
2018-2019
MY HIGH SCHOOL MOCK TRIAL
CASE & COMPETITION

MARYLAND V. TANNEN



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Maryland Judicial Conference Public Awareness Committee,
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We would like to our tremendous appreciation for the talented team that developed and evaluated this casebook; Erik Atas, Esq., Joey Atas, Honorable Kathleen Chapman and Robson Forensics



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Important Contacts for the Mock Trial Competition

During LOCAL CIRCUIT COMPETITIONS, your first point of contact is your LOCAL COORDINATOR.

Call your local coordinator regarding your local competition schedule.

Your second point of contact is the State Mock Trial Coordinator.

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MYLAW

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November 8, 2018

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Dear Students & Coaches:

Welcome to the 36th annual MY High School Mock Trial Competition! We are really excited for this season and have some important changes to announce. Over the summer, CLREP became MYLAW, an acronym for Maryland Youth and the Law. We have a new logo and website (www.mylaw.org) and you can follow us on Facebook and Instagram (search for us under “mdyouthlaw” or “mylaw”).

While these and other social media platforms are an incredible way to stay connected and have greatly expanded our ability to communicate, this case address the uglier elements inherent in their use. Its focus is at the nexus of relationship violence, bullying and social media. It is our hope that by dissecting the issues at play in *Maryland v. Tannen*, students will better recognize the multi-dimensional, collateral consequences of cyberbullying and will be able to identify warning signs of an unhealthy relationship.

Our four primary curricular objectives for the MY Mock Trial competition are: To further understanding and appreciation of the rule of law, court procedures, and the legal system; to increase proficiency in basic life skills such as listening, speaking, reading, and critical thinking; to promote better communication and cooperation between the school system, the legal profession, and the community at large; and to heighten enthusiasm for academic studies as well as career consciousness of law-related professions.

Mock Trial works best when the overarching goal of all involved is to become better educated about the law. The competition provides opportunities to increase your understanding of the law and its applicability, through case preparation with your attorney advisor, teacher coach, and teammates, as well as during each of the competitions. It will hone skills that serve you well for the rest of your life. Mock Trial parallels the real world in terms of proceedings, interpretations, and decisions by the Bench. Decisions will not always go your way and you will not always emerge a “winner.” Judges may offer suggestions based on their own preferences—use these as guidelines rather than as “right” or “wrong” ways of doing things. The next judge who presides over your competition may prefer things just the opposite (and that, by the way, is very real-world!)

We ask that you read this entire book thoroughly. Do not assume that everything is the exact same as in previous years, as even small modifications can be important during the course of competition. This year, gender neutral pronouns will be used in lieu of he, she, his or her. Please note that a new rule has been added, specifying that witnesses are not permitted to bring notes to the witness stand. Rule 302 has been expanded for clarification. In addition, we recommend that you pay careful attention to the significant changes made to Section 7– Invention of Facts. As always, we wish you a successful, FUN, and rewarding learning experience.

Best Regards,

Shelley Brown,
Executive Director

Megan Quirk–Jurdi,
Mock Trial Program Coordinator

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2018-2019 MSBA HIGH SCHOOL MOCK TRIAL COMPETITION

PART I: ORGANIZATIONAL RULES

1. Forfeits are prohibited. As a registered team, you agree to attend all scheduled competitions. If a team does not have an adequate number of students (i.e. due to illness, athletics, or other conflicts), it is still expected to attend and participate in the competition. In these instances, a team will “borrow” students from the opposing team. While this is treated as an automatic win for the opposition, both teams still gain the practice. Further, it maintains the integrity of the competition and is respectful of the Court, Presiding Judge, attorneys and the other team that has prepared for, and traveled to, the competition. If this occurs, coaches should make every effort to notify the local coordinator AND the other coach in advance of the competition. When an opposing team does not have enough students to assist the other team, students may depict two or more of the roles (i.e. they may depict 2 witnesses or play the part of 2 attorneys).

2. The use of a Bailiff. Each team is required to have a Mock Trial team member, who is not scheduled to compete during the match, serve as Bailiff during the course of each competition. Each Bailiff will keep time for opposing counsel. In the event that a team does not have a mock trial team member serving as a bailiff, a teacher coach or attorney advisor must serve as one. The Bailiff(s) will also announce the Judge, call the case, and swear in each witness. (Please see Trial Procedure #2 for additional information.)

3. Time limits.

Each team must complete its presentations within the time limits noted below. To afford students creative latitude during competition, we have combined the times permitted for direct examination, cross examination, re-cross/re-direct, and voir dire (if permitted) to 42 minutes per side. Each team’s 42 minutes comprises the direct examination and redirect of their own witnesses and cross-examination of the other side’s three witnesses. Opening Statements and Closing Arguments will remain at 5 and 7 minutes, respectively, and are not included in the 42 minutes permitted for witness examination.

Each bailiff shall have two stopwatches, cellphones, or other timing devices. The second timepiece is intended to serve as a backup device. *Note- cellphones should be employed for the purposes of timekeeping only, with the expressed consent of courthouse officials.* Each bailiff shall also have visual displays (e.g. cards or pieces of paper) of numbers counting down from 42 in 10 minute intervals, (for example, 40, 30, 20, 10, etc.) At the final 3 minute mark, bailiff will begin counting down on the minute (3, 2, 1, 0). As each interval elapses in a team’s presentation, the bailiff will quietly display to both teams and to the presiding judge, the number corresponding to the number of minutes remaining. When the number zero is displayed, the presiding judge will announce that the team’s presentation is concluded. Teams may ask the presiding judge for courtesy time to conclude a presentation. The extension of courtesy time is intended to permit a team to complete a sentence or thought. It should not extend for more than 15 seconds.

The bailiff will record the time taken for each element of the presentations. The two bailiffs will sit together in a place designated by the presiding judge separate from the contending teams. Bailiffs from the two teams will work together collaboratively to ensure the accuracy of their records. The “clock” will be stopped during objections (including any arguments related to those objections), bench conferences, the setting up of demonstrative exhibits prior to the examination of a witness (where such activity is permitted by the presiding judge) and court recesses.

- Opening Statements- 5 minutes each
- Witness Examinations – 42 minutes (this constitutes the maximum total time permitted for each side’s witness examinations, cross examinations, re-cross/re-direct, and voir dire). It is each team’s discretion to best utilize the time provided. For example, a direct exam may be limited to 3 minutes for one witness, and another might be extended to 7 minutes. You choose how to allocate your time.
- Closing Arguments – 7 minutes each.

There is no objection permitted by any party based on the expiration of time.

4. Local competitions must consist of enough matches that each participating high school presents both sides of the Mock Trial case at least once.

5. A team must be comprised of no fewer than eight (8) but a maximum of twelve (12) student members from the

same high school, with the exception of high schools with a Maryland State Department of Education inter-scholastic athletics designation of Class 2A or Class 1A, which may combine with any other schools in the LEA in those classifications to field a team. Two “alternate” students are permitted during the local competition only. If a team advances beyond the local competition, an official roster must be submitted not exceeding 12 students.

6. **A team may use its members to play different roles in different competitions.** For any single competition, all teams are to consist of three attorneys and three witnesses, for a total of six (6) different students. (Note: In Circuits 1 and 2, where teams typically participate in two competitions per evening – once as prosecution and once as defense – students may change roles for the second competition.)

7. **Any high school that fields two or more teams may NEVER allow, under any circumstances, students from Team A to compete for Team B or vice-versa.** Each team must have its own teacher coach and attorney advisor, separate and apart from the other team. Additionally, if a high school has multiple teams, then those teams MUST compete against one another in the local competition.

8. A.) **Areas of competition coincide with the eight Judicial Circuits of Maryland.** Each circuit must have a minimum of four teams. However, in order to provide the opportunity for as many teams to participate as possible, if a circuit has two or three teams, they may compete in a “Round Robin” to determine who will represent the circuit in the circuit playoff. The runner-up team from another circuit would be selected to compete based upon their winning record and average points scored during local competition rounds. This team would compete with the circuit representative in a playoff prior to the Regional Competition. When a circuit has only one registered team, MYLAW may designate another circuit in which this team may compete.

B.) **OR, under the discretion of a circuit coordinator and MYLAW, if a circuit so chooses, it may combine with the “un-official” circuit to increase the number of opportunities to compete.** In this case, a “circuit opening” arises and will be filled by the following method. To create the most equity, a sequential rotation of circuits will occur. If willing, the second place team from the specified circuit will advance to the regional competitions to fill the opening. If that team is unable to advance, the opportunity will move to the next circuit, and so on, until the opening is filled. In the event that all circuits are officially comprised of a minimum of four teams, the designated circuit will remain the next in-line to advance in future years.

2018-2019	Circuit 8	2022-2023	Circuit 4
2019-2020	Circuit 1	2023-2024	Circuit 5
2020-2021	Circuit 2	2024-2025	Circuit 6
2021-2022	Circuit 3	2025-2026	Circuit 7

9. **Each competing circuit must declare one team as Circuit Champion by holding local competitions based on the official Mock Trial Guide and rules.** That representative will compete against another Circuit Champion in a single elimination competition on April 9th or 10th, 2019.

10. **The dates for the Regionals, the Semi-Finals, and the Finals will be set and notice given to all known participating high schools by November 8th, 2018.** Changes will only occur due to conflicts in judicial schedules.

11. **District Court judges, Circuit Court judges, and attorneys may preside and render decisions for all matches.** If possible, a judge from the Court of Appeals or Court of Special Appeals will preside and render a decision in the Finals.

12. **Any team that is declared a Regional Representative must agree to participate on the dates set for the remainder of the competition.** Failure to do so will result in their elimination from the competition and the first runner-up in that circuit will then be the Regional Representative under the stipulations.

13. **Winners in any single round should be prepared to switch sides in the case for the next round.** Circuit Coordinators will prepare and inform teams of the local circuit schedule.

14. **MYLAW encourages Teacher Coaches of competing teams to exchange information regarding the names and gender of their witnesses at least 1 day prior to any given round.** The teacher coach for the plaintiff/prosecution should assume responsibility for informing the defense teacher coach. A physical identification of all team members must be made in the courtroom immediately preceding the trial.

15. **Members of a school team entered in the competition—including Teacher Coaches, back-up witnesses, attorneys, and others directly associated with the team’s preparation—are NOT to attend the enactments of ANY possible future opponent in the contest.**

16. **Every effort should be made for teams to work with an attorney advisor to prepare for competition.** It is suggested that they meet with their Attorney Advisor at least twice prior to the beginning of the competition. For some suggestions regarding the Attorney Advisor’s role in helping a team prepare for the tournament, see PART II: Hints on Preparing for Mock Trial and Appendix A.

17. **THERE IS NO APPEAL TO A JUDGE’S DECISION IN A CASE.** MYLAW retains the right to declare a mistrial when there has been gross transgression of the organizational rules and/or egregious attempt to undermine the intent and integrity of the Mock Trial Competition. Upon the coaches’ review of, and signature on the score sheet, THE OUTCOME IS FINAL.

18. **There shall be NO coaching of any kind during the enactment of a mock trial: i.e. student attorneys may not coach their witnesses during the other team’s cross examination; teacher and attorney coaches may not coach team members during any part of the competition; members of the audience, including members of the team who are not participating that particular day, may not coach team members who are competing; and team members must have their cell phones and all other electronic devices turned off during competition as texting may be construed as coaching.** Teacher and Attorney Coaches MAY NOT sit directly behind their team during competition as any movements or conversations may be construed as coaching.

19. **It is specifically prohibited before and during trial to notify the judge of students’ ages, grades, school name or length of time the team has competed.**

20. **The student attorney who directly examines a witness is the only attorney who may raise objections when that same witness is being cross-examined.** The student attorney who raises objections on direct examination must be the same attorney who then cross-examines that same witness. This same principle applies if a student attorney calls for a bench conference; i.e., it must be the attorney currently addressing the Court. The student attorney who handles the opening statement may not perform the closing argument.

21. **Judging and scoring at the Regional, Semi-Final and Statewide Final Competitions are distinct from judging and scoring in some local competitions.** As in a real trial, the judge will preside, hear objections and motions, instruct counsel, and determine which team prevailed based on the merits of the law. Two attorneys will independently score team performance at the trial, using the score sheet from the official Mock Trial Guide. At the conclusion of the trial and while in chambers, the judge will award the tie point without informing the attorney scorers. The Tie Point will only be added into the final score only in the case of a tie. The attorneys will meet and work out any differences in scoring so that the two attorneys present one score sheet to the judge, and eventually, the two teams. The judge retains the right to overrule any score on the score sheet. Both teams shall receive a copy of this score sheet, signed by the judge. Teams will not have access to the original, independent score sheets of the attorneys.

22. **Evidentiary materials that have been modified for use during trial (e.g., enlarged), must be made available during the trial for the opposing team’s use.** During witness identification exchanges, please alert the other team if you plan to use modified materials.

PART II: HINTS ON PREPARING FOR A MOCK TRIAL COMPETITION

The following tips were developed by long-time Mock Trial Coaches.

1. Every student, teacher and attorney participating in a team's preparation should read the entire set of materials (case and guide) and discuss the information, procedures and rules used in the mock trial competition. Students: you are ultimately responsible for all of this once Court is in session.

2. Examine and discuss the facts of the case, witness testimony and the points for each side. Record key information as discussion proceeds so that it can be referred to in the future.

3. Witness' credibility is very important to a team's presentation of the case. Witnesses: move into your roles and attempt to think as the person you are portraying. Read over your affidavits many times and have other members of your team ask you questions about the facts until you know them.

4. Student attorneys: you should have primary responsibility for deciding what possible questions should be asked of each witness on direct and cross-examination. Questions for each witness should be written down and/or recorded. Write out key points for your opening statements and closing arguments before trial; then, incorporate any important developments that occurred during the trial. Concise, summary, pertinent statements which reflect the trial that the judge just heard are the most compelling and effective. Be prepared for interruptions by judges who like to question you, especially during closing arguments.

5. The best teams generally have student attorneys prepare their own questions, with the Teacher and Attorney Coaches giving the team continual feedback and assistance. Based on these practice sessions, student attorneys should continue revising questions and witnesses should continue studying their affidavits.

6. As you approach your first round of competition, you should conduct at least one complete trial as a dress rehearsal. All formalities should be followed and notes should be taken by everyone. Evaluate the team's presentation together. Try to schedule this session when your Attorney Coach can attend.

7. Some of the most important skills for team members to learn are:

- Deciding which points will prove your side of the case and developing the strategy for proving those points.
- Stating clearly what you intend to prove in an opening statement and then arguing effectively in your closing that the facts and evidence presented have proven your case.
- Following the formality of court; e.g., standing up when the judge enters or exits the courtroom, or whenever you address the Bench, and appropriately addressing the judge as "Your Honor," etcetera.
- Phrasing direct examination questions that are not leading (carefully review the rules of evidence and watch for this type of questioning in practice sessions).
- Refraining from asking so many questions on cross-examination that well-made points are lost. When a witness has been contradicted or otherwise discredited, learn to limit additional questions, as they often lessen the impact of previously made points.
- Thinking quickly on your feet when a witness gives you an unexpected answer, an attorney asks unexpected questions, or a judge throws questions at you.
- Recognizing objectionable questions and answers, offering those objections quickly and providing the appropriate basis for the objection.
- Paying attention to all facets of the trial, not just the parts that directly affect your presentation. All information heard is influential! Learn to listen and incorporate information so that your presentation, whether as a witness or an attorney, is the most effective it can be.
- The Mock Trial should be as enjoyable as it is educational. When winning becomes your primary motivation, the entire competition is diminished. Coaches and students should prepare AT LEAST as much for losing as they do for winning/advancing. Each member of the team, student or coach, is personally responsible for his/her behavior prior to, during, and at the close of the trial. There are schools and individuals across the state that are no longer welcome to participate based on previous behavior.

