



MOCK TRIAL NEWSLETTER JANUARY 2013

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GOALS, EXPECTATIONS AND ADAPTABILITY: Looking ahead to 2013

By Sue H. Johnson

CCCE Mock Trial Program Coordinator

In addition to refreshing times with family and friends, the holidays often provide opportunity to reflect on the year just completed and to set goals for the year to come. I have thoroughly enjoyed my first year as the CCCE Program Coordinator, and I have benefitted tremendously from the wisdom of many colleagues and friends. Looking ahead to 2013, I appreciate the perceptive advice in Rick Friedman's excellent book *On Becoming a Trial Lawyer*. A quick read, the book is beneficial for all types of legal professionals, from "real" trial attorneys and paralegals, to "mock" trial attorneys and even "mock" witnesses.

One lesson particularly caught my attention, as Friedman discussed a common topic in an uncommon fashion. This insight could be termed the "peril of perfectionism." Friedman rightfully emphasizes that effective preparation for trial requires hard work and long hours of intensive effort. And, of course, whether preparing for trial, or for an event such as the mock trial regional competition, it is important to work conscientiously to secure a successful outcome. We all know that perfection cannot be attained, but we feel a responsibility to leave "no stone unturned" in our zealous efforts to represent our clients, support our employers, or prepare to compete in mock trial.

Yet, if we are not careful, our diligent and careful preparations can produce expectations that inevitably will NOT be met – and the ensuing disappointment can lead to needless disaster. However diligently we prepare, unforeseen events will occur – both those in our favor, and ones harmful to our case. Evidence will be admitted or excluded unexpectedly, witnesses will give surprising answers on cross-examination, or the limited time available (in a mock trial) for the case-in-chief will be mismanaged, making it difficult for the final witness to relate important facts. As Friedman notes, "Every minute of trial presents an opportunity for the unexpected to present itself. . . . Every move makes you painfully aware of the gap between what you expected the trial to be and what it actually is. Your self-conscious awareness of that gap is more likely to be your undoing than whatever it is you think has gone wrong."¹

If our expectations of perfection prevent us from realistically perceiving and adapting to the new situation, we will not present our case or direct our event effectively. We must learn to let go of our unrealistic ideals to address "what is," rather than bemoaning what "might have been." The fluid nature of the proceedings at trial – both "real" and "mock" – makes trial advocacy simultaneously nerve-wracking and exhilarating. While I, as the CCCE Program Coordinator, do not experience this roller-coaster to the same degree as a trial attorney, overseeing the statewide mock trial competition also requires flexibility and a cheerful willingness to recognize

¹ Rick Friedman, *On Becoming a Trial Lawyer*. Trial Guides: Portland, OR, 2008. Page 76.

and adapt to changing circumstances. Indeed, the variety of the work, and the ability to impact individual lives in a very positive way, are similarly challenging and rewarding. As I face the inevitable last-minute “crises” of the coming year, I hope to meet them with the same calm decisiveness, good humor, and wisdom that characterize so many of my colleagues at the CCCE and in the mock trial program.

We appreciate your investment in students across North Carolina. **And if you haven’t yet registered to join us** at a regional competition on **Feb. 9, 2013**, please go to [<http://ncmocktrial.org/get-involved>] to see how you can get involved! We need judges and attorneys to serve as presiding judges and scoring jurors, and paralegals and law students to help “behind the scenes.” **We hope you will make it one of your goals for 2013 to join us!**

SPONSOR SPOTLIGHT: MELROSE, SEAGO & LAY, P.A.

The **Asheville Regional** competition has been sponsored for several years by Melrose, Seago & Lay, P.A. Sponsor and Regional Coordinator Mark Melrose shares his insights on the value of the mock trial program: “I’ve been actively involved as a Regional Coordinator for Mock Trial since the competition began. For the last couple of years my law firm, Melrose, Seago & Lay has been a financial sponsor of the Asheville Regional Competition.



“Even though there are always a few tears shed by the opposing team when the Regional Champion is announced, the feedback I hear each year from students, parents, spectators and volunteers is universally positive. The competitive structure of the program creates an educational tool that is impossible to duplicate in a traditional classroom setting.

“My favorite parts of the competition are those moments during cross examination when the student attorneys and the witness become so totally immersed in their roles, the facts, and the law that they must respond in character and without preparation. The surprise objections, the reaction of the witnesses maintaining their personas, and the ad lib response by opposing counsel can be fascinating. When it all clicks, I am reminded why I continue to do this year after year. I sometimes “forget” that it is not a real case, and I realize that the students’ understanding of the value and complexity of our legal system is something they will carry with them throughout their lives. That is good for them, and for us.” **Mark R. Melrose, Asheville Regional Coordinator and Asheville Regional Sponsor**

FOCUS ON VOLUNTEERS: SITE COORDINATORS



Asheville Site Coordinator Cindy Bryson has been involved with the mock trial program for more than 15 years. She explains why she has invested so many years with the program: “I work for the law firm of Melrose, Seago & Lay, P.A. in Sylva, NC. I have been with MS&L for 16 years and the first year I started here I was asked to help out with the mock trials. Of course the first year I was given the task of calling local attorneys to see if they would volunteer to be judges for the competition. Not ever having seen a mock trial, I had no idea what I was asking them to do.

