



**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**  
**HIGH SCHOOL MOCK TRIAL RULES OF COMPETITION**

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## **INTRODUCTION**

All teams are responsible for knowing the rules of the Mock Trial program. Although the program is competitive by nature, it is designed for educational value. The program is neither a battle of sophisticated legal strategy nor a theatrical presentation. Please maintain a proper sense of fairness throughout the competition.

The Commonwealth of the Northern Mariana Islands High School Mock Trial Rules of Competition is generally based on the previous version of the rules.

## **ADMINISTRATION**

### **Rule 1. Rules**

All rounds of the Commonwealth of the Northern Mariana Islands High School Mock Trial Competition are governed by these rules and the National High School Mock Trial Rules of Evidence.<sup>1</sup> Each competitor and coach should be thoroughly familiar with these rules.

Questions and interpretations of the rules are within the discretion of the Mock Trial Coordinator or committee, whose decision is final.

### **Rule 1-1. Code of Conduct**

All student-participants, coaches, observers, guests, and parents must comply with this Code. All Mock Trial participants must adhere to the same high standards of scholarship expected of students in their academic performance. Plagiarism of any kind is unacceptable and will result in a penalty as determined by the Mock Trial Coordinator or committee. Students' written and oral work must be their own.

Students and coaches are expected to: exhibit good sportsmanship; show respect for other students, judges, coaches, the Mock Trial Coordinator, and all volunteers; accept defeat and victory with dignity and restraint; and, avoid tactics that violate the rules in any form.

Teacher-coaches shall focus on the educational value of Mock Trial and shall adhere to their professional standards when coaching the students. Attorney-coaches shall adhere to the highest standards of the legal profession, exhibit and model ethical and professional conduct, and zealously encourage fair play.

Any misbehavior, violent threats, verbal or physical abuse, acts of intimidation, or other misconduct, whether verbal or contained in any writing, including social media, text messages, or emails, by any student-participant, coach, or other persons associated with a Mock Trial team, during the competition, or at any other time before or after the Mock Trial competition, if related at all to the Mock Trial competition, will be subject to sanctions determined by the Mock Trial disciplinary committee. Sanctions may include such actions as suspending the individual from the competition and/or disqualification from the next Mock Trial round, event, or competition. The Mock Trial Coordinator has the discretion to approve, reject, or alter sanctions proposed by the committee.

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<sup>1</sup> The National High School Mock Trial Rules of Evidence to be utilized at the CNMI competition shall be the 2014 version of the National FRE and the Amendments to FRE 803 adopted by the National High School Mock Trial Board in October, 2015, which have been issued by the CNMI Mock Trial Committee. The National High School Mock Trial Championship Rules of Competition may be used for guidance, but are not binding on the CNMI Mock Trial Coordinator and Committee in administering the rules in the CNMI competition.

All coaches shall encourage strict compliance with the rules. Adherence to the Code is the responsibility of each coach. As such, coaches must ensure that students understand and agree to comply with the Code.

A perceived violation of the Code of Conduct that occurs outside of the trial must be immediately presented to the Mock Trial Coordinator in writing. Any violation of this Code or the rules by students, coaches, observers, guests, or parents will be referred to the Mock Trial committee and may subject a participant or team to disqualification from the competition or other penalty as determined by the committee.

### **Rule 1-2. Suspension of Rules**

The Mock Trial committee may for good cause suspend any provision of these rules.

## **THE CASE**

### **Rule 2. The Case**

Each team will receive a fact pattern that may contain any or all of the following: case summary or statement of facts, information/indictment, complaint/answer, stipulations, witness statements/affidavits, jury charges, jury instructions, and exhibits. Stipulations may not be disputed at trial. Witness statements shall not be altered.

### **Rule 3. Witnesses Bound by Statements**

- (a) Each witness is bound by the facts contained in his/her own witness statement, the statement of facts, if present, and any necessary documentation relevant to his/her testimony. Fair extrapolations may be allowed, provided it is a reasonable inference that may be made from the witness' statement. A fair extrapolation is one that is neutral.
- (b) If, in direct examination, an attorney asks a question that calls for extrapolated information pivotal to the facts at issue, the information is subject to objection under Rule 4, unfair extrapolation.
- (c) If, in cross-examination, an attorney asks for unknown information, the witness may respond, so long as any response is consistent with the witness' statement or affidavit and does not materially affect the witness' testimony.
- (d) Students shall be prohibited from responding with new material facts that are inconsistent with the witness statements or the statement of facts.
- (e) A witness is not bound by facts contained in other witness statements.
- (f) The case summary (or statement of facts), if provided, is meant to serve as background information only. It may not be used for substantive evidence, cross-examination, or impeachment.

