



Gene Franchini

High School Mock Trial



MASTER THE 10 MOST DIFFICULT THINGS

The numbered items below – which appear in no particular order – have been identified from watching countless mock trials, as well as dozens of national championships. If you can master these, you will do well as a member of your mock trial team.

1. Determining which points are the most necessary in order for you to prove the elements of your case, and then making sure that you do, indeed, prove them.
2. Telling clearly in the opening statement what you intend to prove, and arguing effectively in the closing argument that the facts and evidence you have presented has proved your case.
3. Learning, understanding and recalling in court the rules of evidence and being able to use them to introduce documentary or physical evidence.
4. Following the formality of the court, e.g., standing up when the judge enters or when addressing the judge, calling the judge "Your Honor," etc.
5. Phrasing questions on direct examination that are not leading. (Carefully review the rules of evidence and watch for this type of questioning in practice sessions).
6. Refraining from asking so many questions on cross-examination that well-made points are lost. When a witness has been contradicted or otherwise discredited, student attorneys tend to ask additional questions, which often lessen the impact of points previously made. Pointless questions should be avoided! Questions should require answers that will make only good points for the side.
7. Thinking quickly on your feet. Times that you'll need to be quick include when a witness gives an unexpected answer, when an attorney asks an unexpected question or makes an unexpected objection, or, when the presiding judge decides to question an attorney or a witness.
8. Making objections and responding to objections.
9. Refraining from reading opening statements and closing arguments.
10. Learning and understanding the hearsay rule and all its exceptions.