“Then the big day came; it was very exciting! Since I had no idea how mock trial worked, I was like a little kid with my eyes and ears wide open so I would not miss a thing. I sat at the table to check in the teams and meet the advisors and then helped wherever needed. I was able to sit in the courtroom and listen to the competition and was just amazed that high school

students put so much into their roles and teams. I went home that night and told everyone in my family how interesting it was and how amazed I was at how much each participant put into their role. I was hooked and from that year on I have helped out with the competition. Pretty soon my daughters were helping out and last year I even got my husband to come take photos. I enjoy every minute of it, and I am still amazed each year watching the new teams compete. It is a wonderful program and I am thankful to be a part of it; I hope to do everything I can to continue being a part.”

THANK YOU to the attorneys who have already agreed to serve as **attorney advisors** this season. ***We still need attorneys to advise teams in the following locations: CARY, GREENVILLE, and RALEIGH.*** If you can help, please contact Program Coordinator Sue Johnson at SueHeathJohnson@gmail.com.

CALENDAR 2012/2013 MOCK TRIAL SEASON

Team Roster, Registration Fee, Photo Release Due	Friday, January 11, 2013
Last Day to Withdraw Without Penalty	Friday, January 18, 2013
Regional Competition	Saturday, February 9, 2013
State Finals - Campbell Law School, Raleigh	Friday & Saturday, March 1 - 2, 2013
National Championship - Indianapolis, Indiana	Thursday - Sunday, May 9 - 12, 2013

THANK YOU TO OUR 2012-13 OUTREACH PROGRAM SPONSORS!

NEW OUTREACH SPONSOR: North Carolina Lawyers Weekly

Lawyers Mutual Liability Insurance Company of North Carolina
Mary Duke Biddle Foundation

We still need more sponsorship support to fully realize the goals of our outreach program. If you can join us in this important outreach, please contact Sue at SueHeathJohnson@gmail.com or CCCE Vice-President Rebecca Britton at rebecca@brittonlawfirm.com

THANK YOU TO OUR 2012-13 COMPETITION SPONSORS!

State Finals: Rudolf Widenhouse & Fialko
Asheville: Melrose, Seago & Lay, P.A.
Charlotte: The Sumwalt Law Firm
Durham: The Law Offices of James Scott Farrin
Fayetteville: Britton Law, P.A.
Greenville: Hardee & Hardee, LLP
High Point: Crumley Roberts, LLP
Raleigh: Twiggs Strickland & Rabenau, P.A.
Wilmington: Shipman & Wright, LLP

CAMPBELL UNIVERSITY SCHOOL OF LAW - partnering with NCAJ to host our State Finals!

IT TAKES A VILLAGE . . .

Special thanks to Mock Trial Committee Members and Regional Coordinators who have agreed to serve for the 2012/2013 season: Mark Melrose (Asheville Regional Coordinator), Paul Goodson (Charlotte Regional Coordinator), Russell Johnson (Durham Regional Coordinator), Philip Entzminger (Greenville Regional Coordinator), Rich Manger and Adrienne Blocker (High Point Regional Coordinators), Christine Scheef (Raleigh Regional Coordinator), John H. Anderson, Jr., (Wilmington Regional Coordinator), Ken Campbell,

Sheila Chavis, Elizabeth Kuniholm, Carlos Mahoney, Chris Nichols, John O'Neal, Katy Parker, Elizabeth Spruill, and Mark Sumwalt.

Special thanks also to our Site Coordinators who will serve at Regionals in the 2012/2013 season!

Asheville: Cindy Bryson, ***Charlotte:*** Beverly K. Moore, ***Durham:*** Patti Clapper, ***Fayetteville:*** Elizabeth Owens, ***Greenville:*** Kristen Miller; ***High Point:*** Karen Parrish, ***Raleigh:*** Lakisha Chichester and Fran LaFrankie, ***Wilmington:*** Brandy Jo Lea.

***If you are interested in serving on the NCAJ Mock Trial Committee, please contact either Sue Johnson, Program Coordinator, at sueheathjohnson@gmail.com, or Rebecca Britton or Gordon Widenhouse, Committee Co-Chairs, at rebecca@brittonlawfirm.com or mgwidenhouse@yahoo.com.*