



## MOCK TRIAL NEWSLETTER

SEPTEMBER 2016

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*Carolina Center for Civic Education*

**"Investing in our future, creating tomorrow's leaders"**

### **25<sup>th</sup> ANNIVERSARY SEASON: REFLECTIONS ON MOCK TRIAL**

*By Brooke Schmidly*

*CCCE Board of Directors*



I participated in mock trial at Salem Academy the first year North Carolina had a high school mock trial program. My team was coached by two Wake Forest Law students, one of whom is Chris Nichols, the immediate past president of the North Carolina Advocates for Justice. My senior year, our team won the State Championship and went to Chicago, IL for Nationals. The Nationals problem that year was based on the infamous Chicago White Sox scandal, arguing whether White Sox players had purposefully lost the World Series to help gamblers. It was awesome. We went to a White Sox game, ate Chicago-style pizza, and worked harder on that case than I had worked on anything before.

I went on to compete in Mock Trial in law school. But truthfully, I had already learned how to argue objections using the Rules of Evidence, how to conduct direct and cross examinations, and how to structure opening statements and closing arguments from high school mock trial. After I obtained my J.D., I wanted to give other students the same opportunities I'd enjoyed. I coached mock trial at a school in Nebraska when I was an Air Force JAG stationed at Offutt AFB. I joined the Asheboro High School team (coached by my dad) for National competitions in New Orleans, LA; Omaha, NE; and Minneapolis, MN. And when I returned to Asheboro to practice law, I joined my dad in coaching the Asheboro High School team.



As a coach, I have seen high school students engage in sophisticated conversations about the Rules of Evidence and display better trial skills than practicing lawyers. I have seen my students go on to enjoy success in a variety of careers, including as a TV anchor, a nuclear physicist, teachers, plumbers, and even a few attorneys.

Mock trial benefits students in numerous ways, but one of the most important is that it compels students to practice "thinking on their feet." Parts of the trial are certainly scripted, but teams have to react to

objections they didn't expect and amend their closing arguments to address the claims made by their opposition. Rarely does education present opportunities where students have to use their training, and hours and hours of preparation, to prepare them to respond to something they didn't expect. Mock trial does that, preparing students for the real world in a way that few other, or maybe no other, activities do.

But, mock trial does more. The students involved in mock trial learn about our justice system in ways that benefit them for their entire lives. The Rules of Procedure and Evidence aren't always intuitive to non-lawyers. Mock trial kids learn about our legal system and will know what is happening if they are called for jury duty, or have any involvement in the justice system. Mock trial also teaches public speaking skills, logical reasoning, and the importance of preparation.

