DEBATE ("MOCK TRIAL")
ADAPTED TO A HYFLEX LEARNING ENVIRONMENT

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

WHAT IS IT?

Debate (a.k.a. Mock Trial, a.k.a. Drama-based Instruction) compels 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'). This learning activity can range from very simple (e.g., two groups facing off in an impromptu debate concerning two sides of an issue) to very complex (involving multiple phases including preliminary investigation/research, pre-trial hearing, presentation of evidence, examination and cross-examination of expert witnesses by both sides, etc.).

Roles should be defined and assigned in advance (e.g., defense, prosecution, expert witnesses, and judge/jury; OR, position A, position B, observers/audience); specific duration needs to be assigned to each activity; and time limits as well as roles need to be continuously monitored and (if required) enforced. A final winner may be declared based on a team vote.

| EQUIPMENT COMPATIBILITY	YU Deluxe	YU Regular	OWL	Laptop/Zoom
	☑	☑	☑	☑

ACTIVITY INSTRUCTIONS

Advance Preparation

1. Discuss with the class what they know about trials and how they work
   - ✓ Check for understanding of legal vocabulary (including terms such as defendant, prosecutor, judge, bailiff, witness, etc.). If your prior learning assessment indicates some gaps, this can be assigned as a topic for advanced preparatory work (homework)
   - ✓ Describe the steps of a trial (consider offering a brief overview of the structure and nature of judicial proceedings in North America)
   - ✓ Ensure students understand the rules of interaction (e.g., to critique ideas instead of the people representing those ideas; no ad hominem arguments etc.)
   - ✓ Additional preparation (or post-trial debrief) may include a discussion on the role of trials in modern societies to resolve conflicts, the differences between criminal versus civil law etc.

2. Provide case studies to students a few days in advance to read
   - ✓ Topics will vary by course, but try picking topics/issues that may be seen from at least two (2) distinct positions
   - ✓ Preparation and giving students time to reflect on their own is critical
   - ✓ Providing content in advance can help promote "flipped classroom" idea and allow students to think about the material before coming to class; it also allows students to work on the material at their own pace in addition to having time to work with others in class (this allows for both individual learning and interpersonal learning)

During Class

3. Divide students into three (3) groups: position A, position B, and judges/jury
   - ✓ Consider assigning all in-person participants to one position and all online/remote participants to the other; OR, all online participants may be assigned the role of observers/judges/jury/recorders/etc.
   - ✓ If a position or role is represented by a group composed exclusively of in-person participants, students can move around the room and may form smaller, more role-specialized groups (e.g., "defendants" and "plaintiffs", or "for" versus "against")

4. Provide handout with step-by-step instructions written in plain language; use images to convey the same ideas if appropriate
   - ✓ Outline the cases/positions in simple language; indicate the contesting issue at hand clearly
   - ✓ Online participants can access the same handouts by logging into the course website
   - ✓ Online participants can also serve the role of recording the responses made by both sides

5. Give students an opportunity to work together in their groups in the beginning of the class
   - ✓ This allows for all students to contribute their own ideas to the main argument their group is presenting while formulating a cohesive team position
   - ✓ Encourage role-supporting activities (if/when appropriate) such as creating questions for each 'witness' to be called on each side, developing a strategy to present one's arguments, preparing to counter opposing argumentation, closing arguments etc.
   - ✓ Encourage the groups to designate a representative who will present the main arguments verbally; OR, groups may decide to highlight 3-5 main points and have multiple students summarize them verbally to the rest of the class

6. Give each team equal time to present their position (opening arguments)

7. Give each team equal time to answer/critique the other team's arguments (rebuttal)
   - ✓ Online participants may be put into a breakout room to deliberate like a jury in a trial
   - ✓ Make sure participants receive role-specific instructions (e.g., key questions for jurors)

8. Assign time for deliberation (a debrief of the activity) to determine the "winning" position and to provide detailed reasoning for the decision
   - ✓ Consider posing questions to assist with the deliberation/debrief process, e.g., "What were the main takeaways you learned during this activity? What were the key arguments/reasoning presented by the opposing sides? Has this activity changed the way you think about Topic X, Y, Z?" etc.
   - ✓ After the trial, there is an opportunity for individual and/or group reflection by encouraging students to respond to the following questions, e.g., "What happened during the trial? What was your initial stance concerning the issue on trial, and how did it change (if at all) by the end of the trial?"

