



Mock Trial Training

Timekeeper Training

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South Carolina Bar
Law Related Education Division



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Importance of Timing

- Unlike real trials that are not timed, **Mock Trial is timed.**
- Timing Mock Trials ensures the **trials move in an organized way** that is fair to all teams.
- Time limits are **mandatory and enforced.**
- Without timekeepers, the students performing would not know **how much time they have used** or know if they are close to exceeding the time limits.
- The **Prosecution/Plaintiff timekeeper serves as the official timekeeper** even though there will be a timekeeper tracking time from each team, unless determined otherwise by the presiding judge.
- Timekeepers are to fairly and accurately **keep and report time used or time remaining.**



Importance of Timekeepers

- Each team is **required to provide a student** to perform the role as timekeeper.
- The role of the timekeeper is very important as the **track the time used**. If time is violated, penalties apply to the team.
- Having a timekeeper is so important to the team, that there is a **mandatory 8 point penalty if a team does not have a student timekeeper per each scoring judge**.



Who can be a Timekeeper?

- A timekeeper is a **student member of the Mock Trial team**.
- The timekeeper **can also perform the role of bailiff**.
- A **different timekeeper may be used** for each round.
- A **student attorney or witness may perform the role of timekeeper** as long as they are not performing in that round.



Time Management

- Time management is a dual responsibility –
 - The speakers (attorneys and witnesses) speaking in their allotted time frame; and
 - The timekeeper tracking the time correctly.



Placement of Timekeepers

- Timekeepers **sit in the jury box** 95% of the time. Should a jury box not be in the courtroom assigned, a designated area where the timekeeper materials are placed is where the timekeepers will sit.
- Timekeepers are **seated together** to better consult with one another on timing.
- Timekeepers **sit in assigned place** where materials are located and do not relocate unless told by the presiding judge.
- The purpose of sitting in the jury box is so that the student **attorneys may see the time cards** when facing the scoring judges also seated in the jury box, but behind the timekeepers.
- Timekeepers should be seated in a way in the jury box as to **not see the judges' scoresheets**.
- Timekeepers are to **remain seated during the trial**.



Timekeeping Aids

The SC Bar provides the following items on competition day for timekeepers:

- 3 Sets of Timecards**
- Opening/Closing Timecards (5 minutes)
 - Direct Examination Timecards (25 minutes)
 - Cross-Examination Timecards (20 minutes)
- ** Free download of timecards or available for purchase at the time of registering the team. ***
- Timesheets**
- Multiple copies of timesheets are provided.
- Additional Supplies**
- A storage clipboard that contains blank paper and a mechanical pencil.
- Teams bring two stopwatches.**
- (Cell phones nor kitchen timers are used as stopwatches.)



Trial Sequence and Time Limits

Timing	High School and Middle School
Opening Statements	5 minutes per side
Direct and Redirect	25 minutes per side
Cross and Recross	20 minutes per side
Closing Arguments	5 minutes per side

- Stopwatch starts with zero and begins when the first word is spoken by the student attorney or as directed by the presiding judge.
- Stopwatch stops for objections.
- Stopwatch stops when the last word is spoken in each segment.
- Remaining time from one segment is not transferrable.
- Stopwatch only starts at zero at the beginning of each segment.



Time Cards

- 3 sets of timecards to make keeping time easier for each segment of the trial
 - Opening/Closing Time cards (5 minutes)
 - Direct Examination Time cards (25 minutes)
 - Cross-Examination Time cards (20 minutes)

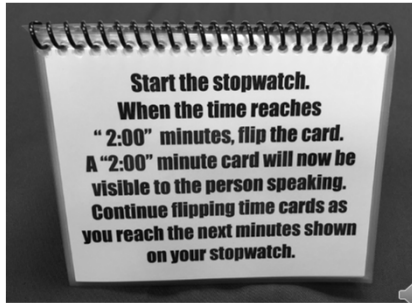
- May only use time cards SC Bar at competition
- Timekeeping materials stay in the courtroom throughout the competition.

(Can be downloaded for free or purchased at time of team registration.)



