



# Rhode Island Mock Trial Tournament

THE RI MOCK TRIAL TOURNAMENT IS A PRODUCTION OF RHODE ISLAND LEGAL/EDUCATIONAL PARTNERSHIP

## **SUGGESTIONS FOR STUDENT WITNESSES**

Witnesses play a key role on the mock trial teams. While many students may consider the attorneys' roles as more important, mock trial judges report that their decision depends as much on the witness' performances as on those of the attorneys. Many a trial has been won or lost on the witness stand.

### **General Suggestions**

1. Familiarize yourself thoroughly with the case materials. Know what you should testify to and what other witnesses know. Witnesses may not use notes while being questioned.
2. Do not try to memorize what you will say in court, but try to recall what you observed at the time of the incident (i.e., play the role as if you are the person whose identity you are assuming). You must establish your credibility as a witness by accurately portraying the character. Demonstrate knowledge and understanding of the person (both their strengths and weaknesses).
3. Go over your testimony repeatedly with your attorneys. Have them cross-examine you on the weaknesses in your testimony. Be prepared to handle hostile questions.
4. You are not allowed to make up. If asked a question to which the case materials supply no answer, you may provide an answer as long as it can be inferred or extrapolated from the case facts and is neutral to both sides. If you feel answering the question would create an unfair extrapolation, you may answer with "There is no information in the witness statement or the case summary to answer this question." (Refer to the Rules of the Mock Trial Competition, Rule 3.5)
5. Listen carefully to the questions. Before you answer, make sure you understand what was asked. If you do not understand, ask that a question be repeated. If you realize that you answered a question incorrectly, ask the judge if you may correct your answer.
6. When answering questions, speak clearly so you will be heard. The judge must hear and record your answer; therefore, do not respond by shaking your head "yes" or "no."
7. Do not give your personal opinion or conclusions when answering questions unless specifically asked. Give only the facts as you know them, without guessing or speculating. If you do not know, say so.

8. Be polite while answering questions. Do not lose your temper with the attorney questioning you. Remember that you are there to tell what you know, and not necessarily to be an advocate for your side.
9. Always be courteous to witnesses, other attorneys, and the judge(s).
10. Always stand when the judge enters or leaves the room. Always say "Yes, Your Honor" or "No, Your Honor" when answering a question from the judge.
11. Dress appropriately (to show respect for the court).
12. If the judge rules against you in the case, take the defeat gracefully and act cordially toward the judge and the other side.