

POL 466A  
**MOCK TRIAL**  
FALL 2024 SYLLABUS  
CRN 18776

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### Course Description

**Mock Trial.** Preparation for American Mock Trial Association competitions during the 2023-2024 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).

### Required Texts (e-books through ECU BookSmart)

- 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 2023-24 Student Edition. West Publishing, 2023.

### Revisions of Syllabus

The syllabus – including tournament dates, alternative syllabus rules, etc. – may be revised during the semester. Students will be informed of any substantial changes in writing via email and/or Blackboard announcement.

## 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.

## Technical Requirements

- Most of our work in this course is done using Google Drive and its various apps (particularly Google Docs). We will collect preferred Google account addresses (you can use an existing Gmail or use your ECU address to create one) and add students to the class Google Drive in one of the early class sessions in the semester.
- If you plan to meet with an instructor and/or a fellow student via a scheduled online Zoom meeting, please be sure to download and install the Zoom software beforehand, and “Check for Updates” within the software and install any necessary updates prior to the meeting time.

## GRADING POLICIES

### 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 instructor will be excused.

The instructor reserves 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 instructor's evaluation

of preparation and in-class performance will constitute forty percent (40%) of the course grade, and unexcused absences will result in a proportional reduction of the student's 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 instructor's 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 instructor.

**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 instructor.** Please notify your other instructor and make appropriate arrangements to complete any work missed. The Mock Trial instructor will provide an official University excuse after returning from the competition, and upon request will contact instructor before tournaments to explain an upcoming absence.

## 3. Teamwork and Ethics

Because Mock Trial is a group activity, the instructor 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 instructor. 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 instructor's 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 instructor 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 instructor 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 instructor expects all students to maintain good academic standing at all times.

Although the instructor 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. (Students may request that a fall grade be issued in December if the student is applying for post-graduate study or otherwise would be materially disadvantaged by having an “I” grade on the student’s transcript during the spring semester.)

If a single ECU 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 instructor 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.)

## **Additional Policies and Procedures**

### **1. Information Sessions, Trial Advocacy Course, and Auditions**

Students interested in joining or rejoining ECU Mock Trial are expected to 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. (Individual meetings with the instructors are also available for those who cannot make the information sessions.)

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 ECU 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 ECU 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**

ECU’s College of Letters, Arts, and Social Sciences (CLASS) provides a Mock Trial budget, and ECU 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. Class Recordings and Zoom Sessions

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, instructors for this class, and (for competitions and scrimmages) opposing teams. **These recordings may not be shared or reproduced without the express written consent of a course instructor.**

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 a course 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.

7. **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.

8. **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 the Mock Trial instructor (listed at the top 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.**

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

Please [follow this link](#) to see the most up-to-date policies from Eastern Kentucky University.

While much of the work in this course is collaborative, students are advised that ECU's Academic Integrity Policy will be strictly enforced in this course for **individual** assignments. In addition, while it is acceptable to incorporate ideas from teammates or opponents as we craft statements and direct and cross-examinations throughout the year, wholesale copying of a substantial section of someone else's material without an instructor's approval is prohibited and will be considered an academic integrity violation. If you are unsure whether you are "copying a substantial section" or 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.



## Mental/Physical Wellness Resources

Eastern Kentucky University is committed to the well-being of all students.

Students dealing with feelings of sadness or hopelessness, thoughts of harm or suicide, or increased anxiety may utilize the resources below, or for after-hours assistance contact:

<a href="#">EKU Counseling Center After-Hours Urgent Support Line</a>	(859) 622-1303
<a href="#">National Suicide Hotline</a>	(800) 273-8255 or dial 988

We encourage students to contact the following on-campus services for assistance regarding emotional and physical needs:

<a href="#">EKU Student Health Services</a>	(859) 622-1761
<a href="#">EKU Psychology Clinic</a>	(859) 622-2356
<a href="#">EKU Counseling Center</a>	(859) 622-1303
<a href="#">EKU Women's Health Clinic</a>	(859) 622-1761

## Important University Dates

Add/drop and refund/fee dates and policies can be found on the [Registrar's website](#).

## Fall Tournaments

Oct. 5-6	Spartan Throwdown hosted by Case Western Reserve University (Cleveland, OH)	A team only
Oct. 19	Scrimmage vs. Bellarmine University, hosted by University of Kentucky J. David Rosenberg College of Law (Lexington, KY)	B team only
Nov. 1-3	Back to Normal Tournament hosted by Illinois State University (Bloomington/Normal, IL)	A and B teams
Nov. 16-17	Cardinal Rumble hosted by Catholic University Tournament (Washington, DC)	A team only
Nov. 16-17	Mocky Top Invitational hosted by the University of Tennessee-Knoxville (Knoxville, TN)	B team only
Nov. 23-24	Hamilton Duel hosted by Miami University (Oxford, OH)	A team only

## Spring Tournaments

Jan. 18-19	Hoosier Hoedown hosted by Indiana University (Bloomington, IN)	A and B teams
Jan. 25-26	EKU Colonel Classic Invitational Tournament (Lexington, KY)	A and B teams
February (weekend TBD)	AMTA Regional Tournament	A and B teams
March (weekend TBD)	AMTA Opening Round Championship Tournament	Qualifying team(s) only
April 4-6	AMTA National Championship Tournament hosted by Case Western Reserve University (Cleveland, OH)	Qualifying team(s) only

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