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POL 466A and 466B – Mock Trial
Fall 2022 – Spring 2023

Time: Mondays and Wednesdays, 3:45-5:45 p.m.
Location: Roark 204 & 205
Office Hours: By Appointment (contact instructor)

Required Texts

The following textbooks should be accessible to enrolled students through the EKU BookSmart program:

- Lubet, Steven, and Koster, Jill R. Mock Trials: Preparing, Presenting, and Winning Your Case. National Institute for Trial Advocacy (NITA), Second Edition, 2014.
- Goode, Steven, and Wellborn III, Olin Guy. Courtroom Evidence Handbook 2022-2023. West Publishing, 2022.

In addition, students will use the year's competition case and other materials published on the [American Mock Trial Association \(AMTA\) website](#). The competition case is password-protected; instructions on how to access the competition case will be provided by the course instructors.

Course Description

Preparation for American Mock Trial Association competitions during the 2021-2022 academic year. Development of a case for presentation including opening arguments, introduction of testimonial, physical, and demonstrative evidence, direct and cross examination of witnesses, closing arguments, etc. Students will also participate in competitions on and off campus.

Prerequisites: Instructor approval and GPA 2.5 or above (exceptions to GPA requirement in special circumstances subject to instructor approval).

Student Learning Outcomes

- Students will acquire knowledge about the foundations, functions, terminology, sources of law and court structure and procedure.
 - Students will demonstrate knowledge of theory and content of law by applying these concepts to mock litigation.
 - Students will evaluate information obtained by reading/studying the AMTA case(s) presented each year in order to compose their own arguments for presentation during trials.
 - Witnesses will demonstrate the ability to integrate their knowledge of the case with that of opposing teams to generate answers to questions posed by the opposition.
 - Attorneys will utilize critical thinking skills by anticipating answers to prewritten questions from opposing witnesses and reframe their arguments based upon those answers.
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Technology and Email

EKU requires all students and faculty to use their University email accounts for all correspondence. This course requires the use of the Google suite of applications (including Google Drive, Google Docs, and Google Sheets) for some assignments. If you do not already have a Google Drive account, please go to <http://www.google.com/drive/> to create one so that you can be given access to the class Google Drive.

If you do not currently have this software on your computer, EKU provides Microsoft 365 Plus free to all students. You can find instructions on installing the application at this site: <https://it.eku.edu/support/students-microsoft-office-365-pro-plus>

University Policies

The following policies are described in detail at this link: <https://academicaffairs.eku.edu/syllabi>

- Accessibility Accommodation Statement
- Academic Integrity Statement
- Discrimination and Harassment, Title IX, and Prevention Statement

Attendance Policy

Students are required to attend class and actively participate in all aspects of the learning process. This includes class discussions, written work, and in-class activities, as well as traveling to and attending all tournaments and scrimmages to which you are assigned.

Much of this class consists of work in groups or pairs, so a student's absence negatively impacts the work of others in the class as well as the absent student. **Students with unexcused absences are subject to failing the course and/or being placed on the "alternate syllabus" (see below).** Late arrivals or early departures from class that are unexcused will be considered absences as well and may result in penalties as described above.

For the purposes of this course, "excused absences" include verifiable medical or family emergencies, University approved activities (accompanied by a University excuse), illness (yours or a family member's), and other absences as outlined in the University's "[Student Absence from Class](#)" policy. Students should be prepared to document the reasons for the absence.

All of that said - If you are ill with symptoms consistent with COVID-19 or monkeypox, PLEASE DO NOT ATTEND CLASS – be sure to contact the instructor promptly BEFORE class (unless you are incapacitated and thus physically unable to contact anyone). For any absence, **you must contact one of the instructors directly before class** so that they can modify assignments for other students with whom you would have been working in class.

COVID-19 Precautions

The university's response to COVID-19 is fluid and dynamic. Please refer to [our website](#) for the latest guidance and university protocols. Students enrolled in this course are required to follow all university policies, including the Student Code of Conduct and policies related to public health and Healthy On Campus initiatives.

