

**North Carolina Teen Court Association**

**Annual Summit and Mock Sentencing Hearing**

**Competition**

**Policies and Procedures**

**\*\*adapted from the NCAJ High School Mock Trial Program**

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**North Carolina Teen Court Association**

The North Carolina Teen Court Association’s purpose is to serve as the link to bring all local Teen Court programs together as a unit. The Association will endeavor to involve the Association leadership, state government leadership, and local representation to provide knowledge and resources to allow the Association to do this effectively.

***Purpose of the Summit***

In the spring, the NCTCA hosts a Teen Summit. The Summit involves a Mock Sentencing Hearing Competition, educational workshops, a dance, and a fun opportunity for the Teen Court teen volunteers to meet other youth from around the state who volunteer with Teen Court. This event usually involves 150-160 teen volunteers and chaperones. The Summit is an opportunity for youth to engage in competition and apply the skills they have learned throughout the year as Teen Court Volunteers.

**Summit Policies and Procedures**

**Rules of Competition**

**A. RULES OF COMPETITION**

## Rule 1.1. Rules

The NCTCA Rules of Competition will govern all hearings and weekend activities.

Questions or interpretations of these rules are within the discretion of the North Carolina Teen Court Association Summit Committee; whose decisions are final.

**Rule 1.2. Code of Conduct; Expectations of Participants; Sanctions for Inappropriate Behavior** The Rules of Competition, as well as proper rules of courthouse and courtroom decorum and security, must be followed. The ideals of fair play, civility, and friendship shall guide the conduct of all participants and observers throughout all mock hearing activities including, but not limited to: breaks between hearings, organizational meetings, and team practices. Courtesy toward opposing team members, judges, mock hearing officials, coordinators, and one’s own team members is expected of all participants and observers.

**Rule 1.2.a. Team Coordinator.** Every team must have at least one officially designated adult team coordinator, who is responsible to provide adult supervision of the team, ensure that all deadlines for submission of fees and forms are met, and communicate clearly the Code of Conduct to all team members and observers. Students and/or persons who are not age 18 or older cannot serve as the designated team advisor. Because the purpose of mock hearings is to instill respect for the legal system and its ideals of justice, equality, and truth, coordinators are expected to champion these ideals above winning.

**Rule 1.2.b. Sanctions for Inappropriate Behavior.** The NCTCA possesses discretion to impose sanctions up to and including, but not limited to, deduction of points, the team’s immediate eviction from the competition, suspension from competing in future competitions, and/or forfeiture of all fees and awards (if applicable) for any misconduct, flagrant rule violation, or breaches of decorum that affect the conduct of a hearing or which impugn the reputation or integrity of any team, school, participant, court officer, judge, or the mock hearing program.

## Rule 1.3. Registration Procedures

To participate in the Mock hearing competition, teams must complete the following steps by the deadlines listed in the published schedule:

* Submit the Registration Form and Registration Fees
* Submit the signed Ethics form
* Submit signed Permission/Release forms for each participating student (official team members and alternates)
* Submit the Official Team Roster form (listing Official team members and alternates) by the deadline

**Rule 1.3.a.** An organization may register up to two teams for the competition. However, the teams may not share team members.

**Rule 1.3.b**. An organization with multiple counties may have their counties create one team that will represent their organization.

## Rule 1.4 Withdrawal Deadlines and Penalties for Late Withdrawal

If a program finds it necessary to withdraw from the competition, it may request a refund if it withdraws ON OR BEFORE the designated--Last Day to Withdraw. Withdrawals from the competition AFTER the designated ―Last Day to Withdraw and at least 10 days prior to the competition date will result in forfeiture of the team registration fee. Teams that withdraw from the competition fewer than 10 days prior to the Summit Competition will forfeit their registration fees and must submit a request in writing to the Summit committee for approval to compete the next year. Requests are reviewed on a case by case basis.

**B. TEAM COMPOSITION AND ROLES**

## Rule 2.1. Student Eligibility

All students in grades set by their local Teen Court programs are eligible to compete. A student must be currently enrolled as a full-time middle or high school student to compete.

## Rule 2.2. Team Composition

Teams must consist of a minimum of seven and a maximum of nine official student team members.

One or two alternates may be listed on the team roster. However, they will not take part at any level of competition in any role, unless they must fill in for an official member during an emergency (illness, etc.) occurring on the day of competition.

## Rule 2.3. Team Roles

Seven official members will participate actively in a hearing.

* 2 Prosecution/Plaintiff attorneys
* 2 Defense attorneys
* 1 Clerk ***(goes with Defense Team)***
* 1 Defendant ***(goes with Defense Team)***
* 1 Bailiff (***goes with Prosecution Team)***
* Additional optional roles: Courtroom Reporter, Sketch Artist

\* The clerk serves as the timekeeper for the hearing and swearing in the witnesses during the hearing using a script provided by the NCTCA.