### **Rule 4. Unfair Extrapolation**

- (a) An unfair extrapolation can make a witness appear more credible, or materially affects the witness' testimony or a substantive issue in the case.
- (b) Unfair extrapolations are best attacked through impeachment and closing arguments and are to be dealt with in the course of the trial.

- (c) Attorneys shall not ask questions calling for information outside the scope of the case materials or requesting an unfair extrapolation. If a witness is asked information not contained in the witness' statement, the answer must be consistent with the statement and may not materially affect the witness' testimony or any substantive issue of the case.
- (d) Attorneys for the opposing team may refer to Rule 4 in a special objection, such as "unfair extrapolation" or "this information is beyond the scope of the statement of facts."
  - i. Possible rulings by a judge include:
    - 1. No extrapolation has occurred;
    - 2. An unfair extrapolation has occurred;
    - 3. The extrapolation was fair; or
    - 4. Allow the extrapolation.
- (e) When an attorney objects to an extrapolation, the judge will rule in open court to clarify the course of further proceedings.
- (f) The decision of the presiding judge regarding extrapolations or evidentiary matters is final.

### **Rule 5. Gender of Witnesses**

All witnesses are gender neutral. Personal pronoun changes in witness statements indicating gender of characters may be made. Any student may portray the role of any witness of either gender.

### **Rule 6. Voir Dire**

Voir dire examination of a witness is not permitted.

## **TEAMS**

### **Rule 7. Teams**

- (a) *Composition and Team Member Eligibility.* A team shall be composed of at least seven students (maximum of twelve)<sup>2</sup> who are between the ages of 13 and 19, and who are currently enrolled at the high school level; an attorney-coach; and a teacher-coach. All student participants must attend/be registered at the school that registers the team. No requests will be granted for students to participate on a mock trial team not affiliated with the school where he/she is officially registered as a student, unless there is no team competing from his/her school of registration.
- (b) *Designation of School Team for CNMI Competition.* Each high school in the CNMI may designate one team to represent the school in the competition.

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<sup>2</sup> This number includes the official timekeeper(s) for the CNMI competition. The prevailing team must comply with the National High School Mock Trial Championship Rules in composing its team for National Mock Trial Championship. Travel to National is subject to funding availability and restrictions set by the Public School System, if applicable.

- (c) *Coaches.* Each team shall work with a school instructor and an attorney (or attorneys) to prepare for competition. No teacher-coach or attorney-coach may coach more than one team. Presenting at the Mock Trial Academy shall not be deemed coaching under this rule, as the Academy benefits all Mock Trial participants. Coaches may attend their team's competitions, but may not give advice or signals, or communicate in any way with their team during the competition.
- (d) *Judges and Jurors.* There will be a presiding judge and a panel of up to three jurors for each trial round. The Mock Trial Committee shall endeavor to find judges who are impartial to the competing schools.
- (e) *Presentation.* Teams must present both the Prosecution/Plaintiff and Defense/Defendant sides of the case, using seven team members in each trial round. For each round, teams shall use three students as attorneys, three students as witnesses, and one student as the team timekeeper. Each designated timekeeper in any round of the CNMI Competition shall attend the timekeeper training. If a timekeeper training is unavailable, each designated timekeeper must review and be familiar with the timekeeper instructions.
- (f) *Duties.* Team members are to divide their duties evenly. Each of the three attorneys will conduct one direct and one cross; in addition, one will present the opening statement and another will present the closing argument. In other words, the eight attorney duties for each team will be divided as follows:
  - 1. Opening Statement
  - 2. Direct Examination of Witness #1
  - 3. Direct Examination of Witness #2
  - 4. Direct Examination of Witness #3
  - 5. Cross Examination of Witness #1
  - 6. Cross Examination of Witness #2
  - 7. Cross Examination of Witness #3
  - 8. Closing Argument (including Rebuttal)
  - i. Opening statements must be given by both sides at the beginning of the trial. The Prosecution/Plaintiff gives the closing argument first but may reserve a portion of its closing time for a rebuttal. Rebuttal shall be limited to scope of the Defendant's closing argument.
  - ii. The attorney who examines a particular witness on direct examination is the only person who may make the objections to the opposing attorney's questions of that witness' cross-examination, and the attorney who cross-examines a witness will be the only one permitted to make objections during the direct examination of that witness.
  - iii. The attorneys who make the opening statement or the closing argument during a trial round are the only people who may make an objection to an opponent's opening statement or closing argument.
  - iv. Each team must call all three of its assigned witnesses. Witnesses must be called only by their own team during their case-in-chief and examined by both sides. Witnesses may not be recalled by either side. Witnesses may be called in any order.