Part III: TRIAL PROCEDURES

Before participating in a mock trial, it is important to be familiar with the physical setting of the courtroom, as well as with the events that generally take place during the competition and the order in which they occur. This section outlines the usual steps in a “bench” trial that is, without a jury.

1. Courtroom Set-Up

- a. Plaintiff/Prosecution will sit closest to the jury box.
- b. Defense – will sit on the side of the courtroom that is farthest from the jury box. This is based on the premise that the defendant is innocent until proven guilty, and so is removed (as far as possible) from the scrutiny of the court.
- c. The Bailiff will sit in either i) the jury box ii) the court reporter’s seat or iii) in another seat so designated by the Judge, that is equally visible to both parties.

2. The Opening of the Court & Swearing of Witnesses

- a. The Bailiff for the Prosecution/Plaintiff will call the Court to order through the following steps:
 - i. In a loud voice, say, “All rise.” (When the judge enters, all participants should remain standing until the judge is seated.)
 - ii. The Bailiff should call the case; i.e., “The Court will now hear the case of _____ v. _____.” And announce the judge: “The Honorable _____ presiding.”
- b. The judge will permit those in the Court to be seated; then ask the attorneys for each side if they are ready.
- c. During the course of the trial, the Bailiff for the Defense shall administer the Oath, and ask the witness to raise his or her right hand: “Do you affirm to tell the truth, the whole truth, and nothing but the truth under the pains and penalties of perjury?”

3. Opening Statements (5 minutes maximum)

- a. Prosecution (criminal case)/ Plaintiff (civil case)

After introducing oneself and one’s colleagues to the judge, the prosecutor or plaintiff’s attorney summarizes the evidence for the Court which will be presented to prove the case. The Prosecution/ Plaintiff statement should include a description of the facts and circumstances surrounding the case, as well as a brief summary of the key facts that each witness will reveal during testimony. The Opening Statement should avoid too much information. It should also avoid argument, as the statement is specifically to provide facts of the case from the client’s perspective.

- b. Defense (criminal or civil case)

After introducing oneself and one’s colleagues to the judge, the defendant’s attorney summarizes the evidence for the Court which will be presented to rebut the case (or deny the validity of the case) which the plaintiff has made. It includes facts that tend to weaken the opposition’s case, as well as key facts that each witness will reveal during testimony. It should avoid repetition of facts that are not in dispute, as well as strong points of the plaintiff/prosecution’s case. As with the Plaintiff’s statement, Defense should avoid argument at this time.

4. Direct Examination by the Plaintiff/Prosecutor

The prosecutor/ plaintiff’s attorney conducts direct examination (questioning) of each of its own witnesses. At this time, testimony and other evidence to prove the prosecution’s/plaintiff’s case will be presented. The purpose of direct examination is to allow the witness to relate the facts to support the prosecution/plaintiff claim and meet the required burden. It also allows counsel for each side to establish the credibility of each of their witnesses.

General Suggestions:

- Ask open-ended questions, rather than those that draw a “yes” or “no” response. Questions that begin with “who,” “what,” “where,” “when,” and “how” or “explain...” and “describe...” are helpful during direct examination.
- Questions should be clear and concise, and should help guide your witness through direct examination.
- Witnesses should not narrate too long, as it will likely draw an objection from opposing counsel.
- Do not ask questions that “suggest” a specific answer or response.

5. Cross-Examination by the Defendant’s Attorneys After the attorney for the prosecution/plaintiff has completed the questioning of a witness, the judge then allows the defense attorney to cross-examine the witness. The cross-examiner

seeks to clarify or cast doubt upon the testimony of the opposing witness. Inconsistency in stories, bias, and other damaging facts may be pointed out to the judge through cross-examination.

General Suggestions:

- Use narrow, leading questions that “suggest” an answer to the witness. Ask questions that require “yes” or “no” responses.
- In general, it is never a good idea to ask questions to which you do not know the answer – unexpected responses can be costly and may leave you unprepared and off-guard.
- Never ask “why.” You do not want to give a well-prepared witness an opportunity to expand upon a response.
- Avoid questions that begin with “Isn’t it a fact that...”, as it allows an opportunistic witness an opportunity to discredit you.

6. Direct Examination by the Defendant’s Attorneys

Direct examination of each defense witness follows the same pattern as above which describes the process for prosecution’s witness. (See #3 above for suggestions.)

7. Cross-Examination by the Prosecution/ Plaintiff

Cross-examination of each defense witness follows the same pattern as above for cross-examination by the defense. (See #4 above for suggestions.)

8. Re-Direct Examination by the Plaintiff/ Prosecution

The Plaintiff’s/Prosecution’s attorney may conduct re-direct examination of the witness to clarify any testimony that was cast in doubt or impeached during cross-examination.

9. Re-Cross Examination by the Defense Attorneys

The defense attorneys may re-cross examine the opposing witness to impeach previous testimony.

10. Voir Dire Examination by Either the Plaintiff/ Prosecution or the Defense Attorneys

Voir Dire is the process of asking questions to determine the competence of an alleged expert witness. Before giving any expert opinion, the witness must be qualified by the court as an expert witness. The court must first determine whether or not the witness is qualified by knowledge, skills, experience, training or education to give the anticipated opinion. After the attorney who called the witness questions him/her about his/her qualifications to give the opinion, and before the court qualifies the witness as an expert witness, the opposing counsel shall, if he/she chooses to do so, have the opportunity to conduct a brief cross-examination (called “voir dire”) of the witness’ qualifications. Voir dire is to be limited to the fair scope of the expert’s report.

11. Closing Arguments (Attorneys) (7 minutes)

For the purposes of the Mock Trial Competition, the first closing argument at all trials shall be that of the Defense.

a. Defense

A closing argument is a review of the evidence presented. Counsel for the defense reviews the evidence as presented, indicates how the evidence does not substantiate the elements of a charge or claim, stresses the facts and law favorable to the defense, and asks for a finding of not guilty (or not at fault) for the defense.

b. Prosecution/ Plaintiff

The closing argument for the prosecution/plaintiff reviews the evidence presented. The prosecution’s/plaintiff’s closing argument should indicate how the evidence has satisfied the elements of a charge, point out the law applicable to the case, and ask for a finding of guilt, or fault on the part of the defense. Because the burden of proof rests with the prosecution/plaintiff, this side has the final word.

12. The Judge’s Role and Decision

The judge is the person who presides over the trial to ensure that the parties’ rights are protected and that the attorneys follow the rules of evidence and trial procedure. In mock trials, the judge also has the function of determining the facts of the case and rendering a judgment, just as in actual bench trials.

PART IV: SIMPLIFIED RULES OF EVIDENCE AND PROCEDURE

In American trials, elaborate rules are used to regulate the admission of proof (i.e., oral or physical evidence). These rules are designed to ensure that both parties receive a fair hearing and to exclude any evidence deemed irrelevant, incompetent, untrustworthy or unduly prejudicial. If it appears that a rule of evidence is being violated, an attorney may raise an objection to the judge. The judge then decides whether the rule has been violated and whether the evidence must be excluded from the record of the trial. In the absence of a properly made objection, however, the evidence will probably be allowed by the judge. The burden is on the attorneys to know the rules, to be able to use them to present the best possible case, and to limit the actions of opposing counsel and their witnesses.

Formal rules of evidence are quite complicated and differ depending on the court where the trial occurs. For purposes of this Mock Trial Competition, the rules of evidence have been modified and simplified. Not all judges will interpret the rules of evidence or procedure the same way, and you must be prepared to point out the specific rule (quoting it, if necessary) and to argue persuasively for the interpretation and application of the rule you think proper. No matter which way the judge rules, attorneys should accept the ruling with grace and courtesy!

1. SCOPE

RULE 101: SCOPE. These rules govern all proceedings in the mock trial competition. The only rules of evidence in the competition are those included in these rules.

RULE 102: OBJECTIONS. An objection which is not contained in these rules shall not be considered by the Court. However, if counsel responding to the objection does not point out to the judge the application of this rule, the Court may exercise its discretion in considering such objections.

2. RELEVANCY

RULE 201: RELEVANCY. Relevant evidence means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence. It is that which helps the trier of fact decide the issues of the case. However, if the relevant evidence is unfairly prejudicial, confuses the issues, or is a waste of time, it may be excluded by the Court.

Objection:

“I object, Your Honor. This testimony is irrelevant to the facts of the case.”

RULE 202: CHARACTER. Evidence about the character of a party or witness (other than his or her character for truthfulness or untruthfulness) may not be introduced unless the person’s character is an issue in the case.

Objection:

“Objection. Evidence of the witness’ character is not proper given the facts of the case.”

3. WITNESS EXAMINATION

Witnesses are not permitted to take notes to the witness stand.

A. DIRECT EXAMINATION (attorney calls and questions witness)

RULE 301: FORM OF QUESTION. Witnesses should be asked direct questions and may not be asked leading questions on direct examination. Direct questions are phrased to evoke a set of facts from the witnesses. A leading question, on the other hand, is one that implies, suggests or prompts the witness to answer in a particular manner -- typically a “yes” or “no” answer.

Objection:

“Objection: Counsel is leading the witness.”

NARRATION. While the purpose of direct examination is to get the witness to tell a story, the questions must ask for specific information. The questions must not be so broad that the witness is allowed to wander or narrate an entire story. Narrative questions are objectionable.

Objection:

“Objection. Question asks for narration.”

At times, a direct question may be appropriate, but the witness’ answer may go beyond the facts for which the question was asked. Such answers are subject to objection on the grounds of narration.

RULE 302: SCOPE OF WITNESS EXAMINATION. Direct examination may cover all facts relevant to the case of which the witness has first-hand knowledge. Any factual areas examined on direct examination may be subject to cross-examination.

RULE 303: REFRESHING RECOLLECTION. If a witness is unable to recall a statement made in an affidavit, the attorney on direct may show that portion of the affidavit that will help the witness to remember.

B. CROSS EXAMINATION (questioning the other side’s witness)

RULE 304: FORM OF QUESTION. An attorney may ask leading questions when cross-examining the opponent’s witnesses. Questions that tend to evoke a narrative answer should be avoided in most instances.

RULE 305: SCOPE OF WITNESS EXAMINATION. Attorneys may only ask questions that relate to matters brought out by the other side on direct examination or to matters relating to the credibility of the witness. This includes facts and statements made by the witness for the opposing party. Note that many judges allow a broad interpretation of this rule. The scope of direct examination should be interpreted with the sufficient latitude as to permit adequate cross examination on relevant facts within the fact pattern.

Example: On direct examination, a witness is not questioned about a given topic, and the opposing attorney asks a question about this topic on cross examination.

Objection:

“Objection. Counsel is asking the witness about matters which did not arise during direct examination.”

RULE 306: IMPEACHMENT. On cross-examination, the attorney may impeach a witness (show that a witness should not be believed) by

- (1) asking questions about prior conduct that makes the witness’ credibility (truth-telling ability) doubtful, or
- (2) asking questions about previous contradictory statements. These kinds of questions can only be asked when the cross-examining attorney has information that indicates that the conduct actually happened.

C. RE-DIRECT EXAMINATION

RULE 307: LIMIT ON QUESTIONS. After cross-examination, up to three (3), but no more than three (3), questions may be asked by the direct examining attorney, and such questions are limited to matters raised by the attorney on cross-examination. (The presiding judge has considerable discretion in deciding how to limit the scope of the re-direct.)

NOTE: If the credibility or the reputation for truthfulness of the witness has been attacked on cross-examination, the attorney whose witness has been damaged may wish to ask several more questions. These questions should be limited to the damage the attorney thinks has been done and should be phrased so as to try to “save” the witness’ truth-telling image in the eyes of the court. Re-direct examination is limited to issues raised by the attorney on cross-examination. Please note that at times it may be more appropriate NOT to engage in re-direct examination.

D. RE-CROSS EXAMINATION

RULE 308: LIMIT ON QUESTIONS. Three (3) additional questions, but no more than three (3), may be asked by the cross-examining attorney, and such questions are limited to matters on re-direct examination and should avoid repetition.

(The presiding judge has considerable discretion in deciding how to limit the scope of the re-cross.) Like re-direct examination, at times it may be more appropriate not to engage in re-cross examination.

Objection:

“Objection. Counsel is asking the witness about matters that did not come up on re-direct examination.”

4. HEARSAY

A. THE RULE

RULE 401: HEARSAY. Hearsay is a statement, other than one made by the declarant while testifying at the trial, offered in evidence to prove the truth of the matter asserted made outside of the courtroom. Statements made outside of the courtroom are usually not allowed as evidence if they are offered in court to show that the statements are true. The most common hearsay problem occurs when a witness is asked to repeat what another person stated to him or her. For the purposes of the Mock Trial Competition, if a document is stipulated, you may not raise a hearsay objection to it.

Objection: “Objection. The statement is hearsay, Your Honor.”

Possible Response to the Objection: “Your Honor, the testimony is not offered to prove the truth of the matter asserted, but only to show....”

B. EXCEPTIONS

RULE 402: ADMISSION AGAINST INTEREST. A judge may admit hearsay evidence if it was said by a party in the case and contains evidence which goes against the party’s side.

RULE 403: STATE OF MIND. A judge may admit hearsay evidence if a person’s state of mind is an important part of the case and the hearsay consists of evidence of what someone said which described that particular person’s state of mind.

RULE 404: BUSINESS RECORDS. A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnosis, made at or near the time by or from information transmitted by a person with knowledge, if kept in the course of a regularly conducted business activity, and if it was the regular practice of that business activity to make the memorandum, report, record, or data compilation, all as shown by the testimony of the custodian or other qualified witness, unless the source of the information or the method of circumstances of preparation indicate lack of trustworthiness, shall be admissible. The term “business” as used in this paragraph includes business, institution, association, profession, occupation, and callings of every kind, whether or not conducted for profit.

RULE 405: EXCITED UTTERANCE. A statement relating to a startling event or condition made while the declarant was under the stress of excitement caused by the event or condition.

5. OPINION AND EXPERT TESTIMONY

RULE 501: OPINION TESTIMONY BY NON-EXPERTS. Witnesses who are not testifying as experts may give opinions which are based on what they saw or heard and are helpful in explaining their story. A witness may NOT testify to any matter of which the witness has no personal knowledge, nor may a witness give an opinion about how the case should be decided.

Objections:

“Objection. The witness has no personal knowledge that would enable him/her to answer this question/ make this statement.”

“Objection. The question asks the witness to give a conclusion that goes to the finding of the Court.”

RULE 502: OPINION TESTIMONY BY EXPERTS. Only persons qualified as experts may give opinions on questions that require special knowledge or qualifications. An expert may be called as a witness to render an opinion based on professional experience. An expert must be qualified by the attorney for the party for whom the expert is testifying. This means that before the expert witness can be asked for expert opinion, the questioning attorney must bring out the expert’s qualifications, education and/or experience.

Objection: "Objection. Counsel is asking the witness to give an expert opinion for which the witness has not been qualified."

RULE 503: VOIR DIRE. ("To speak the truth.") After an attorney who has called a witness questions him/her about his/her qualifications, and before the court qualifies the witness as an expert, the opposing counsel shall have the opportunity, if he/she chooses, to conduct voir dire. After the voir dire examination has been conducted, the cross-examining attorney should advise the court as to whether there are any objections to the witness being qualified as an expert witness and/or whether there are any objections to the witness' expertise to give the specific opinion the opposing counsel is trying to elicit from this witness.