**Courtroom Artist and Court Reporter Roles**

These positions have been created in order to expand a team’s participation in the Mock Hearing Competition. These positions are completely optional but may serve as additional team slots or as roles alternative team members may participate in if not needed on the Mock Hearing Attorney Team. These roles are judged individually. Winners will be announced in each category and receive awards and recognition at the award ceremony.

The Courtroom Artist and Court Reporter work independently (meaning no other team member, advisor, or chaperone may help edit or correct any material) and all reports and drawings will be due by dinner time on the day of competition.

No work may be completed in advance of the tournament and Courtroom Artists and Court Reporters will be given a separate area to prepare their final submissions.

Counties not competing in the Mock Hearing Competition may compete in the Courtroom Artist and Court Reporter Competitions. There is no limit on the number of participants per county; however, if a team will submit more than two entries, a chaperone from that county may be required to supervise those participants at the Tournament.

**Courtroom Artist**

The goal of the Courtroom Artist is to capture the spirit of the Mock Hearing Teen Court competition. The work must be original and the artist cannot be assisted by any other team member, chaperone, or advisor.

The Courtroom Artist will sit in on a round of competition where he or she will work quietly on their sketch. Information presented in the courtroom cannot be shared outside the courtroom.

The Courtroom Artist will have time to complete their sketches during the day of competition. Only pen or pencils will be allowed in the courtroom for the sketches. Other materials (i.e. colored pencils, markers, charcoal, glue, fabric) may be used to complete the final submissions. Paint will not be permitted. Materials not listed will need to be pre-approved by the Mock Hearing Coordinator prior to the day of competition.

All Courtroom Artists must provide their own materials and surfaces to complete their work. No supplies will be provided by the Mock Hearing Competition.

Final submissions will be judged based on creativity, originality, and ability to capture the spirit of the Mock Hearing competition.

**Court Reporter**

The goal of the Court Reporter is to capture the spirit of the Mock Sentencing Teen Court proceedings. The Court Reporter will observe a round of competition taking notes for his or her final submission. The Court Reporter will compile his or her information gathered in the trial hearing and create an article that will be submitted to The Evening Herald (a mock newspaper). Articles may include, but not limited to, details from the trial, interviews, and projected case outcomes. Final submissions will be judged based on content, grammar, originality, creativity, and ability to capture the spirit of the Mock Hearing proceedings.

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\*\*\*All works submitted in the Mock Hearing Competition will not be returned. All participants must give consent to have their names and works used in future Teen Court publicity. \*\*\*

## Rule 2.4. Attorney Duties

Each attorney team shall conduct one direct examination and one cross examination in each round. One attorney will present the opening statement and a different attorney will present the closing argument.

**C. CASE MATERIALS AND RESTRICTIONS**

## Rule 3.1. Competition Case

The competition case will be a fictional fact pattern and the defendant may be played by students

of either gender. The competition case may also contain any or all of the following: case narrative, defendant statements, and/or exhibits. The case must be provided to participating teams a minimum of 60 days before competition.

## Rule 3.2. Case Preparation

To prepare for competition, students are limited to the:

* Supplied case materials and any addenda issued by the case committee
* NCTCA Rules of Competition, and

Students may research case-related topics as an educational exercise, but outside materials may NOT be used at the hearing.

**Rule 3.2.a.** Student presentations must be the work product of the students themselves, guided by team and legal advisors.

## Rule 3.3. Supplemental Material / Costuming

No illustrative aids of any kind may be used, unless provided in the case packet. No enlargements of the case materials will be permitted unless provided to all teams by the NCTCA. Absolutely no props or costumes are permitted unless authorized specifically in the case materials. Costuming is defined as hairstyles, clothing, accessories, and make-up that are case-specific.

The only documents that the teams should present to the presiding judge or scoring jurors are the team character forms prior to the start of the hearing and the individual exhibits as they are introduced into evidence. Upon request of the presiding judge, teams may provide copies of the case or rules to the presider for use in making a ruling.

## Rule 3.4. Witness Bound by Statements

Each witness is *bound by the facts* contained in his/her own witness statement and any exhibits or other documents with which the witness is familiar (as noted in the witness’s statement). Teams

must not create new facts or deny facts in the case in order to gain an advantage (*see* Rule 3.5, ―Improper Invention of Fact).

**Rule 3.4.a. Witness Characterization.** Witnesses may develop the persona of their character *consistent with* Rules 1.2 and 3.3. Any invented background information must be neutral; it must not include ―material facts which would affect the merits of the case.