EKU is working diligently with state and local public health agencies and our healthcare provider partners to offer vaccination opportunities for EKU students and employees. The best way to prevent infection is

to avoid being exposed to this virus. However, as a reminder, CDC always recommends everyday preventive actions to help prevent the spread of respiratory viruses, including the following:

- **Get a COVID-19 vaccine and all recommended boosters.** Any of the currently available vaccines from Johnson & Johnson, Moderna, Pfizer, and Novavax offer a high level of protection against COVID-19 and serious illness. **Please note that travel to some/all tournaments and/or scrimmages may require proof of vaccination status.**
- **Wear a mask**, especially while indoors or when gathering in groups.
- Wash your hands often with soap and water for at least 20 seconds. Use an alcohol-based hand sanitizer that contains at least 60% alcohol if soap and water are not available.
- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Avoid close contact with people who are sick.
- **Stay home when you are sick.**
- Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- Clean and disinfect frequently touched objects and surfaces.

This course requires travel to and from other universities, during which you will be in close quarters with other students in a 12-passenger van and in shared hotel rooms. **If you have concerns about traveling in this manner under current circumstances, please discuss with an instructor prior to enrolling in the course.**

Should you need a COVID test, an up-to-date list of testing locations can be found [here](#). Students requiring an accommodation for face coverings, please contact the Center for Student Accessibility.

Inclement Weather Adaptations

In case of severe weather, operations and classes at ECU could be affected. For more information about scheduling adaptations depending on severity, see <https://www.ecu.edu/weather.html>.

Helpful Resources

Writing Assistance

ECU's Noel Studio for Academic Creativity is a free resource offering writing, communication, and research support for undergraduate and graduate students from any major or class. At the Noel Studio, trained consultants can help you with essays, presentations, research posters, visual aids, multimodal products, and more through peer-to-peer meetings called consultations, which are available both in-person (on the ECU Richmond campus) and online (via Zoom). Students can ask for help at any stage of the communication process—from brainstorming to final revision, and every point in between! You can learn more about consultations at <https://studio.ecu.edu/about-consultations>; schedule your own consultations by following the directions at <https://studio.ecu.edu/schedule-appointment>. Have questions or need help scheduling? Stop by the Noel Studio (located in the Crabbe Main Library), call the Noel Studio at (859) 622-7330, or use the chat box at studio.ecu.edu!

The Student Success Center

The Student Success Center, located on the ground floor of the library and online, provides free assistance for all ECU students. Students can request tutoring in over 150 subjects, as well as other services including mentoring, workshops, advising, studying, computer use, and with any questions related to your college experience. The Chellgren Success Series features workshops and video workshops to help with study skills, time management, stress management, and more. To make an online appointment or for more information, visit www.successcenter.ecu.edu or email successcenter@ecu.edu.

Library Support

You will need to use the library's electronic and hard-copy resources in this course. [EKU Libraries' Distance and Online Learning](#) page is designed to help, especially if you are taking online/remote classes. If this section does not answer your questions, you can use the "Ask Us" live chat feature located on the upper-left corner of every library webpage. The online chat is available all weekdays and weekends/holidays at varying hours.

Additional Resources in the Area

Please keep the following numbers handy in case you or a friend may need the services offered by any of the organizations below:

EKU Student Health Services	859-622-1761
EKU Women's Health Clinic	859-622-1761
EKU Counseling Center	859-622-1303
EKU Psychology Clinic	859-622-2356
Title IX at EKU	859-622-8020
Colonel's Cupboard (food assistance)	Powell 152
Closet Transform	Powell 152
Ampersand Sexual Violence Resource Center of the Bluegrass	800-656-4673
Hope's Wings Domestic Violence Program	859-623-4095
Suicide and Crisis Lifeline (24/7)	988

Important Dates

For information regarding drop/add, withdrawal dates and tuition refund information for withdrawals, please consult the EKU Registrar's Office page at:

<https://colonelscompass.eku.edu/spring-2022-deadlines-adddrop-refunds#full>

If you are concerned about your grade and/or think you need to drop the course, please discuss that possible decision with your instructor and bear in mind these deadlines:

Sunday, August 21	Final day to add a course or drop a course without receiving a "W" on your transcript.
Monday, October 10	Final day to drop the course without a withdrawal fee.
Sunday, November 6	Final day to drop the course with a withdrawal fee.