Example:

(after questioning by an attorney to create a foundation for his/her witness to be qualified by the Court as an expert witness): "At this time, your Honor, I request that the Court accept and qualify the witness as an expert in the field of"

Objection:

"Your Honor, we would like permission to voir dire the witness." (Oftentimes, the judge will already be looking your way to see if you wish to voir dire.)

6. PHYSICAL EVIDENCE

RULE 601: INTRODUCTION OF PHYSICAL EVIDENCE. Physical evidence may be introduced only if it is contained within the casebook and relevant to the case. Physical evidence will not be admitted into evidence until it has been identified and shown to be authentic or its identification and/or authenticity has been stipulated. That a document is "authentic" means only that it is what it appears to be, not that the statements in the document are necessarily true.

Physical evidence need only be introduced once. The proper procedure to use when introducing a physical object or document for identification and/or use as evidence is (for example):

- a. Show the exhibit to opposing counsel.
- b. Show the exhibit and have it marked by the clerk/judge. "Your Honor, please have this marked as Plaintiff's Exhibit 1 for identification."
- c. Ask the witness to identify the exhibit. "I now hand you what is marked Plaintiff's Exhibit 1. Would you identify it, please?"
- d. Ask the witness about the exhibit, establishing its relevancy.
- e. Offer the exhibit into evidence. "Your Honor, we offer Plaintiff's Exhibit 1 into evidence at this time."
- f. The Judge will ask opposing counsel whether there is any objection, rule on the objection if there is one, and admit or not admit the exhibit into evidence.
- g. If the exhibit is a document, hand it to the clerk/judge.

NOTE: After an affidavit has been marked for identification, a witness may be asked questions about it without its introduction into evidence.

7. INVENTION OF FACTS (Special Rules for the Mock Trial Competition)

RULE 701: DIRECT EXAMINATION. Objections on the grounds of invention of fact are NOT permitted. A witness who elects to materially invent fact may be impeached by the opposing team on cross examination. On cross, the witness may be impeached by contradiction if it can be demonstrated that their testimony at any time while they are on the stand, is in contradiction to their affidavit, OR by omission, if it can be demonstrated that the witness testified to a material fact that is not included in their affidavit.

RULE 702: CROSS-EXAMINATION. Questions on cross-examination should not seek to elicit information that is not contained in the fact pattern. If on cross-examination a witness is asked a question, the answer to which is not contained in the witness' statements of the direct examination, the witness may respond with any answer which does

not materially alter the outcome of the trial. An answer which is contrary to the witness' affidavit may be impeached by the cross-examining attorney. If the witness invents facts material to the case, a bench conference may be called and, if granted, an objection made to the invention of facts.

8. SPECULATION

RULE 801: Speculation, or someone's idea about what might have occurred, is generally not permitted. A witness may not jump to conclusions that are not based on actual experiences or observations, as this is of little probative value. Some leeway is allowed for the witness to use their own words, and greater freedom is allowed with expert witnesses.

Objection:

"Objection. This calls for speculation on part of the witness."

9. CASE SPECIFIC

Additional Rule of Evidence Relevant to this Case:

PUBLIC RECORDS. A judge may admit a memorandum, report, record, statement, or data compilation made by a public agency setting forth

- (i) the activities of the agency;
- (ii) matters observed pursuant to a duty imposed by law, as to which matters there was a duty to report; or
- (iii) in civil actions and when offered against the State in criminal actions, factual findings resulting from an investigation made pursuant to authority granted by law.

10. PROCEDURE RULES

RULE 901: PROCEDURES FOR OBJECTIONS. An attorney may object anytime the opposing attorney has violated the Rules of Evidence.

NOTE: The attorney who is objecting should stand up and do so at the time of the violation. When an objection is made, the judge will usually ask the reason for it. Then the judge will turn to the attorney who asked the question and that attorney will usually have a chance to explain why the objection should not be accepted ("sustained") by the judge. The judge will then decide whether to discard a question or answer because it has violated a rule of evidence ("objection sustained"), or whether to allow a question or answer to remain on the trial record ("objection overruled").

RULE 902: MOTIONS TO DISMISS. Motions for dismissal at the end of the prosecution's case are NOT permitted.

RULE 903: CLOSING ARGUMENTS. Closing arguments must be based on the evidence and testimony presented during the trial. Offering new information at this point is prohibited.

DISTRICT COURT OF MARYLAND FOR Shermer County

Located at 9303 Lyon Drive, Shermer, MD 21985

Case No. 6S02382710

STATE OF MARYLAND

COMPLAINANT

Lorraine Banes McFly, obo of Marty McFly
132 Fred O'Bannion Lane
Shermer Co, MD

DOB: 06/22/1969

VS TANNEN, BIFF

141 Fred O'Bannion Lane
Shermer Co, MD

STATEMENT OF CHARGES

UPON THE FACTS CONTAINED IN THE APPLICATION OF MCFLY, GEORGE, IT IS FORMALLY CHARGED THAT TANNEN, BIFF at the dates, times and locations specified below:

NUM	CHG/CIT	STATUTE	PENALTY	DESCRIPTION OF THE CHARGE
001	2 1135	CR 3-805(b)(1)	1 Y &/or \$500.00	<p>ELEC MAIL HARASS On or about 10/18/2018 SHERMER COUNTY, MD did without legal purpose, maliciously engage in a course of conduct, through the use of electronic communication that alarmed and/or seriously annoyed MARTY MCFLY with the intent to harass and alarm and annoy MARTY MCFLY, after receiving a reasonable warning and request to stop by MARTY MCFLY. Against the Peace, Government, and Dignity of the State</p>
002	1 1415	CR 3-203	10 Y &/or \$2,500.00	<p>ASSAULT-SEC DEGREE On or about 10/18/2018 Shermer High School. SHERMER COUNTY, MD did assault MARTY MCFLY in the second degree in violation of CR 3-203, contrary to the form of the act of the assembly in such case made and provided and against the peace, government, and dignity of the state. Against the Peace, Government, and Dignity of the State</p>

Date: 10/26/2018 Time: 7:26 PM

DISTRICT COURT OF MARYLAND FOR Shermer County

Located at 9303 Lyon Drive, Shermer, MD 21985

Case No. 6S02382710

STATE OF MARYLAND

VS TANNEN, BIFF

141 Fred O'Bannion Lane
Shermer Co, MD

COMPLAINANT

Lorraine Banes McFly, obo of Marty McFly
132 Fred O'Bannion Lane
Shermer Co, MD
DOB: 06/22/1969

Tracking No: 181001099999

Judicial Officer: Jackie Chiles
4321

APPLICATION FOR STATEMENT OF PROBABLE CAUSE

I, the undersigned, apply for statement of charges and a summons or warrant which may lead to the arrest of the above named Defendant because on or about October 18, 2018 at Shermer High School, the above named Defendant Biff Tannen assaulted and harassed my child online to no end. I am the parent of Marty McFly and am writing these charges on zir behalf. At the time of the incident, my child was 16 years old. Biff Tannen and Marty used to date each other. After about four months of dating, I noticed that Marty began to distance zirself from Biff. Marty did this by making excuses not to get together and stopped returning Biff's calls and texts. I overheard Marty state to several friends that ze felt that Biff was controlling and demanded too much of zir time.

This all built up to Thursday October 18, 2018, when Biff cornered Marty in the school cafeteria and aggressively demanded an explanation for the unanswered texts and calls. Marty tried to calmly explain that ze needed some space and wanted to take a break from dating. Marty told me that Biff was visibly upset.

Later that day, around 2:00 p.m., Biff, without Marty's knowledge or permission, posted on Instagram: "#martymcfly1 that time you got diarrhea in the media center #areyoulaughingnow. I know Biff meant for Marty to see it and Marty did.

(Continued on attached 1 pages)

I solemnly affirm under the penalties of perjury that the contents of this Application are true to the best of my knowledge, information and belief.

10/26/18

Date

Lorraine Mcfly

Applicant's Signature

STATEMENT OF PROBABLE CAUSE (CONTINUED)

I wish that had been the end of it but other students at Shermer who were following Biff on Instagram saw the post. The post had already received so many likes and comments by the time my child saw it, and more since then. Then the worst thing imaginable happened... the post went viral. How terrible is that??? Biff responded online to all of the posting and zir comments were mean and derogatory. Marty requested that Biff stop, but ze did not stop.

After last period, Marty did confront Biff but I swear Marty only did this to get Biff to take down the Instagram posts and put a stop to the online assault. But Biff just laughed in Marty's face and told Marty it was a joke and that ze needed to develop a better sense of humor. Marty has a wonderful sense of humor! Can you imagine? Marty was very hurt by this and tried to walk away and then all of the sudden Biff started fighting with my child. Biff hit my child several times for no reason and pushed Marty on the ground. This all happened in front of other students; they'll tell you the same thing, I'm sure.

That night, Marty didn't tell me what happened but I knew something was wrong. Marty was disoriented so I took zir to the Emergency Room. They gave zir a CAT scan and ze was diagnosed with a mild concussion and sent home. Marty was barely feeling well enough to go back to school the next day. Ze was ridiculed by students who had seen the original Instagram post and all of the other posts that went up afterwards. The people who were posting were vicious and were threatening physical violence against Marty. Marty would not return to school the following Monday because ze said ze "could not take it anymore." I told the Shermer High School Guidance Counselor, (Sha)Ron Norbury, about the online abuse and asked zir to investigate all of this bullying and harassing of my child. On Wednesday, October 24th, the comments that never stopped caused Marty to suffer a nervous breakdown. Marty was hospitalized for thirty days. Marty is now receiving intensive mental health services and attending a private school. I demand justice and restitution for my child. Also, I would like Biff to stay away from my child. I hope that can be ordered while this case is pending, otherwise I intend to file for an Order of Protection.

STIPULATIONS

WITNESSES-

It is stipulated that every witnesses whose affidavit appears in this casebook has signed the following:

I swear or affirm to the truthfulness of everything stated in this affidavit. Before giving this statement, I was told it must contain absolutely everything I know that may be relevant to my testimony or to the facts and circumstances of this case, and I followed those instructions.

STIPULATED JURY INSTRUCTION

Misuse of Electronic Communication or Interactive Computer Service-
Misuse of telephone facilities, email, or other electronic communications can be a criminal offense. It is a crime for a person to make repeated telephone calls or send repeated emails or other electronic communications with the intent to harass, alarm, or annoy one or more persons.

In order for _____ (insert name of defendant) to be found guilty of this offense, the State must prove beyond a reasonable doubt that:

- (1) _____ (insert name of defendant) made/sent repeated _____ (insert applicable means of electronic communication, such as telephone calls, emails, or other forms of electronic communications) to the victim(s);
- (2) _____ (insert name of defendant) did so after receiving a reasonable warning or request to stop by or on behalf of the other person or persons;
- (3) _____ (insert name of defendant) did not have a lawful purpose; and,
- (4) _____ (insert name of defendant) made the repeated _____ (insert applicable means of electronic communication, such as telephone calls, emails, or other forms of electronic communications) with the intent to harass, alarm, or annoy one or more persons.

In determining whether repeated calls were made with the intent to harass, alarm, or annoy one or more persons, possible factors to consider are: (1) the number of electronic communications made by the defendant; (2) whether the electronic communications were made anonymously; (3) whether the defendant made any threats of bodily harm; (4) whether the electronic communications were made at regular hours; and, (5) any evidence of the motivation of the defendant, as well as any other facts and circumstances in evidence. You alone are to determine the weight to be given to any factor in relation to all of the evidence in the case.

STIPULATED RULE: AUTHENTICITY. All documents contained in this casebook are considered authentic for admissibility purposes. Admitting them into evidence does still requiring applying the other provided rules of evidence.

OPINION ON ULTIMATE ISSUE.

(a) In general. Except as provided in section (b) of this Rule, testimony in the form of an opinion or inference otherwise admissible is not objectionable merely because it embraces an ultimate issue to be decided by the trier of fact.

(b) Opinion on mental state or condition. An expert witness testifying with respect to the mental state or condition of a defendant in a criminal case may not state an opinion or inference as to whether the defendant had a mental state or condition constituting an element of the crime charged. That issue is for the trier of fact alone. This exception does not apply to an ultimate issue of criminal responsibility.

Affidavit of Marty McFly, Witness for the Prosecution

1. My name is Marty McFly. I am sixteen years old and a junior in high school.
2. I live at 132 Fred O'Bannion Lane in Shermer, Maryland.
3. I attended Shermer High School, but now I go to West Valley High.
4. I have an Instagram account and my screen name is martymcFly1.
5. When I first met Biff, I was really into zir. We hit it off right away.
6. Biff and I always did dumb stuff together. We have a similar sense of humor.
7. I broke up with Biff because ze became so controlling. Ze wanted to know where I was all the time, who I was with, where I was going, when I was coming home. It just became too much.
8. When we first started dating, I loved that Biff was so attentive and interested in my life. It felt so nice to have someone care that much about me. Then it got to the point where it just felt suffocating.
9. My grades got really bad because I was spending all of my time with Biff and never studying.
10. I started to be afraid to hang out with my friends or to go anywhere without letting Biff know what I was doing. Biff was always on social media and would get really upset if someone posted a picture of me having fun without zir.
11. On October 18, 2018, during my lunch block, Biff approached me and wanted to talk about us. Ze wasn't threatening, ze just wanted an explanation of what was going on with us. I told zir that I wasn't happy and just needed some space. I believe those were my exact words. It was a pretty quick conversation because we were at school and the next period was starting soon. Marty looked upset at this news but I really thought ze walked away respecting my wishes to break up.
12. I saw Biff's post on Instagram towards the end of that same school day. I took a screenshot of the original Instagram post as well as the comments that followed. I made the screenshot of the Instagram post with comments that is in evidence in this case.
13. I never imagined that Biff would post that mortifying memory. I know I mentioned to Biff that I would learn to laugh about it someday but this was way too soon. I couldn't believe it when I saw it on zir's Instagram. At night, I still lay in my bed and can't stop thinking about the moment I saw that posted.
14. I could not understand why Biff would do this to me. I wanted an explanation. I also really wanted Biff to take down the Instagram post. I knew that Biff's last class was Algebra II with Mr. Strickland so I waited for zir in the hallway outside of the class. I wanted to ask zir about it at school, in public, because I know how volatile Biff can be.
15. When I approached zir about it, ze was so cavalier and rude. I told Biff clearly to take down the post and to stop it. I explained that people had been writing some really hurtful comments and that I was really upset about it. Ze had a strange smiling smirk on zir face. It made me feel like ze was actually happy that I was so hurt. I felt like ze was trying to manipulate me, to make me think that I was crazy and overreacting. This wasn't the first time ze tried to manipulate my emotions. I knew I was about to cry but didn't want to give zir the satisfaction of seeing it. Plus I felt myself getting really angry and I didn't want to do anything I would regret.
16. I just wanted to get away from zir. I tried to get away as fast as I could, and I guess I accidentally brushed up against Biff in the process. Our shoulders bumped each other pretty hard. I know it knocked Biff back a step or two. That was an accident; I swear. I tried to turn around quickly towards Biff to apologize. I was able to turn all the way around but as I was about to apologize for accidentally bumping into zir, the next thing I knew Biff was punching me with open fists.
17. I'm not sure how many times Biff hit me. Definitely more than two times. I put my hands up to block Biff's punches and then the next thing I knew I was on the floor.