## Rule 3.5. Improper Invention of Fact

Under Rule 1.2, teams have an ethical obligation to uphold the highest standards of fair play, honesty, and integrity in their portrayal of the case and characters. While the exclusive hearing remedy for dealing with violations of this rule (impeachment) is explained below, an improper invention is cheating regardless of whether an opponent is successful in demonstrating the violation, and as such, it violates the spirit of the competition as enumerated in Rule 1.2.

**Rule 3.5.a. Definition of Improper Invention of Fact.** ―Improper Invention of Fact‖ can occur in two instances:

1. Any instance (on direct, cross, re-direct, or re-cross examination) in which a witness introduces testimony that contradicts his or her affidavit; or
2. Any instance on direct or re-direct examination in which a witness testifies to material facts not included in his or her affidavit.

**Rule 3.5.b. Additional Definitions.**

1. ―Material facts: affect the merits or outcome of the case. If a fact is one that could reasonably be expected to be included in a party’s closing argument, it would be a—material fact.
2. ―Reasonable inference: a conclusion that a reasonable person would draw from any particular fact(s) contained in the affidavit or documents with which the witness is familiar.

**Rule 3.5.c. Clarification Concerning Cross-Examination.** On cross-examination, a witness *must be responsive* to the question posed. A witness commits no violation on cross-examination when he or she testifies to material facts not included in his or her affidavit *as long as* the answer is responsive to the question posed. Attorneys who ask questions on cross-examination to which the witness’s affidavit does not provide an answer risk receiving an unfavorable answer in the hearing. In such an instance, the crossing attorney may still attempt to challenge a witness’s credibility by demonstrating an omission through use of the witness’s affidavit.

**Rule 3.5.d. Hearing Remedy for Violations.** If the cross-examiner believes the witness has made an Improper Invention, the only available remedy in the hearing is to impeach the witness using the witness’s affidavit. Impeachment may take the form of demonstrating either of the following:

1. An inconsistency between the witness’s affidavit and trial testimony (―impeachment by contradiction); or
2. The introduction of material facts on direct or re-direct examination that are not stated in or reasonably inferred from the witness’s affidavit (―impeachment by omission). The cross-examiner is *not* permitted to raise an objection to the judge on the basis of ―invention of fact or ---unfair extrapolation.

**Rule 3.5.e. Judges’ Scoring.** If a team demonstrates through impeachment that its opponent has made an Improper Invention, judges **should** reflect that violation in their scores by penalizing the violating team, rewarding the impeaching team, or both.

**D. HEARING PROCEDURES AND RULES**

## Rule 4.1 Courtroom Rules

Participants and spectators must follow all security requirements particular to the courthouse and/or location as instructed by the NCTCA Board, staff, or its designees.

Teams may bring bottled water to drink during hearings. No other food or drink is permitted in the courtrooms. At the end of each hearing, both teams and all accompanying observers should remove all items they brought into the courtroom. Future use of courtrooms and/or locations for competition is dependent on how teams take care of the space – no spills or trash.

Videotaping of the hearings IS allowed by a designated, non-competing Summit Committee member in attendance for the purposes of training and cannot be used to dispute team scoring or the outcome of the presiding judges/scoring jurors decisions. Video recordings will be shared with NCTCA members at the conclusion of the Summit and mock hearing competition weekend. Photography is allowed as long as it is not disruptive to the proceedings.

If a team is not present at the start of their assigned competition time, they may be forced to forfeit the hearing at the discretion of the summit committee.

## Rule 4.2. Team Check-In

Upon arrival at the Summit site, the Coordinator must check-in with the Summit Committee, where the following steps must occur:

* Teams will draw a random letter code, by which the team and its observers will be known throughout the day. Judges and jurors must not know the actual team county.
  + Observers affiliated with a team must obtain a nametag with the appropriate team code at the information desk.
  + Unaffiliated observers must obtain a generic observer nametag.
* The team must fill out the Team Character Assignment forms, using the team code and indicating the gender of each witness.
  + The top copy of each form must be turned in to tournament staff at check-in.
  + Copies of the appropriate form (prosecution or defense) shall be given to the Presiding Judge and to opposing counsel before each round begins.
* The team will receive timekeeper instructions, timecards, and other important information from the Summit committee.

## Rule 4.3. Courtroom Setting

The Prosecution/Plaintiff team shall be seated closer to the jury box. No team shall rearrange the courtroom without prior permission of the presiding judge and NCTCA tournament staff.

## Rule 4.4. Jury Trial

The case will be presented to a jury; arguments are to be made to judge and jury. Teams may address the scoring jurors as ―the jury.

## Rule 4.5. Pre-Trial and Swearing of Witnesses

Pre-trial matters will not be timed. If desired, an attorney for each team may stand and ask permission of the presiding judge to introduce the team members. Teams may also ask the judge’s preference for approaching opposing counsel, the witness, and the bench.

