

GUIDELINES FOR TRIAL TEAM TRYOUTS

As you prepare, please note the following:

- This is not a competition where the flashiest person wins. Save that for your “Law and Order” or “The Practice” audition. You will be judged based on the following factors:
 1. Your ability to analyze facts.
 2. Your understanding of relevance and how you pick out the relevant facts.
 3. Your ability to focus the decision maker on the facts that are pivotal to your case.
 4. Reasoning and logical analysis. Specifically, the substance of what you say and how you organize and argue your facts in accordance with the conclusion you wish the jury to reach.
 5. Forensic persuasiveness. Do you convey to the jury that you believe in your case and that your position is both logically and philosophically “right?”
 6. Use of exhibits. Do you weave the exhibits into your overall argument? Do you explain why the exhibit is important? What does it mean with reference to the ultimate issues?
 7. Use of jury instructions. Do you show the jury how the instructions, considered with the facts, logically require that they find in favor of your client?
 8. Preparation. Does your closing argument demonstrate that you have studied the entire case? Do you argue without notes (the preferred approach), or do you rely on a text or note cards to get you through?
 9. Knowledge of the law of evidence. We won’t be picky on this, but glaring errors such as arguing clearly inadmissible hearsay will work against you.
 10. Knowledge of the rules governing closing argument. You must avoid statements that would, in a competitive trial, draw a sustainable objection.
 11. There will be videotapes on Case Analysis and Closing Arguments on reserve in the library under adjunct professor, Judge David Mason, or Trial Team.

- The following guidelines will apply:
 1. The federal rules of evidence will be the basis for judging your knowledge of evidence law.
 2. You may help each other.
 3. You may utilize the many texts in the library for guidance.
 4. Do not seek the assistance of your evidence or clinical professor, except as provided by the professor to all his/her students.
 5. You should bring your own exhibits. It is preferred that you do not use the podium.
 6. You should not rely too much on notes, and you may not read your closing. If you rely extensively on notes, you may be asked to argue without them.
 7. Except for clearly inadmissible evidence, you may structure your closing arguments with the assumption that all other evidence in the file has been admitted.
 8. In the problem file, there will be evidence each side would try to exclude in a trial. For the purpose of your closing argument, you should assume that only that evidence for which there is no basis to admit has been excluded.
 9. Each side will have a total of no more than 15 minutes for its closing argument. The plaintiff or prosecutor may reserve up to 5 minutes for rebuttal. Use your time wisely, and do not argue your closing beyond the time limits.

GOOD LUCK to all of you! We look forward to your brilliant arguments.