(g) *Team Roster Form and Team Origin.*

- i. Copies of the Team Roster Form must be completed and duplicated by each team by the deadline determined by the Mock Trial Coordinator. Teams must be identified by the code assigned at registration. No information identifying team origin should appear on the form.
- ii. Before beginning a trial, the teams must exchange copies of the Team Roster Form. The form should identify the gender of each witness so that references to such parties will be made in the proper gender. Copies of the Team Roster Form should also be made available to the jury panel and the presiding judge before each round. Teams should not knowingly disclose their place of origin to any member of the jury panel or the presiding judge.

Team members, coaches, teachers, alternates, and observers shall not wear school uniforms or apparel that would identify their team origin.

**Rule 8. The Trial**

(a) *Courtroom Setting.* The Prosecution/Plaintiff team shall be seated closest to the jury box. No team shall rearrange the courtroom without prior permission of the judge.

(b) *Supplemental Material: Illustrative Aids, Costuming, Exhibits.*

- i. Teams may refer only to materials included in the case packet. No illustrative aids of any kind may be used, unless provided for in the case packet. No enlargements or alterations of the case materials will be permitted. 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. An accent is not considered costuming.
- ii. The student playing the witness is allowed to act as though she/he is afflicted with any condition, deformity, or disability described in the affidavits. Under no circumstances is the opposing team permitted to question the existence of such conditions based on the fact that the student playing the witness does not actually have them. While the opposing team may cross examine the witness on the extent of the condition based on information provided in the affidavits, the opposing team may not challenge the witness to prove the existence of the condition by asking him/her to show it to the jury.
- iii. The only documents that the teams may present to the presiding judge or scoring panel are the individual exhibits as they are introduced into evidence and the team roster forms. No roster forms may be altered except to provide the information requested. No exhibits may be modified before trial, but attorneys and witnesses may mark exhibits during direct and or cross examination. Such marked documents may be used as demonstrative exhibits during the trial and during closing arguments, but may not be entered into evidence. If a team wishes to mark an exhibit entered by the opposing team, it must substitute its own clean copy of that exhibit for this purpose before any markings are made. Exhibit notebooks are not to be provided to the presiding judge or scoring panel. Unless provided by the Mock Trial Committee, name tags or name plates at counsel table are not permitted.



- (c) *Student Work Product.* All opening statements and closing arguments, all direct and cross examinations, and all objections shall be substantially the work product of team members and not be scripted by coaches.
- (d) *Trial Communication.*
- i. Coaches, teachers, non-performing team members, alternates, and observers shall not talk to, signal, communicate with, or coach their teams during trial. This rule remains in force during any emergency recess that may occur. Students participating in a round may, among themselves, communicate during the trial. No disruptive communication is allowed. Signaling of time by the teams' timekeepers shall not be considered a violation of this rule.
  - ii. Coaches, teachers, non-performing team members, alternates, and observers must remain outside the bar in the spectator section of the courtroom. Only student-attorneys and witnesses participating in a round may sit inside the bar and communicate with each other, but such communication may not be disruptive of the round.
  - iii. For purposes of this rule, the trial ends after all closing arguments in that round, including rebuttals and objections, have concluded and the judge has asked the jurors to retire to calculate their scores.
  - iv. Electronic communication devices must be turned off during the entirety of the trial.
- (e) *Team Communication Between Rounds.* Team members must not discuss the trial strategy used by opposing teams with any other team or person associated with another team.
- (f) *Viewing a Trial.* Team members, coaches, teachers, alternates, and any other persons directly associated with a mock trial team are not allowed to view other teams in competition, so long as their team remains in the competition. The championship round, however, is open to observation by the public, including all team members, coaches, and families.
- (g) *Videotaping/Photography.*
- i. Still photography, video recording, and audio recording are not allowed during the competition, unless both teams consent. Video and audio recordings may not be played back until after the completion of the tournament.
  - ii. Media coverage will be allowed in the championship round.
- (h) *Jury Trial.* The case will be tried to a jury; arguments are to be made to the judge and jury. Teams may address the scoring judges as the jury.
- (i) *Standing During Trial.* Unless excused by the judge, attorneys will stand while giving opening statements and closing arguments, during direct and cross examinations, and for all objections.
- (j) *Stipulations.* Stipulations will be considered a part of the record and already admitted into evidence.