Flipping the Time Cards

- Your first page of the time cards looks like this example



Flipping the Time Cards (continued)

- When you flip the card, the speaking attorney will see the "2:00" time used card.
- The next card ready for flipping will say "4:00," which is the one you will see on your side.
- When the stopwatch reaches four minutes, the card will be flipped again, and the process repeats.



Time Card Breakdown

- For all sets of timecards: Start the stopwatch. When the stopwatch reaches the designated time, (i.e. 1:00 minute), flip the card showing the 1:00 minute card so that it is visible to the person speaking.
- Continue flipping cards as you reach the next minutes shown on your stopwatch.
- As you reach the last minute of time, the time cards are broken down into 15 seconds and in yellow as a caution to the speaker. The "STOP" card is in red.

Opening/Closing Timecards	1:00, 2:00, 3:00, 4:00, 4:15, 4:30, 4:45, 5:00/STOP
Direct Examination Timecards	2:00, 4:00, 6:00, 8:00, 10:00, 12:00, 14:00, 16:00, 18:00, 20:00, 21:00, 22:00, 23:00, 24:00, 24:15, 24:30, 24:45, 25:00/STOP
Cross-Examination Timecards	2:00, 4:00, 6:00, 8:00, 10:00, 12:00, 14:00, 16:00, 18:00, 19:00, 19:15, 19:30, 19:45, 20:00/STOP.

** Time Cards may be downloaded as a separate document under Mock Trial Resources. **

Time Limits

- Time limits are used by all teams;
- Presiding judges enforce time limits;
- The time for direct and cross-examination is divided among three witnesses as each team sees fit;
- Attorneys may ask the presiding judge how much time has been used or is left; and
- If time is exceeded without permission from the presiding judge and over 15 seconds, the scoring judges will score down for this violation.



Stopwatches

- Stopwatches come in all shapes, sizes, and prices.
- The functions needed are to start the time, stop the time, time, reset the time to clear.

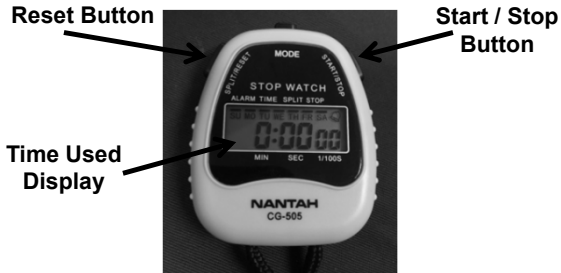


You need two stopwatches. (Preferably different colors.)

- One stopwatch is to keep your team's time and the other is to track the opposing team's time. By keeping them separate, it avoids a lot of stopping and picking back up where you left off and a lot of adding.
- Consider making the stopwatch on your right the one to track your team's time and the stopwatch on the left for tracking the opposing team's time.



How a Stopwatch Works



Grab Your Stopwatch - Let's Practice



- Each timekeeper has two stopwatches. Only one will be used at a time by each timekeeper. (It is better for each team to have two different **colors** (one for the Prosecution/Plaintiff side and one for the Defense side.)
- The stopwatch begins on zero for the Openings, the Prosecution/Plaintiff's Case in Chief, the Defense's Case in Chief, and for the Closings. (see timesheet)
- Hit the start button when the **first** word is spoken by the student attorney.
- After some time on a direct examination or a cross-examination, you may hear the opposing attorney say, "Objection...." and you hit the start/stop button immediately to pause time. This is because time used during the objection is not counted.
- Once the objection is over and the presiding judge says, "You may proceed," start the same stopwatch when the student attorney speaks his/her **first** word again.

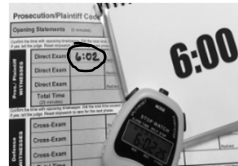
Grab Your Stopwatch - Let's Practice



- When it is the opposing team's turn to speak, change stopwatches, and repeat the process.
- The stopwatch **stops** when the last word is spoken in each segment timed.
- When your team's attorney gets up for a re-direct, a re-cross, or it is the next attorney with an examination; pick up the original stopwatch used for your team and **continue the time**.
- The stopwatch is only reset after the Openings, the Prosecution/Plaintiff's Case in Chief, the Defense's Case in Chief, and for the Closings. (see timesheet)

What to Do When Time Starts for the Prosecution / Plaintiff

As each minute increases, you will show the corresponding time card to the student attorney speaking by raising it up simultaneously with the other timekeeper to **show the time USED**.



