

# **Oklahoma High School Mock Trial – Timekeeping Procedures & Responsibilities**

## **Timekeeping Responsibilities for Teams**

- Each team is responsible for reviewing the following procedural information and Rules IV.G. and V.D., outlining the timekeeper's responsibilities for keeping time accurately and fairly throughout the Oklahoma High School Mock Trial Competition.
- Each team is responsible for training at least one team member to serve as the team's official timekeeper.
- Teams and their official timekeeper(s) are responsible for being proficient in the timekeeping responsibilities.
- The team's timekeeper must be familiar with the trial sequence chart and have practiced completing the timekeeping sheet before the competition begins. In each trial, both teams' timekeepers will sit in the jury box and keep time for both teams.
- Team members serving as timekeeper are to be so noted on the "Team Roster" form completed for each round.
- During the round, the timekeeper will need this Timekeeping Procedures Sheet, the Time Card Use Table, and the Time-Remaining Cards, provided by the State Committee, along with the required stop watches, optional clipboard, and pencils.
- In each trial, both timekeepers will turn in the completed and signed timing sheet to the presiding judge.

**WORKING TOGETHER** as a "neutral timing team," timekeepers from both teams:

- Will ensure that accurate time for both teams has been kept;
- Will show "time-remaining" cards simultaneously to both teams; and
- Will notify the presiding judge that "TIME" has expired at the end of the trial by showing the "STOP" time card.

## **SUPPLIES TEAMS MUST PROVIDE**

- Two (2) STOP WATCHES (one for keeping time for the Plaintiff side and one for keeping time for the Defense side, regardless of which side your team is presenting in a given round)—Required
- A trained OFFICIAL TIMEKEEPER—Required
- Clipboard for the timekeeper—Optional
- Two pencils—Required

## **SUPPLIES THE STATE COMMITTEE WILL PROVIDE**

- One set of Time-Remaining Cards
- All teams must use the "Time Remaining" cards provided by the State Committee and NO others. Time intervals may not be altered in any way.
- Timekeeper's Responsibilities Sheet
- Time Card Use Table
- **NOTE:** No stopwatches, clipboards, or pencils will be available at the competition site.

## **Timekeeping Procedures**

### **BEFORE THE TRIAL**

- Be sure to have in your Timekeeper's Packet:
- Two (2) Timekeeping Sheets for each competition
- One (1) Time Card Use Table

- One (1) set of Time Cards
- Be able to recognize each part of the trial before the competition begins; label your stop watches "P" for Prosecution and "D" for Defense and keep the stop watch marked "P" at your left hand and the stop watch marked "D" at your right hand.
- Enter the courtroom; take your position at the end of the jury box closest to spectators and away from all scoring panel members. Both timekeepers should sit together in a place easily seen by counsel and the presiding judge. Rise when the judge and jury enter the courtroom. Be seated when the judge grants permission for all to be seated.

## DURING THE TRIAL

- Timekeepers play an essential role during a mock trial competition round and therefore must work together as a **neutral** "timekeeping team" to ensure that time is kept accurately and fairly for both sides in the round.
- Enter the Round and Team Codes in the spaces provided at the top of the Timekeeping Sheet. Arrange your stopwatches, time cards and Time Card Use Table.
- Keep time during the trial, remembering the following.1. Use one stop watch for each side—PROSECUTION on your left and DEFENSE on your right.2. RESET stop watch to zero **ONLY** at the following times:
  - at the beginning of each side's opening statement;
  - at the beginning of each side's direct examination;
  - at the beginning of each side's cross examination; and,
  - at the beginning of each side's closing argument.
- **DO NOT** reset stopwatch to zero at any other time.
- **DO NOT** reset stopwatch to zero at the end of direct and cross examinations (you will need to resume direct examination timing for redirect questioning, and cross examination time for re-cross questioning)
- **DO NOT** reset stopwatch to zero at the end of the Prosecution's closing argument (you will need to resume the Prosecution's closing argument timing for the Prosecution's rebuttal)
- **START** timing only when each attorney starts to speak, (i.e. when the attorney actually speaks the first word of his or her opening, closing, or examination question—examples include but are not limited to, "May it please the court..." or, "Your Honor, Ladies and Gentlemen of the jury..." [for openings/closings] or, "Please state your name for the court..." [for examination question]—NOT when an attorney responds to a presiding judge's inquiry as to whether or not that side is ready to proceed, asks for permission to reserve time for a rebuttal, asks for permission to use/move a podium, or to swear a witness, etc.
- **STOP** timing during objections, responses to objections, questioning by the judge, and when the attorney says his or her last word on completion of a given task.
- Remember: **DO NOT** count time
  - from the time the witness is called until he or she takes the witness stand (including the administration of the oath);
  - from the time an objection is raised until after the ruling by the presiding judge and the examining attorney says the first word to continue the examination; and
  - during the time a judge may raise questions to a team, the panel, or the court administrator.
- Time **DOES NOT STOP** for the introduction of evidence.
- Display time cards **simultaneously** throughout the round to **both teams** (attorneys and witnesses) and the presiding judge only at the intervals set out in the Time Card Use Table. Display the **STOP** card to both teams, the presiding, and the scoring judges.
- Timekeeping each trial is a function of both teams' timekeepers working together. Timekeepers may not display any increments of time (not outlined on the Time Card Use

Table) to their own team independently of the opposing team's timekeeper at any time during the trial.

- At the conclusion of the trial, if either side informs the court that it wishes to file a dispute and a dispute hearing is granted, both timekeepers are to time the additional three-minute argument per side.

