

Florida High School Mock Trial 2023 Questions and Answers

- Part 2 -

The questions below were submitted by team coaches or teachers. Answers have been provided by the case author. Formal changes to the case packet will be published in early January. However as new questions are received, a separate document reflecting proposed changes will be posted. Please refer to the questions listed below and those listed in the original Questions and Answers Document posted on our website. Submit any new questions to apitts@flsouthern.edu.

- QUESTION:** My team and I had some questions regarding the case packet stipulations. No party opponents have been stipulated for the Prosecution or Defense. Are there any party opponents other than the defendant whose statements can be used as a Party Opponent hearsay exception?

Answer: In this criminal matter, the only party opponent is the defendant.
- QUESTION:** Are expert witnesses required to be tendered? It is not stipulated.

Answer: That is a decision that is up to each team and/or the Judge's discretion. As a general rule, since the experts are stipulated as experts, it may not be necessary. However, if you are requesting the expert to testify in a particular field, a team may opt to tender an expert as an expert in that particular field.
- QUESTION:** Are we allowed to assume specific, factual information about the vehicle that is not explicitly listed in the case packet?

Answer: Each team is limited to the facts set forth in the case materials and cannot use outside sources (see Rule 4.26). Any information outside the case materials is subject to an unfair extrapolation objection. How each team handles it is a strategy question but be aware that unfair extrapolations may cause a team to lose points on the ballot.
- QUESTION:** On Exhibit 8, do the time stamps refer to the time the texts were sent, received, or the time they were screenshot?

Answer: The times on the texts are the times they were sent.
- QUESTION:** Is the gray rectangle on exhibit 1A intentional?

Answer: Yes
- QUESTION:** Since Exhibits 7B and 7C cannot be entered into evidence, what do we do if someone incorrectly annotates Exhibit 7A while on the stand? Are we allowed to impeach/refresh their memory with 7B and 7C, or do we ask it to be viewed but outside of the view of the jury? We are not sure how to properly approach this as it is not a common type of exhibit.

Answer: This is a strategy question.
- QUESTION:** If a team locates a clearer copy of an Exhibit, are we allowed to use it in trial?

Answer: The only exhibits allowed are those specifically in the case materials (see Rule 4.26).
- QUESTION:** Regarding Exhibits 7A, 7B, and 7C, should we assume there isn't a stop sign when exiting the parking lot? (Typically, parking lots have stop signs when exiting.)

Answer: The case materials are correct as written.