18. I hit the floor hard, in front of everyone. When I looked up, Biff was laughing and I swear I heard ze say, "That's what you deserve." I felt so belittled. Other people were around when this happened. I'm certain they will tell you the same thing, unless they are a bunch of liars or if there is some kind of conspiracy. Mx. Norbury even separated us. I didn't talk to Mx. Norbury right then because I was feeling woozy. I can't really trust Mx. Norbury. Ze is the one who punished me last year when I was just expressing myself about politics. Did we ever even clear up that Mx. Norbury was not a Sad Old Drug Pusher? Ask Caden Heron. That's who told me.
19. During dinner that night, I didn't tell my parents what happened. I was so embarrassed. The posts had continued on after I asked Biff to stop. Plus I didn't feel good.
20. What was put on the internet before I told Biff to stop was bad but every single post thereafter was like a knife through the heart. Things just kept getting worse. I stopped taking screenshots because I didn't want any reminder of the horrible things people were saying.
21. I eventually stopped reading the comments on Instagram, but I will never forget the awful things that people wrote about me. It still makes me cry.
22. My parents, George and Lorraine Baines McFly, could tell I wasn't feeling well that night. They took me to the ER to get checked out. I couldn't play basketball or any sport for weeks.
23. My freshman year, I played Varsity basketball, was on the Homecoming Court, was on our school's MY Moot Court team and had an awesome time at MYLAW's Summer Academy.
24. Everyone who has seen the post looks at me differently now. I can tell. No one would sit with me at lunch. Everywhere I go, all I heard was other kids chanting "Farty Marty" and snickering. Every time I walked down the hallway, I wanted to throw up.
25. I am also really scared. Someone wrote that they were going to find me and actually hurt me. I don't understand why these people hate me so much or are so angry. Most of them have never met me.
26. My stomach would hurt on the way to school each day. I dreaded going. Kids that used to be my friends were so mean to me. It made me want to die.
27. One day things were really bad. It was my birthday and for the first year ever, I didn't have a party because I knew no one would have come. I saw on an Instagram Story that all of my former friends were at a Halloween party. Biff was at the party, too.
28. I felt like my whole world was falling apart. I began to get really bad stomach pains and headaches. I couldn't concentrate on anything. One day I woke up in the hospital and my parents told me that I had suffered a nervous breakdown.
29. I didn't do an interview when Mx. Norbury was doing zir investigation because I was in the hospital at the time. I think one of my parents gave zir the screenshots.
30. After I got out of the hospital, I thought my life might change if I switched schools. When I first got to West Valley, I made some new friends and it seemed like things would get better.
31. Last week, someone at my new school discovered the original Instagram post about me. I feel like I can't escape that stupid post. It follows me everywhere I go.
32. I used to love school; now it is unbearable. I can barely get out of bed. I have no idea how I'm going to get into college if I cannot focus on anything.
33. I am worried that in the future, when I apply to college and for jobs, that admissions officers and employers will see all of the nasty things that were written about me. I googled my name and it is the first thing that comes up. Even if I went to college internationally, anyone can find those gross comments.
34. Biff should get life in jail for what ze said about me!

Marty McFly

Affidavit of Caden Heron, Witness for the Prosecution

1. My name is Caden Heron. I am fifteen years old and a sophomore at Shermer High.
2. My address is 133 Fred O' Bannion Lane in Shermer, Maryland. I live across the street from Marty.
3. My brother Forrest, has been bullied for years because he has a disability. I have seen the toll that it has taken on him and our family.
4. I have been friends with Marty for a long time and my sister is friends with zir's sister, Linda. Marty and I have taken Karate together for a couple years. Marty is a purple belt.
5. I know Marty is no angel, but no kid deserves this kind of treatment.
6. It seemed to me that Marty really changed when ze started dating Biff. Ze was always walking on eggshells, trying not to upset Biff.
7. Marty came to me about a month before the fight about zir relationship with Biff. It was like Biff was obsessed with zir. Biff would get super possessive and jealous, always accusing Marty of cheating for no reason. Biff didn't seem to want Marty to have any friends. I guess ze got their wish. Biff wanted Marty all to zirself.
8. Since the original post, Marty has been harassed online, 24 hours a day. This went beyond Shermer, it went to other schools. Kids in the neighborhood who don't even go to our school saw the post about Marty. Marty was teased and threatened all day long at school and all night long on the internet. The things they said were so cruel, it makes me ill. This whole thing is really scary.
9. I have an Instagram account and my screen name is Caden_Heron.
10. I did post a comment right after Biff made the initial post but I wasn't aware that Marty had broken up with Biff that day and I really just thought they were joking with each other. They could be that way with each other sometimes. I completely regret posting anything now.
11. I am in Algebra II with Mx. Strickland, in the same class as Biff. When class got out, I was walking to my locker, down the hall. I was on my phone but heard words being exchanged. I looked up and saw Marty accidently bump into Biff. It definitely looked like an accident to me. All of a sudden, both were swinging their arms wildly. I'm like 98% sure Marty was just trying to defend zirself. Marty never seemed to be trying to land any punches. Biff definitely started swinging first.
12. Pretty quickly, Marty was on ground, I'm not sure exactly how that happened. While Marty was still on the floor, I overheard Biff look at Marty and say something like, "You got what you deserved."
13. The time that I saw Marty posting mean comments on another friend of mine's Instagram, I confronted zir about it. I stand up for everyone that is bullied. I remember that Mx. Norbury taught us in that workshop at the beginning of the year that 50% of all bullying events stop when an upstander intervenes. You can't be a bystander to this kind of thing.
14. I did once joke to Marty that Mx. Norbury was a drug dealer but I really thought it was clear that I was joking. I just noticed that Mx. Norbury had a super nice car and made some quick joke that ze could probably only afford that car if they were a drug dealer. I didn't say anything about it to anyone besides Marty but then Marty just ran with it.
15. Because of Forrest, I am the president of Shermer High School's branch of the National Organization for the Prevention of Online Stalking & Threatening, (NOPOST). We educate students about cyberbullying law and policy, so that they know their rights.
16. I know from my work with NOPOST that a higher percentage of students reported notifying an adult after being bullied at school than after being cyber-bullied anywhere¹. We need to create a climate where it is safe for students to report cyberbullying and kids know that there will be consequences for inappropriate social media content.
17. All the school did was hold a "conference" with Biff and give ze a warning. At school, Biff has not had any consequences for destroying Marty's life. I hope ze has some consequences under the law.



¹ 39% vs. 23%, Indicator 11. (Indicators of School Crime and Safety, 2015) National Center for Education Statistics, United States Department of Education

STATE OF MARYLAND

* IN THE

v.

* DISTRICT COURT

BIFF TANNEN

* FOR SHERMER COUNTY

Case No.: 6S02382710

* Criminal Division

* * * * *

DISCLOSURE OF INTENTION TO CALL EXPERT WITNESS

NOW COMES, the State’s Attorney for Shermer County and hereby discloses pursuant to Maryland Rules the intention of the State’s Attorney to call Dr. Emme(tt) Brown as an expert in Clinical Psychology as it relates to Identification of What is Cyberbullying, its Effects and Treatment of Victims of Cyberbullying.

Dr. Emme(tt) Brown will testify that ze has reviewed the Instagram posts from this case and interviewed some of the witnesses in this case. Based on this review, it is Dr. Brown’s opinion to a reasonable degree of medical certainty within the relevant child care medical community that the postings in this case were of the kind that were designed to alarm, annoy, and harass another.

If you have any questions, please feel free to contact me.

Respectfully submitted,

Saul Goodman

State’s Attorney for Shermer County

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that on the 15th day of November, 2018, a copy of the foregoing was mailed to Defense Counsel for Biff Tannen.

Saul Goodman

State’s Attorney for Shermer County

Affidavit of Emme(tt) Brown, M.D. Psychiatrist, Witness for the Prosecution

1. My name is Dr. Emme(tt) Brown. I am sixty four years old. In 1975, I graduated from West Valley High School of the Shermer County Public School system. I received a Bachelor of Science from Johns Hopkins University in 1979. In 1984, I was awarded a doctorate in Psychology from Loyola College. During my last year of school, I completed my post-doctorate fellowship at Sheppard Pratt, where I worked for several years until I started working in private practice. I specialize in treating adolescents and teenagers.
2. I have treated dozens of young patients who have been victimized by photos and videos posted on the internet without their consent. This is an increasingly common issue and one we must take a very serious stance against. Adults who trivialize the issue are doing our youth a great disservice.
3. I have published a book, Cyberbullying Prevention, Mean Teens & Computer Screens in 2012. One of the chapters in my book discusses the difference between Conflict and Harassment, compared to Intimidation and Bullying (HIB). The two vary in terms of the balance of power that exists among the parties involved. They also differ in terms of what motivates the aggressor, and how a school responds to the situation. Conflict is characterized by a mutually competitive or opposing action or engagement. This can include disagreements, arguments and fights between two people or two or more groups of people. Things may escalate in conflicts to include physicality or name calling. HIB is one sided, an imbalance of power or strength (whether it be real or perceived) and involves the targeting of one or more students by one or more individuals. It can cause physical or emotional harm to the target perpetrated by one party against a less powerful individual who has trouble defending zirsself. The incident is typically motivated by any actual or perceived characteristics such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity/expression, or a mental, physical or sensory disability. The motivation is a key factor in determining whether an incident is classified as a conflict or HIB.
4. Last year, I testified before the Maryland Legislature as a Cyberbullying Expert in favor of expansion of Maryland's Cyberbullying law, also known as Grace's Law.
5. I have been called as an expert witness approximately 20 times in various District and Circuit Courts around the State of Maryland; always as a witness for the State of Maryland. This case is the first one where I have been called to testify, where I was already treating the patient before being retained by the State's Attorney's office as an expert.
6. My fees for testifying are \$2500 per day in court regardless of how long I am in the court for the day. I block out my whole day when I am asked to be a witness. My normal rate for visiting with patients is \$175 per hour.
7. Cyberbullying is a more aggressive, all-encompassing form of harassment than traditional bullying because it is ubiquitous. You cannot avoid the internet. Kids need to access it for homework and studying.
8. Kids know that things posted on Instagram are permanent, even if they use the Instagram Stories feature. Stories do not disappear when the app deletes the post after 24hrs. They are all aware of the ability to screen-shot a post from Instagram.
9. What really bothers me about cyberbullying is the victim shaming and blaming. The attitude that these naïve children somehow asked for this to happen to them by using Social Media so religiously, is extremely misinformed.
10. Those of us from a different generation are usually able to draw a line of demarcation between our online and offline lives. For millennials and younger generations, the line is far more blurred. I have asked youth, "Did this happen online or in the real world?" To which they frequently respond, "Online is my real world." For them, there is no distinction.

11. Lorraine Baines-McFly contacted me after Marty was hospitalized and asked for my help. I have been treating Marty for nine weeks.
12. Both Ms. McFly and Marty signed a release granting me permission to discuss details regarding Marty's medical history, treatment and diagnosis.
13. I based my finding upon interviews with Marty McFly, Marty's parents, and the screenshots of the Instagram posts in this case. I did not interview Biff Tannen in preparing my findings.
14. Upon review of all of the information available to me, it is my belief to a reasonable certainty in the relevant child care scientific community that the statements made by Biff Tannen in this case were of the kind that are designed to harass and annoy another through online communication. Even though I fully acknowledge that I can't truly know what is in a person's mind and heart, my basis for this finding is the one-sided nature of the posts, that these posts seemed to be mean in nature, that these posts were targeted at someone else specific in such a way so that targeted person would see these posts, and the target could easily have suffered emotional harm as a result. Even though the situation here lacked any of the typical actual or perceived characteristics that are typically motivated by the aggressor and aggresse, the situation meets enough diagnostic criteria to label this incident of the kind that would be a HIB and not a mere Conflict.
15. Using the DSM-IV Criterion tool, I diagnosed Marty with acute Post Traumatic Stress Disorder. (See Exhibit 4).
16. Although Marty's file did indicate that ze had suffered from an anxiety disorder prior to the posting, I believe that the response from the Instagram post was a traumatic experience for Marty and triggered a psychological breakdown.
17. I regularly work with many teenagers who experience relationship issues. Biff's conduct far exceeded the limits of normal teenage relationship-related quarrels. Zir's actions were designed to humiliate and publically shame Marty. Ze made it impossible for zir to remain at school.
18. Because this type of victimization is relatively new, it is impossible to determine how severe the psychological damage is or what long-term consequences Marty will suffer. I can say with confidence that it is not something that will help Marty "build character" or make zir stronger and tougher. In actuality, the opposite is true.
19. A recent study found that child victims of bullying suffer worse mental health issues as adults than children who were abused by adults. Researchers hypothesize that this is because adolescents and teenagers often spend more time with their peers than adults, therefore negative relationships with one another can result in severe, long lasting effects. I do not know if Marty will ever fully recover.
20. Young people must understand that the internet can be a weapon and that they are just as responsible for misuse as they would be if they fired a gun or attacked someone with a knife. Physical wounds often heal much sooner than the "invisible" wounds that were inflicted upon Marty by Biff.
21. We are beginning to realize that even the "bullies" can suffer traumatic effects from cyberbullying. In the medical community, we are finding that cyberbullies score significantly higher on stress, depression and anxiety scales than youth who do not engage in cyberbullying. Everyone loses in these situations.

Emmett Brown, MD

Affidavit of Biff Tannen, Defendant

1. My name is Biff Tannen. My birthday is October 1, 2000. I am a senior at Shermer High School.
2. I live at 141 Fred O' Bannion Lane in Shermer, Maryland.
3. Marty and I used to spend every day together. We were in love. Ze was the best thing that ever happened to me. Then all of a sudden, for no reason, things changed and ze got really cold. I couldn't understand what happened.
4. The day that Marty started a fight with me, I had tried to express to zir how I felt about what was going on with us. Marty said to me, "I'm sorry but I'm just not happy," and then just walked off.
5. I do have an Instagram account and my screen name is biff.tannen.
6. When I put that post on Instagram, I was just posting a funny memory from our relationship. I only did it to make Marty laugh. I guess I'm a grand gesture person. Marty always said we would laugh about it someday. I get now that I was wrong but I posted the message really quickly and didn't put a lot of thought into it.
7. Marty used to have a sense of humor. I don't understand why ze got so upset.
8. If I had wanted this to be something that really hurt Marty, I could have posted something really mean, trust me. Marty and I shared some incredibly personal stuff with each other. Plus, it is not like Marty hasn't posted much meaner things about other people.
9. When Marty approached me in the hallway, I assumed ze was finally ready to tell me why ze was so upset earlier.
10. Instead, Marty started going off about whatever I posted on Instagram. I tried to explain that I only posted that to try to get zir to smile.
11. Marty was not having any of my explanation and told me ze never wanted to speak to me again.
12. Immediately after this, Marty pretended like ze was going to walk past me and shoulder checked me hard. It caught me totally off guard that Marty would do something like that to me intentionally.
13. Then before I knew it, Marty turned right back around and I swear I saw zir raise zir hands like ze was going to hit me again.
14. I immediately put my hands up to block any punches and the next thing I know Marty is swinging punches at me. I tried to block all of the punches and somehow, I guess from how I was blocking zir, Marty ended up on the ground.
15. To be frank, I didn't feel bad that Marty fell down during the fight. After all, Marty attacked me. I was just trying to defend myself from getting attacked again.
16. I recall saying something while Marty was on the ground but I'm not sure exactly what I said. I know it had something to do with telling Marty that you can't just hit people.
17. I really didn't expect everyone else to chime in on my Instagram post. I didn't know how far this would spread. If I had a time travel machine and could go back and do some things differently, I would.
18. I haven't said anything to Marty since the day we had an argument in the hallway. It is other kids who were calling zir names at school, not me. I can't control what other kids do and say.
19. I told Mx. Norbury at school, when ze interviewed me a few days later, that I feel kind of bad about what happened to Marty. I didn't want zir to have a breakdown or anything.
20. Marty has always taken things way too seriously.
21. I have straight A's and have set my sights on the Ivy League. I want to go to college and become a lawyer. If I have a criminal record that will never happen.
22. No one ever told me that I could go to jail for a post on Instagram. Everyone does it.
23. I am so stressed out about the idea of going to jail with murderers and rapists. I can't eat. The other night, my dad made me my favorite dinner, ribeye steak. I didn't touch it. I never laugh or smile anymore.
24. When the charges were filed in this case, I was ordered by the Courts not to have any contact with Marty while this case is pending. I have had no contact whatsoever with Marty since that day.

