

Tulare County Office of Education

Jim Vidak, County Superintendent of Schools

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For Immediate Release

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Tulare County Office of Education Announces:

2005 Mock Trial Competition

Opening rounds are January 18, 20, 25 and 27; Semi-finals on February 1; Finals held February 8

Mock Trial season begins in January with 11 teams from Tulare County high schools. Schools participating in the 2005 Mock Trial Competition are: Dinuba High School, El Diamante High School, Exeter High School, Farmersville High School, Golden West High School, Lindsay High School, Monache High School, Redwood High School, Tulare Western High School, Tulare Union High School, and Orosi High School. The teams will compete in the first four rounds of the Mock Trial competition in the Tulare County Superior Court on January 18, 20, 25 and 27, 2005, with trials beginning each night at 5:15 pm. Semi-finals will take place on February 1. On February 8, El Diamante High School will host the finals at 5:15 p.m. The season wraps up with the Mock Trial Awards banquet on February 10, for students, parents, teachers and attorneys.

Aside from realizing that the courts are overburdened, few people understand the workings of the criminal justice system. During the course of this manslaughter trial, students will have the opportunity to develop an understanding of the link between our Constitution, courts and legal system. In addition, students have the opportunity for interaction with positive, adult role models from the legal community. In trying the

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hypothetical Mock Trial case, students grapple with particularly thorny legal and social issues. While only a small percentage of Mock Trial participants will attend law school, all of them will go on to become better citizens. On important social and political issues, they will have the tools to craft their own opinions by carefully examining relevant facts, asking tough questions and insisting on answers.

This year's hypothetical case, *People v. Kendall*, features a pretrial argument on the First Amendment's guarantee of freedom of speech and freedom of association. To prepare, students must be familiar with 15 similar cases – some state and some federal. In addition, they will quote two Constitutional Amendments and two statutory regulations in their arguments. Students will also examine the problems of illegal street racing and discuss the serious consequences that could result. Nationwide, more prosecutors are charging street racers with murder when someone is killed during the race. In this case, the defendant was charged with three criminal counts: 1) vehicular manslaughter, 2) misdemeanor violation of California Vehicle Code Section 23109, and 3) misdemeanor violation of Chapter 20, the Racing Ordinance of Caneville, California.

The 10-to 20-member mock trial teams are composed of students who take on the roles of lawyers, witnesses, court clerks and bailiffs. All teams must make their presentations based on identical hypothetical case materials. Each team, coached by local attorneys and school personnel presents the case for both the prosecution and defense. Three attorneys score the teams on the basis of their analysis and debate of the constitutional issues, the law, and the facts in the case. As in actual legal proceedings, there are differences in human perceptions, and a subjective quality is present in the scoring of the Mock Trial proceeding.

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Tulare County Office of Education would like to thank the many volunteers from the legal community that donate their time and expertise to read the case and offer advice. The Mock Trial Program is sponsored by the Constitutional Rights Foundation, and co-sponsored by the California Department of Education, the State Bar of California, the Young Lawyers' Association and the Daily Journal Corporation. The Tulare County Office of Education coordinates the program locally, with assistance from local attorneys and judges, Lisa Strongin, from the Public Defenders' Office, and Cynthia Logan, Deputy Court Executive Officer.

Tulare County Superintendent of Schools Jim Vidak commends participating schools and students, "Mock Trial is an extremely rigorous competition, and the prize goes to all that have the courage and opportunity to compete."

The champions from the final round of the Tulare County Mock Trial Competition will be eligible to compete in the state finals in Riverside, March 18-20, 2005. Charlotte, North Carolina will host the National Mock Trial competition May 5-7, 2005.

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