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## April 2022 Mock Trial News

### **OUR THANKS AND FAREWELL TO LIZ JONES**



There are certain individuals who are just meant to come into the life of an organization when they are needed most. Liz Jones is one of those individuals. In the summer of 2019, Liz Jones jumped in full swing to take over as Program Coordinator for the North Carolina Mock Trial Program. Liz was no stranger to the program because she oversaw it for several years when it was operated by the North Carolina Advocates for Justice. Liz stepped in and hit the ground running, even with all of the changes and expansion that had occurred since the NCMTP took over running the program ten years earlier. Liz, as we have always known her to do, met and exceeded our expectations with her always kind, thoughtful, and tremendously professional approach to everything she did.

We had a terrific season in 2019 and early 2020, completing our regional competitions in February and then gearing up for State Finals in March. Then the pandemic hit, and as we all scrambled to understand the full breadth of what we were facing with things changing exponentially from day to day, our State Finals competition had to be cancelled a week before it was to take place. While many organizations and programs were forced to the sidelines during the pandemic, Liz Jones would have none of it! She researched, organized and spearheaded a way to

continue to offer our program to our high school students state-wide, online! When students everywhere were feeling the hit of not having summer camps, Liz made sure we had our camp that summer and we reached not only students in North Carolina, but from around the country with participants from California, Connecticut, Massachusetts, Minnesota, New York, Virginia and Washington, DC. Liz proved we could still make our program available to our students, even in a pandemic. The NCMTP Board recognized Liz's leadership and dedication, making her the program's Executive Director in early fall of 2020.

After a successful summer camp, our Executive Director then turned to the NAJ High School Mock Trial Competition. Liz created a "play book" and online rules of competition. She then trained us all (regardless of some of our technologically-challenged selves) on how to operate the competition via ZOOM and set up scripts for training videos to make it easy for our volunteers to participate in judging and scoring students. Liz streamlined many of our processes, including working with IT professionals to develop online registration and an online scoring app.

Needless to say, the NAJ High School Mock Trial Competition and the NC Mock Trial Program as a whole, survived this pandemic in largest part due to Liz Jones' leadership, drive and dedication. Through it all, Liz never wavered in her positive outlook, her professionalism or her kind and humble personality. Unfortunately, earlier this year, Liz faced some health issues which have ultimately required her to step back from her work with us. We are heart-broken to lose Liz and she has left some very big shoes to fill. While we work on filling those shoes, however, we have found ourselves asking: "How do we honor someone who has given the NCMTP and our student participants so much?" For the NCMTP Board, the answer to that question came pretty quickly.

Beginning in our 2022/23 season, in honor of Liz, the NCMTP will implement The Liz Jones Civility and Professionalism Award, which will recognize a mock trial team which exhibits the highest levels of civility and professionalism inside and outside the courtroom. Further details about this award and the process of nomination will be announced in the new season. Through this award, we want part of what Liz brought to our program to pay forward to our students, reminding them that while this is a competition and the law is an adversarial process, it can and should be carried out with civility, professionalism and courtesy combined with hard work and dedication.

We cannot begin to thank Liz Jones enough for her contributions to the NCMTP. We will, however, honor her going forward. On behalf of the NCMTP Board, our many volunteers and our amazing students, we thank you Liz! As you often say: "Ciao," but we will never good bye!

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## **STATE CHAMPS HEAD TO NATIONALS**



Our state champions, Broughton High, and and first runner up courtroom artist, Madalyn

Bradley, of Covenant Day School, will represent North Carolina at the National High School Mock Trial Championship on May 4-7, 2022, hosted online this year by the Michigan Center for Civic Education in Kalamazoo, Michigan. While all student events will be held virtually, the National Championship is following a hybrid virtual and in-person model this year by welcoming volunteers in person and online and by hosting an in-person judges' reception the evening of May 6, 2022 in Kalamazoo. To volunteer to serve as a scoring juror virtually at Nationals, sign up [here](#).