- (k) *Reading Into the Record Not Permitted.* Stipulations, the indictment, or the charge to the jury will not be read into the record.
- (l) *Swearing of Witnesses.* The swearing in of witnesses will occur in one of two ways. Either the presiding judge will indicate that all witnesses are assumed to be sworn, or the oath below will be conducted by the presiding judge before the trial begins. The following oath may be used:
- i. “Do you promise that the testimony you are about to give will faithfully and truthfully conform to the facts and rules of the mock trial competition?”

(m) *Trial Sequence and Time Limits.*

- i. The trial sequence and time limits are as follows:
  1. Opening Statement (5 minutes per side)
  2. Direct and Redirect (optional) Examination (25 minutes per side)
  3. Cross and Re-cross (optional) Examination (20 minutes per side)
  4. Closing Argument (5 minutes per side)
- ii. The Prosecution/Plaintiff gives the opening statement first. The Prosecution/Plaintiff gives the closing argument first; the Prosecution/Plaintiff may reserve a portion of its closing time for a rebuttal. The Prosecution/Plaintiff must request or state that it is reserving rebuttal time. The Prosecution/Plaintiff’s rebuttal is limited to the scope of the Defendant’s closing argument.
- iii. Attorneys are not required to use the entire time allotted to each part of the trial. Time remaining in one part of the trial may not be transferred to another part of the trial.
- iv. Even if a team has exhausted its time for direct and/or cross examination, Rule 7(f)(iv) requires that each witness be called. Accordingly, on direct, attorneys out of time will be allowed only one question: “Will the witness please state your name for the record?” The opposing team will be permitted to conduct a cross examination of the witness. No questions will be allowed on cross examination if a team has used all of its allotted time for cross examination.

(n) *Timekeeping.*

- i. Time limits are mandatory and will be enforced.
- ii. Time runs from the beginning of the opening statement, witness examination, or closing argument until its conclusion. Introductory remarks prior to the opening statements are limited to introducing counsel or witnesses and shall not be included in the time allotted for opening statements. However, if counsel or witnesses are introduced once the opening statement has commenced, such time shall be included in the time allotted for the opening statement.
- iii. Time stops for objections, questioning from the judge, or administering the oath and will not be counted as part of the allotted time during examination of witnesses and opening statements and closing arguments.
- iv. Time does not stop for introduction of evidence.