Biff Tannen

Affidavit of Regi George, Witness for the Defendant

1. My name is Regi George. I am sixteen years old and a junior at Shermer.
2. On Thursday, October 18, I was standing in the hallway by my locker with five of my friends, Draco, Scut, Ace, Buzz and Bender.
3. We all saw the fight between Marty and Biff. Marty definitely started that fight by bumping Biff. That was no accident. How could it be? You have got to respect everyone's space.
4. From my perspective, Biff was being attacked. So what if Biff slapped Marty a couple times during that fight. Biff was just trying to defend zirself. Marty started it and Biff ended it.
5. I'm not sure how they ended up on the ground, the entire fight happened in less than a minute.
6. I think I heard Biff say something about not deserving to be treated like that, or something along those lines.
7. I do have an Instagram account and my screen name is RegiGeorge.
8. I follow Biff Tannen on social media and saw the post about Marty. I don't think Biff did anything wrong. I've seen worse in PG rated movies. Plus, my mom has always taught me that freedom of expression should not be stifled. I know a lot about this stuff because of my mom. Besides if I thought something was wrong with it, I probably wouldn't have posted what I did in response in the first place.
9. My mom is an attorney for the Union of Constitutional Advocates for the Prevention of Online Suppression and Tyranny (UCANPOST.) Her job is to oppose censorship on the internet.
10. I started a student chapter of UCANPOST at Shermer because I feel so strongly about my first amendment right to express myself on social media.
11. So far, Shermer's branch of UCANPOST only has five members, which is shocking to me. Is no one else appalled by the societal obsession with controlling the thoughts of young people?
12. My mom says that as a society, we dive into scary territory when we start turning children making silly posts on social media into criminals in the eyes of the law. She says the law is overly broad and the standards and measures are purely subjective. Sounds like a dangerous precedent to me.
13. My mom has taught me that if everyone is allowed to criminalize people for free speech online, the courts are going to be flooded with frivolous cases. I tell everyone that we should all be ter-ri-fied of the implications of those kinds of laws.
14. What is cyberbullying anyway? Who defines it? Is this an "I know it when I see it situation?"
15. If I pressed charges against everyone who sent me an annoying email or text with the "intent to annoy", or posted something I found annoying on Instagram, I would be down at the Shermer Police Station on a daily basis! I'm not kidding; there is a lot of real annoying stuff posted on social media. I have a friend who posts what she eats for breakfast every day. Who determines what is annoying enough to be criminal conduct?
16. It is absurd for anyone living in this day and age to think there is any expectation of privacy on social media. All my friends know this. Kids are more aware of this than adults.
17. I've known Marty McFly for zir entire life. That kid was always crying about something. Not to mention that Marty bullied *me* before with online posts! I'm not trying to be a hypocrite or anything but Marty really went after me online harshly about my politics. Marty said a lot over and over and kept saying my politics were the nastiest. It really started to bother me when Marty started name calling in the posts. Well you know what Marty? I think you are just chicken.
18. Even though I still don't think what happened online was that bad in this case, if Marty feels so strongly, now ze knows what it feels like.
19. Kids today are totally into seeing themselves online. They are constantly taking "selfies." Marty was obsessed with posting pics of zirself. Marty's just upset because other people don't think ze is as good looking as they think they are. If you choose to be on social media, you are putting yourself in the public arena and can't get all bent out of shape when you don't like the public opinion.
20. Biff did not post this with the intent to "threaten" Marty. Gimme a break. It was a post about poop. They have an emoji for that.

Regi George

STATE OF MARYLAND

* IN THE

v.

* DISTRICT COURT

BIFF TANNEN

* FOR SHERMER COUNTY

Case No.: 6S02382710

* Criminal Division

* * * * *

DISCLOSURE OF INTENTION TO CALL EXPERT WITNESS

NOW COMES, the Defendant, Biff Tannen, by and through Defense Counsel, and hereby discloses pursuant to Maryland Rules the intention of the defense to call (Sha)Ron Norbury of Shermer High School as an expert in School Counseling as it relates to the Identification of What is Cyberbullying.

(Sha)Ron Norbury will testify that ze has reviewed the Instagram posts from this case and interviewed some of the witness in this case, Biff Tannen and the parent of Marty McFly. Based on this review, it is Mx. Norbury’s opinion to a reasonable degree of certainty within the relevant School Counseling community that the postings in this case were not of the kind designed to bully another over the Internet with the intent to harass, alarm or annoy another.

If you have any questions, please feel free to contact me.

Respectfully submitted,

Vinny Gambini
Defense Counsel, Esq.

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that on the 1st day of December, 2018, a copy of the foregoing was mailed to the State’s Attorney’s Office for Shermer County.

Vinny Gambini
Defense Counsel, Esq.

Affidavit of (Sha)Ron Norbury Guidance Counselor, Witness for the Defendant

1. My name is (Sha)Ron Norbury. I am 30 years old. I graduated in 2011 from the University of Maryland Eastern Shore with a Bachelors of Arts in Education, earning my Maryland teaching credential. I taught at Shermer High for 4 years until I got my Master's Degree in School Counseling from McDaniel University. I am now in my fourth year of serving as a Guidance Counselor at Shermer.
2. Shermer High is a large, urban school. We have 4,321 students.
3. I wrote Shermer's Internet Safety Curriculum. The curriculum is a presentation I give at a workshop during freshman orientation called "Pause Before You Post!" I end the lecture by having all of the students sign a contract, the "Shermer High School Social Media Code of Conduct." Even though I only give this lecture now at freshman orientation, during my first year as Guidance Counselor at Shermer, I presented to the entire student body and had all of them sign the Code of Conduct to ensure all students had been given the lecture. I am present when each student signs the Code and they must turn in the signed copy directly to me; no exceptions.
4. Both Marty McFly and Biff Tannen have completed my workshop and signed the Code of Conduct.
5. I also hosted an optional workshop on Internet Safety for parents on Back to School Night. No one in the McFly family attended.
6. My goal is to make sure that every student and parent understands how quickly things they post can go viral. We are constantly chasing a moving target as new social media applications are being developed.
7. Once a social media post is out there in cyberspace, there will be a plethora of trolls and perpetrators. That is what I always tell the kids. It is unfair to blame Biff for all of the mean comments everyone on the internet has made to and about Marty. These things spiral out of control rapidly.
8. I see this stuff happen all the time. Young people are so impulsive; their brains are not yet fully developed. They do not realize the consequences of their actions.
9. By the time I got involved in that scuffle in the hallway, both Biff and Marty were on the ground but no punches were being thrown. Marty was so angry afterwards, I could not calm zir down. Marty didn't say anything to me about what happened or about the Instagram posts. Neither did Biff. The scuffle seemed like it was over and my plan was to notify the parents just to make them aware.
10. Biff has always been a good, kind-hearted child. I am not aware of Biff demonstrating any proclivity toward violence. I believe Biff when ze says ze had no idea other kids would make threats to Marty.
11. I contacted both sets of parents on October 18, 2018 to notify them that there had been an incident at the school but I was unable to get a hold of the McFlys. I'll admit I didn't call them back after that day because I was pretty overwhelmed the next day and thereafter with other duties that I had at the time. I didn't end up speaking with anyone from the McFly family until the following week when Lorraine Baines McFly asked me to investigate the bullying of her child.
12. Biff volunteers as a Peer Mediator and has been reliable in that role for my office. Last year, I'm not sure but he might have even intervened when Marty was accused of bullying another student.
13. I recall that Marty was in an online bullying incident zirselt involving another student, Regi George. Marty was saying some really mean things about Regi online regarding Regi's political beliefs. I documented my investigation in a "Bullying, Harassment or Intimidation Reporting Form."
14. Trust me, my finding against Marty on the Reporting Form had nothing to do with Marty once spreading that ridiculous rumor that I was a drug dealer. I think some of the parents still whisper about me.
15. When I ultimately saw what was posted on Instagram by Biff and everyone else's subsequent comments, I was very concerned about the tone of these messages. Biff told me that ze only posted the picture of Marty as an inside joke with Marty. After our conference, ze now realizes that it was not funny and how it can be perceived as harassing.

16. Biff is not some hardened criminal. Arresting a child at school in front of their teachers and friends, is also a traumatizing experience for a young person to endure. I am worried it will cause Biff emotional distress.
17. Whenever I receive a report of bullying or harassment, I complete an investigation and track my findings using the Maryland State Department of Education Bullying, Harassment or Intimidation Incident School Investigation Form.
18. After looking into the matter thoroughly, I completed and mailed the *Bullying, Harassment or Intimidation Incident Investigation* form to the Anti-Harassment Coordinator for the school district, in accordance with procedure. (Exhibit 2)

S. Norbury

EXHIBIT 1 INSTAGRAM POST SCREENSHOT WITH COMMENTS

The screenshot shows the top portion of an Instagram post. At the top, the Instagram logo is centered, with a camera icon on the left and a notification bell and share icon on the right. Below the header, the user's profile picture (a Spider-Man character) and the username "biff.tannen" are visible. The main image is a photograph of a library or media center with several round wooden tables and chairs arranged in a study area. Below the image are icons for liking, commenting, and sharing, along with a bookmark icon. The caption reads: "biff.tannen #martyfcfly1 that time you got diarrhea in the media center #areyoulaughing now". Below the caption, it says "1 HOUR AGO". At the bottom, there is a navigation bar with icons for home, search, post, heart, and a profile picture.

The screenshot shows the comments section of the Instagram post. The header "Comments" is centered at the top, with a back arrow on the left and a share icon on the right. The comments are listed vertically, each with a profile picture, the user's name, the comment text, and the time it was posted. The comments are:

- biff.tannen** #martyfcfly1 that time you got diarrhea in the media center #areyoulaughing now 1h
- Caden_Heron** Bruh that's nasty 1h
- biff.tannen** I fr would never show my face again 1h
- Caden_Heron** Ewwwwwwwwwwwwwwwwww, @martyfcfly1 1h
- biff.tannen** lkr! You just got to kill yourself if that ever happens to you!!! 1h
- RegiGeorge** @martyfcfly1, dude you are so nasty smh 58m
- martyfcfly1** @RegiGeorge youre ugly 56m
- RegiGeorge** No one even likes Marty. Fr like does ze even have friends 53m

Below the comments, there is a row of emojis: a grey square, a black square, a red heart with eyes, a purple person with arms raised, a winking face, a thinking face, a smiling face with open eyes, and a person with a shocked expression. At the bottom, there is a text input field with a profile picture icon and the text "Add a comment as marty..."

< Comments >

 **RegiGeorge** No one even likes Marty. Fr like does ze even have friends
53m

 **martymcfly1** Everyone stop talking about me, not cool
52m

 **biff.tannen** FR? Dish it but can't take it???? What's wrong @martymcfly1, chicken??
50m

 **RegiGeorge** Seriously!!!!!!!!!!
49m

 **biff.tannen** @martymcfly1, you never laugh anymore. You can be such a DISAPPOINTMENT!!!
48m

 **Griff** Idk why @biff.tannen even talks to @martymcfly1, Marty's so sus
46m


 **Doug_Needles** @biff.tannen you're dumb, Marty sucks
45m


 **Einstein** @martymcfly1 should be so embarrassed
44m


     


 Add a comment as marty...


< Comments >


 **Einstein** @martymcfly1 should be so embarrassed
44m


 **biff.tannen** Marty was shook
39m


 **biff.tannen** I love zir but @martymcfly1 is such a witch sometimes
37m


 **Copernicus** That's putting it mildly. Marty is a piece of crap
34m







 **Mad.Dog** Go kill your self @martymcfly1. Ur gross. The world would be better w/o u.
30m


 **biff.tannen** Fr, kys
24m

 **Griff** Fr go drink bleach or sum
20m

 **Mad.Dog** I hope you choke
14m

 **biff.tannen** Guys @martymcfly1 is still a person tho. Chill a bit
12m

 Add a comment as marty...

< Comments >

 **biff.tannen** Guys @martymcfly1 is still a person tho. Chill a bit
12m

 **Einstein** You have no cred @biff.tannen
10m

 **Doug_Needles** I'm surprised either of you have any friends
7m

 **biff.tannen** Hey don't come after me. Marty is the disaster. This is about Marty
6m

 **Copernicus** Tell it how it is.
5m

 **biff.tannen** Such a baby, Marty. Cry Baby Cry Baby Cry Baby!!!!
3m

 **Einstein** That's what I'm talking about.
2m

 **Doug_Needles** You said it @biff.tannen.
1m



 Add a comment as marty...

EXHIBIT 2 - BULLYING, HARASSMENT OR INTIMIDATION FORM

BULLYING, HARASSMENT OR INTIMIDATION REPORTING FORM

Directions: Bullying, harassment, and intimidation are serious and will not be tolerated. This is a form to report alleged bullying harassment, or intimidation that occurred during the current school year on school property, at a school-sponsored activity or event off school property, on a school bus, on the way to and/or from school*, or on the internet-sent on or off school property; or that substantially disrupted the orderly operation of the school. Bullying, harassment and intimidation includes any intentional conduct, including verbal, physical or written conduct, or an intentional electronic communication, that creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities or performance, or with a student's physical or psychological well-being. (Definitions are Bullying, Cyberbullying, Harassment, and Intimidation are provided below.)

1. **Bullying** – A pattern or behavior when a person repeatedly uses power in an intentional manner, including verbal, physical, or written conduct or intentional electronic communication against one or more students. 2. **Cyberbullying** – The use of electronic communication to harm or harass others in a deliberate, repeated, and hostile manner. 3. **Harassment** – Includes actual or perceived negative actions that offend, ridicule, or demean another individual with regard to race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, physical or mental ability, or disability. 4. **Intimidation** – subjecting an individual to intentional action that seriously threatens and induces a sense of fear and/or inferiority.

Conduct that is of a sexual nature is generally thought to mean actions, language or visual materials which specifically refer to, portray or involve sexual activity or language. Conduct of a sexual nature may include overt sexual solicitations, inappropriate touching, sexual jokes, and inquiries about a person's sex life. Sexual harassment is the broader term that encompasses conduct of a sexual nature such as unwelcomed sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature. Sexual harassment also includes acts that are not overtly sexual but rather are directed at individuals based on their gender such as profanity or rude behavior that is gender-specific.

If you are a student, the parent/guardian of a student, a close adult relative of a student, or a school staff member and wish to report an incident of alleged bullying harassment, or intimidation, complete this form and return it to the principal at the student victim's school. You may contact the school for additional information or assistance at any time.