The clerk shall act timekeeper and administer the following oath before questioning begins:

―Do you promise that the testimony you are about to give is the truth, the whole truth and nothing but the truth so help you God?

**Rule 4.6. Hearing Sequence and Time Limits** The hearing sequence and time limits are as follows:

* Opening Statements (2 minutes per side)
* Direct Examination (4 minutes per side) and re-Direct if time remains
* Cross Examination (4 minutes per side) and re-cross if time remains
* Closing Arguments (3 minutes per side)

No adjournments or breaks should be given during hearings in non-emergency situations, in order to adhere to the schedule and prevent undue delays.

Time limits are mandatory and will be enforced. Attorneys are not required to use the entire time allotted to each part of the hearing. However, time remaining in one part of the hearing may not be transferred to another part of the hearing.

## Rule 4.7. Timekeeping

Each team must provide a clerk to serve as an official timekeeper for the hearing.

***Clerks (Timekeepers) should time all relevant aspects of the hearing, not just their own team’s case presentation.*** Clerk should display the “Time Remaining” Cards.

**Rule 4.7.a. Timekeeping devices.** Stopwatches are to be used for timekeeping devices and will be provided in each courtroom at the competition. The use of cell phones, iPads, or any other electronic devices to keep time is prohibited. There is a brief meeting for clerks and coordinators on the 1st day of the Summit to familiarize clerks with materials (stopwatch, cards,) in the competition.

**Rule 4.7.b. Time Extensions and Scoring.** The presiding judge has sole discretion to grant time extensions. If time has expired and an attorney continues without permission from the judge, the scoring jurors should determine individually whether or not to deduct points in a category because of over-runs in time.

**Rule 4.7.c. Untimed activities.** The following trial aspects are ―off the clock: pre-trial matters, swearing in witnesses, calling and dismissing witnesses, making objections, or extensive questioning from the judge. The clerks should stop the timer during these activities.

**Rule 4.7.d. Exhibits.** Time *does NOT stop* for introduction of exhibits.

## Rule 4.8. Standing During Hearing and Movement About the Courtroom

Attorneys will stand for all objections and may also move about (within the bar) while giving opening statements and closing arguments unless excused by the judge.

**Rule 4.8.a.** Attorneys are to remain seated when conducting direct and cross- examinations (as is the accepted courtroom procedure practiced in North Carolina), unless given permission by the judge to approach the witness, the bench, or the jury.

## Rule 4.9. Statements

**Rule 4.9.a. Opening statements.** Both sides must give opening statements at the beginning of the trial. The Prosecution gives their opening statement first.

**4.9.b. Closing arguments.** Closing arguments must be based on the actual evidence and testimony presented during the hearing. Both sides must give closing arguments at the end of the hearing.

**Rule 4.9.c. Objections During Opening Statement / Closing Argument.** No objections may be raised during opening statements or during closing arguments.

If a team believes an objection would have been proper during the opposing team's opening statement or closing argument, its own opening/closing attorney may stand to be recognized by the judge after opposing counsel concludes their statement and say, “As stated in Rule 4.9.c, had I been permitted to object, I would have objected to the opposing team's statement that because .” The presiding judge will not rule on this objection. Presiding

judges and scoring jurors will weigh the "objection" individually and score accordingly. No rebuttal by the opposing team will be heard.

## Rule 4.10. Questioning of Defendants

**Rule 4.10.a. Use of notes.** Defendants are not permitted to use notes while testifying. Attorneys may use notes in presenting their case. Attorneys may consult with each other at counsel table verbally or through the use of notes. The use of laptops, iPads, or any other electronic devices for ANY purpose, including attorney notes, is prohibited, UNLESS a specific exemption has been granted by NCTCA for accommodation purposes (visual impairment, etc.).

**Rule 4.10.b. Redirect/ Re-cross.** Redirect and re-cross examinations are permitted.

**Rule 4.10.c. Exhibits.** With proper foundation, exhibits may be entered on Direct Examination or Cross Examination.

**Rule 4.11. Motions.**

A motion for a recess may be used ***only in the event of an emergency***, i.e. health emergency. Should an emergency recess be permitted by the presiding judge, to the greatest extent possible, team members are to remain in place. Teams are not to communicate with any observers, coaches or instructors regarding the hearing.

**4.12. Hearing Communication**

Coordinators, coaches, alternates and observers shall not talk to, signal, communicate with, or coach their teams during the hearing. This rule remains in force during any emergency recess that may occur. Participating team members may communicate among themselves during the hearing; however, no disruptive communication is allowed. Signaling of time by the teams' timekeepers shall not be considered a violation of this rule.

Coordinators, coaches, teachers, non-participating team members, alternates, and observers must remain outside the bar in the spectator section of the courtroom. Only team members participating in the round may sit inside the bar and communicate with each other.