For additional information on the semester calendar, consult the Fall 2022 academic calendar on the Colonel's Compass: <https://colonelscompass.eku.edu/final-exam-schedule-fall-2022>

GRADING PROCEDURES

1. Class Attendance and Preparation

Regular, consistent class attendance is mandatory and all students must arrive in class ON TIME familiar with assigned materials and prepared to rehearse. Students who neglect to attend class and perform necessary preparation demonstrate contempt for their colleagues, their instructors, and themselves. This will not be tolerated. Only those absences deemed reasonable and unavoidable by the instructors will be excused.

The instructors reserve the right to penalize excessive, consistent tardiness by marking late arrivals as absent. Students missing more than 20% of the classes over the two semesters will receive an automatic "F" in the course. Students who must miss class are responsible for obtaining information about all announcements, assignments, and activities covered in the missed class. The instructors' evaluation of preparation and in-class performance will constitute forty percent (40%) of the course grade. **"Class" includes all regular meetings, mandatory scrimmages, small group meetings, practice sessions, and travel to and from competitions.** Unexcused absences from scrimmages will also count as missed classes.

2. **Tournament Performance**

The instructors' evaluation of student performance in rounds at tournaments, combined with the information provided by the tournament judges on the official ballots, will constitute thirty percent (30%) of the grade. Students who are not designated to attend any tournament will be responsible for alternative assignments to be determined by the instructors.

Attending tournaments to which you are assigned is a course requirement – a grade of "F" for both semesters of the course will be entered for any student who fails to meet this requirement unless excused by the instructors. Please notify your other instructors and make appropriate arrangements to complete any work missed. The Mock Trial instructors will provide an official University excuse after returning from the competition, and upon request will contact instructors before tournaments to explain an upcoming absence.

3. **Teamwork and Ethics**

Because Mock Trial is a group activity, the instructors will evaluate students' ability to work with others in a professional and responsible manner. Students must comply with the ethical standards established for the Mock Trial team by the American Mock Trial Association, Eastern Kentucky University, and by the instructors. Actions classified as ethical violations include, but are not limited to:

- placing one's individual interests above those of the team;
- failing to treat colleagues with due respect;
- lying to colleagues or instructors;
- engaging in dishonesty in any matter related to Mock Trial;
- violating the rules outlined in the AMTA fact situation and rules, including all rules related to courtesy;
- engaging in irresponsible behavior that puts others at risk; and
- illegal conduct of any sort during class time (travel to and from tournaments, as well as all time spent in the tournament city on tournament weekend, is regarded as "class time")

The instructors' evaluation of the students' sense of responsibility and integrity in matters related to Mock Trial competition, combined with his/her contribution to the competence, cohesiveness and general well-being of the team, will constitute thirty percent (30%) of the course grade.

4. **Alternative Syllabus**

Should a student be unable to work productively as a member of a team, that student may be shifted to the alternative Mock Trial syllabus and be required to complete an independent research project in lieu of participation on a team. Such a shift will be made at the discretion of the instructors based upon the collective interest of the team and not for the convenience of the student. The transfer to the alternative syllabus will carry no academic penalty and the student's grade will be based solely upon the merits of the independent research project.

The alternative syllabus is designed to prevent interpersonal conflicts from undermining the functioning of the team. The judgments and opinions of team members will not be determinative. The alternative syllabus will not be used in the case of a violation under Part A, Section 3, Part B, Section 6 or Part B, Section 7. The sanctions for violations of these policies are described in the relevant sections of the syllabus.

5. **Composition of Regional, Opening Round Championship, and Championship Teams**

At various points during the term, the instructors will reconfigure the existing teams, as necessary, to create the teams that will compete at subsequent tournaments. Those students who are not assigned to additional tournaments will receive a final grade at the end of the Fall semester and will not be invited to re-enroll in Mock Trial for the Spring semester.

Because only a limited number of students can compete in mock trial tournaments, it may be necessary to reduce the number of participants at the conclusion of the Fall semester. The denial of a “bid” to return for the Spring semester does not constitute an academic penalty and will depend upon factors such as team chemistry, the particular roles available in a given season, and the relative merits, talents, and performances of participants. In addition, any student whose GPA drops below a 2.0, resulting in Academic Probation, or whose academic record otherwise indicates that Mock Trial participation may be jeopardizing the student’s overall academic performance may be assigned a grade for the Fall semester and may not be permitted to enroll for the Spring semester. The instructors expect all students to maintain good academic standing at all times.