Team Broughton, coached by Chris Nichols, Dale Stephenson, and Laura Lineberger, has been rigorously analyzing this year's civil negligence case since it was released only a short time ago on April 1, 2022. The case, which you can read more about [here](#), is a wrongful death fact pattern involving a student pedestrian struck in an intersection of a college campus by an autonomous motor vehicle. Count One of the Plaintiff's Complaint alleges that the Defendant Corporation breached its duty of care by designing, maintaining, or operating its autonomous vehicles in a negligent manner, and that Defendant's tortious conduct was the direct and proximate cause of the decedent's death. The Defendant has raised the affirmative defense of comparative negligence, alleging that the decedent's actions caused her own death, in whole or in part, by failing to abide by traffic signals and paying proper attention to her surroundings.

The North Carolina Mock Trial Program board wishes our state champions the best of luck at Nationals! We look forward to seeing how Ms. Bradley's art captures the drama and excitement of the National championship!



***Madalyn Bradley's artwork  
from the State Finals of the  
2022 NCAJ High School Mock  
Trial Competition - March 19,  
2022.***

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## **THE ROAD TO NATIONALS, AN UPDATE FROM CHRIS NICHOLS, CO-COACH**

Greetings to all in mock trial land!

The Broughton High School mock trial team is furiously preparing for the National High School Mock Trial tournament to be held next week on May 4th through the 7th. This is our first time advancing to Nationals, and we're excited and also exhausted. When you win the North Carolina State Championship, you get about a week to rest, and then Nationals release a new case problem. You have one month to prepare a brand new case to compete against 47 other teams in a four-round three-day tournament. This year, the tournament is being held by Zoom, which has been a lucky break for our team, because many of our students are in the international Baccalaureate program which has exams during the same week as Nationals. There are no make-up exams. If we'd had to be in person, we would have had to withdraw. Covid is still making its rounds through high schools and communities and our team has not been untouched by it. Thankfully, everyone is healthy and doing well, but we are also grateful for Zoom to allow us to keep practicing (who ever thought we would be saying that about Zoom?!).

As I work with this incredibly talented group of high school students and my co-coach Dale Stephenson, and our teacher sponsor, Laura Lineberger, I often reflect back over the last 30 years of coaching amazing mock trial students, including my own daughter, who's now a junior in college. I'll admit that at the beginning of every season I think, "this will probably be the last time I do this. I'm tired and it's too much work." But then every season, without fail, there's at least one student, often more, who so inspire me with their work, their intellect, their wit, or just their determination to do better. This has been true with teams who have been incredibly successful, and teams who struggled. I've learned that kids always manage to pull something useful from the program, to change who they are into something they might want to be, to dream of things they might not have previously imagined, and to really see the inside our judicial system, our Constitution, and the very essence of what makes us a free people. And then I'm back for another year.



Anyone who has ever worked with a mock trial team has experienced that moment when a student, struggling with a concept, or inner fear, suddenly sees a way through or around the struggles. Where the proverbial light bulb shines bright, and the student sees the path clearly, often surpassing the vision of their teachers and coaches. That inspiring moment happens year after year and is the true gift of this program for everyone who participates.

I can't predict what next week will bring for us in terms of win-loss records, awards, or national ranking. But I can say with absolute certainty, as I watch my team compete, someone will make an argument I never even imagined, someone will respond to an objection with a creative solution we never discussed, a judge will make a "bad" ruling that may produce a scream in Raleigh that can be heard in Kalamazoo, and I will be filled with awe, brimming with pride, possibly a little teary-eyed, while I watch "my kids", once again, surpass all my expectations.

I'm going to leave you with a short explanation of the Nationals "pin exchange."

Nationals has a tradition that each school will bring a lapel pin with something that represents their state. The kids all gather at an opening ceremony and exchange their pins and it's a great way to get to know everyone. Of course, with Zoom this year, we are mailing our pins to Nationals where they will be distributed by mail to each team. Over the years, teams have given objects other than pins and as my team pointed out to me, "who wears pins?!"