## Rule 4.13. Viewing a Hearing

Team members that have not competed yet, may not observe any other teams, including their own teams. Alternates, attorney coaches, team chaperones, and any other persons directly associated with a mock sentencing hearing team—except for those authorized by NCTCA—are not allowed to view other teams in the competition, as long as their team remains in the competition. Scouting other teams is not permitted. If a school/organization has two teams competing at one regional site, *only the coordinator(s) and team advisor(s) may move between courtrooms*.

Observers affiliated with a particular mock sentencing hearing team will be required to wear name badges identifying the letter of the team with which they are affiliated. Observers will only be permitted to observe in courtrooms where the team with which they are affiliated is competing. Penalties may be imposed upon any team whose affiliated observers violate this rule or Rule 1.2.

## Rule 4.14. Videotaping/Photography

Videotaping of the hearings IS allowed by a designated, non-competing Summit Committee member in attendance for the purposes of training and cannot be used to dispute team scoring or the outcome of the presiding judges/scoring jurors decisions. Video recordings will be shared with NCTCA members at the conclusion of the Summit and mock hearing competition weekend. Photography is allowed as long as it is not disruptive to the proceedings.

## Rule 4.15. The Critique

The presiding judge and scoring jurors are allowed a combined total of ten minutes for oral comments. The timekeepers will monitor the critique and the presiding judge should enforce the limit.

Judges shall not give a ruling on the legal merits of the hearing. Judges and scoring jurors may not inform the students of ballot results. Judges and scoring jurors will not offer a verdict for the case; they will only share feedback on student performances.

**E. JUDGING**

## Rule 5.1. Finality of Decisions

All decisions of the presiding judge and scoring jurors are final.

**5.2. Composition of Judging Panels**

The judging panel will consist of two to three individuals. The composition of the judging panel shall include a presiding judge and at least two scoring judges. The role of the presiding judge will be at the discretion of the Summit committee, with the same format used throughout the competition, as follows:

i. One presiding judge and three scoring jurors (only scoring jurors complete score sheets); or ii. One presiding judge and two scoring jurors (all three of whom complete score sheets)

**Rule 5.2.a.** Scoring jurors may be attorneys, advanced law students, or persons with substantial mock trial coaching or scoring experience. Each juror panel shall include at least one attorney. The presiding judge shall be an attorney or Judge.

**Rule 5.2.c.** All presiding judges and scoring jurors will receive case materials and/or bench brief, instructions, and scoring guidelines in advance of the competition. They are also required to attend an orientation session one month before and then 15 minutes prior to hearings on the day of the competition.

## Rule 5.3. Scoring and Ballots

The scoring jurors shall evaluate and score the performance of the defendant, attorneys, bailiff and clerk of court in the round. Scoring shall not be based on the merits or outcome of the case in an actual hearing. Scoring jurors are not bound by the rulings of the presiding judge.

**Rule 5.3.a.** Scores are to be determined individually and independently by the scoring jurors using the ballots provided by the summit committee. The ballots are used to record the numerical scores for each performance by a student attorney or witness.

The scores of students playing *defendant role* should be based upon their knowledge of the part, faithfulness to the part, believability of the character, ability to handle cross-examination, and credibility. Defendants are limited to the information in their sworn affidavits, documents relevant to their testimony, and reasonable inferences. Egregious and improper invention of facts by witnesses on direct and redirect examination is prohibited under Rule 3.5. Each scoring juror must decide whether a witness’s testimony is a reasonable inference or an improper invention of fact which should result in a lower witness score.

The scores of students acting as *attorneys* should be based on the student’s mastery of hearing techniques, grasp of legal issues, understanding of the role of counsel, advocacy skills, and demeanor. Scoring jurors should consider the effectiveness of the student attorney’s representation, taking into account the restrictions on time and materials available to counsel in mock hearings.

**Rule 5.3.b.** The team that earns the highest total points on an individual ballot is the winner.

**Rule 5.3.c.** A separate commenting ballot provides room for brief written comments. The scorers’ comments are very important to the students who participate. Being mindful that the participants are high school students and that mock hearings is a law-related civic education activity, judges should strive to provide specific, constructive comments to educate the students and advise them on ways to improve their performance.

**Rule 5.4** Trophies will be rewarded for the following:

a. Best Prosecution Team in Each Court Room

b. Best Defense Team in Each Court Room

c. Best Overall Bailiff in Each Court Room

d. Best Overall Clerk in Each Court Room

e. Best Overall Defendant in Each Court Room

f. Best Overall Sketch Artist in Each Court Room

g. Best Overall Courtroom Reporter in Each Court Room

h. Participation certificates/ ribbons for everyone

## Rule 5.5. Completion of Score Sheets

Each scoring juror shall record a number of points (1-30) for each presentation in the hearing.