Let's use the following example:

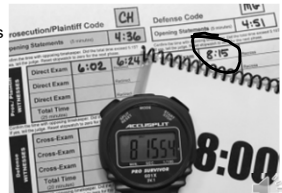
- Time has been increasing and you are flipping the direct examination cards as they increase. The attorney stops speaking a few seconds after six minutes. What do you do next?
- The time card shows 6:00 minutes, because the stopwatch has not advanced to the next minute.
- Place the stopwatch that stopped at 6:02 and the time cards that are stopped at 6:00 minutes off to the side, but together.
- Record 6:02 for the Prosecution/Plaintiff Case's First Witness Direct Examination in the gray box.



What to Do When Time Starts for the Defense

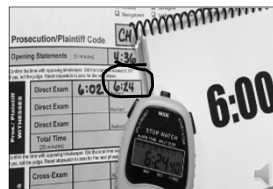
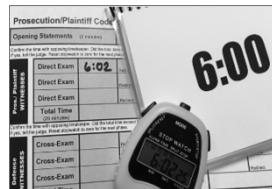
Now the opposing attorney speaks example:

- Pick up the cross-examination cards. Wait to flip and show any time until there are two minutes used on the stopwatch.
- Start flipping at the 2:00 minute card.
- Continue to flip the cards as the time increases. The attorney quits speaking and the stopwatch is stopped at 8:15 minutes.
- Place the stopwatch that stopped at 8:15 minutes with the time cards that are turned to 8:00 minutes down and off to the side.
- Record the 8:15 minutes for the Defense's first witness cross-examination as shown in the picture.
- If asked time used, inform 8:15.



What to Do When a Team Re-Directs or Re-Crosses

- The presiding judge asks if there is a re-direct of the witness, and the Prosecution's attorney indicates "Yes." Now, pick back up the direct examination cards with the 6:00 minute time card showing and the 6:02 on the stopwatch.
- Hit the start button as the first word is spoken by the student attorney and continue from the 6:02 on the stopwatch. The time after the re-direct was stopped at 6:24. Now, the new time is recorded in the re-direct box for the first witness.
- YOU ARE NEVER ADDING ON THE TIMESHEET, ONLY RECORDING WHEN THE TIME STOPPED.**



Let's Fast Forward

- Look at the example below.
- All three witnesses for the Prosecution had direct examinations and cross-examinations. One stopwatch steadily tracked the time used for team "CH" prosecution's side and one stop watch steadily tracked the time used for team "MG" defense's side.
- Look below. Notice that the Defense did not conduct a re-cross for the first witness, so the timekeeper put a dash to show no additional time was used.
- When additional time was used for a re-direct or recross, the new time used was recorded.

Prosecution/Plaintiff Code CH		Defense Code MG	
Opening Statements (5 minutes) 4:36		Opening Statements (5 minutes) 4:51	
Confirm the time with opposing timekeeper. Did the total time exceed 5:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.		Confirm the time with opposing timekeeper. Did the total time exceed 5:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.	
Pro. /Plaintiff WITNESSES	Direct Exam 6:02	Direct Exam 6:24	
	Direct Exam 18:41	Direct Exam 18:52	
	Direct Exam 24:09	Direct Exam 25:11	
	Total Time (25 minutes) 25:11	Total Time (20 minutes) 20:36	
	Confirm the time with opposing timekeeper. Did the total time exceed 25:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.	Confirm the time with opposing timekeeper. Did the total time exceed 20:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.	

Any Overages by Prosecution?

