

## MOCK TRIAL GUIDELINES

### FOR IHRFG CONFERENCE SESSIONS

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The “mock trial” format is a fun and creative way to engage participants in a thought-provoking setting to study all sides of an issue. What follows are guidelines for mounting your mock trial. Session organizers should feel free to adapt these to best suit their objectives.

- The topic or question to be explored is reconfigured into at least one carefully crafted “charge.” E.g. Funder networks and grantmaking institutions that conduct donor mappings are hereby charged with the offence of failing to serve the philanthropic community/wasting time and money.” OR “Grantmaking institutions that practice participatory grantmaking are hereby charged with the crime of wasting good money/fooling donors and grantees alike into believing that they’re making the world a better place.”
- A prosecution and defense, with lawyers and witnesses, present arguments in support of or against the charge. The judge serves as the equivalent of session facilitator.
- A jury can be selected from among the participants and can offer a real-time and impartial verdict after all presentations are made. All members of the audience can also have a chance to cast their vote of “guilty” or “not guilty” at the end of the trial. (An alternative arrangement, especially for smaller audiences, is for all participants to serve as jury members.)
- The mock trial can occupy the full time allocation of the session or part of it. In either case, the audience – unlike real life – should have the opportunity to pose questions to the prosecution and defense.

## SAMPLE STRUCTURE

| Minutes   | Who         | What   |
|---|-------------|--|
| 5   | Judge       | How the trial will run and what is its purpose; reading of the charge; introduction of Prosecution and Defense   |
| 5   | Judge       | Jury selection process <b>OPTIONAL</b>   |
| Judge will ask for and select 5 volunteers from the audience to join him/her on the jury. Two can be “planted” so all world regions are represented, and the other 3 can be selected randomly.  |             |  |
| 5   | Prosecution | Opening arguments (and optional short video clip)  |
| 5   | Defense     | Opening arguments (and optional short video clip)  |
| 10  | Prosecution | Prosecution Witness presentation   |
| 7   | Defense     | Cross Examination of Prosecution Witness OR second Prosecution Witness   |
| 10  | Defense     | Defense Witness presentation   |
| 7   | Prosecution | Cross examination of Defense Witness OR second Defense Witness   |
| 3   | Prosecution | Concluding Statement   |
| 3   | Defense     | Concluding statement   |
| 2   | Judge       | Thank Defense; sum up if necessary; invite audience to question the Prosecution and Defense  |
| 30  | Audience    | Q&A Session  |
| 3   | Judge       | Send jury out of room with instructions for their deliberations <b>OPTIONAL</b>  |
| <ul style="list-style-type: none"> <li>Remind the jury that they are responsible for rendering a rational and impartial verdict in light of the arguments of the counsels</li> <li>Should they find the Defense guilty, the jury should also be encouraged to suggest a suitable “punishment” (i.e. recommendations for action/improvement)</li> <li>Jury will then be led out of the room to deliberate in the hallway for a maximum of 10 minutes (Representative will accompany the jury to make sure they stick to the timing)</li> </ul> |             |  |
| 10  | Jury        | Deliberations in hallway <b>OPTIONAL</b>   |
| About 3 minutes before the jury is due back, invite audience to “vote with their feet”: Those supporting the “not guilty” verdict move to one side of the room and those supporting a “guilty” verdict move to the opposite side  |             |  |
| 5   | Jury        | Return to room, report from the foreperson who explains the reasoning behind the verdict; if there is a “hung” jury another jury member may be invited to make a brief presentation of any dissenting opinions |
| Alternative to jury deliberation and announcement of verdict: The audience votes either with their feet or hands on the question of “guilty” or “not guilty.” [OPTIONAL: The judge asks one or two members of each side why they voted as such.]  |             |  |
| 5   | Judge       | Closing remarks, sentencing (if necessary)   |
| General summation and concluding remarks; a positive spin should be put on the outcome  |             |  |

\*\*\*The breakdown of timing above amounts to more than 90 minutes. Variations on this script, including the role of the jury, will be required.

**Session Title:**

**Session Sponsors (names of institution(s)):**

**Session Organizers:** Name, Title, Organization

**Session Description:** Some background on the issue; what participants can expect in this session. This section will be copied into the program agenda, so best to make it enticing and accurate.

**The “Charge”:**

**Judge:**

| Full Name | Title, Organization | City, Country | Email |
|-----------|---------------------|---------------|-------|
|           |                     |               |       |

Biography:

**For the Prosecution**

**Attorney**

| Full Name | Title, Organization | City, Country | Email |
|-----------|---------------------|---------------|-------|
|           |                     |               |       |

Biography:

**Witness 1**

| Full Name | Title, Organization | City, Country | Email |
|-----------|---------------------|---------------|-------|
|           |                     |               |       |

Biography:

**Witness 2**

| Full Name | Title, Organization | City, Country | Email |
|-----------|---------------------|---------------|-------|
|           |                     |               |       |

Biography:

**For the Defense****Attorney**

| Full Name  | Title, Organization | City, Country | Email |
|------------|---------------------|---------------|-------|
|            |                     |               |       |
| Biography: |                     |               |       |

**Witness 1**

| Full Name  | Title, Organization | City, Country | Email |
|------------|---------------------|---------------|-------|
|            |                     |               |       |
| Biography: |                     |               |       |

**Witness 2**

| Full Name  | Title, Organization | City, Country | Email |
|------------|---------------------|---------------|-------|
|            |                     |               |       |
| Biography: |                     |               |       |

**Audio-Visual and Other Service Requests:** PC laptops, projectors, screens, a sound system, and wireless access to the internet will be provided. If your presenter would like to use his/her Mac laptop, he/she must bring the appropriate connector cables.

- ☐ Video conferencing
- ☐ DVD player
- ☐ Video from website (please list URL):
- ☐ Powerpoint presentation
- ☐ Other:

**Please indicate if a panelist will require bilingual interpretation:**

Panelist's name:

Native language:

- ☐ American Sign Language?