Although the instructors may reduce the number of students at the end of the Fall semester without imposing academic penalty, **students who enroll in Mock Trial are required to make a two-semester commitment.** Students will normally receive a grade of “I” at the end of the Fall Semester, with a final grade to be awarded at the end of the Spring semester.

If a single EKU team advances from one level of AMTA competition to the next (from Regionals to Opening Round Championships, or from ORCs to the National Championship Tournament), the course instructors will determine which students in the course will comprise the team assembled to compete at the next level of tournament. (This means that students on a team earning a bid are not automatically assigned to compete at the next level.)

6. **Grading Scale**

A	=	at least 90% of total points possible
B	=	at least 80% of total points possible
C	=	at least 70% of total points possible
D	=	at least 60% of total points possible
F	=	fewer than 60% of total points possible

ADDITIONAL POLICIES AND PROCEDURES:

1. Information Sessions, Trial Advocacy Course, and Auditions

Students interested in joining EKU Mock Trial (or rejoining after their first year in the program) should attend one of the information sessions during the first week of classes, at which new/prospective students meet the instructors and returning students to learn about the program. Audition signups are available at the information session. The audition consists of a brief (approximately 2-3 minute) prepared speech followed by an interview with the instructors. Based on the instructors' evaluations of the audition and a review of the student's academic record and any past performance in EKU Mock Trial, as well as any other relevant information, the instructors will decide which students will be permitted to enroll in POL 466 and join the EKU Mock Trial program for the remainder of the current academic year.

If the team requires additional participants during the academic year, the instructors may hold further auditions to find students to fill particular roles.

2. Costs

EKU's College of Letters, Arts, and Social Sciences provides a Mock Trial budget, and EKU strives to ensure that no student is prevented from participating in Mock Trial due to cost. However, students should be prepared to cover some costs. Students should expect to pay for lunch and dinner while traveling. The exact amount covered by the budget will depend on the location of the tournaments, hotel and transportation costs, receipt of bid(s) for nationals, and factors unforeseen.

3. Attire

Tournament rules require that most competitors wear business attire. This means suits for attorneys and attire appropriate to the character, status, and position of each witness. Please be prepared to dress appropriately during a two- or three-day tournament. Dressing "appropriately" may also require that students conform to typical courtroom standards in their personal grooming (hairstyle, hair color, body jewelry, etc.).

4. Extra class meetings; additional preparation

During the weeks immediately prior to competition, we may have extra class meetings, rehearsals, and scrimmages. All students are expected to be present for all class periods on Mondays and Wednesdays as well as additional meetings, rehearsals, and scrimmages as determined by the instructors. Students playing attorney roles should also expect to meet once each weekend at a time to be determined to review evidence rules. As in any other class, students are expected to do preparatory work and additional rehearsal outside of class meeting times.

5. Assignment of roles

Assignment of students to teams and to specific roles and duties is at the discretion of the instructors. **The instructors will make all final decisions as to which students play which roles in competition and as to team and travel assignments.** The instructors may also reassign teams and roles as needed. Students should anticipate that some shifting of roles and changes in team composition will be necessary after evaluating tournament performance. Reassignments are often based upon factors other than the student's competence and should not be taken personally.

6. Academic Integrity

While much of the work in this course is collaborative, students are advised that EKU's Academic Integrity Policy will be strictly enforced in this course for **individual** assignments such as quizzes or worksheets. EKU's Academic Integrity Policy is available at <https://studentconduct.eku.edu/academic-integrity-policy>. If you are unsure whether an assignment is an "individual assignment" for purposes of the Academic Integrity Policy, please ask one of the course instructors prior to working on the assignment with other students.

7. Zoom Statement

Some or all sessions in this course – including class sessions, outside practices, scrimmages, and tournaments – may be live-streamed and/or recorded. By taking this course, you have consented to being recorded in the normal course of class discussions and performances.

Class recordings and live streaming will be available only to students registered for this class and (for competitions and scrimmages) to opposing teams. These recordings are the intellectual property of the faculty and they may not be shared or reproduced without the explicit written consent of the faculty member.

Further, students may not share these Zoom sessions with those not in the class or upload them to any social media or other online forum without permission of an instructor. Doing so may be a violation of the Family Education Rights and Privacy Act (FERPA) and University policies, including the Student Code of Conduct and Code of Ethics for Computing and Communications.