- v. Timekeepers are responsible for fairly and accurately keeping and reporting the time during the trial presentation. Timekeepers should display the applicable “Time Remaining” cards simultaneously. When the time allowed for a category has expired, the timekeeper will raise the STOP card so that it may be visible to the judge and both counsels. If the STOP card is raised and the attorney continues without permission from the judge, attorneys for the opposing team may use a special objection, such as “time has expired,” to bring the matter to the judge’s attention. Timekeepers are not authorized to call out “STOP.”
  - vi. At the end of each task during the trial presentation (i.e. at the end of each opening, complete examination, and closing argument), if there is more than a 15 second discrepancy between the teams’ timekeepers, the timekeepers must notify the presiding judge of the discrepancy. The presiding judge will then rule on the discrepancy; the timekeepers will synchronize their stopwatches accordingly; and the trial will continue. No time disputes will be entertained after the trial concludes. The decisions of the presiding judge regarding the resolution of time disputes are final.
- (o) *Time Extensions and Scoring.* The presiding judge has sole discretion to grant time extensions. If time has expired, the attorney may not continue without permission from the judge. Judges are encouraged to allow the completion of an answer that is in progress at the moment time is called. If time has expired and an attorney continues without permission from the presiding judge, the jurors may determine individually whether or not to discount points in a category because of any over-run in time. If an attorney pleads for additional examination after time is called, the judge may permit a time extension but is strongly encouraged to limit any time extension to one question only.
  - (p) *Permitted Motion.* The only motion permissible is one requesting the judge to strike testimony following successful objection to its admission.
  - (q) *Sequestration.* Teams may not invoke the rule of sequestration.
  - (r) *Bench Conferences.* Bench conferences may be granted at the discretion of the presiding judge, but should be made from the counsel table in the educational interest of handling all matters in open court.
  - (s) *Objections During Opening Statement/Closing Argument.* No objections may be raised during opening statements or closing arguments. If a team believes an objection would have been proper during the opposing team’s opening statement or closing argument, one of its attorneys may, following the opening statement or closing argument, stand to be recognized by the judge and object by saying, for example: “If I had been permitted to object during opening/closing arguments, I would have objected to the opposing team’s statement that \_\_\_\_\_.” The opposing team is allowed a response. The presiding judge will not rule on this objection. The presiding judge and the jurors will weigh the objection individually.
  - (t) *Objections.*
    - i. *Argumentative Question:* An attorney shall not ask a question that requires the witness to agree to a conclusion drawn by the question without eliciting

testimony as to new facts; provided, however, that the Court may in its discretion allow limited use of argumentative questions on cross examination.

- ii. Ambiguous Questions: An attorney shall not ask questions that are capable of being understood in two or more possible ways.
- iii. Non-Responsive Answer: A witness' answer is objectionable if it fails to respond to the question asked. This applies to when a witness talks extensively and unnecessarily to reduce the other team's time.
- iv. Lack of Proper Predicate/Foundation: Attorneys shall lay a proper foundation prior to moving the admission of evidence. After the exhibit has been offered into evidence, the exhibit may still be objected to on other grounds.
- v. Assuming Facts Not in Evidence: Attorneys shall not ask a question that assumes unproven facts. However, an expert witness may be asked a question based upon stated assumptions, the truth of which is reasonably supported by evidence—a hypothetical question.
- vi. Questions Calling for Narrative or General Answer: Questions must be stated so as to call for a specific answer. (Example of improper question: "What do you know about this case?")
- vii. Repetition: Questions designed to elicit the same testimony or evidence previously presented in its entirety are improper if merely offered as a repetition of the same testimony or evidence from the same or similar source.
- viii. Teams are not precluded from raising additional objections that are available under the National High School Mock Trial Rules of Evidence.

(u) *Procedure for Introduction of Exhibits.*

- i. All teams should be prepared to follow these steps and all presiding judges should allow students to utilize this procedure for the introduction of evidence during competition rounds.
  1. All evidence will be pre-marked as exhibits.
  2. Timekeepers will not stop time during the introduction of evidence.
  3. Ask for permission to approach the witness. "Your Honor, may I approach the witness with what has been marked for identification purposes as Exhibit No. \_\_\_?"
  4. Show the exhibit to opposing counsel.
  5. Approach witness. Ask witness to identify the exhibit. "I now hand you what has been marked for identification as Exhibit No. \_\_\_\_\_. Would you identify it please?" Witness should answer to identify only.
  6. Ask the witness a series of questions that are offered for proof or the admissibility of the exhibit. These questions lay the foundation or predicate for admissibility, including questions of the relevance and materiality of the exhibit.
  7. Offer the exhibit into evidence. "Your Honor, we offer Exhibit No. \_\_\_ into evidence."
  8. Court: "Is there an objection?" (If opposing counsel believes a proper foundation has not been laid, the attorney should be prepared to object at this time.)

