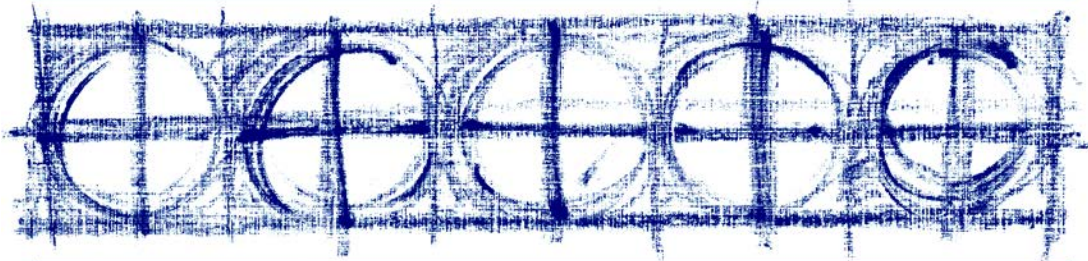


# 2018 Timekeeping Guide

Idaho High School Mock Trial

IDAHO LAW FOUNDATION



*Helping the profession serve the public*



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## Timekeeping Rules

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While all mock trial team members should review all mock trial rules and handbooks, there are several rules in the *Rules of Competition & Procedures* handbook that apply to timekeeping and must be reviewed carefully by timekeepers, including:

- Rule 3.2
- Rule 3.4
- Rule 4.2
- Rule 4.4
- Rule 4.6

## Timekeeping Supplies

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### Supplies Teams Must Provide

- **Two stopwatches:** Each timekeeper must use one stopwatch for keeping time for the Plaintiff/Prosecution and one for the Defense, regardless of what side the timekeeper's team is presenting in the case. Teams **MUST** use stopwatches and **not phones** for keeping time.

**NOTE:** The Idaho Law Foundation's Law Related Education Program can provide stopwatches for teams to borrow during the mock trial season. Contact Carey Shoufler at (208) 334-4500 or [cshoufler@isb.idaho.gov](mailto:cshoufler@isb.idaho.gov) for more information. **YOU MUST LET CAREY KNOW YOU WILL NEED THE USE OF STOPWATCHES PRIOR TO THE DATE OF YOUR REGIONAL COMPETITION.**

- **Two pencils:** Each timekeeper will use a pencil to fill out their timesheets and must have an extra pencil available as a back-up. We recommend using mechanical pencils.
- **Clipboards (optional):** It is often the case that timekeepers will be seated in the jury box without a hard surface to write on. The use of clipboards for holding *Timekeeping Sheets* is often a helpful tool.

### Supplies Provided by the Mock Trial Program

Please note that materials will be given to teams at their regional competitions. Teams will not be given new *Time Remaining Cards* or *Time Card Use Tables* for the state competition. Teams who qualify for the state competition are responsible for bringing their supplies with them.

- **One set of Time Remaining Cards:** All teams must use the same *Time Remaining Cards* during competition, as provided by the Mock Trial Program, and no others. Time intervals may not be altered in any way.
- **Time Card Use Table:** The *Time Card Use Table* tells timekeepers which *Time Remaining Card* to hold up at defined intervals for each part of the trial.
- **Timekeeping Sheets for each round of competition:** Each timekeeper must sign his/her own *Timekeeping Sheet*. Both *Timekeeping Sheets* must be returned to the Presiding Judge at the end of a round of competition.

## Timekeeper Responsibilities

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Each team is responsible for training at least one team member to serve as the team's official timekeeper. The timekeeper from the Plaintiff/Prosecution side and the timekeeper from the Defense side will work together as a neutral timekeeping team to ensure that accurate and fair time has been kept for both teams, showing the *Time Remaining Cards* simultaneously to both teams, and notifying the presiding judge when time has expired for any given portion of a trial by showing the STOP time card.

Teams and their official timekeeper(s) are responsible for being proficient with the information in the *Rules of Competition & Procedures* and this *Timekeeping Guide*. The team's timekeeper(s) must be familiar with the trial sequence chart and have practiced filling out the *Timekeeping Sheet* before the competition begins. The person(s) serving as the timekeeper(s) need to be noted on the team's Daily Sheet. An orientation will be provided for the team timekeeper(s) prior to the timekeeper's regional competition. Attending or viewing the orientation is a requirement for any and all timekeepers.

**The timekeeper for the Plaintiff/Prosecution will also call the court to order at the beginning of the trial, and after any breaks.** The Plaintiff/Prosecution timekeeper will stand near the back door in the inside of the courtroom when the judges are not present but should not be in the hallway that leads to the judges' chambers/deliberation area. The judges will let the Plaintiff/Prosecution timekeeper know when they are ready to enter/re-enter the courtroom.