- Look at the Prosecution's total time used of 25:11.
- The maximum amount of time allowed for direct examinations is 25 minutes.
- Teams are allowed a 15 second grace period to account for variances between the two timekeepers because the stop/start button may not be hit at exactly the same time. Sixteen seconds or more of a discrepancy is reported.
- The question below the total time box asks, "Did the total time exceed 25:15?"
- Your time stopped at 25:11 and does not exceed 25:15. Therefore, it is **not reported** to the presiding judge when asked.

Prosecution/Plaintiff Code CH		Defense Code MG	
Opening Statements (5 minutes) 4:36		Opening Statements (5 minutes) 4:51	
Confirm the time with opposing timekeeper. Did the total time exceed 5:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.		Confirm the time with opposing timekeeper. Did the total time exceed 5:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.	
Pro. /Plaintiff WITNESSES	Direct Exam 6:02	Direct Exam 6:24	
	Direct Exam 18:41	Direct Exam 18:52	
	Direct Exam 24:09	Direct Exam 25:11	
	Total Time (25 minutes) 25:11	Total Time (20 minutes) 20:36	
	Confirm the time with opposing timekeeper. Did the total time exceed 25:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.	Confirm the time with opposing timekeeper. Did the total time exceed 20:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.	

Any Overages by Defense?

- Look at the Defense's total time used of 20:36.
- The maximum amount of time to be used for cross-examinations is 20:00 minutes. Did the time go over? The question below that total time box asks, "Did the total time exceed 20:15?"
- Time stopped at 20:36. Time DOES exceed the amount allowed, so **IT IS REPORTED** to the presiding judge when asked.
- In fact, it is 36 seconds over the allowed 20 minutes. Each scoring judge will assess a penalty of 3 – 4 points on their scoresheet for the overage. Had it been 30 seconds over instead of 36 seconds, the penalty could have been 1-2 points per scoresheet. Right here shows how important it is to monitor the times, stop for objections, start back when the first word is spoken, and stop on the last word spoken.

Prosecution/Plaintiff Code CH		Defense Code MG	
Opening Statements (5 minutes) 4:36		Opening Statements (5 minutes) 4:51	
Confirm the time with opposing timekeeper. Did the total time exceed 5:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.		Confirm the time with opposing timekeeper. Did the total time exceed 5:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.	
Pro. /Plaintiff WITNESSES	Direct Exam 6:02	Direct Exam 6:24	
	Direct Exam 18:41	Direct Exam 18:52	
	Direct Exam 24:09	Direct Exam 25:11	
	Total Time (25 minutes) 25:11	Total Time (20 minutes) 20:36	
	Confirm the time with opposing timekeeper. Did the total time exceed 25:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.	Confirm the time with opposing timekeeper. Did the total time exceed 20:15? If yes, tell the judge. Reset stopwatch to zero for the next phase.	

Time Management

- Again, time management is a dual responsibility –
 - The speakers (attorneys and witnesses) speaking in their allotted time frame; and
 - The timekeeper tracking the time correctly.
- The presiding judge will deal with any time discrepancies.



Penalties

Penalty	Penalty Range Per Scoresheet
Time Overages	
1 to 15 seconds	0 points
16 to 30 seconds	1 – 2 points
31 to 60 seconds	3 – 4 points
Over 60 seconds	5 – 10 points
Improper Communication	1 – 10 points
Missing Timekeeper	8 points

If a team has two or more time penalties in different parts of the trial, each overage is treated independently.



Conferring Times

- Timekeepers confer with one another to show amount of total time used for each side at the end of each phase in the trial.
 - The end of each phase in the trial is after the opening statements, after all of the direct and cross-examinations, and after the closing arguments.
- Timekeepers **cannot** report time disputes at end of trial unless it is regarding the closing arguments.
- If there is more than a 15 second time discrepancy, the presiding judge is notified.
- Which person is correct when the times do not match? The Prosecution/Plaintiff timekeeper's record will be the one the presiding judge goes with to determine a discrepancy in most cases. The presiding judge has the authority to deal with a time discrepancy as deemed appropriate.