(PLEASE PRINT ALL INFORMATION)

Today's date: 02 / 28 / 2018 School: Shermer
Month Day Year
 School System: Shermer

PERSON REPORTING INCIDENT	Name: <u>June George</u>
Telephone: <u>(292)-372-2873</u>	E-mail: <u>coolmom@norulesparenting.org</u>
Place an X in the appropriate box: <input type="checkbox"/> Student <input checked="" type="checkbox"/> Parent/guardian of a student <input type="checkbox"/> Close adult relative of a student <input type="checkbox"/> School Staff <input type="checkbox"/> Bystander	

1. Name of alleged student victim(s): Regi George Age: 15 School: Shermer
 _____ Age: _____ School _____
 _____ Age: _____ School _____

2. Name of alleged witness(es) (if known):
 _____ Age: _____ School _____
 _____ Age: _____ School _____
 _____ Age: _____ School _____

3. Name(s) of alleged offender(s) (if known): Marty McFly Age: 15 School: Shermer Is he/she a student?
 Yes No
 Yes No
 Yes No

4. On what date(s) did the incident happen?:

02 / 14 / 2018
Month Day Year Month Day Year Month Day Year

5. Place an X next to the statement(s) that best describes what happened (choose all that apply):

- Any bullying, harassment, or intimidation that involves physical aggression (specify) _____
- Getting another person to hit or harm the student
- Teasing, name-calling, making critical remarks, or threatening, in person or by other means
- Demeaning and making the victim of jokes
- Making rude and/or threatening gestures
- Excluding or rejecting the student
- Intimidating, extorting, or exploiting
- Spreading harmful rumors or gossip
- Related to the student's disability
- Related to the student's perceived sexual orientation
- Cyber bullying (e.g. social media including Facebook, Twitter, Vine, Snapchat, Periscope, kik, Instagram, etc.)
- Electronic communication (e.g. email, text, sexting, etc.)
- Gang related
- Gang recruitment
- Human trafficking/Prostitution recruitment
- Racial Harassment
- Sexual Harassment
- Sexual in nature
- Other (specify) _____

6. Where did the incident happen (choose all that apply)?

- On school property At a school-sponsored activity or event off school property Via Internet- sent off school property
- On a school bus On the way to/from school* Via Internet- sent on school property

*Will be collected unless specifically excluded by local board policy

7. Describe the incident(s), including what the alleged offender(s) said or did. _____

(Attach a separate sheet if necessary)

8. Why did the bullying, harassment or intimidation occur? _____

(Attach a separate sheet if necessary)

9. Did a physical injury result from this incident? Place an X next to one of the following:

- No Yes, but it did not require medical attention Yes, and it required medical attention

10. If there was a physical injury, do you think there will be permanent effects? Yes No

11. Was the student victim absent from school as a result of the incident? Yes No
If yes, how many days was the student victim absent from school as a result of the incident? _____

12. Did a psychological injury result from this incident? Place an X next to one of the following:

- No Yes, but psychological services have not been sought Yes, and psychological services have been sought

13. Is there any additional information you would like to provide? _____

(Attach a separate sheet if necessary)

Signature: S. Norbury Date: 02/28/2018

EXHIBIT 3 SOCIAL MEDIA CODE OF CONDUCT CONTRACTS

Shermer High School Social Media Code of Conduct

- A. **POLICY-** It is the policy of Shermer High School to prohibit bullying, harassment, or intimidation of any person on school property or at school-sponsored functions or by the use of electronic technology at a public school. It is the policy of Shermer High School to prohibit reprisal or retaliation against individuals who report acts of bullying, harassment, or intimidation or who are victims, witnesses, bystanders, or others with reliable information about an act of bullying, harassment, or intimidation.
- B. **DEFINITION OF TERMS-** As used in this policy, “bullying, harassment, or intimidation” means intentional verbal, physical, or written conduct or electronic communication that creates a hostile educational environment by substantially interfering with a student’s educational benefits, opportunities, performance, or with a student’s physical or psychological well-being. “Electronic communication” means a communication transmitted by means of an electronic device. Cyberbullying is a form of bullying, harassment, and intimidation. Cyberbullying means a communication transmitted by means of an electronic device and includes the use of social media sites. Cyberbullying shall include any future applications that fall under “electronic communication”. Bullying, harassment, or intimidation is: · motivated by an actual or a perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability; or, · threatening or seriously intimidating; · occurs on school property, at a school activity or event, or on a school bus; or, · substantially disrupts the orderly operation of a school.
- C. **STANDARD CONSEQUENCES AND REMEDIAL ACTIONS FOR PERSONS COMMITTING ACTS OF BULLYING, HARASSMENT, OR INTIMIDATION AND FOR PERSONS ENGAGED IN REPRISAL OR RETALIATION AND FOR PERSONS FOUND TO HAVE MADE FALSE ACCUSATIONS:** Consequences and remedial actions for persons committing acts of bullying, harassment, or intimidation and for persons engaged in reprisal or retaliation and for persons found to have made false accusations should be consistently and fairly applied after appropriate investigation has determined that such an offense has occurred. *The following list of consequences and remedial actions is presented in no particular order and is provided as a guide that by no means limits Shermer from implementing other additional consequences and remedial actions.*
- i. **Standard Consequences** · Time out · Loss of a privilege · Verbal reprimand · Parental notification · Detention · Reassignment of seats in class, cafeteria, or bus · Reassignment of classes · Reassignment to another mode of transportation · Reassignment to another school · Completion of letter of acknowledgement of action, with apology, to victim (after review by staff and not in a case of sexual harassment or intimidation) · Reparation to victim in the form of payment for or repair of damage to possession · In-school suspension · Out-of-

- school suspension · Extended suspension · Transfer to an appropriate alternative program · Referral to law enforcement · Expulsion
- ii. **Remedial Actions** · Parent/Student Conference · Counseling with school counselor or school psychologist · Education about the effects of bullying, harassment, or intimidation · Behavioral contract · Positive behavioral supports – e.g. functional behavioral assessment; behavioral intervention plan; remediation of problem behaviors that takes into account the nature of the offense, the developmental level of the student, and the student’s behavioral history · Referral to an external agency · Participation in counseling (delivered by a school or community mental health provider) · Cooperation with a behavioral management program developed in consultation with a mental health professional · Satisfactory completion of community service.

I will abide by Shermer’s Use of Social Media policy and understand that this code of conduct pertains to communications both on and off of school policy during the time which I am a student attending Shermer. Note- this form must be signed by all students. Failure to sign will result in suspension from all extracurricular activities at Shermer.

Signed *Marty McFly*

Date 8/25/2016

I will abide by Shermer’s Use of Social Media policy and understand that this code of conduct pertains to communications both on and off of school policy during the time which I am a student attending Shermer. Note- this form must be signed by all students. Failure to sign will result in suspension from all extracurricular activities at Shermer.

Signed *Biff Tanner*

Date 8/22/2015

EXHIBIT 4

POST TRAUMATIC STRESS DISORDER SELF-TEST

Marty McFly

If you suspect that you might suffer from post-traumatic stress disorder, complete the following self-test by clicking the “yes” or “no” boxes next to each question. If you have experienced trauma and has answered “yes” to some of these questions, discuss them with your doctor.

HOW CAN I TELL IF IT'S PTSD?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Have you, or a loved one experienced or witnesses a life-threatening event that caused intense fear, helplessness or horror?
-----------------------------------------	-----------------------------	------------------------------------------------------------------------------------------------------------------------------

Do you, or a loved one, re-experience the event in at least one of the following ways?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Repeated, distressing memories and/or dreams?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Acting or feeling as if the event were happening again (flashbacks or a sense of reliving it?)
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Intense physical and/or emotional distress when you are exposed to things that remind you of the event?

Do you, or a loved one, avoid reminders of the event and feel numb, compared to the way you felt before, in three or more of the following ways:

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Avoiding thoughts, feelings, or conversations about it?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Avoiding activities, places, or people who remind you of it?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blanking on important parts of it?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Losing interest in significant activities of your life?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Feeling detached from other people?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Feeling your range of emotions is restricted?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Sensing that your future has shrunk (for example, you don't expect to have a career, marriage, children or a normal life span)?

Are you, or a loved one, troubled by two or more of the following?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Problems sleeping?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Irritability or outbursts of anger?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Problems concentrating?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Feeling “on guard”?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	An exaggerated startle response?

Having more than one illness at the same time can make it difficult to diagnose and treat the different conditions. Illnesses that sometimes complicate an anxiety disorder include depression and substance abuse.

With this in mind, please take a minute to answer the following questions:

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Have you, or a loved one, experienced changes in sleeping or eating habits?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	More days than not, do you or a loved one feel sad or depressed?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	More days than not, do you or a loved one feel disinterested in life?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	More days than not, do you or a loved one feel worthless or guilty?

During the last year, has the use of alcohol or drugs:

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Resulted in your failure to fulfill responsibilities with work, school or family?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Placed you in a dangerous situation, such as driving a car under the influence?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Gotten you arrested?

EXHIBIT 5 SCHOOL INVESTIGATION FORM

BULLYING, HARASSMENT, OR INTIMIDATION INCIDENT SCHOOL INVESTIGATION FORM

School Personnel Completing Form: S. Norbury _____ Position: Guidance Counselor

Today's date: 10 / 24 / 2018 School: Shermer _____
Month Day Year
 School System: Shermer County

Person Reporting Incident (From reporting form) Name: Lorraine Baines McFly _____

Telephone: (632) 645-7577 E-mail: lbmcfly@enchantmentunderthesea.org

Place an **X** in the appropriate box: Student Parent/guardian Close adult relative
 School Staff Bystander

1. Name of student victim(s): Marty McFly _____ Age: 16 Days absent as a result of the incident: 3 to date
 _____ Age: _____ Days absent as a result of the incident: _____
 _____ Age: _____ Days absent as a result of the incident: _____

2. Name(s) of alleged witness(s) (If known): Age School

3. Name(s) of alleged offender(s) (If known): Age School Is he/she a student? Days absent due to incident

Biff Tannen 18 Shermer _____ Yes No 0

_____ _____ _____ Yes No _____

_____ _____ _____ Yes No _____

(Please print)

Total number of alleged offenders: 1

INVESTIGATION

4. What actions were taken to investigate this incident? (choose all that apply)

- Interviewed alleged student victim
- Interviewed alleged offender(s)
- Interviewed alleged witnesses
- Witness statements collected in writing
- Interviewed school nurse
- Reviewed any medical information available
- Interviewed teachers and/or school staff
- Interviewed student victim's parent/guardian
- Interviewed alleged offender's parent/guardian
- Examined physical evidence
- Reviewed/Obtained copy of police report
- Conducted student record review
- Examined video evidence
- Conducted meeting with Resource Officer

- Reviewed social media site
5. Why did the harassment, intimidation, or bullying occur (alleged motives)? (choose all that apply)
- Because of race
 - Because of national origin
 - Because of marital status
 - Because of sex
 - Because of sexual orientation
 - Because of gender identity
 - Because of religion
 - Because of disability
 - Because of physical appearance
 - To impress others
 - Just to be mean
 - Gang related
 - Gang recruitment
 - Human trafficking/Prostitution recruitment
 - The reason is unknown
 - × Because of another reason (specify) end of romantic relationship, mother alleges jealousy
 - Determined not to be Bullying
 - Determined not to be Harassment
 - Determined not to be Intimidation
6. Where was the incident reported to have happened (choose all that apply)?
- On school property
 - At a school-sponsored activity or event off school property
 - On a school bus
 - On the way to/from school*
 - × Via Internet- sent on school property
 - Via Internet- sent off school property

*Will be collected unless specifically excluded by local board policy

7. What corrective actions were taken in this case (choose all that apply)?
- None were required, this was a false allegation
 - None, the incident did not warrant any corrective action
 - None, no Bullying occurred
 - None, no harassment occurred
 - None, no intimidation occurred
 - None, the alleged incident could not be verified
 - Determined as a conflict and not bullying, harassment or intimidation
 - Student conference
 - × Student warning
 - Letter of apology
 - Mediation
 - Counseling
 - Parent letter
 - Parent phone call
 - Parent conference
 - Detention
 - In-school suspension
 - Out-of-school suspension/expulsion
 - Behavior contract
 - Alternative placement/setting
 - Plan of Support to include a "go to" adult in the school
 - Community Service
 - Separation from other student to include transfer or change in schedule
 - Meeting with Resource Officer
 - Referral to Counselor or Therapist

- Developed template for safety plan
- Other (specify) _____

8. Did a physical injury result from this incident? Place an **X** next to one of the following:

- None observed
- Injury observed
- Medical documentation provided

9. Was the student victim absent from school as a result of the incident? Yes No

If yes, how many days was the student victim absent from school as a result of the incident? 3 to date

10. Additional pertinent information gained during the interview:

Alleged offender is peer mediator, trained by the guidance department. _____

(Attach a separate sheet if necessary)

11. Investigator notes: Mother says that student will not be returning to school, will be undergoing psychological evaluation. Parent called in to report child has been hospitalized and alleged reason was online bullying. I reviewed the Instagram screenshots in question and spoke with Biff Tannen. I determined that while this is a serious situation when a child is hospitalized, a warning was the appropriate response in this case.

(Attach a separate sheet if necessary)

Signature: *S. Norbury* Date: *10/24/2018*

EXHIBIT 6 PAUSE BEFORE YOU POST LESSON PLAN

S.Norbury
Shermer High School
Internet Safety Curriculum

Pause Before You Post Lesson Plan

Objective- Students will understand risks and consequences of cyber abuse.

I. Welcome and Introduction

- Give name tags to all freshmen

II. Review Decision Making Lesson

1. What were some decisions that Chris O’Neil made the night he died?
2. What is one important thing we can do before making a decision? **(PAUSE)**

III. Instagram Post

- Tell the class to write down on a Post-It what they would post on Instagram if they had their account up right now. Tell them they can write up to 140 characters
- Have some of them read them out loud and ask why they wrote it.
- If you see mostly “tame” posts, comment on how they may be tame because we are here in class instead of at home by ourselves.
- If there are some “riskier” posts, ask them if they actually post that stuff on-line and if they think they can get in trouble for posting these kinds of things
- Have them wear their Instagram posts on their shirts next to their nametags. Explain that we are doing this because your Instagram posts don’t actually go away, so we will keep these on us for the whole class time

IV. Cyber Safety Issues

- *****NOTE to Peer Educators***:** after describing Online Drama and Online Reputation, provide personal examples of each.
- Online Drama
 - Using e-mail, social media, or text to:
 - Send mean or threatening messages
 - Spread rumors
 - Hack into another person’s account to send damaging messages
 - Pretend to be someone else online to tease or hurt another person
 - Spread unflattering pictures or information about a person
 - Take or spread sexually suggestive pictures or messages about a person
- Online Reputation
 - The beliefs or opinions about someone encouraged by their online presence---including social media profiles and any identifiable online participation

V. Some On-line Statistics

- Over half of adolescents and teens have been bullied online, and about the same number have engaged in cyber bullying
- More than 1 in 3 young people have experienced cyber threats online
- Only 10% of victims will inform a trusted adult of their cyber abuse
- Almost 50% of college admissions officers reported consulting Google and social media profiles.

- Many discovered something that negatively impacted an applicant's chances of getting into the school.

VI. Possible Consequences of Negative Cyber Use

- At Shermer
 - Shermer School officials do monitor cyber-related issues that occur before, during, and after school...including the Summer
 - Depending on severity:
 - General Detention
 - Suspension
 - Expulsion
 - Social and emotional consequences? (Loss of friends, feeling bad about others pain, etc.)
- Outside Shermer
 - Civil suits by angry parents, individuals
 - Criminal charges
 - Damage to your chances of college admission or future employment

VII. Small Group Discussion

- Form groups of 5-6 students. Each group takes one scenario included in one of the handouts and answers the discussion questions included.
- Group 1 Scenario: Classmate creates a fake Facebook account in another student's name that had untrue and bad things posted on it.
- Group 2 Scenario: A student posted racist comments on their twitter account. The student deleted the account so that he wouldn't get in trouble thinking that his posts would go away. He didn't realize that someone had published these comments in an online journal and now anyone can google this student's Twitter comments.
- Group 3 Scenario: A person quoted a movie (Fight Club) that said they were going to kill people and someone took the post seriously and called the police.