9. After the first debate/trial, consider switching roles (e.g., online participants may become debaters, in-person participants may become jury members etc.)

LEARNING OUTCOMES			
What skills will students gain?	☑ Reading	☑ Verbal comm.	☑ Presentation	☑ Creativity
	☑ Active Listening	☑ Teamwork	☑ Critical thinking	☑ Argumentation

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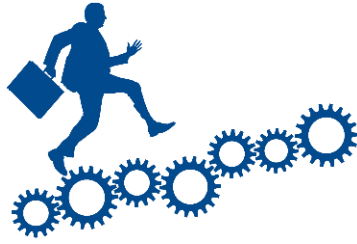
Depending on the complexity this activity incorporates, it may be used to facilitate gaining mastery of numerous other competencies and skills as well. Debate/Mock Trial could also be utilized as a check for understanding concerning specific topics or concepts (e.g. focusing on previously assigned readings), to introduce critical thinking to students unfamiliar with them, compel students to consider perspectives they would not otherwise, prepare for a formative assessment (e.g. final exam) etc.

TIME REQUIREMENTS

Activity	Time/student		Time/class
Preparation:			20-40 min.
Pre-trial Brainstorm:			10-15 min.
Opening Arguments:	05-10 min.	x 2 (number of groups)	10-20 min.
Rebuttal(s):	05-10 min.	x 2 (number of groups)	10-20 min.
Deliberation:	05-10 min.		05-10 min.
Additional Debrief:			10-15 min.
TOTAL:			**65 to 120 min.**

POTENTIAL CHALLENGES

- Managing students in Hyflex mode (debate may become heated, connection issues, etc.)
- Keeping all students/student groups on task and organized
- Some students may find that the format clashes with their respective traditions, values, and/or personality traits (e.g., individuals may be hesitant to present an opposing argument publicly)
- Activity is severely time-consuming

HELPFUL STRATEGIES

- Prepare detailed instructions and a rubric, and share them in print and electronically in-advance
- Allow students to record the breakout room sessions (but note privacy implications)
- Use debrief for reflections (how to improve and what to do differently)
- Rearrange furniture to simulate the look and feel of a courtroom
- Use writable walls (whiteboard etc., when available) to record notes on brainstorm and debate
- Encourage students to research different aspects and facts of the case on their own device and share findings on the classroom screen (e.g., acting as fact-checkers for the debate!)

ADDITIONAL RESOURCES

Classroom Law Project. (n.d.). Mock trial in the classroom - Activity framework and guide. Retrieved November 02, 2022, from https://classroomlaw.org/wp-content/uploads/2019/03/Mock-Trial-in-the-Classroom-Activity-Guide.pdf

Domine, V. (2011). Building 21st-century teachers: An intentional pedagogy of media literacy education. *Action in Teacher Education, Vol. 33, Issue 2: Media Literacy Education*, pp. 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, Vol. 37, Issue 3*, pp. 400-430. Retrieved from https://journals.sagepub.com/doi/full/10.1177/1052562912446300

Miller, John & Seidler, Todd. (2019). Using a Mock Trial: An Experiential Learning Opportunity. *Sport Management Education Journal*. 14. 1-3. 10.1123/smej.2019-0020.

Mock trial strategies. (n.d.). Retrieved November 2, 2022, from https://www.mocktrialstrategies.com/introduction-to-mock-trial/

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, Vol. 17, Issue 4*, pp. 410-432. Retrieved from https://journals.sagepub.com/doi/10.1177/1474022217722510

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!

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