OBA/OJEN Competitive Mock Trials Marking Scheme (2020 Edition)

How the judges will score your team:

All the categories are scored out of 10. The descriptions on the marking scheme represent a standard corresponding to 7 to 8 out of 10. Judges use that standard as the starting point for scoring in each category. The judge asks themself if the performance in the category…

- **Meet the standard described? = 7 to 8/10.** If the performance was mostly to the standard, but a bit lacking on one or two points, that would be a 7. If it was very solidly to the standard, that would be an 8.
- **Exceed the standard? = 8.5 to 10/10:** If the judges is satisfied that the performance met the standard and went beyond it, they score 8.5 and higher. But, to give a score of 10, the judge must be convinced that there was essentially nothing else that the student/team could have done better in that category.
- **Fall below the standard? = 5 to 6.5/10:** If the performance was below the standard on more points than it met the standard, then the judge will score 6.5 or 6, down to 5.5 or 5 for performances what were well off the mark.
- **Fall <u>well below</u> the standard? = 0 to 4.5/10:** The scale is out of 10, just as marks in school are out of 100%. So, this is a "fail". Marks in this range are for where there are major problems with a performance. To score in this range, performances will have been very disorganized and difficult to follow, have really failed to engage with the facts and relevant law of the case, or made crucial errors. There may also have been issues of discourtesy, rudeness, etc.

Score sheet: Most (but not all) OOCMT tournaments will provide copies of score sheets. If there is a panel of judges, they have the choice whether to fill out separate score sheets, or fill out a single sheet for the panel.

Judicial remarks sheet: This was created so that judges can give some written feedback on the very key points that made a difference to the round, to provide a bit more context for the scores given. It is anticipated that filling in the remarks sheet will help judges focus their oral feedback as well. Depending on time and personal preference, judges may choose not to fill out the remarks sheet.

OBA/OJEN Competitive Mock Trials: Marking Scheme

	Categories:	Performance Standard				
		Well below standard: 1 ← 4.5	Below standard: 5 ← 6.5	Meets standard described below: 7 ←→ 8	Exceeds standard: 8.5 →9.5	Flawless: 10
COUNSEL	Opening Statements	· Presented clear and solid theory of case · Allegations and elements of offence outlined with reasonable clarity · Anticipated evidence well mapped-out · Concise and without excessive argument				
	Direct Examinations	· Questions were open-ended and not leading · Questions were focused and brought out key information beneficial to own case · Questions were connected to theory of case presented in opening statement · Potential problems for own case were brought out and addressed				
	Cross-Examinations	· Questions were focused, leading, and brought out key information for own case · Identified and brought out key weaknesses and contradictions in other side's case · Adapted questioning in line with witness answers · Effectively maintained control of witness				
	Closing Arguments	· Organized, concise and well-reasoned summary, connected to theory of case · Explained elements of offence(s), relevant legal tests and how burdens met/not met · Natural presentation; adapted to actual evidence in round · Left clear, comprehensible impression of case theory				
	Counsel Performance <u>in General</u> (consider in scoring all above categories)	· Spoke clearly, with good eye contact and engagement with judges and/or witnesses · Displayed level of comfort with environment and material; good use of notes but remained able to adapt submissions as needed · Displayed professionalism, integrity and collegiality				
WITNESSES	Direct Examinations	· Well-prepared; presented naturally and appeared credible · Testimony brought out key points for own case and effectively dealt with any weak points or problems of own case				
	Cross-Examinations	· Well-prepared; presented naturally and appeared credible · Answered questions fairly and without unreasonable stalling or evasiveness · Answers helped maintain own case as much as possible				
	Witness Performance <u>in General</u> (consider in scoring both above categories)	· Well-developed character added authenticity, but did not distract from trial · Testimony was consistent with sworn statement; was not "impeached" · Displayed professionalism, integrity and collegiality				

TEAM OVERALL	**Knowledge of Law and Procedure**	· Objections were relevant, timely, reasonable, and appropriately employed · Counsel were well-versed and comfortable with procedure and courtroom environment · Counsel knew and applied relevant legal tests to the facts of the case
	Quality and Coherence of Case Theory and Presentation	· Team had a clear, well-reasoned theory of the case that was presented from the outset and remained clear and effectively presented throughout the trial · Team displayed a cohesive effort; team members were clearly working together

OBA/OJEN Competitive Mock Trials 2020
Score Sheet

Round # _____		**Courtroom # _____**	
Crown Team:		**Defence Team:**	
Counsel:		**Counsel:**	
Opening Statement	/10	Opening Statement	/10
Direct Examination of ***Alex Riley***	/10	Cross-Examination of ***Alex Riley***	/10
Direct Examination of ***Siham Sanga***	/10	Cross-Examination of ***Siham Sanga***	/10
Cross-Examination of ***Morgan Kaye***	/10	Direct Examination of ***Morgan Kaye***	/10
Cross-Examination of ***Blair Brown***	/10	Direct Examination of ***Blair Brown***	/10
Closing Arguments	/10	Closing Arguments	/10
Subtotal:	**/60**	**Subtotal:**	**/60**
Witnesses:		**Witnesses:**	
Alex Riley Direct Examination	/10	***Morgan Kaye*** Direct Examination	/10
Alex Riley Cross-Examination	/10	***Morgan Kaye*** Cross-Examination	/10
Siham Sanga Direct Examination	/10	***Blair Brown*** Direct Examination	/10
Siham Sanga Cross-Examination	/10	***Blair Brown*** Cross-Examination	/10
Subtotal:	**/40**	**Subtotal:**	**/40**

Overall Impression:		Overall Impression:	
Knowledge of Law and Procedure	/10	Knowledge of Law and Procedure	/10
Quality and Coherence of Case Theory	/10	Quality and Coherence of Case Theory	/10
Subtotal:	**/20**	**Subtotal:**	**/20**
Grand Total:	**/120**	**Grand Total:**	**/120**

*Judges do not have to enter subtotals or grand total. Enter the scores for each category, and organizers will total the scores.

OBA/OJEN Competitive Mock Trials – Judicial Remarks

ROUND: _____ ROOM: _____

VERDICT

Guilty ☐	Not Guilty ☐	Guilty of lesser offence: _____

Key reasons for verdict:

-
-
-

PERFORMANCE & ARGUMENTS

<u>Stronger</u> aspects (maximum three points):

CROWN	DEFENCE
•	•
•	•
•	•

Weaker aspects (maximum three points):	
CROWN	DEFENCE
•	•
•	•
•	•