9. Opposing Counsel: “No, your Honor,” or “Yes, your Honor.” If the response is “yes,” the objection will be stated on the record. Court: “Is there any response to the objection?”
  10. Court: “Exhibit No. \_\_\_ is/is not admitted.”
  11. If the exhibit is admitted into evidence, the attorney may not solicit testimony on its contents.
- (v) *Use of Notes.* Attorneys may use notes in presenting their cases. Witnesses are not permitted to use notes while testifying during the trial. Attorneys may consult with each other at counsel table verbally or through the use of notes. Attorneys shall not show such notes to any witness during the trial. The use of laptops or other electronic devices is prohibited.
- (w) *Redirect/Re-cross.* Redirect and re-cross examinations are permitted, provided that they conform to the restrictions in Rule 611(d) in the National High School Mock Trial Rules of Evidence. Redirect and re-cross must be limited to matters raised on cross or redirect examination, respectively.
- (x) *Scope of Closing Arguments.* Closing arguments must be based upon the actual evidence and testimony presented during the trial.

## **JUDGING AND TEAM ADVANCEMENT**

### **Rule 9. The Critique**

Limitations on critique by the judging panel will be determined and announced at the time of the tournament based upon tournament time restraints and other relevant conditions.

### **Rule 10. Judging**

- (a) *Decisions.* All decisions of the judging panel are final.
- (b) *Composition of Panel.*
  - i. The judging panel will consist of at least three individuals. The composition of the judging panel and the role of the presiding judge will be at the discretion of the Mock Trial Coordinator as follows:
    1. One presiding judge and two scoring jurors (all three of whom complete score sheets); or
    2. One presiding judge and three scoring jurors (only scoring jurors complete score sheets).
  - ii. The presiding judge shall be a judge, a justice, or an attorney.
  - iii. At the discretion of the Mock Trial Coordinator, the championship round may have a larger scoring panel.
  - iv. All presiding judges and jurors will receive a mock trial manual, which may include orientation materials and a bench brief.
  - v. In the event of an emergency (i.e. sudden illness, etc.) that causes a member of the judging panel to leave the courtroom, the presiding judge will call for a brief recess and assess whether the judging panel member will be able to return in a reasonably short period of time so the proceedings may resume upon the panel member’s return to the courtroom. If the judge determines that

the panel member is unable to return to the courtroom in a reasonably short time, the Mock Trial Coordinator must be informed. The Mock Trial Coordinator will determine if and how the panel composition will be adjusted to best meet the requirements of the rules and the round will resume.

(c) *Score Sheets/Ballots.*

- i. The term “ballot” will refer to the decision made by the scoring juror as to which team made the best presentation in the round. The term “score sheet” is used in reference to the form on which points are recorded. Score sheets are to be completed individually by the judging panel member. Judging panel member are not bound by the rulings of the presiding judge. The team that earns the highest points on an individual score sheet is the winner of that ballot. The team that receives the majority of the three ballots wins the round. The ballot votes determine the win/loss record of the team for power-matching and ranking purposes. Points may be considered in the event of a tie in the number of ballots. While the judging panel may deliberate on any special awards, (i.e. Outstanding Witness/Attorney) the judging panel may not deliberate on individual scores.
- ii. Judging panel members may not discuss the team points from their individual ballot with team members, team coaches, or any other individual related to a team in the competition.

(d) *Completion of Score Sheets.*

- i. Each scoring judging panel member shall record a number of points in whole numbers (1-5) for each presentation of the trial (no fractions may be used). At the end of the trial, each scoring juror shall total the sum of each team’s individual points, place this sum in the Total Points box, and enter the team (“P” for Plaintiff/Prosecution or “D” for Defendant/Defense) with the higher total number of points in the tie-breaker box. **NO TIE IS ALLOWED IN THE TOTAL POINTS BOXES.**
- ii. In the event of a mathematical error in tabulation by the scoring jurors which, when corrected, results in a tie in the Total Points boxes, the tie-breaker box shall determine award of the ballot.
- iii. Should only two scoring judging panel members be available for a round, the Mock Trial Coordinator shall average the scores of the scoring judging panel member present at the specific round to achieve the required third score. The third score shall equal one-half the sum of the other two scoring jurors’ total scores for Plaintiff/Prosecution and Defendant/Defense.

(e) *Team Advancement.* Teams will be ranked based on the following criteria in the order listed:

1. Win/Loss Record—equals the number of rounds won or lost by a team.
2. Total Number of Ballots—equals the number of scoring jurors’ votes a team earned in preceding rounds;
3. Total Number of Points Accumulated in Each Round;
4. Point Spread against Opponents—the point spread is the difference between the total points earned by the team whose tie is being broken

less the total points of that team's opponent in each previous round. The greatest sum of these point spreads will break the tie in favor of the team with the largest cumulative point spread.