VIII. Steps for Online Success

- Consider whether you'd say something to a person's face before posting it online. Settle any conflicts face to face, not resorting to online means.
- Remember that though photographs taken in applications like Snap Chat or Instagram stories, seem temporary, they are often not. Consider whether you want something around forever and/or made public before you take it or post it.
- Think about how a joke could be taken out of context before you post it. Remember that facial expression and tone of voice are lost, and sometimes people take online posts more seriously.
- If there is information that you don't want available, ask in person for whoever posted it to take it down. If they will not take it down, ask a parent, teacher, or counselor to help.
- Use the privacy settings provided by any of the social networking sites and NEVER give out your password!
- Keep threatening messages as proof and try to block the person sending the messages
- Pause before you post!

IX. Review Questions

1. What is Online Reputation and give an example of how you can affect it?
2. What are three ways that you can have online success?

X. Conclusion

- Collect name tags
- Thank the freshmen for their attention and have all students sign Internet Safety contracts.

BULLYING IN MARYLAND AND WHAT YOU CAN DO TO BE PART OF THE SOLUTION:

According to the Center for Disease Control, in 2017;

50,824 students in Maryland reported being in a fight on school property

50,233 were bullied on school property

50,138 were electronically bullied

29,781 experienced dating violence (physical) and

28,622 experienced dating violence (sexual)¹



DANGERS OF BULLYING

Irritability or anger , Nightmares, Headaches, Stomachaches, Inability to concentrate, Multiple Joint and Muscle Pains, Weight Gain or Loss, Depression, Self- Injury, Difficulties in Falling and/or staying asleep, Impulsiveness, Suicide Attempts, Homicidal Thoughts

STANDING UP TO CYBERBULLYING- TOP TEN TIPS FOR TEENS

Don't be a bystander—stand up to cyberbullying when you see it. Take action to stop something that you know is wrong. These Top Ten Tips will give you specific ideas of what you can do when you witness cyberbullying.

1. **REPORT TO SCHOOL.** If the person being cyberbullied is someone from your school, report it to your school. Many have anonymous reporting systems to allow you to let them know what you are seeing without disclosing your identity.
2. **COLLECT EVIDENCE.** Take a screenshot, save the image or message, or screen-record what you see. It will be easier for an adult to help if they can see—and have proof of—exactly what was being said.
3. **REPORT TO SITE/APP/GAME.** All reputable online environments prohibit cyberbullying and provide easy tools to report violations. Don't hesitate to report; those sites/apps will protect your identity and not "out" you.
4. **TALK TO A TRUSTED ADULT.** Develop relationships with adults you can trust and count on to help when you (or a friend) experience something negative online. This could be a parent, teacher, counselor, coach, or family friend.
5. **DEMONSTRATE CARE.** Show the person being cyberbullied that they are not alone. Send them an encouraging text or snap. Take them aside at school and let them know that you have their back.
6. **WORK TOGETHER.** Gather your other friends and organize a full-court press of positivity. Post kind comments on their wall or under a photo they've posted. Encourage others to help report the harm. There is strength in numbers.
7. **TELL THEM TO STOP.** If you know the person who is doing the cyberbullying, tell them to knock it off. Explain that it's not cool to be a jerk to others. But say something—if you remain silent, you are basically telling them that it is ok to do it.
8. **DON'T ENCOURAGE IT.** If you see cyberbullying happening, don't support it in any way. Don't forward it, don't add emojis in the comments, don't gossip about it with your friends, and don't stand on the sidelines.
9. **STAY SAFE.** Don't put yourself in harm's way. When your emotions are running high, resist posting something that may escalate the situation. Don't hang out online where most people are cruel. Never physically threaten others.
10. **DON'T GIVE UP.** Think creatively about what can be done to stop cyberbullying. Brainstorm with others and use everyone's talents to do something epic!

¹Center for Disease Control, Maryland, High School Youth Risk Behavior Survey, 2017, available at: <https://nccd.cdc.gov/YouthOnline/App/Results.aspx?LID=MD>

WHAT REALLY HAPPENS

BEHIND THE POST

Billions of photos are posted on social media every day. But can you really see the big picture through the small ones?

www.behindthepost.org

Today, *seven-in-ten* Americans use social media to connect with one another and post photos of their lives. And perhaps no demographic spends as much time with these posts as young adults—the same young adults, ages 18–24, who are at the highest risk of relationship abuse.



THE PICTURE-PERFECT RELATIONSHIP

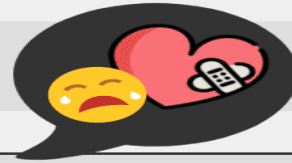
Teens and young people feel an innate social pressure to have a picture-perfect relationship and social media has an impact on how we perceive our relationships.



2 IN 5 TEENS FEEL PRESSURE to post only content that makes them look good to others.

75% OF TEENS SAY SOCIAL MEDIA

affects romantic relationships "negatively," 18% "positively," and 7% said that social media had no effect.



45% OF INTERNET USERS AGES 18 TO 29

in serious relationships say the internet has had an impact on their relationship, while just one in ten online adults 65 and older say the same.

A REAL LOOK BEHIND THE POST

People are posting the "best versions" of themselves even though behind the post unhealthy and even abusive relationship behaviors may be happening.



“ So #blessed to have my boyfriend take me to Barcelona for my birthday... just kidding. The night before this perfect picture was taken, my (ex) boyfriend berated and degraded me in our hotel room with a series of insults, accusations, threats, and challenges; when I tried to leave the room he pushed me and I landed on our bed. It was the first time he ever laid his hands on me and I had never felt more trapped or terrified. He begged and pleaded with me the next day to stay, which I did-- but sometimes I wonder... if the bed hadn't been there to break my fall, would I have still stayed? ”

“ I posted a picture of this beautiful necklace with a caption about how lucky I am to have a boyfriend who treats me so well and loves me so much. Little did everyone on the outside know, I was forced to post that photo so everyone would know I had a boyfriend and the gift was an apology for him hitting me the night before because I went out without him. Now, when I look at this necklace I see pain, lies, manipulation and abuse. ”



“ We went out on a romantic sunset kayak & were having a great time enjoying the scenery. You refused to talk to me because I didn't want my phone passed over the water to other people; later accusing me of treating you like a child and not trusting you. At the time I posted this picture, I wrote #tbt to a very very happy place'... Looking back I realize it was manipulation ”



Learn more about all 10 signs of an unhealthy relationship: behindthepost.org

HOW TO FILE A PROTECTIVE ORDER

PEACE AND PROTECTIVE ORDERS *(Excerpted from the Maryland Judiciary)*

How to apply for an order.

Step 1: Complete the correct petition

The petitions (forms) for protective orders can be obtained from any circuit or District Court clerk or District Court commissioner. Petitions for peace orders must be obtained from a District Court clerk or commissioner. All forms are available at: www.mdcourts.gov/courtforms.

Step 2: File the petition

During normal business hours, file the petition with a circuit or District Court clerk (District Court for peace orders), against a person 18 years or older. Once the petition is filed, you will be directed into a courtroom as soon as a judge is available to hear your case.

Step 3: Appear for a temporary hearing

When you appear before a judge, you will be required to answer questions under oath. If the judge finds reasonable grounds to believe that the respondent committed the acts alleged in the petition, (and in the case of a peace order, is likely to do so again) a temporary order is granted. The order goes into effect once a law enforcement officer serves the respondent and generally lasts for seven days unless extended by a judge.

Step 4: Appear for a final hearing

A final hearing is usually scheduled within seven days after the order is served. At the hearing, both parties may present evidence. However, if the respondent does not attend, the judge may still grant a final order if at the trial the judge finds a preponderance of the evidence that the respondent committed the alleged act against the petitioner, as defined under the law, (and in the case of a peace order, is likely to do so again). Instead of a trial, the respondent may consent to the entry of a final order.

A Final Protective Order may be granted for as long as one (1) year. The court for good cause may extend the term of the Final Protective Order for an additional six (6) months after a further hearing.

A Final Protective Order may be granted for as long

as two (2) years if:

- the same person eligible for relief previously obtained a Final Protective Order against the same respondent AND
- the prior order lasted for at least six (6) months AND
- within one (1) year of the expiration of the order,
- the respondent commits an act of abuse against the person eligible for relief OR
- the respondent consents to the order.

The court shall issue a Permanent Protective Order if:

- requested by the person eligible for relief against an individual who was the respondent in a previously issued Interim, Temporary, or Final Protective Order; AND
- the respondent was convicted and sentenced to serve a term of imprisonment of at least five (5) years and served at least 12 months of the sentence for:
- the act of abuse that led to the issuance of the Interim, Temporary, or Final Protective Order; OR
- committing an act of abuse against the person eligible for relief during the term of the Interim, Temporary, or Final Protective Order.

A peace order may last up to six (6) months and can be extended for an additional six (6) months for good cause, after notice to parties and hearing.

What will the order do?

Peace and protective orders are intended to provide protection for the petitioner and other individuals named in the order. The respondent may be ordered to:

- Stop threatening or committing abuse
- Stay away from the petitioner’s home, place of employment or school
- Have no contact with the petitioner or others

A protection order may also:

- Award temporary use and possession of the home to the petitioner
- Award temporary custody of children to the

- petitioner
- Award temporary financial support
- Require the respondent to surrender all firearms and refrain from possession of firearms for the duration of the order
- Award temporary possession of any pet or person eligible for relief
- Order any other relief that the judge determines if necessary to protect a person eligible for relief from abuse

Peace or Protective Order...which one?

Peace and Protective Orders are civil orders issued by a judge that order one person to refrain from committing certain acts against others. The relationship between the respondent (person alleged to have committed the prohibited act) and the petitioner (person seeking protection) determines the petition to be filed. Protective Orders generally apply to people in domestic relationships. Peace Orders apply to other persons. You cannot qualify for both. Please review carefully the following checklists to determine the correct petition to file:

If you are filing the petition for yourself, do any of these apply to you?

- I am the current or former spouse of the respondent.
- I have had a sexual relationship with the respondent and have resided with the respondent in the home for a period of at least 90 days within the last year.
- I am related to the respondent by blood, marriage, or adoption.
- I am the parent, stepparent, child or stepchild of the respondent or person eligible for relief, and I have resided with the respondent for 90 days during the past year.
- I have a child in common with the respondent.
- I have had a sexual relationship with the respondent within one (1) year before the filing of the petition.

If you checked any of the boxes above, you would file for a **Protective Order**. If you did not, you would file for a **Peace Order**.

If you are filing the petition for a minor child, you may be eligible for a **Protective Order** if any of the following apply to the minor child:

- The minor child is the current or former spouse of the respondent
- The minor child has had a sexual relationship with the respondent and has resided with the respondent in the home for a period of at least 90 days within the last year.
- The minor child is related to the respondent by blood, marriage or adoption.
- The minor child is the stepparent, child or stepchild of the respondent or person eligible for relief, and has resided with the respondent for 90 days during the past year.
- The minor child has a child in common with the respondent.
- The minor child has had a sexual relationship with the respondent within one (1) year before the filing of the petition.

If you checked any of the boxes above, you would file for a **Protective Order**.

What do you have to prove?

Once you determine the type of order for which you may qualify, you then must prove that one of the following acts occurred. Acts marked with an asterisk are covered only by peace orders and not by protective orders.

- An act that caused serious bodily harm
- An act that placed the petitioner in fear of imminent bodily harm
- Assault in any degree
- Rape or sexual offense
- Attempted rape or sexual offense
- False imprisonment
- Criminal stalking
- Revenge porn
- Criminal harassment*
- Criminal trespassing*
- Malicious destruction of property*
- Misuse of telephone facilities and equipment*
- Misuse of electronic communication or interactive computer service*
- Visual surveillance*

For more information, or legal assistance, please call the 24-Hour Domestic Violence Helpline at 1-888-880-7884. You may also call the MD Network Against Domestic Violence at 1-800-MD-HELP

EXHIBIT 7 PROTECTIVE ORDER

Judge Time
Hours Minutes

 **CIRCUIT COURT** **DISTRICT COURT OF MARYLAND FOR** _____ City/County

Located at _____ Court Address Case No. _____

(NOTE: Fill in the following, checking the appropriate boxes. Petitioners need not give an address if doing so risks further abuse or reveals the confidential address of a shelter. If this is the case, check here If you need additional paper, ask the clerk.)

Petitioner _____		VS.	Respondent _____	
Street Address, Apt. No. _____			Street Address, Apt. No. _____	
City, State, Zip _____		Home: _____	Home: _____	
Work: _____		Work: _____		
Telephone Number(s) _____		Telephone Number(s) _____		

PETITION FOR PROTECTION FROM
 DOMESTIC VIOLENCE **CHILD ABUSE** **VULNERABLE ADULT ABUSE**
(Family Law § 4-504)

1. I am: the current or former spouse of the respondent; a cohabitant of the respondent; a person related to the respondent by blood, marriage, or adoption; a parent, stepparent, child, or stepchild of the respondent or the person eligible for relief who resides or resided with the respondent or person eligible for relief for at least 90 days within 1 year before the filing of the petition; a vulnerable adult; an individual who has a child in common with the respondent; or an individual who has had a sexual relationship with the Respondent within one (1) year before the filing of the Petition.

2. I want relief for myself minor child vulnerable adult, from abuse by _____ Name of alleged abuser
 The Respondent, whose present whereabouts (if known) are _____,

committed the following acts of abuse against _____ on or about, _____ Date (check all that apply.) kicking punching choking/strangling
 slapping shooting rape or other sexual offense (or attempt) hitting with object stabbing
 shoving threats of violence mental injury of a child detaining against will stalking biting
 other _____

(Give specific details of what happened, when and where it happened, and any injuries sustained):

3. *(If the victim is a child or vulnerable adult, fill in the following):* I am asking for protection for a child vulnerable adult whose name is _____
 At this time the victim can be found at _____

I am State's Attorney DSS a relative an adult living in the home.

4. The person(s) I want protected are *(include yourself if you are a victim):*

Names(s)	Birthdate	Relationship to Respondent
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Case No. _____

Petitioner vs. Respondent

5. The person(s) I want protected now lives, or has lived, with the Respondent for the following period of time during the past year: _____

There are are not additional persons living in the home.

6. I know of the following court cases involving me, or the person I want protected, and the Respondent. (Examples include: paternity, child support, divorce, custody, domestic violence, juvenile cases, criminal cases)

Court	Kind of Case	Year Filed	Result or Status (if you know)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

7. I have received a final protective order against the same respondent that expired within one (1) year of the abuse alleged in this petition, and which was issued for a period of at least six (6) months.

Date issued _____ Date expired _____

Location where issued _____
City/County/State

8. Describe all past injuries the Respondent has caused the victim, and give date, if known _____

9. The Respondent owns or has access to the following firearms: _____

10. I want the court to order the Respondent: (NOTE: Petitioner need not give an address if doing so risks further abuse.)

NOT to abuse or threaten to abuse _____
Name(s)

NOT to contact, attempt to contact, or harass _____
Name(s)

NOT to go to the residence(s) at _____
Address

NOT to go to the school(s) at _____
Name of school and address

NOT to go to the child care provider(s) _____
Name of child care provider and address

NOT to go to the work place(s) at _____
Name(s)

Case No. _____

Petitioner VS. Respondent

To leave the home at _____
Address

and give possession of the home to _____

The name(s) on the deed or lease are: _____

To turn over firearm(s) to a law enforcement agency.

To go to counseling domestic violence drug/alcohol other

To pay money as Emergency Family Maintenance (*may be taken from Respondent's paycheck*).

