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to return and compete in the role for which a substitution was made. If the technical difficulty is resolved, the impacted participant may return and participate in his or her other roles, if any. For purposes of this rule, a witness examination consisting of direct, cross, any re-direct and any re-cross is one role, so that a participant who requires an emergency substitution for a witness examination may not return and participate until the entire witness examination is completed.

For purposes of this rule, technical difficulties include internet failure, and computer, device, or microphone failure. Failure of a camera only does not permit emergency substitution under this rule. Students who lose internet connection shall rejoin the trial using a telephonic connection, if possible.

that trial segment. The team whose timekeeper lost connection may substitute another timekeeper qualified under Rule 1.4 for the remaining trial segments. The timekeepers shall confer consistent with Rule 4.6(e) regarding time remaining at the beginning of each trial segment.

Technical emergencies resulting from the loss of the connection of a presiding or scoring judge shall be handled in accordance with Rule 5.2.A.

If the technical difficulty prevents an entire team from completing in part or all of a round, the presiding judge shall declare a recess of up to 15 minutes to allow that team to reconnect, either via video or by connecting on audio-only via telephone. If reconnection is impossible, the State Coordinator, or its designee(s), may declare a forfeit in favor of the team that maintains its connection no sooner than the end of the 15 minute recess. If at least five witnesses have been subject to cross-examination, the State Coordinator, or its designee(s), may in its sole discretion complete the ballot, assigning scores equal to their average score on all segments that could not be completed by the di

In the event that a technical emergency prevents an entire team from connecting via video but that team is able to connect via audio-only, the opposing team and all judges shall turn off their video until video connection from both teams has been restored.

No student or team may feign technical difficulty or invoke the technical difficulty rule for purposes other than a genuine technical difficulty. Such an act would violate the Rules of Competition and Code of Ethical Conduct and may be sanctioned in accordance with Rule 1.2.

**Rule 1.4. Student Timekeepers**



**Rule 2.4.**

- b. If the circuit championship team has four, five, or six students available to compete in the State Competition, the team may add up to two students, to reach a roster size of a maximum of seven students. A circuit championship team may not have a roster size of greater than seven (7) students if any student on the team is a replacement student. Students added to a team as described in this Rule must meet Rule 3.1 Team Eligibility Requirements.
- c. Should the circuit champion be unable to compete or elect not to compete in the State Competition, the Circuit Coordinator has the sole discretion to designate an alternate team from their circuit competition to compete in the State Competition. Absent good cause, Circuit Coordinators should ordinarily designate alternate teams in order of their finish in the circuit competition.

**Rule 3.3. Team Composition**

Teams consist of six to twelve official team members. Only these official team members may be assigned to attorney, witness, and timekeeper roles representing the prosecution/plaintiff and defense/defendant sides. In each round, three official team members will serve as attorneys, and three different official team members will serve as witnesses. A seventh official team member, if available, will serve as timekeeper. If a team has only six official team members, it must designate two or more of its witnesses to serve as timekeepers in each round. Each timekeeper must meet the requirements of Rule 1.

Any student outside the declared official team is considered an additional non-competing team member. Additional non-competing team members may neither compete nor keep time for the team at any point during the competition. The Team Roster will become official at the close of on-site registration for an in-person competition, and at 5:00 p.m. local time of the Host location on the day prior to the first round for a virtual competition.

**Rule 3.4. Team Duties**

Except as permitted during technical difficulties under Rule 1.3.B, each of the three attorneys will conduct one direct examination and one cross-examination; in addition, one will present the opening statement and another will present the closing arguments. In other words, the attorney duties for each team will be divided as follows:

- 1. One attorney will be responsible for the direct examination of one witness and the cross-examination of one witness;
- 2. One attorney will be responsible for the direct examination of one witness, the cross-examination of one witness, and the opening statement; and
- 3. One attorney will be responsible for the direct examination of one witness, the cross-examination of one witness, and the closing argument (including rebuttal, if any).

Opening Statements must be given by both sides at the beginning of the trial.

