

Mock Trial Questions

1. Can the 6 participants and 2 alternates be moved around from round to round?
 - a. See “Rules of the State Competition” I.3 and I.4
2. Can they use statements of defense witnesses on prosecutions case in chief?
 - a. Matter of trial strategy; see “Rules of the State Competition” III.2, III.4, and III.5
3. When the prosecution cross examines the defense, can they use the statements affirmatively or only for impeachment?
 - a. Matter of trial strategy; see “Rules of the State Competition” III.2, III.4, and III.5
4. The open house party statute says that the defendant must know that a minor is possessing alcohol. Is there case law that tell what it means to "know" in terms of this statute?
 - a. See “RELEVANT CASE LAW”, [State v. Manfredonia](#)
5. Is there a mention of burden of proof anywhere in the case?
 - a. See “JURY INSTRUCTIONS”
6. Do the case materials define "possession" as it relates to a minor's possession of alcohol under 856.015 (*i.e.*, actual possession or something less like custody or control)?
 - a. See “JURY INSTRUCTIONS”
7. Do the case materials define the adult's "knowledge" (*i.e.*, actual, constructive, etc.)?
 - a. See “RELEVANT CASE LAW”, [State v. Manfredonia](#)
8. What is a “MIP” which Knievel refers to in his statement and what law exactly is applicable?
 - a. “MIP” refers to “Minor in Possession (of an alcoholic beverage); the statue is FS 562.111
9. Can we assume that other than the name changes and additional count that all other aspects of the case are the same? Are there any changes to the statements?
 - a. If you are solely referring to Case Version 1.1, it is *strongly recommended* that you refer to the most recent version of the case as there were major revisions.
 - b. If you are referring to Case Version 1.2, the only changes that have been made in Version 1.3 are the names and the additional count.
10. Could you please make the procedure for "unfair extrapolations" more clear. The rules state this situation should be dealt with by impeaching the witness(very much like in a real courtroom)and yet the rules also provide for this as an objection (very different from anything in an actual courtroom)?
 - a. No further clarification necessary.

Changes in the 2010 Mock Trial Case Version 1.3 Revised

- Name changes:
 - *State Attorney G.E. Wiz* to State Attorney G.E. Wise
 - *Patty/Paddy O'Waggen* to Pat O'Toole
 - *Pat Parazzi* to Lee/Leigh Parazzi
 - *Bobbie Tooshuze* to Bobbie Thomas
- All mentions of "Plaintiff" in the information and affidavits changed to "Prosecution". In the Relevant Statutes, reads as "Plaintiff/Prosecution".
- Added Second Count to the Information: *Count II - Contributing to the Delinquency or Dependency of Child. Page 6*
- Added Statute based on the introduction of Count II. *Page 64*
- Added Relevant Case Law. *Page 79*
- Added Jury Instructions. *Page 80*
- Len/Lynn Knievel's age has been changed to 17 at the time of the incident. *Page 9 and 54*