**Rule 5.5.a.** Points scored must be whole numbers. A score of zero may not be given unless that presentation did not occur at all (due to lack of time, etc.).

**Rule 5.5.b.** At the end of the hearing, each scoring juror shall total each team’s individual points and place each sum in the appropriate Total box.

**Rule 5.5.c.** The team with the higher score wins the ballot. TIES ARE NOT ALLOWED!

**Rule 5.5.d.** Finally, each scoring juror shall write and/or circle the winner of the ballot in the

Winner’s Box. NO TIE IS ALLOWED IN THE COLUMN TOTALS BOXES!

**Rule 5.5.e.** If a scoring juror's tabulation of points is found to be incorrect, and when corrected, the teams’ scores are tied, NCTCA scoring staff will attempt to contact the judge to adjust the scores to prevent a tie. If the judge cannot be reached, the Winner’s Box shall determine the ballot winner.

## Rule 5.6. Team Pairings

**Rule 5.6.a.** A random method of selection will determine opponents. One at a time, each team will randomly draw a letter identification code (e.g., A – J for a ten-team regional) from an envelope during registration. Competition matchups will be as follows: A vs B; C vs D; E vs F; etc.,

At the Summit Committee’s discretion, the only exception to this procedure will be to prevent the pairing of two teams from the same organization. In that instance, Team One from the organization will draw its random letter as usual. If the letter for Team One’s opponent is still in the envelope (not having been drawn already by a previous team), the designated Registrar will remove that opponent’s letter from the envelope before allowing the advisor for Team Two to draw from the remaining letters. After Team Two has drawn its letter, the letter for Team One’s opponent will be returned to the envelope for drawing by other programs.

However, if the affected organization is the last program to register, and it happens that the last two remaining letters are paired to compete (e.g., only A and B remain), the pairing will stand and no accommodation will be made. Organizations with more than one team competing at a given regional competition would be advised to arrive early to avoid that situation.

## Rule 5.7. Emergency on the Day of Competition

In the event of an emergency (such as an unexpected medical issue) that would cause a team to be unable to continue a hearing or to participate with less than six members, the team must notify the NCTCA Summit Chair as soon as reasonably practical. The NCTCA Summit Chair shall

communicate with the Summit Committee and NCTCA Board members if feasible. If the NCTCA Summit Committee, agrees that an emergency exists, the NCTCA Summit Chair or designee(s), shall declare an emergency and decide whether the team will forfeit or may direct that the team take appropriate measures to continue any hearing round with less than six members. A penalty may be assessed.

**Rule 5.7.a****.** A forfeiting team will receive a loss and points totaling the average number of the ballots and points received by the losing teams in that round (all decimal values will be truncated/dropped). The non-forfeiting team will receive a win and points totaling the average number of ballots and points received by the winning teams in that round (all decimal values will be rounded per normal mathematical procedures).

**Rule 5.7.b****.** Final determination of emergency, forfeiture, reduction of points, or advancement will be made by the NCTCA Summit Committee.

**F. DISPUTE RESOLUTION**

## Rule 6.1. Reporting a Rules Violation / Inside the Bar

Disputes that occur within the bar must be filed *immediately* following the conclusion of that hearing round. Disputes must be brought to the attention of the presiding judge at the conclusion of the hearing after closing arguments and *before* the judging panel leaves the courtroom to complete their ballots.

**Rule 6.1.a. If** any team believes that a substantial rules violation has occurred, one of its student attorneys must stand and indicate that the team intends to file a dispute. The scoring jurors will be excused from the courtroom. The student will record in writing the nature of the dispute on

the form provided at team check-in. The student may communicate ***only*** with other student attorney and/or student witness team members participating in that round before lodging the notice of dispute or in preparing the form.

**Rule 6.1.b.** At no time in this process may team advisors, observers, or coaches communicate or consult with the student attorneys. Only student attorneys may invoke the dispute procedure.

## Rule 6.2. Dispute Resolution Procedure

The presiding judge will review the written dispute and determine whether the dispute should be heard or immediately denied.

**Rule 6.2.a****.** If the dispute is denied, the judge will record the reasons, announce her/his decision to the Court, retire to complete her/his ballot (if applicable), and turn the dispute form in with the ballots.

**Rule 6.2.b.** If the judge feels the grounds for the dispute merit a hearing, the form will be shown to opposing counsel for their written response.

**Rule 6.2.c.** After the opposing team has recorded its response and transmitted it to the judge, the judge will ask each team to designate a spokesperson. The spokespersons will be given up to three minutes to prepare their arguments; the judge then will conduct the dispute hearing, providing each team's spokesperson three minutes for a presentation. The judge may question the spokespersons.

**Rule 6.2.d.** At no time in this process may team advisors, observers, or coaches communicate or consult with the student attorneys.