The attorney who examines a particular witness on direct examination is the only person who may make

Copies of the Team Roster Form must be completed and duplicated by each team prior to arrival at the courtroom for each round of competition for an in-person competition. For a virtual competition, teams must submit Team Roster Forms in accordance with the protocol established and announced for the competition. Teams must be identified by the code assigned at registration. No information identifying team origin should appear on the form.

Before beginning a trial in an in-person competition, the teams must exchange copies of the Team Roster Form. Team Roster Forms will be distributed to judges in a virtual competition according to the protocol established for the competition. The Form should identify the preferred gender of each witness so that references to such parties will be made using the correct pronouns. Copies of the Team Roster Form should also be made available to the judging panel and presiding judge before each round. Teams shall not knowingly disclose their place of origin to any member of the judging panel or to the presiding judge.

## **THE TRIAL**

### **Rule 4.1. Courtroom Setting**

For an in-person competition, the Prosecution/Plaintiff team shall be seated closest to the jury box. No team shall rearrange the courtroom without prior permission of the presiding judge. If a team is granted permission to rearrange the courtroom, that team shall restore the courtroom to its original condition at the conclusion of the trial round.

For a virtual competition, each participant is encouraged to log into the virtual platform separately from a normal personal computer, tablet, cellular phone, or similar device. At a minimum, each of a participating





judge of the discrepancy. The presiding judge will then rule on the discrepancy, the timekeepers will synchronize their stopwatches



No team may post, share with another competing team, or otherwise disseminate any recording of any competition round in the State Competition.

Each team shall inform any family member or other observer of this rule. Violations of this rule, even by an individual who is not a team member, may result in sanction of the team affiliated with the individual who recorded and/or posted, shared, or otherwise disseminated the recording up to and **including disqualification from the competition.**

**Rule 4.15. Jury Trial**

The case will be tried before a jury; arguments are to be made to the presiding judge and the jury. Teams may address the scoring judges as the jury.

**Rule 4.16 Standing During Trial**

For in-person trials, student attorneys will stand while giving opening statements and closing arguments, during direct and cross examinations, and for all objections, unless excused by the presiding judge. For virtual trials, student attorneys may elect to stand or remain seated during their own examinations, opening statements, and closing arguments, but all objections shall be made while seated.

**Rule 4.17. Objections During Opening Statement/Closing Statement**

No objections may be raised during opening statements or during closing arguments. If a team believes an objection would have been warranted during the opposing team's opening statement or closing argument, the opposing attorney for that segment may, following the opening statement or following the closing argument, obje





A team may also mark other documents in the case materials during trial, such as by real time highlighting, underlining, zooming in, or otherwise marking a pleading or witness statement. If a team wishes to mark a trial exhibit entered but not marked by the opposing team, it must substitute its own clean copy of that trial exhibit for this purpose before any markings are made.

**Rule 4.28. Sharing Documents with Scoring Panel; Using Documents During Argument**

Unless otherwise provided in the Case Materials, the only documents which the teams may provide to the presiding judge or scoring panel are the individual trial exhibits as they are introduced into evidence, the Roster Forms, and the Stipulations. **Exhibit notebooks are not to be provided to the presiding judge or scoring panel.**

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Teams may, but are not required to, use lamination or page sleeves for their trial exhibits or other case materials. If teams choose to laminate a page or use page sleeves, teams will ensure that each page is clean prior to trial.

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## **JUDGING AND TEAM ADVANCEMENT**

### **Rule 5.1. Finality of Decisions**

All decisions of the judging panel are FINAL.

### **Rule 5.2.A Composition of Judging Panels**

The judging panel will consist of at least three individuals. The composition of the judging panel and the role of the presiding judge will be at the discretion of the Board or its designee.

The scoring judges may be persons including judges, attorneys, individuals with extensive mock trial coaching or scoring experience, and other persons as approved by the State Coordinator when also in compliance with Florida Mock Trial Rules of Competition.

The presiding judge may be a judge, senior judge, administrative hearing officer, magistrate, or attorney.

At the discretion of the host director, the Championship round may have a larger panel.

