

TEXAS HIGH SCHOOL MOCK TRIAL COMPETITION
Timekeeper Responsibilities

I. BEFORE THE TRIAL

A. Be sure to have the following:

- _____ Timekeeping Sheets (1 sheet for each round participating in – i.e. possibly 3-4 rounds)
- _____ One (1) set of Time Cards (*template provided on THSMTC website*)
- _____ Two (2) stop watches (*provided by own team*)
- _____ Two (2) pencils (*provided by own team*)

- B. Be able to recognize each part of the trial before the tournament begins; label your stop watches “P” for Plaintiff and “D” and keep the stop watch marked “P” on your left and the stop watch marked “D” on your right.
- C. Enter the courtroom; take your position at the end of the jury box closest to spectators and away from the all judge panel members. Both timekeepers should sit together in a place easily seen by counsel and presiding judge. Rise when the judge and jury enter the courtroom. Be seated when the judge grants permission for all to be seated.

II. DURING THE TRIAL

- B. Timekeepers play an essential role during a mock trial competition round and therefore must work together as a **neutral** “timekeeping team” to ensure that time is kept accurately and fairly for both sides in the round.
- C. Enter the Round Number and Team Codes in the spaces provided at the top of the Timekeeping Sheet. Arrange your stopwatches, time cards and Time Card Use Table.
- D. Keep time during the trial, remembering the following.
1. Use one stopwatch for each side – PLAINTIFF on your left and DEFENSE on your right.
 2. RESET stopwatch to zero **ONLY** at the following times:
 - a) at the beginning of each side’s opening statement;
 - b) at the beginning of each side’s direct examination;
 - c) at the beginning of each side’s cross examination; and,
 - d) at the beginning of each side’s closing argument.
 3. **DO NOT** reset stopwatch to zero at any other time.
 - a) **DO NOT** reset stopwatch to zero 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);
 - b) **DO NOT** reset stopwatch to zero at the end of the Plaintiff’s closing argument (you will need to resume the Plaintiff’s closing argument timing for the Plaintiff’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 – examples include but are not limited to, “May it please the court...,” or, “Your Honor, ladies and gentlemen of the jury...” [for openings/closings] or, “Please state your name for the court...” [for examination questions) – NOT when an attorney responds to a presiding judge’s inquiry as to whether or not that side is ready to proceed, asks for permission to reserve time for a rebuttal, asks for permission to use/move a podium, or to swear a witness, etc.) **Do not start** when an attorney asks to reserve time for rebuttal or when a witness is sworn).
 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. **DO NOT** keep time
 - From the time the witness is called until he or she takes the witness stand (including the administration of the oath);
 - From the time an objection is raised until the attorney resumes the task that the objection interrupted; and
 - During the time a judge may raise questions to a team, the panel, or the court administrator.

7. Time **DOES NOT STOP** for the introduction of evidence.

- E. 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. Display the **STOP** card to both teams, the presiding, and the scoring judges.
- F. Timekeeping each trial is a function of both teams' timekeepers working together. Timekeepers *may not* display any increments of time (not outlined on the Time Card Use Table) to their own team independently of the opposing team's timekeeper at any time during the trial.
- G. At the conclusion of the trial, if either side informs the court that it wishes to file a dispute and a dispute hearing is granted, both timekeepers are to time the additional three-minute argument per side.

III. DISCREPANCIES IN TIME BETWEEN TEAM TIMEKEEPERS DURING A TRIAL

- A. If timing variations of **15 seconds or more** occur at the completion of any **task** (i.e. at the end of each opening, at the end of each witness examination, at the end of each cross examination, and at the end of each closing argument) during the trial, the timekeepers are to notify the presiding judge that a time discrepancy has occurred. In this event, one timekeeper will politely address the presiding judge and say, "Your Honor, under Rule 15(e), there is a time discrepancy of more than 15 seconds."
- B. The presiding judge will ask the nature of the discrepancy and then rule on the discrepancy before the trial continues.
- C. Timekeepers will synchronize their stop watches to match the ruling of the presiding judge (as an example, if Plaintiff's stop watch indicates that the Plaintiff team has 2 minutes left in the direct examination block of time and the Defense stop watch indicates time has expired in the direct examination block for the Plaintiff team, the presiding judge *might* decide to split the difference in the timing variation and give the Plaintiff team 1 minute to conclude the direct examination. The Defense timekeeper would adjust timing to allow for the 1 minute timing decision.)
- D. Any discrepancies between timekeepers less than 15 seconds will not be considered a violation.
- E. No time disputes will be entertained after the trial concludes.
- F. The decisions of the presiding judge regarding the resolution of timing disputes are final.

IV. AFTER THE TRIAL

- A. Add up the time used for each side and sign the timekeeping sheet.
- B. The presiding judge will ask if there is a dispute to be raised by either side; if a dispute is raised, the presiding judge may request that timekeepers keep the allotted time for each side during the dispute procedure.
- C. Before the presiding judge retires to the jury room, each timekeeper is to politely turn in his or her timekeeping sheet. No matter how confusing the courtroom might be at the end of the trial, timekeepers **must** immediately hand their timekeeping sheets to the presiding judge.

V. AFTER THE RECESS

- A. Reset your stopwatch to zero and start time for the debriefing.
- B. Politely remind the judges that both timekeepers will be timing the debriefing and that a maximum of 10 minutes is allotted to that portion of the round.
- C. Signal the presiding judge with the STOP card when the 10 minutes allowed for debriefing have elapsed.
- D. When court is adjourned, help the teams straighten up the courtroom for the next round.