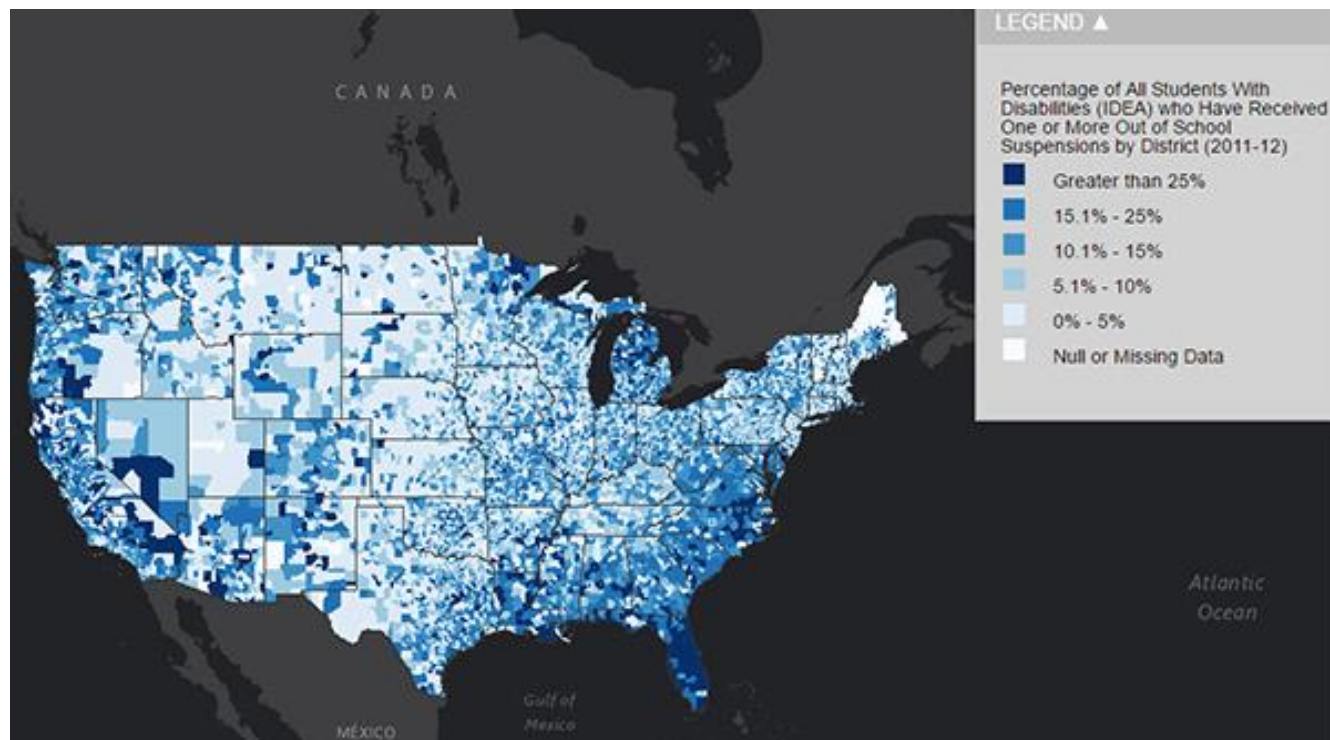
Being part of Mock Trial has been a joy of my life. I've watched students go from being terrified to speak in public to being in total control of a courtroom, and in one of my favorite instances, going from crying in the hall before her first round to telling me proudly afterwards "I was brilliant." And she was!

*Editor's note: If you are not already involved in the NC mock trial program, please consider joining us as a team mentor or judge / juror at our regional competitions. Contact CCCE Program Coordinator Sue Johnson at [SueHeathJohnson@gmail.com](mailto:SueHeathJohnson@gmail.com) for more information. You'll be glad you did!*

## **2016-17 COMPETITION CASE HIGHLIGHTS IMPORTANT SOCIETAL ISSUES!**

By Sue H. Johnson

CCCE Mock Trial Program Coordinator



As CCCE Board member Brooke Schmidly has so eloquently noted, mock trial participation enables students to gain many crucial skills that will serve them well, whatever career path they pursue. In the process of engaging with the case materials, students develop a deep appreciation for our justice system. And because our CCCE cases alternate between civil and criminal actions, students gain a broad understanding of multiple aspects of the legal process.

For our 25<sup>th</sup> Anniversary season, the CCCE is proud to present a civil case dealing with many issues facing our students: bullying; recognizing and accepting differences (in abilities, interests, religion, and ethnicity); school safety and security; zero tolerance policies and the school-to-prison pipeline; and reasonable versus excessive force.

In *Gabriel Torres v. Arcadia Police Department*, high school student Gabriel Torres alleges the use of excessive force and a violation of due process under the Fourteenth Amendment, pursuant to 42 Utopia Code § 1983. Gabriel had recently moved to the state of Utopia from the Northern Mariana Islands, and he experienced difficulties in integrating into the new school and new culture. On several occasions, Gabriel was the target of bullying, and he had been suspended one time after a fight.

On October 13, 2015, Gabriel was pepper-sprayed by the school resource officer (SRO) after allegedly refusing to hand over his backpack when ordered to do so. The SRO believed that swift action was required, as another student had just reported seeing a gun in Gabriel's backpack.

The SRO knew that Gabriel had been subject to bullying and suspended previously for fighting. The SRO did not know that Gabriel had been diagnosed with Asperger Syndrome (AS) only months prior. A developmental disorder that leads to difficulties in social interactions, AS can increase the likelihood that a student's actions will be misunderstood by others and can increase the student's risk of being bullied.