The Plaintiff/Prosecution timekeeper will say:

- When the judges enter the courtroom for the first time: “All rise. District Court for the Fourth Judicial District of the State of Idaho, County of Ada is now in session. The Honorable (Judge's Name) presiding.”
- When the judges leave the courtroom after closing arguments, the Plaintiff/Prosecution timekeeper will say: “All rise.” And after the judges have exited, the timekeeper will say, “Court is now in recess.”
- When the judges re-enter the courtroom after filling out their *Score Sheets* at the end of the round, the Plaintiff/Prosecution timekeeper will simply say: “All rise.”

## Timekeeping Duties

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### Before the Trial

1. Include the name of the timekeeper(s) on the team’s Daily Sheet.
2. Gather timekeeping materials as outlined in the *Timekeeping Supplies* section of this guide.

**TIP:** Label your stopwatches with a “P” for the Plaintiff/Prosecution and a “D” for the Defense. Keep the “P” stopwatch in your left hand and the “D” stopwatch in your right hand.

3. Enter the courtroom and sit together at the end of the jury box closest to the audience (or other appropriate place if no jury box is available). Both timekeepers should sit in a place where they are easily seen by team attorneys and the presiding judge.
4. Discuss with your timekeeping partner what auditory or visual cues you will use to determine when to start and stop timing during the round.
5. Enter the round number and team colors in the space provided on the top portion of the *Timekeeping Sheet*.
6. Arrange stopwatches, *Time Remaining Cards*, and *Time Card Use Table*.

7. Rise when the Presiding Judge and Jury enter the courtroom. The Plaintiff/Prosecution timekeeper will call the court to order as outlined in the *Timekeeper Responsibilities* section of this guide.

## During the Trial

1. Timekeepers work together as a neutral timekeeping team to ensure that time is kept accurately and fairly for both sides during the round.
2. RESET a stopwatch 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 (NOTE: There is an optional 3 minute break before closing arguments; if teams and judges decide to take this break, timekeepers should time the break and let teams and judges know when the 3 minutes has passed. After the break, remember to reset the stopwatches to zero to time closing arguments).

DO NOT reset stopwatch to zero at any other time.

3. DO NOT reset stopwatch to zero at the following times:
  - 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);
  - At the end of a Plaintiff/Prosecution's closing argument (you will need to resume the Plaintiff's closing argument timing for the Plaintiff /Prosecution's rebuttal).
4. 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).
5. 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.

6. Remember: DO NOT COUNT TIME
  - When an attorney responds to a presiding judge's inquiry as to whether or not the side is ready to proceed, asks for permission to reserve time for a rebuttal, asks for permission to use/move a podium;
  - From the time the witness is called until he or she takes the witness stand;
  - 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; or
  - During the time a judge may raise questions to a team or the judging panel.
7. Time DOES NOT STOP for the introduction of exhibits or other evidence.
8. 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*.
9. Display the STOP card to both teams, the presiding judge, and the other judges.
10. At the end of each segment of the trial, each timekeeper should record the cumulative time used on the *Timekeeping Sheet*.
11. At the end of each segment of the trial, timekeepers should check to make sure both stopwatches for that segment are within 15 seconds of each other. If the stop watches show a discrepancy of more than 15 seconds, follow the procedures outlined in the *Timekeeping Discrepancies* section of this guide.

## After the Trial

1. Add your name and signature to the *Timekeeping Sheet*.
2. Politely remind the judges that both timekeepers will be timing the debrief and that a maximum of 10 minutes total is allotted to that portion of the round.
3. Reset your stop watches to zero in preparation to time the debriefing.



## After the Recess

Countdown from 10 minutes when the judges begin giving their debrief. Signal the judges following the *Time Card Use Table* from the 5 minute mark. When 10 minutes have passed, timekeepers will hold up the STOP card to politely signal to the judges that the debrief session has ended. When court is adjourned, timekeepers should give their *Timekeeping Sheets* to the Presiding Judge and help their teams straighten up the courtroom.

## Timekeeping Discrepancies

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At the end of each segment of the trial (i.e., at the end of each opening statement, at the end of each direct examination or cross examination of a witness, and at the end of each closing argument), if there is a timing discrepancy of **more than 15 seconds** between the Plaintiff/Prosecution and Defense timekeepers, the following rules will apply.

- Any timing discrepancies between timekeepers of 15 seconds or less WILL NOT be considered a timing discrepancy.
- If a timing discrepancy more than 15 seconds has occurred, timekeepers are to notify the Presiding Judge that a timing discrepancy has occurred.
- Timekeepers may raise timing discrepancies ONLY at the end of each phase of the trial presentation as outlined above.
- The Presiding Judge will rule on any timing discrepancy before the trial continues. Timekeepers will synchronize stop watches to match the Presiding Judge's ruling. For example if Plaintiff/Prosecution stop watch indicates 2 minutes left for Plaintiff/Prosecution's case and the Defense stop watch indicates time is expired, the Presiding Judge might decide to split the difference in the timing variation and give Plaintiff/Prosecution 1 minute to conclude. Defense would adjust timing to allow for the 1 minute timing decision.
- No time disputes will be entertained after the trial concludes.
- The decision of the Presiding Judge regarding the resolution of timing disputes is final.