8. Attending Tournaments and Scrimmages

When attending tournaments and scrimmages, whether in-person or online, you represent Eastern Kentucky University. You should recognize that we wish to leave a favorable impression upon students and faculty from other institutions. Any behavior that reflects poorly upon EKU (including but not limited to temper tantrums at tournaments, engaging in illegal behavior or "partying," etc.) will be penalized and sanctions imposed under the terms outlined in Part A, Section 3 and Part B, Section 7.

In addition, students' performances at mock trial competitions and scrimmages will be recorded and made accessible to instructors and all students enrolled in the course as well as opposing programs/teams for educational purposes in accordance with American Mock Trial Association (AMTA) rules. By enrolling in this course, you consent to being recorded and having those recordings made available as described above.

9. Policy regarding alcohol and other drugs; illegal activity

The consumption, possession, or distribution of alcoholic beverages, banned or illegally obtained substances, or the abuse of prescription or non-prescription medications by members of the Mock Trial team – including captains, alternates, timekeepers, graduate assistants, and coaches – is prohibited during all mock-trial-related activities. The prohibition extends to all participants, **regardless of age and whether or not the consumption of alcoholic beverages is otherwise legal for the individual in question.** The policy applies to mandatory practices on- or off-campus, to all meetings (voluntary or mandatory) held on the EKU campus, scrimmages, and all competitions. For the purpose of this policy, "competition" includes travel to and from the tournament city (i.e., from the moment students arrive at the van to leave until the moment they depart the van upon their return). The policy will apply from departure until participants return to their residences. The provisions in this policy shall also apply to illegal behavior of any kind.

Any participant who violates this policy will be subject to one or more of the following sanctions:

- Immediate suspension from the team, pending referral to the Office of Student Conduct and Community Standards. Such suspension will carry no academic penalty;
- Referral to Student Rights and Responsibilities for hearing, adjudication, and sanctions in accordance with University Policy;
- Suspension from competitive activity for a time period appropriate to the nature and severity of the offense;
- An academic penalty of up to three letter grades (for both Fall and Spring semesters) under the ethics clause of the syllabus, depending upon the nature and severity of the offense;
- Permanent exclusion from participation in mock trial, depending upon the nature and severity of the offense;
- For graduate assistants and coaches: dismissal from position, referral to the Department Chair and/or Dean.

All participants have an affirmative obligation to report violations of the drug, alcohol, and illegal activity policy. Those who have knowledge of violations and fail to report said violations to one of the Mock Trial instructors (listed at the top of page one of the syllabus) will be subject to the same sanctions as the original offenders, including the academic penalty. **Reporting violations to a team captain or another student is insufficient to fulfill the obligation to report under this syllabus.**

COMPETITION SCHEDULE

All enrolled students should plan to be available for each of the tournaments below even if only one team is indicated, as team assignments will change throughout the year.

Fall Semester

Friday, October 21 – Monday, October 24	University of Mississippi (Oxford, MS) (A & B Teams)
Friday, November 4 – Sunday, November 6	Illinois State University (Normal, IL) (A & B Teams)
Saturday, November 19 – Sunday, November 20	Eastern Kentucky University (tournament in Lexington) (A & B Teams)
Friday, December 2 – Monday, December 5	Yale University (New Haven, CT) (A team only)

Spring Semester

Saturday, January 14 – Sunday, January 15	University of Toronto (online Zoom competition) (A & B teams)
Friday, January 20 – Sunday, January 22	Indiana University (Bloomington, IN) (A & B teams)
Friday, January 27 – Monday, January 30	Possible in-person tournament if we can find one – if a team is assigned to compete this weekend, it will likely not attend the January 14-15 Zoom tournament.
February (one weekend to be determined)	AMTA Regional Competition (locations and dates will be announced by AMTA around Thanksgiving)
March (one weekend to be determined)	AMTA Opening Round Championship (if we qualify) (locations and dates will be announced by AMTA at the end of February)
Thursday, April 13 – Monday, April 17	AMTA National Championship Tournament (Memphis, TN) (if we qualify)

Note: The tournament schedule above is subject to change. Also see item #5 (“Assignment of roles”) under “Additional Policies and Procedures” regarding assignment of students to teams and specific tournaments.