**Rule 6.2.e**. After the hearing, the presiding judge will adjourn the court and retire to consider her/his ruling on the dispute. That decision will be recorded in writing on the dispute form, with no further announcement.

## Rule 6.3. Effect of Violation on Score

If the presiding judge determines that a substantial rules violation has occurred, the judge will inform the scoring jurors of the dispute and provide a summary of each team's argument. The scoring jurors will consider the dispute before reaching their final decisions. The dispute may or may not affect the final decision, as the matter will be left to the discretion of the scoring jurors.

## Rule 6.4. Reporting a Rules Violation / Outside the Bar

Only *during* a hearing round may a coordinator or attorney-coach exclusively report on any disputes that occur outside the bar. Such disputes must be made promptly to a Summit Committee Member, who will ask the complaining party to complete a dispute form.

**Rule 6.4.a.** The form will be taken to the Summit communication room, whereupon a dispute resolution panel will (a) notify all pertinent parties; (b) allow time for a response, if appropriate; (c) conduct a hearing; and (d) rule on the charge. The dispute resolution panel may notify the judging panel of the affected courtroom of the ruling on the charge or may assess an appropriate penalty.

**Rule 6.4.b.** The dispute resolution panel will be composed of representatives of the NCTCA Board and other competition officials.

**B: SUMMIT POLICIES**

## Rule 7.1. Summit Regulations: Expectations of Participants; Sanctions for Inappropriate Behavior

Summit policies and procedures must be followed by all participants, coordinators, chaperones and volunteers. Each team will have to submit a signed policies and procedures form indicating they understand and will adhere to the Summit policies.

**Rule 7.1.a. Team Coordinator.** Every team must have at least one officially designated adult team coordinator, who is responsible to provide adult supervision. **Coordinators are expected to supervise all youth at all times.** The team coordinator will provide a contact number at registration that will be used by the Summit committee to communicate any changes or concerns.

**Rule 7.1.b. Regulations.** The following policies must be followed and adhered throughout the Summit:

1. No sexual contact at any event or activity occurring within the time frame of the summit. This includes dancing during the semi-formal dance on Saturday evening
2. No participants of the opposite sex may be in any hotel room together without the presence of an adult.
3. No possession/use of alcoholic beverages, cigarettes, and/or illegal drugs, or remaining in the presence of anyone using or taking illegal drugs. iv. All participants consider attendance and punctuality of scheduled meetings and workshops of the Teen Court Summit mandatory
4. Coordinators and Adult Chaperones shall address all issues/incidents with the Summit Committee. At no point, shall an adult belittle or interrogate a youth participant.
5. No Swimming in hotel pools or at beach locations unless it is an organized activity by the Summit Committee.
6. Teen Court’s Code of Ethics demands that all participants conduct themselves in a manner representative of the local Teen Court, including respect for self, property and others.

**Rule 7.1.c.** Upon suspicion of rules/policy violation, the adult representative/coordinator from the county reporting shall contact the Chair of the Summit Committee to relay the incident. The Chair will then call a meeting with the members of the Summit Committee to discuss the incident with the Coordinator from the county (counties) involved. If it is involving youth volunteers, the volunteer will be brought to the meeting where they will be questioned privately by their coordinator and a representative from the Summit committee. At no time should the witness be allowed to confront the alleged violators, except for the purpose of visually identifying the youth.

**Rule 7.1.d. Sanctions for Inappropriate Behavior.** The NCTCA possesses discretion to impose sanctions up to and including, but not limited to, the team’s disqualification from the competition, suspension from competing in future competitions, and/or forfeiture of all fees and awards (if applicable) for any misconduct, flagrant rule violation, or breaches of decorum that affect the reputation or integrity of the Teen Court Summit, any team, participant, or adult. Lesser sanctions may be deemed appropriate, depending on the incident and the situation. This will be left to the discretion of the Summit Committee as a whole.

**STEPS IN A MOCK SENTENCING HEARING**

**1. The Opening of the Court**

As the judge and jurors enter, the bailiff should call the court to order. All the participants (including observers) should remain standing until the judge is seated.

The judge will then ask the attorneys for each side if they are ready.

A representative of each team will introduce and identify each member of the team and the role each will play. No time is kept during this introductory phase of the hearing.

1. **Opening Statement**

* 1. Prosecution (in criminal cases)/Plaintiff (in civil cases)

The prosecutor in a criminal case (or plaintiff's attorney in a civil case) summarizes the evidence that will be presented to prove the case, being careful not to make any arguments or assert that the jury will hear evidence which may not be admitted.

* 1. Defendant (in criminal or civil case)

The defendant's attorney summarizes the evidence that will be presented to rebut the case the prosecution has made, being careful not to make any arguments or assert that the jury will hear evidence which may not be admitted.

