

## **NC Mock Trial Team Training Video Clarifications and Additional Information**

**NOTE:** As noted in the video, much more information is available in the Competition Case, Competition Rules, and Teacher Resource Manual. The video and this addendum are intended as helpful suggestions and pointers to give teams a broad overview of the mock trial program. Your *attorney advisors* are the dedicated professionals who will help you understand the legal principles and case preparation in greater depth, so you should rely upon their expertise as you prepare your presentations for competition.

### **Part 1: Program Overview**

<u>Time</u>	<u>Clarifications or additional information</u>
23:30	Additional information regarding torts: a tort is an action that causes harm to a person or property. Tort lawsuits address a violation of a duty that is set by law and applies among numerous individuals, such as the duty to not commit assault or not to knowingly spread lies to hurt another's reputation. Tort disputes differ from violations of specific agreements between two parties, such as a breach of a written contract. For more information, check out <a href="http://www.rotlaw.com/legal-library/what-is-a-tort/">www.rotlaw.com/legal-library/what-is-a-tort/</a> .

### **Part 3: Attorneys**

8:25	Note that before Opening Statement and Closing Argument, the plaintiff attorney can ask the Presiding Judge to allow the bailiff to move to the jury box (not in a position that would disturb the jurors), so that the student attorneys can see the time cards. After both opening statements, the bailiff should return to their normal seating.
13:12	In general, the crossing attorney will use a "firmer" tone on cross-examination than is used during direct examination. However, if the crossing attorney is examining a weepy or sympathetic opposing witness (parent of an injured child, for instance), the crossing attorney may want to take a more gentle tone to avoid appearing to be insensitive – which could damage the attorney's scores.
30:51	If your objection to a witness's answer is sustained, you can "move to strike" the witness's testimony. A Motion to Strike is the only motion allowed in N.C. mock trial, per Rule 4.8.
32:40	Remember that the affidavit is an out-of-court statement; therefore, statements in the affidavit can be kept out of testimony as hearsay if they do not meet any of the exceptions and are not admissions by a "party-opponent." See Rules 801.d and 803 – 805. Your attorney advisor can help you to understand these distinctions.