

Berkeley Law

Competitions

2025 BALES TRIAL COMPETITION: SCORING RUBRIC

Name of Volunteer Judge: _____

Email: _____ *Phone:* _____

Thank you for volunteering to judge the 2025 Bales Trial Competition. While judging, remember that the goal of this competition is to promote fundamental trial advocacy skills. Keep in mind that the merits of the case are second to the student's performance of those skills. Also, note that most of the students have not yet taken a class in evidence (see Appendix A for permitted objections). In an effort to reduce the impact of bias and improve the accuracy of scoring, a list of objective criteria is provided to scorers (see Appendix B). We strongly encourage you to refer to these criteria throughout the trial to ensure consistency of scoring and a good educational experience for all students. Please also note that while witnesses are not scored directly, a witness's decision to "put on a character" or invent material facts can result in point deductions for their team at your discretion.

Upon completion of the case, we ask that you immediately proceed to scoring to ensure objectivity. Next, you will be permitted to provide oral feedback to the participants (no more than 5 minutes per judge, please). Students will have access to your written comments shortly after the trial via the Bales Directors.

Thank you for your participation and support of Berkeley Law 1L students learning trial skills!

Scores must be given and cannot exceed the following:

Opening Statement	1 - 20
Direct Examination	1 - 15
Cross Examination	1 - 15
Closing Argument	1 - 20

Judges will enter their scores on the last page of this document. To encourage equity and uniformity in scoring, please use “Good” as your starting benchmark for scores and keep the following standards in mind when evaluating the advocates per the criteria provided.

Fair: exhibits basic knowledge, preparation, or skills

Good: exhibits proficient knowledge, preparation, or skills

Great: exhibits advanced knowledge, preparation, or skills

Excellent: meets and/or exceeds the criteria provided below, such that you would feel comfortable having this advocate argue a case in which you were a party before a trial court

CRITERIA	Fair	Good	Great	Excellent
<p>Opening Statement</p> <ul style="list-style-type: none"> ● use eye contact to connect with the jury (not rely heavily on script) ● early on, articulate a clear theme of the case that is repeated throughout ● clearly convey a case theory supporting their side’s interpretation of the facts ● provide a roadmap highlighting the upcoming trial (e.g. witnesses they can expect to hear testify, evidence they can expect to see or not see) ● use storytelling that is interesting and passionately engages the jury to rule in their favor ● contain little to no discussion of the law, legal analysis or overt argument ● be well-organized, including use of transitions and “road signs” 	6-7	8-13	14-17	18-20
<p>Direct Examination</p> <ul style="list-style-type: none"> ● the witness is the focus of the jury’s attention (attorney helps witness shine) ● questions are primarily open-ended (e.g who, what, when, where, why) ● establishes background information about witness ● any technical language is introduced in a manner understandable for the jury ● be well-organized, including use of transitions and “road signs” ● any objections are addressed with an appropriate evidence rule and application 	5-6	7-10	11-13	14-15
<p>Cross Examination</p> <ul style="list-style-type: none"> ● the attorney is the focus of the jury’s attention (the witness is not the star) 	5-6	7-10	11-13	14-15

<ul style="list-style-type: none"> ● questions are primarily closed-ended, leading, and precise (one fact per question) ● use looping to keep important language in the jury’s mind ● any technical language is introduced in a manner understandable for the jury ● diminish witness credibility in the eyes of the jury ● be well-organized, including use of transitions and “road signs” ● any objections are addressed with an appropriate evidence rule and application 				
<p>Closing Argument</p> <ul style="list-style-type: none"> ● use eye contact to connect with the jury (not rely heavily on script) ● reinforce the theme of the case in a manner that is clear, repeated, and persuasive ● use storytelling that is interesting and passionately engages the jury to rule in their favor in connection with what has just happened during the trial (e.g. key witness testimony, important exhibits) ● address bad facts as needed in a way that helps allay potential concern by the jury ● explain the applicable law and the burden of proof accurately (what it is and who has it) ● end by emphasizing the conclusions and ultimate verdict the jury should reach (“the ask”) ● be well-organized, including use of transitions and “road signs” ● (optional) rebuttal: address 1-3 succinct points, repeat the theme/theory and the ask 	6-7	8-13	14-17	18-20

APPENDIX A
PERMITTED OBJECTIONS

Truth-Seeking

- (1) LACK OF FOUNDATION
- (2) LACK OF PERSONAL KNOWLEDGE
- (3) CALLS FOR SPECULATION
- (4) ASSUMES FACTS NOT IN EVIDENCE

Objections to the Form of the Question

- (5) ARGUMENTATIVE
- (6) ASKED AND ANSWERED
- (7) LEADING
- (8) COMPOUND QUESTION
- (9) VAGUE || AMBIGUOUS
- (10) Q CALLS FOR NARRATIVE || W HAS LAPSED INTO NARRATIVE)

Objections to the Witness' Response

- (11) NON-RESPONSIVE

Substantive

- (12) RELEVANCE
- (13) MORE PREJUDICIAL THAN PROBATIVE

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DEFENSE CASE IN CHIEF

Defense Witness. Character name:

Directing Attorney's name 15)	Score (out of
-	
-	
-	
-	
-	
-	
-	
Crossing Attorney's name 15)	Score (out of
-	
-	
-	
-	

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Judges: Please provide and total all scores, filling out all open boxes in the table below. Please also rank who you consider the top 2 advocates and 1 witness

Prosecution Score	Piece	Defense Score
	Opening Statement (Maximum 20 pts per side)	
	Prosecution Direct (Maximum 15 points per side)	[no score]
[no score]	Cross of Prosecution Witness (Maximum 15 points per side)	
[no score]	Defense Direct (Maximum 15 points per side)	
	Cross of Defense Witness (Maximum 15 points per side)	[no score]
	Closing Statement (Maximum 20 points per side)	
	TOTALS	

Please rank the Top Two Attorneys (overall, not each team) and the Top Witness:

Outstanding Attorney #1 (Student Name): _____

Outstanding Attorney #2 (Student Name): _____

Outstanding Witness (Student Name): _____

Judge's Signature