In writing our cases, the CCCE desires to give the students a chance to explore important societal issues while learning about our legal system. We trust that students, teachers, attorney advisors, and supporters will enjoy and benefit from the opportunity to engage with the important topics involved in *Torres v. Arcadia Police Department*.

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**CALENDAR 2016 – 2017 MOCK TRIAL SEASON**

Early Registration Deadline	Friday, Sept. 23, 2016
Final Registration Deadline and \$175 Team Fee Due	Friday, Dec. 9, 2016
Team Member List, Code of Ethics, Release Forms Due	Friday, Jan. 6, 2017
**Last Day to Withdraw Without Penalty**	Friday, Jan. 6, 2017
Regional Competition	Saturday, Feb. 4, 2017
Widenhouse Award Nomination Materials Due	Weds., Feb. 22, 2017
State Finals Competition	Fri. – Sat., March 10-11, 2017
National Championship, Hartford, CT	May 11-13, 2017

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**THANK YOU TO OUR 2016 – 2017 COMPETITION SPONSORS AND SUPPORTERS!**

State Finals:	Rudolf Widenhouse
Asheville:	Melrose Law, PLLC
Charlotte area:	The Sumwalt Law Firm
Fayetteville:	Britton Law, P.A.
Greenville:	Hardee & Hardee, LLP
High Point:	Manger Law Firm
Pittsboro:	Glenn Mills Fisher & Mahoney, P.A.
Raleigh:	Twiggs Strickland & Rabenau, and Maurer Law, Co-Sponsors
Salisbury:	Rowan County Bar Association
Wilmington:	Shipman & Wright

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

**THANK YOU TO OUR 2016 – 2017 OUTREACH PROGRAM SPONSOR!**

**Lawyers Mutual Liability Insurance Company of North Carolina**

***IT TAKES A VILLAGE . . .***

***Special thanks to our 2016-17 Regional Coordinators and CCCE Board Members:*** Asheville Regional Coordinators Mark Melrose and Marion Parsons-Groat, Charlotte Area Regional Coordinator Holden Clark, Fayetteville Regional Coordinator Rebecca Britton, Greenville Regional Coordinators Jeffrey Cannon and Phil Entzminger, High Point Regional Coordinator Rich Manger, Pittsboro Regional Coordinators Liz Barber and Robert Jessup, Raleigh Regional Coordinators Christine Scheef and Lindsey Granados, Salisbury Regional Coordinator Darrin Jordan, Wilmington Regional Coordinator John H. Anderson, Jr.; and CCCE Board Members Gordon Widenhouse, Rebecca Britton, Rich Manger, Bradley Bannon, Adrienne Blocker, Christine Scheef, Brooke Schmidly, Mark Sumwalt; Bill Powers (ex officio) and David Henson (ex officio).

***Special thanks also to our 2016-17 Site Coordinators:***

***Asheville:*** Brett Pinkston and Victoria Townley, ***Charlotte area:*** Beverly K. Moore, ***Fayetteville:*** Tanja Shurling and Karen Kueny, ***Greenville:*** Jessi Cannon, ***High Point:*** Rose Pratt and Jane Goeke, ***Pittsboro:*** Patti Clapper and Lakisha Chichester, ***Raleigh:*** Michelle Keely and Sandra Strickland, ***Salisbury:*** Emily Applewhite, and ***Wilmington:*** Brandy Jo Lea and Christi Wert.

***\*\*If you are interested in supporting or learning more about the NCAJ High School Mock Trial program, please contact Sue Johnson, Program Coordinator, at [sueheathjohnson@gmail.com](mailto:sueheathjohnson@gmail.com), or Rebecca Britton or Gordon Widenhouse, Mock Trial Committee Co-Chairs, at [rebecca@brittonlawfirm.com](mailto:rebecca@brittonlawfirm.com) or [mgwidenhouse@yahoo.com](mailto:mgwidenhouse@yahoo.com).***