

# **2021 RULES OF THE MISSISSIPPI HIGH SCHOOL MOCK TRIAL COMPETITION**

## **Virtual Competition Appendix**

The rules contained in this Virtual Competition Appendix are to be read in conjunction with the 2021 Rules of the Mississippi High School Mock Trial Competition. This year, the 2021 Mississippi High School Mock Trial Competition will be conducted virtually via Zoom. These are unprecedented times and we ask for your patience as we learn and navigate this new structure together. If you have any questions, please contact Mississippi High School Mock Trial Coordinator Daniel Reed at [dreed@msbar.org](mailto:dreed@msbar.org).

## **I. RULES OF THE ORGANIZATION**

### **A. THE PROBLEM**

#### **Rule 9. Team Presentation**

- (b)(1) In the event of technical difficulties during the trial in a virtual competition, the presiding judge shall have discretion to declare a brief recess to resolve any technical difficulty substantially impairing a participant's participation in the trial. If the technical difficulty cannot be resolved within a reasonable, but brief, amount of time, then the trial will continue with another member of the impacted team substituting for the impacted team member. The emergency substitute must be a member of the same team as the impacted participant.

Before making an emergency substitution, the impacted team must make the presiding judge aware, by stating words to the effect of, "Your honor, before I begin I would like to inform the court that I am [insert name] and I am substituting for [insert name], who is unable to compete due to technical difficulties." Teams shall advise the Mississippi High School Mock Trial Committee of any emergency substitution following the round of competition.

The presentation will be scored based on the performance by the initial team member and the emergency substitute, taken as a whole.

Once the presiding judge determines either at the request of the team or sua sponte that a student is unable to compete in a role due to technical difficulties, to minimize disruption, the impacted student is not permitted 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 or connectivity 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.

In the event of a loss of connection for a timekeeper, that team shall defer to its opponent's timekeeper for that trial segment. The team whose timekeeper lost connection may substitute another timekeeper qualified under Rule 13(d) for the remaining trial segments.

In the event that a technical emergency 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, a forfeit shall be declared in favor of the team that maintains its connection. If at least five witnesses have been subject to cross-examination, the Mock Trial Committee or its designee 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 disconnected team and a "10" to the team that remained connected.

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 at the discretion of the Mississippi High School Mock Trial Committee or its designees through point deductions or other means up to and including disqualification from the competition.

#### **Rule 12. Trial Sequence and Time Limits**

- (i) For a virtual competition, each participant will log into the virtual platform separately from a normal personal computer, tablet, cellular phone, or similar device, unless permission is granted by the Mock Trial Committee or its designee to do otherwise. At a minimum, each of a participating attorney, witness, and timekeeper shall utilize an individual device. Each participant shall use a screen name formatted with the team's letter and the character the participant is playing. Timekeepers will use the team letter along with the participant's first initial and last name. Once the trial begins, only participants who are competing in a particular trial segment will have their camera turned on. All team members who are not actively participating in that trial segment must have their cameras turned off, except for timekeepers turning on their cameras to display remaining time consistent with Rule 13(d). For purposes of this rule, the witness, direct-examining attorney and cross-examining attorney must have their cameras turned on for the entire witness examination.

#### **Rule 13. Timekeeping**

- (d)(1) In a virtual competition, the timekeepers must signal time by posting the time signals permitted by subsection a in the chatroom function of the virtual competition platform. The timekeepers also may display Time Remaining cards by activating their camera to do so.
- (e)(1) During a virtual competition, after each witness, timekeepers shall confer using the "chat" or similar feature regarding how much time remains for each team.

#### **Rule 19. Trial Communication**

- (d) During a virtual competition, no team member, coach, judge or student may use the "chat," "instant message," or "chatroom" function of the electronic platform, except to: (1) display timekeeping messages, as permitted by Rule 1.4, and (2) to communicate in the case of a technical emergency where audio and video functions are lost but access to the chat or instant messaging function is intact. Observers are not permitted to use the chat or instant messaging functions at any time. Chatroom communications may be monitored by the Mock Trial Committee or a designee during the competition. In addition, the Committee or its designee may save a log of all chatroom communications.
- (e) During a virtual competition, only the six participating team members may communicate with one another. The six participating team members may use computers, cellular telephones, or other devices to facilitate this communication. These communications must be made available upon request if a dispute is raised as to improper trial communications.

#### **Rule 20. Viewing a Trial**

As rounds will be recorded, no spectators will be allowed inside the zoom rooms during a round. At the conclusion of the competition, all schools will be provided with a recording of their competition rounds.

### **Rule 21. Videotaping/Photography**

Due to the virtual nature of the competition and the restriction of spectators, each team and every team member must consent to recordings of each round. These recordings will be disseminated to the teams at the conclusion of the competition.

### **Rule 30. Dispute Resolution Procedure**

This Rule shall also apply in virtual competitions, except that students shall not complete a dispute form. Instead, students shall have two minutes to prepare an argument regarding their dispute in consultation with coaches and team members, and the presiding judge shall take notes regarding the nature of the dispute and the arguments presented by each team.

## **II. RULES OF PROCEDURE**

### **A. BEFORE THE TRIAL**

#### **Rule 33. Trial Squad Roster Form**

All teams will submit to the Mock Trial Coordinator a roster of all students which has a headshot of each student with their name, pronouns, and position they will be playing. This roster should also include information for team coaches including picture, name, and which team they intend to observe during the competition, if the school has more than one participating team. The Trial Squad Roster Form will become official at 5:00 p.m. CST on the day prior to the first round for the virtual competition.

### **B. BEGINNING THE TRIAL**

#### **Rule 37. Standing During Trial**

For virtual trials, student attorneys may elect to stand or remain seated for all parts of the trial. However, during objections, attorneys must remain seated.

### **C. PRESENTING EVIDENCE**

#### **Rule 42. Procedure for Introduction of Exhibits**

During a virtual competition, the procedure in Rule 42.A shall be followed, except that:

1. All witnesses shall have all case materials available and in their possession during their testimony but may only refer to them when prompted by an examining attorney.
2. Attorneys will not physically approach witnesses. Instead, attorneys will identify the exhibit they wish to show the witness and request the Court's permission for the witness to view it.
3. Attorneys will not be required to confirm that they have shown the exhibit to opposing counsel.
4. Instead of the language in Steps 5 and 6, in the Rules, the attorney will say words to the effect of "I now show you what has been marked for identification as Exhibit No. \_\_\_\_\_. Would you identify it please?" Witness should answer to identify only.

5. When an exhibit – or, during impeachment or refreshment of recollection, some other document – is shown to a witness, a member of the examining attorney’s team shall make that document available to all participants via “screen sharing” or similar technology. The member of the team responsible for posting the exhibit must be a team member competing in the round or the timekeeper for the round.

6. Exhibits or other documents posted in this manner will be deemed not to have been shown to the jury unless they are admitted into evidence and formally published to the jury. Publication to the jury is at the presiding judge’s discretion.