



## Mock Trial

### Appellate Court Argument

#### **Purpose**

To evaluate each contestant's preparation for employment and to recognize outstanding students for excellence and professionalism in the field of law.

#### **Clothing Requirement**

For men: Suit jacket, or Official blazer, jacket or sweater; black dress slacks; white dress shirt; plain black tie with no pattern; black socks and black shoes.

For women: Suit jacket, or Official blazer, jacket or sweater; black dress slacks or knee-length skirt with businesslike white, collarless blouse or white blouse with small, plain collar that may not extend onto the lapels of the blazer; black sheer or skin-tone seamless hose and black dress shoes.

These regulations refer to clothing items which are pictured and described at: [www.skillsusastore.org](http://www.skillsusastore.org).

Note: Contestants must wear their official contest clothing to the contest orientation meeting.

#### **Eligibility**

Open to active SkillsUSA members enrolled in programs with criminal justice or law as the occupational objective.

#### **Equipment and Materials**

1. Supplied by the technical committee:
  - a. Case fact pattern that resembles a recent case being argued in either the Tennessee Supreme Court or U.S. Supreme Court.
  - b. Podium
  - c. Tables
2. Supplied by the contestant:
  - a. Appellate brief properly citing at least two supporting cases. The cases need to pertain to the proper court in which the appeal would be filed. Each team must provide four copies of their written brief.
  - b. One page written resume

#### **Scope of the Contest**

The contest is defined by industry standards as identified by the SkillsUSA technical committee.

The contest is divided into three separate skill performance tests, one written examination, assessment of written brief and an oral communication competition.

## **Knowledge Performance**

The contest will include a written knowledge test of 50 multiple choice questions assessing knowledge of the law.

## **Skill Performance**

Teams of three (3) lawyers will argue their case in front of a panel of judges. Scoring will be based upon a rubric like the one provided.

Contestants will introduce their team professionally in the opening statement.

Contestants will be responsible for different aspects of the appellate argument. The argument will be divided in the following manner:

Introduction of team members – 1 team member

Opening statement of argument – 1 team member (2 to 3 minute timed allotment)

Closing statement of argument – 1 team member (2 to 3 minute timed allotment)

Questions from the judges will be fielded in a rotation between all three members of the team in order to assess the knowledge of each participant. (7 minute timed allotment)

Deductions will be assessed for failure to meet the minimum time allotment or exceeding the time limit in any of these areas.

Only one team will present their argument before the judge's panel at a time.

Each team must be prepared to present for either side of the argument. Teams will be informed of their side at the contest orientation.

## **Contest Guidelines**

1. Contest rules will be reviewed at the contest orientation. Contestants will be informed of which side will be argued in the first round at that time. Students will be expected to provide a written copy of their resume and their copies of the written brief at the contest orientation.
2. Each team member is allowed one (1) 4 x 6 index card for reference.
3. All contestants must adhere to time limits of competition.
4. Professional attitude and communication is expected throughout the contest.
5. Disqualification or penalty points taken can occur for the following:
  - a. Any rules not followed – no exceptions.
  - b. Any reference material other than those provided for by the committee.
6. Cell phones are not permitted in the contest or testing area.

## **Standards and Competencies**

### **Principles of Law, Corrections, and Security**

2) Summarize the six types of laws (Criminal, Civil, Case, Administrative, Statutory, Common), and discuss the purpose of each. Develop a graphic organizer to draw connections among sample laws for each type, relevant legal concepts such as burden of proof, and applicable defenses and punishments.

3) Accurately describe the United States Constitution and Bill of Rights and justify its impact on criminal law and the rights of citizens, citing specific textual evidence from landmark legal cases.

## **Criminal Justice I**

11) Analyze transcripts of court cases; identify and explain the roles of the participants at each stage of the trial process, including the defendant's first appearance in court, arraignment, preliminary hearing, grand jury proceedings, motions by lawyers, jury selection, presentation of evidence, and opening and closing remarks.

12) Develop an organizational chart of all personnel within the court system required to conduct a criminal trial and a civil trial. Summarize the roles and responsibilities for each professional. Using real-time and projected labor market data, identify local and national employment opportunities and determine areas of growth.

13) Explain the similarities, differences, and interactions among local, county, state, and federal courts systems. Describe how civil, misdemeanor, criminal, and felony cases progress through each court.

## **Court Systems and Practices**

8) Describe the functions of the state, federal, and military court systems in criminal proceedings; compare and contrast the subject matter jurisdiction of each system, identifying where the systems overlap; explain venue and how it is determined.

24) Research and identify Supreme Court decisions (such as *Batson v. Kentucky*) related to a line of rulings barring the use of race, ethnicity, and other characteristics as a basis for excluding potential jurors. Debate as a class the advantages and disadvantages of the "jury of your peers" system in America.

32) Define what constitutes an appeal, who can file it, and at what point it can occur; explain the right to an appeal and which court decisions, at what level, are eligible for appeal. Differentiate between a traditional and interlocutory appeal.

34) Review the components of an appellate brief and draft an outline for a brief based on a fact-based scenario.

## **Academic Standards**

The following academic standards are embedded in this contest.

### **Reading skills:**

- TNRS 1 Cite specific text evidences
- TNRS 2 Determine central ideas or conclusions and simplify
- TNRS 4 Determine the meaning of symbols, key terms, & other domain-specific words/phrases
- TNRS 5 Analyze how text structures information into categories
- TNRS 7 Integrate & evaluate multiple sources of information presented in diverse formats
- TNRS 9 Gather information from text to understand a process or concept

### **Writing skills:**

- TNWS 1 Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence.
- TNWS 4 Produce clear and coherent writing in which the development, organization, and style are appropriate to a task, purpose, and audience.
- TNWS 7 Conduct short as well as more sustained research projects based on focused questions, demonstrating understanding of the subject under investigation.
- TNWS 8 Gather relevant information from multiple print and digital sources, assess the credibility and accuracy of each source, and integrate the information while avoiding plagiarism.
- TNWS 9 Draw evidence from informational texts to support, analysis, reflection and research.