



Constitutional Rights
Foundation
ORANGE COUNTY

Suggestions to First Year Mock Trial Coaches

1. Meet together once a week.
2. During the actual competition, consider holding a debriefing the day after to discuss what went well and what went wrong at the previous night's competition, and any new strategies gleaned from the opposition argument.
3. Divide, if possible, the team into prosecution and defense teams consisting of the trial attorneys and the witnesses.
4. Encourage these teams to meet individually, to rehearse the questioning of witnesses and the delivery of opening and closing arguments.
5. At the joint meetings, conduct a complete trial, giving both sides the chance to practice objections and observe possible strategies of the opposition.
6. Have the defense make comments on the strategy of the prosecution and vice versa.
7. Decide at the first meeting which attorneys will take which witnesses and who will be delivering the opening and closing arguments. Although all attorneys should have an idea of each witness's testimony, it is important that those assigned to the witness know it as well as the witness does.
8. Have your trial attorneys look at their witnesses from both a prosecution and a defense point of view - they will have to be able to counter possible opposition strategies and be on the lookout for stumbling blocks.
9. Have your witnesses look at their own statements from an attorney's point of view. They will know their characters best, and thus are the most qualified to help the attorneys in preparing their testimony.
10. Practice objections. Make objections to questions, even if they are only trivial. Often the attorneys will be able to get around objections either by rewording the question or by argument - particularly to the hearsay rule. However, they will only become proficient in objecting and countering objections through practice.
11. Have the pre-trial constitutional attorneys meet together to discuss possible arguments for each side and to practice rebuttals. They must know all of the case law: flash cards work well.
12. In the event that the pre-trial arguments could exclude evidence, prepare for that eventuality, no matter how small the probability. Being caught without a backup plan can be devastating to the overall performance of the team.
13. Time each and every practice, and leave a buffer for unexpected delays or redirects at the trial. The attorneys shouldn't have to ask for the time remaining during the trial. They need to have a general sense of how long each witness's testimony takes. They also need to be able to know when to raise objections to the other teams timing, should there be a significant discrepancy.
14. Foster a sense of teamwork and emphasize that your prosecution and defense teams are on the same side, and that only by helping each other will team succeed. You either all win or all lose.
15. Most importantly, make it fun. If the students don't enjoy the process, not only will you lose experienced members for the next year, but they will resent spending the time needed to succeed.