



2020 Timekeeping Guide

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Timekeeping at a Glance

Timekeepers from both teams work together as a neutral timekeeping team.

Both Timekeepers:

- Use stopwatches to time each component of the trial
- Hold up *Time Cards* to tell the attorneys and judges how much time is remaining
- Compare *Timekeeping Sheets* for any timing discrepancies

Plaintiff/Prosecution Timekeeper:

- Announce judges' entrance into courtroom ("All rise!")

Defense Timekeeper:

- Collect sealed scoring packet from presiding judge at end of round, before the debrief
- Deliver sealed scoring packet to the Scoring Room

Timekeeping Rules

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

- Rule 3.2
- Rule 3.4
- Rule 4.7
- Rule 48
- Rule 4.6

Timekeeping Supplies

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.
- **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 Competition

The following items will be provided in the packet each team receives at check-in:

- **One set of Time Cards:** All teams must use the same *Time Cards* during competition, as provided by the Mock Trial Competition, 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 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*.

Timekeeper Responsibilities

Each team is responsible for training at least one team member to serve as the team's official timekeeper. The timekeepers from both sides will work together as a neutral timekeeping team to ensure that accurate and fair time has been kept for both teams, showing the *Time 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 Team Roster Form.

Additional Plaintiff Timekeeper Responsibilities

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 Twenty-Third Judicial District of the State of Montana, Gold County 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 *Scoresheets* at the end of the round, the Plaintiff/Prosecution timekeeper will simply say: **“All rise.”**

Additional Defense Timekeeper Responsibilities

When the judging panel returns from filling out their scoresheets, the Defense timekeeper will collect the sealed envelope (scoring packet) from the presiding judge and immediately deliver the sealed packet to the master scorekeeper in the Scoring Room. This means that the Defense timekeeper does not wait until the debrief is over, but instead leaves the courtroom during the debrief, takes the sealed scoring packet to the Scoring Room, and then returns to the courtroom to rejoin his/her team.

NOTE: It is critical that the Defense timekeeper make sure the scoring

packet has been sealed before accepting it from the presiding judge. If the presiding judge tries to hand the timekeeper a packet that has not been sealed, the timekeeper must ask the presiding judge to seal the packet before accepting it. Upon delivery to the master scorekeeper, if the packet is not sealed or has been tampered with in any way, the Defense timekeeper’s team may lose all points for the round and/or may be disqualified from the competition.

Timekeeping Duties

Before the Trial

1. Include the name of the timekeeper(s) on the team’s *Team Roster*.
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 Cards*, and *Time Card Use Table*.
7. Rise when the Presiding Judge and scoring judges 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 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 stopwatches 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

When the judging panel returns from filling out their score sheets, the Defense timekeeper will collect the sealed scoring packet and deliver the sealed packet to the master scorekeeper in the scoring room.

The Plaintiff timekeeper will begin the 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, the timekeeper 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

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 stopwatch indicates 2 minutes left for Plaintiff/Prosecution's case and the Defense stopwatch 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

This section includes the following forms:

- Time Card Use Table
- Sample Timekeeping Sheet
- Sample Fill Out Timekeeping Sheet
- Time Cards

Time Card Use Table

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>
1:00	4:00
2:00	3:00
3:00	2:00
4:00	1:00
4:20	:40
4:40	:20
5:00	STOP

For Direct & Cross Examinations

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

Sample Timekeeping Sheet

MONTANA HIGH SCHOOL MOCK TRIAL TIMEKEEPING SHEET



Plaintiff/Prosecution (Color): _____ Defense (Color): _____

Date: _____ Courtroom: _____ Round (Circle One): 1 2 3 4 Final

	Plaintiff/Prosecution Time	Defense Time
<i>Opening Statement (5 minutes each side)</i>		
<i>Direct Examination of 3 Plaintiff/Prosecution Witnesses (20 minutes total)</i>		
1 st Witness (Ending Time)		
2 nd Witness (Cumulative Ending Time)		
3 rd Witness (Cumulative Ending Time)		
<i>Cross Examination of 3 Plaintiff/Prosecution Witnesses (20 minutes total)</i>		
1 st Witness (Ending Time)		
2 nd Witness (Cumulative Ending Time)		
3 rd Witness (Cumulative Ending Time)		
<i>Direct Examination of 3 Defense Witnesses (20 minutes total)</i>		
1 st Witness (Ending Time)		
2 nd Witness (Cumulative Ending Time)		
3 rd Witness (Cumulative Ending Time)		
<i>Cross Examination of 3 Defense Witnesses (20 minutes total)</i>		
1 st Witness (Ending Time)		
2 nd Witness (Cumulative Ending Time)		
3 rd Witness (Cumulative Ending Time)		
<i>Closing Arguments (5 minutes each side)</i>		

Timekeeper's Name (Please Print): _____

Timekeeper's Signature: _____

Sample Filled Out Timekeeping Sheet

MONTANA HIGH SCHOOL MOCK TRIAL TIMEKEEPING SHEET



Plaintiff/Prosecution (Color): Blue Defense (Color): Red

Date: 12/13/19 Courtroom: 3 Round (Circle One): 1 2 3 4 Final

	Plaintiff/Prosecution Time	Defense Time
<i>Opening Statement (5 minutes each side)</i>		
	4:36	4:58
<i>Direct Examination of 3 Plaintiff/Prosecution Witnesses (20 minutes total)</i>		
1 st Witness (Ending Time)	6:25	
2 nd Witness (Cumulative Ending Time)	13:37	
3 rd Witness (Cumulative Ending Time)	19:49	
<i>Cross Examination of 3 Plaintiff/Prosecution Witnesses (20 minutes total)</i>		
1 st Witness (Ending Time)		6:16
2 nd Witness (Cumulative Ending Time)		13:04
3 rd Witness (Cumulative Ending Time)		19:48
<i>Direct Examination of 3 Defense Witnesses (20 minutes total)</i>		
1 st Witness (Ending Time)		7:02
2 nd Witness (Cumulative Ending Time)		15:12
3 rd Witness (Cumulative Ending Time)		19:57
<i>Cross Examination of 3 Defense Witnesses (20 minutes total)</i>		
1 st Witness (Ending Time)	8:03	
2 nd Witness (Cumulative Ending Time)	14:56	
3 rd Witness (Cumulative 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

17:00



14:00



11:00



8:00



5:00



4:00



3:00



2:00



1:00



:40



:20



STOP