(f) *Power-Matching/Seeding.*

- i. A random method of selection will determine opponents in the first and second rounds. Whenever possible, power-matching will be used to determine opponents for other rounds, particularly the third or later rounds. However, power-matching will be balanced against trying to avoid having the same teams face each other multiple times. The two teams emerging with the strongest record from all rounds will advance to the final round. The first-place team will be determined by ballots from the championship round only.
- ii. Power matching will provide that:
  1. Pairings for the first and second rounds will be at random;
  2. All teams are guaranteed to present each side of the case at least once;
  3. Brackets will be determined by win/loss record. Sorting within brackets will be determined in the following order: (1) win/win, win/loss, or loss/loss record; (2) ballots; (3) total points; then (4) point spread. The team with the highest number of ballots in the bracket will be matched with the team with the lowest number of ballots in the bracket; the next highest with the next lowest, and so on until all teams are paired;
  4. If there is an odd number of teams in a bracket, the team at the bottom of that bracket will be matched with the top team from the next lower bracket;
  5. Teams will not meet the same opponent twice in rounds one and two;
  6. To the greatest extent possible, teams will alternate side presentation in subsequent rounds.

(g) *Selection of Sides for Championship Round.*

- i. In determining which team will represent which side in the Championship Round, the following procedure shall be used:
  1. The team with the letter/numerical code which comes first alphabetically or numerically will be considered the "Designated Team."
  2. The coin will be tossed by a designee of the Mock Trial Coordinator.
  3. If the coin comes up heads, the Designated Team shall represent the plaintiff/prosecution in the Championship Round. If the coin comes up tails, the Designated Team shall represent the defendant.

(h) *Winning Team.*

- i. The team that wins the Championship Round will represent the CNMI at the National High School Mock Trial Championship, subject to Rule 3.1, and another other applicable rules, of the National High School Mock Trial Championship Rules of Competition.

- ii. The winning team will conduct themselves in accordance with Rule 1-2 and the National High School Mock Trial Championship Rules of Competition.
- iii. The winning team shall attend any and all training sessions and/or scrimmages organized by the Mock Trial Coordinator and/or committee in preparation for the National High School Mock Trial Championship.

## **DISPUTE RESOLUTION**

### **Rule 11. Dispute Resolution**

- (a) *Reporting a Rules Violation/Inside the Bar.* All rule violations must be brought to the presiding judge's attention by participating student-attorneys during the trial immediately in the form of an objection. Only student-attorneys may report a rule violation inside the bar. At no time in this process may team sponsors or coaches communicate or consult with the student-attorneys. Under no circumstances may any coach, non-performing team member, alternates, or observer communicate rule violations to the student-attorneys in any way during the trial. It is the responsibility of the students participating in the competition to be thoroughly familiar with the rules and alert the judges to any and all violations. Failure to do so results in missed opportunity. Judges will be instructed to note violations and discuss them with the Mock Trial Coordinator.
- (b) *Dispute Resolution Procedure.* The presiding judge will consider the arguments by a spokesperson from both sides and rule on the dispute. The spokespersons may be questioned by the judge. At no time in this process may team sponsors or coaches communicate or consult with the student-attorneys.
- (c) *Effect of Violation on Score.* If the presiding judge determines 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 affect the final decision or scoring, but the matter will be left to the discretion of the scoring jurors.
- (d) *Reporting of Rules Violation/Outside the Bar.* Disputes that occur outside the bar during a trial round may be brought by teacher- or attorney-coaches exclusively. Such disputes must be made promptly to the Mock Trial Coordinator who will ask the complaining party to complete a dispute form. The dispute resolution panel will notify all pertinent parties of the dispute and allow time for a response, if appropriate. 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.
- (e) *Resolving Disputes.* The Mock Trial Coordinator and/or his/her designated dispute resolution panel must handle all disputes of this type on site and as soon as practicable.
- (f) *Finality of Decisions.* The decision of the dispute resolution panel in these matters will be considered final and no appeals will be heard.