## Timekeeping Forms

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This section includes the following forms:

- Blank Timekeeping Sheet
- Sampled Fill Out Timekeeping Sheet
- Time Card Use Table
- Time Cards

# 2018 IDAHO HIGH SCHOOL MOCK TRIAL TIMEKEEPING SHEET

Round #: \_\_\_\_\_ Plaintiff: \_\_\_\_\_ Defense: \_\_\_\_\_

Date: \_\_\_\_\_ Location: \_\_\_\_\_

	Prosecution Time	Defense Time
<i>Opening Statements (5 Minutes Each Side)</i>		
<i>Direct Examination of 3 Plaintiff Witnesses (20 Minutes Total)</i>		
1st Witness (Ending Time)		
2nd Witness (Cum. Ending Time)		
3rd Witness (Cum. Ending Time)		
<i>Cross Examination of 3 Plaintiff Witnesses (20 Minutes Total)</i>		
1st Witness (Ending Time)		
2nd Witness (Cum. Ending Time)		
3rd Witness (Cum. Ending Time)		
<i>Direct Examination of 3 Defense Witnesses (20 Minutes Total)</i>		
1st Witness (Ending Time)		
2nd Witness (Cum. Ending Time)		
3rd Witness (Cum. Ending Time)		
<i>Cross Examination of 3 Defense Witnesses (20 Minutes Total)</i>		
1st Witness (Ending Time)		
2nd Witness (Cum. Ending Time)		
3rd Witness (Cum. Ending Time)		
<i>Closing Arguments (5 Minutes Each Side)</i>		

Timekeeper's Name (Please Print) \_\_\_\_\_

Timekeeper's Signature \_\_\_\_\_

# 2016 IDAHO HIGH SCHOOL MOCK TRIAL TIMEKEEPING SHEET

Round #: 3 Plaintiff: Yellow Defense: Red  
 Date: 3/5/16 Location: Caldwell

	Prosecution Time	Defense Time
<i>Opening Statements (5 Minutes Each Side)</i>		
	4:36	4:58
<i>Direct Examination of 3 Plaintiff Witnesses (20 Minutes Total)</i>		
1st Witness (Ending Time)	6:25	
2nd Witness (Cum. Ending Time)	13:37	
3rd Witness (Cum. Ending Time)	19:49	
<i>Cross Examination of 3 Plaintiff Witnesses (20 Minutes Total)</i>		
1st Witness (Ending Time)		6:16
2nd Witness (Cum. Ending Time)		13:04
3rd Witness (Cum. Ending Time)		19:48
<i>Direct Examination of 3 Defense Witnesses (20 Minutes Total)</i>		
1st Witness (Ending Time)		7:02
2nd Witness (Cum. Ending Time)		15:12
3rd Witness (Cum. Ending Time)		19:57
<i>Cross Examination of 3 Defense Witnesses (20 Minutes Total)</i>		
1st Witness (Ending Time)	8:03	
2nd Witness (Cum. Ending Time)	14:56	
3rd Witness (Cum. Ending Time)	20:00	
<i>Closing Arguments (5 Minutes Each Side)</i>		
	5:00	4:52

Timekeeper's Name (Please Print) Michael Swenson  
 Timekeeper's Signature Michael Swenson

## Timecard Use Table

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Each side is allotted a total of 50 minutes to try their case. After each segment of the trial, the stopwatches should be set to zero.

### For Opening Statements & Closing Arguments

<i>When the stopwatch says:</i>	<i>Hold up the card that says:</i>
<b>1:00</b>	<b>4:00</b>
<b>2:00</b>	<b>3:00</b>
<b>3:00</b>	<b>2:00</b>
<b>4:00</b>	<b>1:00</b>
<b>4:20</b>	<b>:40</b>
<b>4:40</b>	<b>:20</b>
<b>5:00</b>	<b>STOP</b>

### For Direct & Cross Examinations

<i>When the stopwatch says:</i>	<i>Hold up the card that says:</i>
<b>3:00</b>	<b>17:00</b>
<b>6:00</b>	<b>14:00</b>
<b>9:00</b>	<b>11:00</b>
<b>12:00</b>	<b>8:00</b>
<b>15:00</b>	<b>5:00</b>
<b>16:00</b>	<b>4:00</b>
<b>17:00</b>	<b>3:00</b>
<b>18:00</b>	<b>2:00</b>
<b>19:00</b>	<b>1:00</b>
<b>19:20</b>	<b>:40</b>
<b>19:40</b>	<b>:20</b>
<b>20:00</b>	<b>STOP</b>

**17:00**

**14:00**

**11:00**

**8:00**

**5:00**

**4:00**



**3:00**

**2:00**

**1:00**

**:40**

**:20**

**STOP**