**Mock Trial Performance Rubric: Prosecution and Defense**

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| --- | --- | --- | --- | --- |
|  | 5 | 10 | 15 | 20 |
| **Attorneys** | * Struggles to ask relevant question, relies on a script, or asks questions in the wrong format (example: uses only leading questions on direct). * Very nervous * Direct: Questions are read from notes and attorney distracts from the witness | * Are sometimes appropriate for the type of examination (open ended on direct, leading on cross). * Questions are sometimes irrelevant or not well organized, but there is a general flow to the questioning * Student struggles to adapt after an unexpected event. * Visibly nervous * Gestures and movements are sometimes distracting * Direct: Questioning sounds rehearsed and/or attorney distracts from the witness | * Most questions are appropriate for the type of examination (open ended on direct, leading on cross) and follow a general, logical organization * Student demonstrates some ability to be flexible after unexpected answers or objections. * Confident and well spoken; some nerves * Uses most gestures and movements effectively * Direct: Allows the witness to be the “star” and most questions sound natural | * Are appropriate for the type of examination (open ended on direct, leading on cross). * Are logically organized and presented * Student demonstrates ability to be flexible after unexpected answers or objections * Re-direct/re-cross is responsive and relevant. * Confident and well spoken * Uses gestures and movement effectively * Direct: Allows the witness to be the “star” and questions sound natural |
| **Attorney Assistants: Opening** | * Student struggles to tell a cohesive story * Heavy reliance on notes * Nerves interfere with performance * Gestures and movements are distracting * Does not seem comfortable in the courtroom | * You can follow most of the story and some of the facts that are chosen are helpful to the student’s case * Student relies on notes but is not reading from them * Student is visibly nervous * Gestures and movements are sometimes useful but sometimes distracting | * Story is mostly cohesive but leaves minor questions and most of the facts chosen are helpful to student’s case * Student uses notes sparingly * Very little apparent nerves * Uses gestures and movement in a manner that is mostly helpful and not distracting | * Tells a cohesive and persuasive story, and leaves the listener feeling like s/he understands what happened * Provides the court with basic information about the charges/counts and the burden of proof * Student does not use notes * Presentation is engaging, polished, and natural * Student appears comfortable in the courtroom and uses movement and gestures for appropriate emphasis |
| **Attorney Assistants: Closing** | * Demonstrates very little knowledge of the facts * References the burden of proof and charges/counts but does not demonstrate an understanding or in depth knowledge * Heavy reliance on notes * Gestures and movement are distracting | * Demonstrates knowledge of the facts but does not use facts persuasively * Demonstrates knowledge of the burden of proof and charges/counts but does not apply the facts to the law * Parts of the presentation are effective, but parts are not relevant or not well presented * Student relies on notes or an outline * Student does not take control of the room, and gestures and movement are not always used appropriately | * Uses some facts persuasively * Demonstrates strong knowledge of the burden of proof and elements of the charge/claim * Attempts to apply facts of this case to the elements of the charge/claim * Presentation is effective but not always entertaining or directly on point * Student uses most of his or her gestures and movements to appropriately – * Student uses an outline or very few notes, and only when absolutely necessary | * Uses facts in a persuasive manner to sum up the case * Demonstrates exceptional knowledge of the elements of the claim/charges and burden of proof * Effectively and persuasively applies the facts of this case to the controlling law * Presentation is engaging and effective * Student is in control of the courtroom and uses movement and gestures appropriately * Student relies on notes only for quoting things that happened during the trial |
| **Witnesses** | * Struggles with making eye contact * Little effort to portray the character * Direct: Struggles to answer questions or seems to be reciting a memorized script. | * Sometimes makes eye contact. * Makes some effort to portray the character or make the character interesting * Direct: Does a good job communicating most facts but sometimes struggles to give a cogent answer and frequently feels rehearsed * Seems distracted or nervous | * Makes good eye contact * Presentation is mostly engaging and appropriate for the witness * Very little nervousness * Direct: Does a nice job of communicating facts. Good rapport with attorney but sometimes feels rehearsed | * Makes very good eye contact with Judges and is well spoken * Presentation is engaging and appropriate for the witness * Stays engaged even when not “on stand.” * Performance is natural and believable * Direct: Demonstrates a superior knowledge of the facts of the case, provides relevant answers the attorney’s questions and demonstrates rapport with the attorney. |

**Mock Trial Performance Rubric: Jurors**

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|  | **5** | **10** | **15** | **20** |
| **Jurors** | Trial notes are incomplete, sloppy, and difficult to read. Verdict is missing | Trial notes are present but lack detail, verdict is present but lacks support | Trial notes are easy to read, detailed, and organized but lack information from both sides of the trial. Crucial information is not present. Verdict is present and supported with evidence | Trial notes are easy to read, organized, detailed, and have details incorporated from both sides of the trial. Bias is not present in notes. Verdict is clear and supported with evidence. |

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| **Trial Notes** |
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| Final Verdict: |
| Explanation of verdict: |

**Mock Trial Performance Rubric: Judge, Bailiff, and Clerk**

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| --- | --- | --- | --- | --- |
|  | **5** | **10** | **15** | **20** |
| **Judge and Bailiff** | * Student is not involved with the trial activity. Student needs constant reminders to get back on task. Student is distracting to the class as a whole. * Student does not follow standard courtroom procedures Student is unsure of role expected in trial process. * Student was difficult to hear. Student did not practice. * Student has a negative attitude. Student makes the experience bad for others around him/her. * Student has clearly not rehearsed or engaged in learning about their role. | * Student is often engaged in trial activity. Student needs a reminder to get back on task and can be distracting to teacher and classmates. * Follows standard courtroom procedures. Students demonstrates knowledge of character. * Student mumbled at times; spoke quietly some of the time. * Student is neutral about the activities. Student spreads mixed feelings around the class, both positive and negative. * Student is unsure as to their role in the trial process. | * Student is often engaged in trial activities. Student could participate more in class activity, but is never causing a distraction. * Courtroom procedure is upheld. * Student was loud enough most of the time. * Student is positive about the activities being done in class. * Student needs prompting to complete trial tasks. | * Student is constantly engaged in trial activity. Student does not need reminders to stay on task. * Anticipates and follows courtroom procedure. Student demonstrates mastery of character * Student talks clearly, loud enough for all to hear. Student has practiced for their part * Student is positive about the activities being learned in class and sets the example for students around him/her. |

**Performance Rubric: Witness Assistant**

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|  | **5** | **10** | **15** | **20** |
| **Witness Assistant** | Evidence log is messy. Evidence for witnesses is either not sufficient or several witnesses are missing. Citations are not done correctly. | Evidence log is neat. Evidence for witnesses is either not sufficient or there are witnesses missing. Citations are done but not correctly. | Evidence log is neat and organized. There is evidence from the text for every witness and it is cited appropriately. | Evidence log is neat and organized. There is an exceeding amount of evidence from the text for every witness and it is cited appropriately. |