

## **10 Most Difficult Things**

The numbered items below, which appear in no particular order, have been identified from watching countless mock trials, as well as dozens of national championships. If you can master these, you will do well as a member of your mock trial team.

1. Determine which points are the most necessary in order for you to prove the elements of your case, and then make sure that you do, indeed, prove them.
2. Tell clearly in the opening statement what you intend to prove, and argue effectively in the closing argument that the facts and evidence you have presented have proved your case.
3. Learn, understand and recall in court the rules of evidence and be able to use them to introduce documentary or physical evidence.
4. Follow the formality of the court, e.g., stand up when the judge enters or when addressing the judge, call the judge "Your Honor," etc.
5. Phrase questions on direct examination that are not leading. (Carefully review the rules of evidence and watch for this type of questioning in practice sessions).
6. Refrain from asking so many questions on cross-examination that well-made points are lost. When a witness has been contradicted or otherwise discredited, student attorneys tend to ask additional questions, which often lessen the impact of points previously made. Pointless questions should be avoided! Questions should require answers that will make only good points for the side.
7. Think quickly on your feet. Occasions when you'll need to be quick include when a witness gives an unexpected answer, when an attorney asks an unexpected question or makes an unexpected objection, or when the presiding judge decides to question an attorney or a witness.
8. Make objections and respond to objections.
9. Refrain from reading opening statements and closing arguments.
10. Learn and understand the hearsay rule and all its exceptions.