  
Doris Huffman (NE)  
Public Relations Committee

Kyle Skinner (NH)

### Site Selection Committee

Doris Huffman (NE)  
Dee Runaas (IL)

*\*For a complete list of Committee Assignments, visit our website [www.nationalmocktrial.org](http://www.nationalmocktrial.org)*

The mission of the National High School Mock Trial Championship, Inc. is to promote an understanding and appreciation of the American judicial system through academic competitions and other endeavors for students.

National High School Mock Trial Championship is on Facebook!

Visit our page and select “like.” Let’s grow our Mock Trial Community!

<http://www.facebook.com/pages/National-High-School-Mock-Trial-Championship-Inc/267025570002719>

Judging Panel Volunteers Needed for the 2013 National Tournament in Indianapolis!

To volunteer contact go to <http://www.inmocktrial.org/2013Nationals.aspx>