Prosecution/Plaintiff Code		Defense Code	
Opening Statements (5 minutes)	CH 4:36	Opening Statements (5 minutes)	MG 4:51
Confirm the time with opposing timekeeper. Did the timekeeper agree? If yes, tell the judge. Reset stopwatch to zero for the next phase.		Confirm the time with opposing timekeeper. Did the timekeeper agree? If yes, tell the judge. Reset stopwatch to zero for the next phase.	
Direct Exam	6:02	Cross-Exam	8:15
Direct Exam	18:41	Cross-Exam	17:36
Direct Exam	24:09	Cross-Exam	20:36
Total Time (25 minutes)	25:11	Total Time (20 minutes)	20:36
Confirm the time with opposing timekeeper. Did the timekeeper agree? If yes, tell the judge. Reset stopwatch to zero for the next phase.		Confirm the time with opposing timekeeper. Did the timekeeper agree? If yes, tell the judge. Reset stopwatch to zero for the next phase.	

Time Extensions?

- If the attorney reaches the maximum amount of time shown on the time cards, the attorney may ask the presiding judge for additional time. (This may only be done after the allotted time has been exhausted.)



Example:

- The student attorney is at the end of the closing argument and has reached 5:00/STOP on the time cards.
- The student attorney stops speaking so the stopwatch stops as well.
- The student attorney asks the presiding judge for a time extension.
- The presiding judge grants a maximum of a 30 second extension.
- Before starting the stopwatch again, flip the time cards back to the 4:30 card to reflect 30 more seconds are available to the student attorney.
- The student attorney begins speaking.
- The stopwatch is re-started and continues with recording the time as it increases.
- The timecards will say 5:00/STOP when you have reached 5:30 on the stopwatch.



When does Time Stop?

Time stops for:

- When the Oath is administered to swear in the witnesses
- Objections
- Questioning from the presiding judge
- The stopwatch stops when the last word is spoken in each segment timed.

Time **DOES NOT** stop for:

- Introduction of exhibits, or
- When student attorneys want to confer with co-counsel



Timesheet (example)

MOCK TRIAL TIMEKEEPER RECORD FORM			
Date: _____		Team Code: _____	
Timekeeper's Name: _____		Signature: _____	
Circle Round: _____		Competition Location: _____	
1 2 3 4 5		<input type="checkbox"/> Districts <input type="checkbox"/> Statewide <input type="checkbox"/> Lexington - Woodstock <input type="checkbox"/> Districts <input type="checkbox"/> Lexington <input type="checkbox"/> Knoxville <input type="checkbox"/> Lexington <input type="checkbox"/> Lexington <input type="checkbox"/> STATE	
Prosecution/Plaintiff Code _____		Defense Code _____	
Opening Statements (2 minutes)		Opening Statements (2 minutes)	
Direct Exam _____ Direct Exam _____ Direct Exam _____ Total Time (20 minutes)		Cross-Exam _____ Cross-Exam _____ Cross-Exam _____ Total Time (20 minutes)	
Direct Exam _____ Cross-Exam _____ Cross-Exam _____ Total Time (20 minutes)		Direct Exam _____ Cross-Exam _____ Cross-Exam _____ Total Time (20 minutes)	
Time the Recess for 5 Minutes			
Closing Argument (10 minutes)		Closing Argument (10 minutes)	
Time the Consultation for Possible Disputes for 2 Minutes			
Time the Additional Consultation for Teams to Prepare a Response to a Dispute for 2 Minutes		Time the Additional Consultation for Teams to Prepare a Response to a Dispute for 2 Minutes	
If Violation (2 minutes)		If Violation (2 minutes)	
Time the Presiding Judge's Critique for 2 Minutes			

Timesheet

Where are the starts, stops, and resets to zeros?