### **DISCREPANCIES IN TIME BETWEEN TEAM TIMEKEEPERS DURING A TRIAL**

- If timing variations of **15 seconds or more** occur at the completion of any **task** (i.e. at the end of each opening, at the end of each witness examination, at the end of each cross examination, and at the end of each closing argument) during the trial, the timekeepers are to notify the presiding judge that a time discrepancy has occurred. In this event, one timekeeper will politely address the presiding judge and say, "Your Honor, under our rules, there is a time discrepancy of more than 15 seconds."
- The presiding judge will ask the nature of the discrepancy and then rule on the discrepancy before the trial continues.
- Timekeepers will synchronize their stop watches to match the ruling of the presiding judge. (As an example, if Prosecution's stop watch indicates that the Prosecution team has 2 minutes left in the direct examination block of time and the Defense stop watch indicates time has expired in the direct examination block for the Prosecution team, the presiding judge might decide to split the difference in the timing variation and give the Prosecution team 1 minute to conclude the direct examination. The Defense timekeeper would adjust timing to allow for the 1 minute timing decision.)
- Any discrepancies between timekeepers less than 15 seconds will not be considered a violation.
- No time disputes will be entertained after the trial concludes.
- The decisions of the presiding judge regarding the resolution of timing disputes are final.

### **AFTER THE TRIAL**

- Add up the time used for each side and sign the timekeeping sheet.
- The presiding judge will ask if there is a dispute to be raised by either side; if a dispute is raised, the presiding judge may request that timekeepers keep the allotted time for each side during the dispute procedure.
- Before the presiding judge retires to the jury room, each timekeeper is to politely turn in his or her timekeeping sheet. No matter how confusing the courtroom might be at the end of the trial, timekeepers must immediately hand their timekeeping sheets to the presiding judge.

### **AFTER THE RECESS**

- Reset your stopwatch to zero and start time for the debriefing.
- Politely remind the judges that both timekeepers will be timing the debriefing and that a maximum of 10 minutes is allotted to that portion of the round.
- Signal the presiding judge with the STOP card when the 10 minutes allowed for debriefing have elapsed.
- When court is adjourned, help the teams straighten up the courtroom for the next round.

**\*\*Please Remember!** This year each phase of the trial carries maximum time allocations as outlined in Rule IV.G.1

Opening Statement (5 minutes per side)

Direct and Redirect (optional) Examination (25 minutes per side)

Cross and Re-Cross (optional) Examination (20 minutes per side)

Closing Argument (5 minutes per side)

The following Sequence of Trial Events is merely suggestion to help in preparation of your competition.

# SEQUENCE OF TRIAL EVENTS

ROLE	FUNCTION	SUGGESTED TIME
<b>OPENING</b>		
1. Prosecution/Plaintiff .....	Opening Statement	5
2. Defense/Defendant .....	Opening Statement	5
<b>WITNESS EXAMINATIONS</b>		
Maximum 25 minutes for Direct Examination - Maximum 20 minutes for Cross Exam.		
<b><u>Prosecution/Plaintiff Witness #1</u></b>		
3. Prosecution/Plaintiff .....	Direct Examination	7-8
4. Defense/Defendant .....	Cross-Examination	4-7
5. Prosecution/Plaintiff .....	Redirect (Option of team)	2
6. Defense/Defendant .....	Re-cross (Option of team)	2
<b><u>Prosecution/Plaintiff Witness #2</u></b>		
7. Prosecution/Plaintiff .....	Direct Examination	7-8
8. Defense/Defendant .....	Cross-Examination	4-7
9. Prosecution/Plaintiff .....	Redirect (Option of team)	2
10. Defense/Defendant .....	Re-cross (Option of team)	2
<b><u>Prosecution/Plaintiff Witness #3</u></b>		
11. Prosecution/Plaintiff .....	Direct Examination	7-8
12. Defense/Defendant .....	Cross-Examination	4-7
13. Prosecution/Plaintiff .....	Redirect (Option of team)	2
14. Defense/Defendant .....	Re-cross (Option of team)	2
Maximum 25 minutes for Direct and Maximum 20 minutes for Cross		
<b><u>Defense/Defendant Witness #1</u></b>		
15. Defense/Defendant .....	Direct Examination	7-8
16. Prosecution/Plaintiff .....	Cross-Examination	4-7
17. Defense/Defendant .....	Redirect (Option of team)	2
18. Prosecution/Plaintiff .....	Re-cross (Option of team)	2
<b><u>Defense/Defendant Witness #2</u></b>		
19. Defense/Defendant .....	Direct Examination	7-8
20. Prosecution/Plaintiff .....	Cross-Examination	4-7
21. Defense/Defendant .....	Redirect (Option of team)	2
22. Prosecution/Plaintiff .....	Re-cross (Option of team)	2
<b><u>Defense/Defendant Witness #3</u></b>		
23. Defense/Defendant .....	Direct Examination	7-8
24. Prosecution/Plaintiff .....	Cross-Examination	4-7
25. Defense/Defendant .....	Redirect (Option of team)	2
26. Prosecution/Plaintiff .....	Re-cross (Option of team)	2
<b>CLOSING - Maximum 5 minutes for each</b>		
27. Prosecution/Plaintiff .....	Closing Argument	3-4
28. Defense/Defendant .....	Closing Argument	5
29. Prosecution/Plaintiff .....	Rebuttal Closing (Option of team)	1-2