All presiding and scoring judges will receive the mock trial manual, a memorandum outlining the case, orientation materials, and a briefing in a judges' orientation.

In the event of an emergency (i.e., sudden illness, etc.), if a judging panel member must leave the courtroom or the virtual competition platform, the presiding judge will call for a brief recess and assess whether the judging panel member will be able to return in a reasonably short period of time. If the judging panel member is unable to return to the courtroom or virtual competition platform in a reasonably short period of time, the dispute resolution committee must be informed. Once the panel composition is adjusted by this committee to best meet the requirements of the rules, the round should continue. During any recess under this rule, the teams, whenever possible, should remain in their appropriate positions within the courtroom or in the virtual competition platform until the round resumes.

If the technical or other emergency impacts the presiding judge, a scoring judge may serve as the presiding judge unless otherwise provided by the State Advisory Committee.

### **Rule 5.2.B Conflicts Between Judges and Teams**

The State Coordinator recognizes that conflicts of interest between judges and participants may arise. This program requires extensive volunteer support, and it is assumed all participants will make every effort to identify potential conflicts. The sole discretion for determining whether a judicial conflict exists is vested in the State Coordinator or its designee. The following criteria will be considered:

1. A judge shall notify the State Coordinator, or its designees, when assigned to a trial round when the judge has an obvious or egregious conflict with either team involved in that trial round. Examples of an obvious or egregious conflict include where the judge is a coach of one of the teams, is a relative or close friend of a competing student or one of the team's coaches, or the circuit coordinator for either team.
2. A judge may be excused if that judge or his or her family members attended one of the schools competing or has a personal friendship with a team advisor or parent. However, in the case of



such potential conflicts, it is within the discretion of the State Coordinator or its designee to determine whether such a conflict exists.

3. A situation where the judge recognizes a team advisor or student/parent through professional acquaintance or through participation in mock trials in years previous will not ordinarily be considered to be a conflict, unless there is a closer relationship of the kind that would prevent the judge from fairly scoring a round. Mere recognition of a team or its members is not a basis for disqualification absent a more significant conflict.

A judge who becomes aware of a conflict prior to or during a trial should notify the State Coordinator as soon as possible. If the judge was not aware of the conflict until after he or she has completed the scoresheet, it is left to the discretion of the State Coordinator to determine whether to disqualify the juror.

The State Coordinator will take reasonable steps to avoid any conflict between judges, teams, coaches and coordinators or sponsors of teams. In all such cases, however, the State Coordinator or its designee reserves the right to permit a judge to participate in a trial if there are no reasonable alternatives.

#### **Rule 5.2.C Disqualification of Judges**

The State Coordinator, or its designee, has discretion in cases involving juror irregularity to disqualify a scoring judge

#### **Rule 5.2.D Process Following Disqualification of a Ballot**

If a scoring judge's ballot needs to be disqualified following the conclusion of a round, the State Advisory Committee will ensure that the minimum number of qualified ballots for a competition round, as based on the Rules of Competition, are completed.

If two ballots need to be disqualified following the conclusion of a round, if there are two legal ballots remaining and those ballots agree on the winning team of the round, a third ballot will be generated consisting of the average total score of those two ballots. This third ballot will be used as the official ballot for power matching purposes.

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The dispute resolution panel will determine appropriate next steps and may assess penalties if warranted.

The dispute resolution panel will be designated by the State Coordinator.

**Rule 6.3.B      Disputes After the Conclusion of the Trial    Virtual Competition**

The foregoing rules shall also apply in virtual competitions, except that the State Coordinator, or its designee(s), shall, in consultation with the Host, designate in advance of competition a mechanism for submission and resolution of disputes.

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**CIRCUIT COMPETITIONS**

**Rule 7.1      Power Matching/Seeding**

The State competition power matching and seeding system is optional for use during circuit competitions.

Team advancement procedures will be the responsibility of circuit coordinators. Circuit coordinators should contact the Justice Teaching Center for approved alternate models.

All circuits must use the Florida High School Mock Trial Rules of Evidence.