Mock Trial Timesheet Record Form

Date: 11-13-XX Team Code: CH P D CH v MG

Timesheet Name: Logan Indy Signature: Logan Indy

Circle Round: 1 2 3 4 5

Competition Location: ☒ Classroom ☐ Onsite ☐ Lexington - Westside ☐ Lexington ☐ State

Prosecution/Plaintiff Code: CH Defense Code: MG

Opening Statements (3 minutes)

Start	Stop	Reset
6:02	6:24	6:24
18:41	19:36	19:36
24:09	25:11	25:11
Total Time	25:11	25:11

Cross-Exam (3 minutes)

Start	Stop	Reset
7:36	8:04	8:04
15:42	16:21	16:21
19:02	19:53	19:53
Total Time	19:53	19:53

Closing Argument (3 minutes)

Start	Stop	Reset
4:36	4:52	4:52
11:19	11:20	11:20
23:47	23:47	23:47
Total Time	23:47	23:47

Time the Rebuttal for 5 Minutes

Time the Cross-Examination for Possible Disputes for 2 Minutes

Time the Additional Consultation for Teams to Prepare a Response to a Dispute for 2 Minutes

If Violation: Dispute Argument 2 Minutes

If Violation: Dispute Argument 2 Minutes

Time the Presiding Judge's Critique for 2 Minutes

Timesheet

(completed example)

Mock Trial Timesheet Record Form

Date: 11-13-XX Team Code: CH P D CH v MG

Timesheet Name: Logan Indy Signature: Logan Indy

Circle Round: 1 2 3 4 5

Competition Location: ☒ Classroom ☐ Onsite ☐ Lexington - Westside ☐ Lexington ☐ State

Prosecution/Plaintiff Code: CH Defense Code: MG

Opening Statements (3 minutes)

Start	Stop	Reset
6:02	6:24	6:24
18:41	19:36	19:36
24:09	25:11	25:11
Total Time	25:11	25:11

Cross-Exam (3 minutes)

Start	Stop	Reset
7:36	8:04	8:04
15:42	16:21	16:21
19:02	19:53	19:53
Total Time	19:53	19:53

Closing Argument (3 minutes)

Start	Stop	Reset
4:36	4:52	4:52
11:19	11:20	11:20
23:47	23:47	23:47
Total Time	23:47	23:47

Time the Rebuttal for 5 Minutes

Time the Cross-Examination for Possible Disputes for 2 Minutes

Time the Additional Consultation for Teams to Prepare a Response to a Dispute for 2 Minutes

If Violation: Dispute Argument 2 Minutes

If Violation: Dispute Argument 2 Minutes

Time the Presiding Judge's Critique for 2 Minutes

Communication - Proper

- To show the cards by **raising them quietly** is proper.
- The timekeeper may communicate with their competing team members **only during the dispute process** to inform about any time penalties or when the presiding judge directs the timekeeper to communicate.
- The timekeeper may **confer with the opposing** timekeeper on times reached at the end of each phase in the trial.

Example: The student attorney asks the presiding judge for permission to ask the timekeeper for the specific amount of time used. The presiding judge grants the request and the timekeeper for that team may verbalize the exact amount of time used directed to the student attorney.

Communication - Improper

- Improper communication is when timekeepers **wave the time cards, use hand gestures, voicing "STOP," or use any other means** to get a student attorney's attention.
- Timekeepers **may not communicate with any team members**, coaches, courtroom artists (HS), courtroom journalists (HS), or visitors during the round or recess. Stay seated and remain quiet.
- The timekeeper may communicate with their competing team members **only during the dispute process** to inquire on time penalties or when the presiding judge directs the timekeeper to communicate.



Additional Timing Tasks

- Timekeepers are also asked to time:
 - The recess (**up to 5 minutes**)
 - The time used by the teams to determine if there is a dispute to be raised (**2 minutes**)
 - The time used by the teams to prepare a response to a dispute raised against them (**2 minutes**)
 - The presiding judge's critique (**2 minutes**)



Timekeeping Recap

- Timekeepers show cards **as time used increases**:
 - Opening Statement – 5 minutes
 - Direct Examination – 25 minutes
 - Cross Examination – 20 minutes
 - Closing Argument – 5 minutes
- Timekeepers from both teams are required to simultaneously show the same time card with the time used;
- Timekeepers use one stopwatch for the Plaintiff/Prosecution's time used and one for the Defense's time used to ensure time is consecutively and independently timed for each team; and
- Timekeepers submit signed timesheets to the presiding judge at the end of the round.
- Timekeeping materials stay in the courtroom.



Questions?

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