11. I also want the Court to order:

Custody of _____
Children's names

be granted to _____
Name

Use and possession of the following jointly-owned vehicle be granted to _____
Name

_____ Description of vehicle

Temporary possession of the pet(s) _____
Name and Description

be granted to _____
Name

In the final order, the following additional relief necessary to protect _____
Person Eligible for Relief

from abuse: _____

12. (*Fill in only if you are seeking Emergency Family Maintenance.*) The Respondent has the following financial resources:

Income from employment in the amount of \$ _____ every week 2 weeks month

other _____

Source of employment income _____
Name and address of source and amount(s) received

Income from other source _____
Name and address of source and amount(s) received

The Respondent also owns the following property of value: Automobile(s) \$ _____
Estimated Value

Home \$ _____ Estimated Value Bank Account(s) \$ _____ Estimated Value

Other: _____
Estimated Value

I solemnly affirm under the penalties of perjury that the contents of the foregoing Petition are true to the best of my knowledge, information and belief.

Date Petitioner

I have filled in the Addendum (Description of Respondent), CC-DC-DV-001A

NOTE

If you believe that you have been a victim of abuse and that there is a danger of serious and immediate injury to you, you may request the assistance of a police officer or local law enforcement agency.

The law enforcement officer must protect you from harm when responding to your request for assistance and may, if you ask, accompany you to the family home so that you may remove clothing and medicine, medical devices, and other personal effects required for you and your children, regardless of who paid for them.

You are entitled to request that the address and telephone number of a victim, a complainant, or a witness be considered for shielding at the filing of this application.

NOTICE: Remote access to the name, address, telephone number, date of birth, e-mail address, and place of employment of a victim or non-party witness is subject to blocking in accordance with Md. Rule 16-910. A person who causes identifying information relating to a witness to be placed in a judicial record shall give the clerk written or electronic notice whether the information is not subject to remote access under Md. Rule 16-910.

STATUTORY LAW

Md. CRIMINAL LAW Code Ann. § 3-805.

Misuse of electronic communication or interactive computer service.

(a) Definitions. --

(1) In this section the following words have the meanings indicated.

(2) "Electronic communication" means the transmission of information, data, or a communication by the use of a computer or any other electronic means that is sent to a person and that is received by the person.

(3) "Interactive computer service" means an information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including a system that provides access to the Internet and cellular phones.

(b) Prohibited. --

(1) A person may not maliciously engage in a course of conduct, through the use of electronic communication, that alarms or seriously annoys another:

(i) with the intent to harass, alarm, or annoy the other;

(ii) after receiving a reasonable warning or request to stop by or on behalf of the other; and

(iii) without a legal purpose.

(2) A person may not use an interactive computer service to maliciously engage in a course of conduct that inflicts serious emotional distress on a minor or places a minor in reasonable fear of death or serious bodily injury with the intent:

(i) to kill, injure, harass, or cause serious emotional distress to the minor; or

(ii) to place the minor in reasonable fear of death or serious bodily injury.

(c) Exception. -- Subsection (b)(1) of this section does not apply to a peaceable activity intended to express a political view or provide information to others.

(d) Penalty. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$ 500 or both.

Md. CRIMINAL LAW Code Ann. § 3-203.

Assault in the second degree

(a) Prohibited. -- A person may not commit an assault.

(b) Penalty. -- Except as provided in subsection (c) of this section, a person who violates subsection (a) of this section is guilty of the misdemeanor of assault in the second degree and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$ 2,500 or both.

(c) Officers, agents, first responders. --

(1) In this subsection, "physical injury" means any impairment of physical condition, excluding minor injuries.

(2) A person may not intentionally cause physical injury to another if the person knows or has reason to know that the other is:

(i) a law enforcement officer engaged in the performance of the officer's official duties;

(ii) a parole or probation agent engaged in the performance of the agent's official duties; or

(iii) a firefighter, an emergency medical technician, a rescue squad member, or any other first responder engaged in providing emergency medical care or rescue services.

(3) A person who violates paragraph (2) of this subsection is guilty of the felony of assault in the second degree and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$ 5,000 or both.

JURY INSTRUCTIONS

Maryland Criminal Pattern Jury Instruction 4:01: Second Degree Assault

The defendant is charged with the crime of assault.

A. INTENT TO FRIGHTEN

Assault is intentionally frightening another person with the threat of immediate [offensive physical contact] [physical harm]. In order to convict the defendant of assault, the State must prove:

(1) that the defendant committed an act with the intent to place (name) in fear of immediate [offensive physical contact] [physical harm];

(2) that the defendant had the apparent ability, at that time, to bring about [offensive physical contact] [physical harm]; and

(3) that (name) reasonably feared immediate [offensive physical contact] [physical harm]; [and]

[(4) that the defendant's actions were not legally justified.]

B. ATTEMPTED BATTERY

Assault is an attempt to cause [offensive physical contact] [physical harm]. In order to convict the defendant of assault, the State must prove:

(1) that the defendant actually tried to cause immediate [offensive physical contact with] [physical harm to] (name);

(2) that the defendant intended to bring about [offensive physical contact] [physical harm]; and

(3) that the defendant's actions were not consented to by (name) [or not legally justified]. (notes on use)

C. BATTERY

Assault is causing offensive physical contact to another person. In order to convict the defendant of assault, the State must prove:

(1) that the defendant caused [offensive physical contact with] [physical harm to] (name);

(2) that the contact was the result of an intentional or reckless act of the defendant and was not accidental; and

(3) that the contact was [not consented to by (name)] [not legally justified].

"Reckless act" means conduct that, under all circumstances, shows a conscious disregard of the consequences to other people and is a gross departure from the standard of conduct that a law-abiding person would observe.

Maryland Criminal Pattern Jury Instruction 5:07: Self-Defense

You have heard evidence that the defendant acted in self-defense. Self-defense is a complete defense and you are required to find the defendant not guilty if all of the following four factors are present:

(1) the defendant was not the aggressor [[or, although the defendant was the initial aggressor, [he] [she] did not raise the fight to the deadly force level]];

(2) the defendant actually believed that [he] [she] was in immediate or imminent danger of bodily harm;

(3) the defendant's belief was reasonable; and

(4) the defendant used no more force than was reasonably necessary to defend [himself] [herself] in light of the threatened or actual harm.

[Deadly force is that amount of force reasonably calculated to cause death or serious bodily harm. If you find that the defendant used deadly-force, you must decide whether the use of deadly-force was reasonable. Deadly force is reasonable if the defendant actually had a reasonable belief that the aggressor's force posed an immediate or imminent threat of death or serious bodily harm.]

[[In addition, before using deadly-force, the defendant is required to make a reasonable effort to retreat. The defendant does not have to retreat if [the defendant was in [his] [her] home], [retreat was unsafe], [the avenue of retreat was unknown to the defendant], [the defendant was being robbed], [the defendant was lawfully arresting the victim]]. [If you find that the defendant did not use deadly-force, then the defendant had no duty to retreat.]

In order to convict the defendant, the State must prove that self-defense does not apply in this case. This means that you are required to find the defendant not guilty, unless the State has persuaded you, beyond a reasonable doubt, that at least one of the four factors of complete self-defense was absent.

Guidelines for Competition Judges

I. Procedures for Scoring Competitions

Rankings are determined by both wins and points. Therefore, it is essential that the presiding judge carefully rate each team on all elements listed on the Performance Score Sheet.

A. Tie Point

Always award the Tie Point immediately after the close of the trial, and before adding the scores. This point will be used only in the event of a tie.

B. Decorum

Please be sure to score each team's overall performance in decorum in the space provided.

C. Announcing Your Decision

1. After awarding, tallying and double-checking the rest of the scores, your first announcement to the teams should focus on the general student performance, decorum, and legal understanding that you just witnessed.
2. Your second announcement should be which team prevailed, based on the merits of the case.
3. Your last announcement should declare who prevailed based on the score sheet.

D. Providing Feedback to the Team

Please be mindful that students have often traveled considerable distance for the competition, and still have other obligations (E.G. HOMEWORK). **Feedback should be limited to a maximum of 10 minutes.**

II. Time Limitations

Students have been asked to limit their presentations to the timeframes listed in #2 of the Organizational Rules (page 1). The competition will include two bailiff(s), who will keep time throughout the match. They will utilize visual displays to denote ten minute intervals throughout the competition (i.e. 40, 30, 20, 10 minutes remaining) and the final three minutes will also be visually displayed (3, 2, 1, 0). You may permit a student to finish a sentence if time stops in the middle of a thought. Additional time permitted should not exceed 15 seconds.

Competitions will last approximately 2 hours INCLUDING your deliberation and feedback!

III. Mock Trial Simplified Rules of Evidence

The rules of evidence governing trial practice have been modified and simplified for the purposes of mock trial. Other more complex rules are NOT to be raised during the trial enactment.

Attorneys and witnesses may neither contradict the Statement of Facts or Affidavits, nor introduce any evidence that is not included in this packet of materials. As with any perceived violation of a rule of evidence, opposing team members should object or request a bench conference if this occurs.

IV. Trial Procedures

A. Motions to Dismiss

The purpose of the competition is to hear both sides; therefore, motions to dismiss are not allowed. There shall be no sequestration of witnesses at any time during the trial. If such a motion is made, the motion MUST be denied.

B. Opening/ Closing Arguments

Competition procedures permit only one opening statement and one closing argument for each team. In Mock Trial Competition, the Defense Team will always make the first closing argument, followed by the Prosecution/Plaintiff. There is no rebuttal in Mock Trial.

C. Direct and Cross Examinations

Each attorney (three for each side) must engage in the direct examination of one witness and the cross-examination of another.

Mock Trial Performance Rating Sheet

Schools: _____ vs. _____
Plaintiff/Prosecution Defense

1=Fair 2=Satisfactory 3=Good 4=Very Good 5=Excellent

Please note that you are asked to give each attorney a composite score for their overall presentation: direct and re-direct or cross and re-cross. If re-direct or re-cross is NOT used, the attorney should NOT be penalized for not using this technique if there was nothing to be gained by using re-direct or re-cross.

****Please do not use fractions in scoring.****

		Prosecution/ Plaintiff	Defense
Opening Statements (5 minutes max each)			
<u>PLAINTIFF/PROSECUTION</u> First Witness	Direct & Re-Direct Examination by Attorney		
	Cross & Re-Cross Examination by Attorney		
	Witness Performance		
<u>PLAINTIFF/PROSECUTION</u> Second Witness	Direct & Re-Direct Examination by Attorney		
	Cross & Re-Cross Examination by Attorney		
	Witness Performance		
<u>PLAINTIFF/PROSECUTION</u> Third Witness	Direct & Re-Direct Examination by Attorney		
	Cross & Re-Cross Examination by Attorney		
	Witness Performance		
<u>DEFENSE</u> First Witness	Direct & Re-Direct Examination by Attorney		
	Cross & Re-Cross Examination by Attorney		
	Witness Performance		
<u>DEFENSE</u> Second Witness	Direct & Re-Direct Examination by Attorney		
	Cross & Re-Cross Examination by Attorney		
	Witness Performance		
<u>DEFENSE</u> Third Witness	Direct & Re-Direct Examination by Attorney		
	Cross & Re-Cross Examination by Attorney		
	Witness Performance		
Closing Arguments (7 minutes max each)			
Decorum/ Use of Objections: Students were courteous, observed courtroom etiquette, spoke clearly, demonstrated professionalism, and utilized objections appropriately.			
TOTAL			
Tie Point (Before totaling score sheet, please award one point to the team you think gave the best overall performance. This point will be used ONLY in a tie.)			
TOTAL WITH TIE POINT (provide this score only in a tie)			

I have checked the scores and tallies, and by my signature, certify they are correct:

Presiding Judge: _____ Date: _____

Teacher Coach, Defense: _____ Teacher Coach, P: _____

MOCK TRIAL STATE CHAMPIONS

2018: Allegany High School (Allegany County)
2017: The Park School (Baltimore County)
2016: Annapolis High School (Anne Arundel County)
2015: Severna Park High School (Anne Arundel County)
2014: Richard Montgomery High School (Montgomery County)
2013: Annapolis High School (Anne Arundel County)
2012: The Park School (Baltimore County)
2011: The Park School (Baltimore County)
2010: Severna Park High School (Anne Arundel County)
2009: Allegany High School (Allegany County)
2008: Severna Park High School (Anne Arundel County)
2007: Severn School (Anne Arundel County)
2006: Severna Park High School (Anne Arundel County)
2005: Richard Montgomery High School (Montgomery County)
2004: Park School of Baltimore (Baltimore County)
2003: Elizabeth Seton High School (Prince George's County)
2002: Towson High School (Baltimore County)
2001: DeMatha Catholic High School (Prince George's County)
2000: Broadneck High School (Anne Arundel County)
1999: Towson High School (Baltimore County)
1998: Pikesville High School (Baltimore County)
1997: Suitland High School (Prince George's County)
1996: Towson High School (Baltimore County)
1995: Pikesville High School (Baltimore County)
1994: Richard Montgomery High School (Montgomery County)
1993: Elizabeth Seton High School (Prince George's County)
1992: Oxon Hill High School (Prince George's County)
1991: Westmar High School (Allegany County)
1990: Bishop Walsh High School (Allegany County)
1989: Lake Clifton/ Eastern High School (Baltimore City)
1988: Pikesville High School (Baltimore County)
1987: Thomas S. Wootton High School (Prince George's County)
1986: Old Mill High School (Baltimore County)
1985: High Point High School (Prince George's County)
1984: Worcester County Team

MY High School Mock Trial Competition

2018-19

Note: All competition dates are final. A change by the Chief Judge of the State of Maryland is the only exception.

Registration Deadline	Friday November 2, 2018
Casebooks Mailed to Paid & Registered Teams	Thursday November 8, 2018
Circuit Competitions	January 2- March 29, 2019
CIRCUIT CHAMPIONS MUST BE DECLARED BY FRIDAY MARCH 29!	
Regional Competitions	Tuesday April 9, 2019
Regional Competitions	Wednesday April 10, 2019
State Semi-Final, Anne Arundel Circuit Court	Thursday April 25, 2019 4:00 pm
State Championship- Maryland Court of Appeals, Annapolis *Live Webcast * http://www.mdcourts.gov/coappeals/webcast.html	Friday April 26, 2019 10:00 am

MYLAW will:

- provide Mock Trial Guides and rules for each State competition; disseminate information to each circuit;
- provide technical assistance to Circuit Coordinators; provide certificates to all registered participants who compete for the season;
- assist in recruitment of schools; act as a liaison in finding legal professionals to assist teams;

The role of the Bar Association is:

- to advocate involvement of local attorneys in preparing teams and hearing trials;
- to provide support to schools;
- to assist the Circuit Coordinator.

The role of the Circuit Coordinator is:

- to make decisions/ mediate at the local level when problems or questions arise;
- to establish the circuit competition calendar;
- to arrange for courtrooms, judges, and attorneys for local competitions;
- to inform and attempt to recruit all schools in the circuit;
- to work with the local Bar Associations to set court dates,
- recruit attorney advisors, and establish local guidelines;
- to arrange general training sessions if necessary.

The role of the individual school/teacher coach is:

- to DEMONSTRATE that winning is secondary to learning;
- to coach and mentor students about the “real-world” aspect of judging in competitions;
- to teach sportsmanship, team etiquette and courtroom decorum;
- to recruit students for the team;
- to arrange training sessions and scrimmages;
- to arrange transportation to and from competitions;
- to supervise the team during practices and competitions;
- to work with partners to recruit attorney advisors;
- to ensure that the team arrives at all scheduled mock trial competitions.