1. **Direct Examination by the Defendant's Attorneys**

Defense will conduct the direct examination of its own witnesses.

1. **Cross-examination by the Prosecution/Plaintiff's attorneys.**

The prosecution’s/plaintiff’s attorneys will cross-examine the defense witnesses.

1. **Closing Arguments (Attorneys)**

* 1. Prosecution (Plaintiff)

The closing argument is a review of the evidence presented. It should indicate how the evidence has satisfied the elements of the charge or claim, describe the burden of proof, point out the law applicable to the case, and ask for a favorable verdict.

* 1. Defendant

The closing argument for the defense is essentially the same format as for the prosecution. Counsel for the defense reviews the evidence as presented, indicates how the evidence does not satisfy the elements of the charge or claim, stresses the facts favorable to the defense, and asks for a verdict favorable to the defense.

# COURTROOM SETTING

|  |  |  |
| --- | --- | --- |
| A    typical    courtroom    setting    is  diagrammed    below.            **JUDGE’S**    **BENCH**        **CLERK**        **WITNESS**    **J**  **U**  **R**  **Y**      **B**  **O**  **X**      **DEFENDANT’S**    **TABLE**        **PROSECUTION**          **TABLE** | | |
|  | | |
| **AUDIENCE**      **SEATING** |  | **AUDIENCE**      **SEATING** |

**THE JUDGE'S ROLE**

The judge presides over the hearing to assure that the parties' rights are protected and that the attorneys follow the rules of evidence and hearing procedure.



## NCTCA Summit Code of Ethics Form

**I, (*print name*), Coordinator/Adult Advisor of the**

**County Mock Sentencing Hearing team(s), do hereby affirm that I have provided a copy and explained the following points to the team participants (students, assistant teacher coaches, and attorney advisors) and have asked them to communicate the same to any family or friends who will be observers at the Mock Sentencing Hearing competition:**

1. The Rules of the Competition and this Code of Ethical Conduct will be followed by all participants in the NCTCA Summit. We understand that a violation of the Code by any one of the members of this team may result in sanctions including, but not limited to, the team’s immediate eviction from the competition, suspension from competing in future competitions, and forfeiture of all fees and awards (if applicable).
2. Team members, coaches and other observers promise to participate in all events associated with the NCTCA Summit with the highest standards of professionalism, both inside and outside the courtroom. All participants and observers promise to show respect for their fellow team members, opponents, coaches, judging panel volunteers, competition volunteers, competition staff, and hotel personnel.
3. Displays of bad sportsmanship at any time during the competition are prohibited. Whether winning or losing, team members, coaches and all other participants are expected to be gracious and supportive of other teams. Coaches will lead by example.
4. No team member, coach or other observer associated with the team signing this Code is allowed to enter any courtroom in which his/her team is not competing (no “scouting”).
5. NO communication may take place between team members and coaches/observers during hearings. It is imperative that all teams and observers avoid any appearance of impropriety.
6. Teams will respect their surroundings, follow all published courthouse regulations, use appropriate receptacles for all trash, leave restrooms and all other common areas in good order, and will otherwise behave as young professionals.
7. The use of alcohol, drugs and weapons is forbidden in course of the competition, both at all competition sites and summit sponsored events.
8. No sexual contact at any event or activity occurring within the time frame of the summit. This includes dancing during the semi-formal dance on Saturday evening.
9. At no time should participants of the opposite sex may be in any hotel room together without the presence of an adult.

**BY MY SIGNATURE, I AFFIRM THAT WE, THE MOCK SENTENCING HEARING TEAM(S) OF**

**COUNTY, DO HEREBY ACKNOWLEDGE THE ABOVE CODE OF ETHICS AND CODE OF CONDUCT, AND AGREE TO ABIDE BY THEM IN BOTH LETTER AND SPIRIT.**

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

After completing, submit with all registration forms by **(refer to registration info)** to:

### NCTCA Mock Sentencing Hearing Dispute Form

|  |  |
| --- | --- |
| **DATE:** | **LOCATION AND COURTROOM:** |
| **TEAM (CODE) LODGING DISPUTE:** |
| **CODE OF OPPOSING TEAM:** |

Grounds for Dispute:

Initials of Team Spokesperson:

Hearing Decision of Presiding Judge (circle one): **Grant Deny** Reason(s) for Denying Hearing, or Response of Opposing Team:

Initials of Opposing Team’s Spokesperson:

Judge’s Notes from Hearing:

Decision of Judge Regarding Dispute: **Refer to Committee Do Not Refer to Committee**

Comments:

**This form must be returned to the Summit Committee Chairperson or Designated Summit Official along with the score sheets of all the scoring jurors.**

Signature of Presiding Judge: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Presiding Judge (printed): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_