MOCK TRIAL
AN EXPERIENTIAL LEARNING ACTIVITY

COMPLEXITY	Effort to Facilitate:	Low	Medium	High
	Effort to Participate:	Low	Medium	High

WHAT IS IT?

Mock trials are a form of drama-based instruction where students take a character (historical, literary, etc.), framework, or idea/concept, and put it 'on trial' to examine its strengths and weaknesses ('guilt' or 'innocence'). Depending on how much time and effort you are hoping to invest, this activity can be very simple (e.g., two groups face off in an impromptu debate concerning two sides of an issue) or very complex (e.g., involving multiple phases including preliminary investigation/research, pre-trial hearing, presentation of evidence, examination and cross-examination of expert witnesses by both sides, etc.).

ACTIVITY INSTRUCTIONS

1. The instructor introduces the activity, including goals and expectations, stages of the mock trial, roles to be assigned, preparation time, time for staging the trial, reflective activities, etc.

2. Students are assigned different roles (either randomly or by volunteering for specific roles). The number of roles depends on the complexity of the mock trial. If you want to keep things simple, you can group students into two groups: defense, and prosecution. If you want to stage a more elaborate mock trial, you can assign additional roles (e.g., expert witness, judge, jury member, etc.).

   Optional: In large classes, you can assign different mock trial topics. Students can either stage their trials one by one or record them, with each group watching at least one other mock trial.

3. Students familiarize themselves with their respective roles and the facts of the 'case'.

4. Depending on their role, students prepare a strategy (either individually or in groups). For example, if a student is part of the defense or the prosecution, they will develop questions for each 'witness' that will testify. They will also design and develop a coherent line of

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argumentation, anticipate counter arguments, and write a closing statement. If a student represents a character, framework, or idea/concept on trial, they will work with the defense team to anticipate questions from the opposition and prepare potential answers.

5. Students put on the mock trial based on the parameters outlined by the instructor (see step 1).

6. At the end of the trial, students reflect on the experience (individually or in a group). Possible prompts include:
    -   What happened during the trial?
    -   What were the key arguments presented by the opposing sides?
    -   What was your initial stance concerning the issue on trial?
    -   How your initial stance change (if at all) by the end of the trial?
    -   Which side 'won' in your opinion? Why do you think they 'won'?
    -   What did you like about this activity? What did you dislike? What would you do differently?

Optional: Students can respond to their peers' reflections in the form of discussion posts or video/audio feedback.

LEARNING OUTCOMES			
What will students gain?	☑ Reading ☑ Synthesis ☑ Reflection	☑ Listening ☑ Argumentation ☑ Teamwork	☑ Presentation ☑ Critical thinking ☑ Empathy
			☑ Communication ☑ Conflict resolution ☑ Time management

By the end of the activity, students will have explored the character, framework, or idea/concept from several different angles, fostering empathy and understanding for different viewpoints. Most roles are highly collaborative in nature, giving students a chance to develop their ability to work in a team while practicing their oral and written communication skills. This learning activity also provides plenty of room for reflection (both individually and in groups), thus fostering students' critical thinking skills and giving them a chance to learn from each other.

TIME REQUIREMENTS

Activity	Time/role	Time/class
Introducing the activity:		05 min.
Assigning roles:		03 min.
Learning more about roles and facts:		12 min.
Preparing strategy:		30 min.
Mock trial:	10-15 min. x 2-5 (number of roles)	20-75 min.
Reflection:		20-30 min.
TOTAL:		**90 to 155 min.**

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POTENTIAL CHALLENGES

- Some students may struggle to understand their roles or not feel comfortable with them.
- Some roles may be more involved than others (e.g., a judge may have less to do during the preliminary investigation/research stage). Depending on which roles you are planning on adopting, you may want to think about meaningful tasks for students who are assigned these roles. If you are putting a historical figure on trial, the judge could research how courtroom procedures operated during the time and place the character was alive.
- In large classes, the number of mock trials can become unwieldy.
- Instructor exercises limited control over the quality of contributions.

HELPFUL STRATEGIES

- Roles should be well-defined and assigned in advance (e.g., defense, prosecution, defendant, expert witness, judge, and jury member). If possible, provide an overview of roles before the activity so students can let you know if there are any roles they would not be comfortable with.
- Furniture should be rearranged to simulate the look and feel of a courtroom.
- Groups can use writable walls or virtual white/blackboards to brainstorm their strategy or draft their closing statements.
- Students could research different aspects of the case on their own devices and share their findings on the classroom screen.
- If the mock trial is scheduled for more than one class period and there are roles which are only assumed by one student (e.g., defendant, judge), consider assigning some students more than one role in case key players become ill or cannot attend class for some other reason.

ADDITIONAL RESOURCES

Domine, V. (2011). Building 21st-century teachers: An intentional pedagogy of media literacy education. *Action in Teacher Education, 33*(2), 194-205. Retrieved from https://www.tandfonline.com/doi/full/10.1080/01626620.2011.569457

Farmer, K., Meisel, S.I., Seltzer, J., Kane, K. (2012). The mock trial: A dynamic exercise for thinking critically about management theories, topics, and practices. *Journal of Management Education, 37*(3), 400-430. Retrieved from https://journals.sagepub.com/doi/full/10.1177/1052562912446300

Gerl, D. (2018). Educational materials, *Mock trial strategies*. Retrieved August 30, 2022, from https://www.mocktrialstrategies.com/educational-material/

Riddell, J. (2017). Putting authentic learning on trial: Using trials as a pedagogical model for teaching in the humanities. *Arts and Humanities in Higher Education, 17*(4), 410-432. Retrieved from https://journals.sagepub.com/doi/10.1177/1474022217722510

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Would you like to learn more?

Contact us at Teaching Commons for additional resources, handouts, applications, courses, workshops, examples, advice, assistance, one-on-one consulting, and everything else related to teaching and learning. We are happy and eager to assist you!

✉   Teaching Commons   Yelin Su   Robert D. Winkler

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🤝   1050 Victor Phillip Dahdaleh (formerly TEL) Building, 4700 Keele Street, Toronto, ON M3J 1P3

☎   416.736.2100 ext. 55754

✍   Created by Katharina Pabst & Robert D. Winkler

YORK UNIVERSITÉ UNIVERSITY

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