So we decided to design a 2 inch by 4 inch sticker that students can put on their computers or their water bottles. But then our task was to figure out what represents North Carolina? I'll skip to the answer- it's impossible to narrow it down to less than 50 things.



But we had to choose, so we selected some things where North Carolina is # 1 in our eyes. That's why you will see a sweet potato (#1 in the US producer), flying on top of the Wright Flyer (First in Flight), shooting magical barbecue sandwiches from a gavel (best BBQ in the World!), while surrounded by flaming basketballs representing the four teams of Tobacco Road.

At the bottom of the sticker you'll see an autonomous driving vehicle approaching a crosswalk where a mirror shines brightly. This represents the Nationals case problem this year, a civil trial where the plaintiff's decedent was crossing an intersection when an autonomous vehicle struck her and killed her.

The case presents issues we as trial lawyers will no doubt see in the future. How do we translate the duty of humans into the duty of central processing units? Where do we draw the line on the reasonableness of computer power in a car that thinks and learns for itself? If a pedestrian does something unusual, like carrying an armload of reflective devices, does an autonomous vehicle get a pass, because that is an unforeseen circumstance? Will juries hold a computer to the same standards as a human if they are instructed to by the law?

**Preparing for Nationals, by the numbers:**

- 7 Days left until round 1 starts by Zoom (proctored from Kalamazoo, Michigan).
- 500 North Carolina mock trial stickers sent to Michigan.
- 112 Pages in the National Championship case booklet released on April 1.
- 9 Incredibly talented and dedicated Broughton High School Mock Trial team members.
- 30 Years since NC started the High School Mock Trial Program.
- 30 Days to prepare a new case for Nationals.
- 30 Years since I was a 2L and coached a team in the first year of the program.

**Infinity** The amount of love, dedication, and sheer determination of every volunteer, student, judge, lawyer, teacher, parent, and NC High School mock trial board member to keep this program thriving.

Think good thoughts for us next week! Go North Carolina!

**Chris Nichols**

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- High Point: High Point Bar Association
- Hillsborough: Patterson Harkavy LLP and the 18th Judicial District Bar
- Raleigh: Settlement Planning Services, LLC & Maginnis Howard
- Salisbury: 19C Judicial Bar
- Wilmington: Shipman & Wright, LLP

## **NCMTP REGIONAL AND SITE COORDINATORS**

The below group of attorneys and paralegals generously volunteer their time to make mock trial competition run smoothly each year. Learn more about all coordinators at <https://ncmocktrial.org/supporters>. We thank both our new coordinators and long-time coordinators very much:

**Regional Coordinators**

- Fayetteville: Rebecca Britton and Jordan Godwin
- Gastonia: Holden Clark and Ivana Hughes
- Greenville: Meredith Hinton
- Hendersonville: Mary Ann Hollocker
- Hickory: Blia Vang
- High Point: Rich Manger
- Hillsborough: Drew Haywood and Rebecca Ugolick
- Raleigh: Lindsey Granados and Christine Scheef

- Salisbury: John Basinger
- Wilmington: John H. Anderson, Jr.

**Site Coordinators:**

- Fayetteville: Tanja Shurling
- Gastonia: Jacqueline Thurman
- Greenville: Sandra Strickland and Caitlin Tatum
- Hendersonville: Melanie Miller
- Hickory: Bianca Lopez
- High Point: Grace Lay
- Hillsborough: Patti Clapper
- Raleigh: Michelle Keely and Amanda Miller
- Salisbury: Alicia Coggins, Connie Cassatt
- Wilmington: Catherine Holland and Rachel Royal

**NCMTP Board Members:** Rebecca Britton (President); Rich Manger (Vice President), Andrew McVey (Treasurer), Adrienne Blocker (Secretary), Helen Baddour, Bradley Bannon, Drew Haywood, Christine Scheef, Brooke Schmidly, Mark Sumwalt, and John McCabe (ex officio)



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