

# MOCK TRIAL EXPERIENCE: PRICELESS

by  
Michael Marks

# M O C K T r i a l

One Wendy's super-sized Comb #2 used as a bribe to garner an old police uniform from Hattiesburg's Finest: \$5.79.

One University of Southern Mississippi parking ticket, earned while learning sign language for a match with Mississippi School for the Deaf: \$12.

Practicing for ten months only to discover that you drove 200 miles just to meet your school's other team in the first round: *priceless*.

And so is the entire mock trial experience.

In 1988, I signed on as the new debate and drama coach at Hattiesburg High School. Like any teacher new to a school district or community, my initial thoughts were centered on finding or creating opportunities for my students to increase their com-

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munication skills. During the annual Mississippi Youth Congress, a mock Congress for high school students, I had a conversation with my mentor, Suzanne Case of South Pike High School. This fierce competitor divulged an activity that she thought was top notch for improving critical thinking, improvisational speaking, and research discipline. The event of which she spoke so highly later I learned was sponsored by The Mississippi State Bar Association and was held each year at Mississippi College's School of Law. As was their custom, Suzanne's South Pike students were scheduled to participate.

As a South Pike alumnus, I'll admit to feeling "a little pumped" when I learned that our cross-county rival, McComb, was that year's "team to beat." Coach Case insisted that I field a team at my new school. After consulting with my principal, I allowed Hattiesburg High School to join the fray of The Mock Trial Program.

On the National Board for Professional Teaching Standards, we have a credo that emphasizes what every good teacher ought to know and be able to do. For this educator, Mock Trial represented one giant leap towards the ultimate professional teaching experience.

Coach Case always reminded me when our teams would meet at Youth Congress, "I taught you everything that you know

but not everything that I know!" Her words proved particularly prophetic, as those early mock trial rounds were pretty intimidating for teacher and students alike. As novices in this law-related education project, we took some early hits-discovering that there was much to learn in order to be competitive in this tough league. Imagine our delight when we discovered, via the judges ballots, that we had actually won a round! Without a doubt, we were bitten by the mock trial bug. Working with our volunteer attorney coaches, who were neophytes themselves, we vowed to become the best in the state. The team knew that it would take lots of work and long research hours to reach this lofty goal but we scarcely could have realized how much fun getting there would be and how we would bond as a team in the process.

We learned a lot from perennial powerhouses McComb and South Pike. Scheduling scrimmages with those Pike County squads enabled us to put together our own practice strategies - necessary to have a legitimate shot at the state title.

In the early days, we focused primarily on the work of the student attorneys. Our real-world lawyer coaches Chris Farris and Eve Gable helped the students to understand the law, especially courtroom etiquette, scholarly jargon, and legal protocol. Through constant drilling and practice our students rose to the occasion, more than once giving up holidays and peer social functions for team workouts. In short order, we landed a berth in the state championship semifinal round opposite my old school. We put up a valiant effort but fell to eventual national champion South Pike. My kids were disappointed but understood that they were inching closer to their goal. They were now more determined than ever.

With new attorney coach Carey Varnado, we were poised to make another run for the roses. This time preparation took a different bend. We diversified our approach. It had become apparent, early on, that having a balanced team effort was the way to go and that good student attorneys along was not enough. In order to gain consistently high scores from the panel of judges, a team needed to have incredible witnesses as well. Suddenly this drama and debate coach found his niche in team preparations. I had always been blessed with talented actors at Hattiesburg High School but this calling was not business as usual. Actors were challenged to think, react and prepare differently than they had done for traditional stage roles and forensic competitions.

Once we received the long-awaited case script from the state bard, witnesses focused on credibility and char-

acter development. At each step along the way, we stopped to analyze human behavior in order to create signature portrayals for each witness. In addition to memorizing their unique affidavits, I made sure that witnesses were as knowledgeable about the law as their attorney counterparts.

Each round now defined itself as a battle of wills: the opposing team's attorneys vs. our witnesses; our attorneys vs. their witnesses. We studied dialects, researched costumes, and paid attention to aging each witness according to their station in life. In other words, our witnesses now offered a high powered offense to balance our traditional defense, great lawyers.

This time making our way through the recently restructured regional qualifying competitions, we found ourselves in The Mississippi Supreme Court Chamber, poised to take on the defending national champions in final round action. As a teacher-coach, I held my breath and said a prayer that our kids had come of age, that they had mastered all of the self-imposed objectives necessary to succeed in mock trial at the state level. It would turn out to be the round of our lives.

Mock Trial is truly an educational activity. While the competition is keen and exciting, it is not paramount. Students who are fortunate enough to participate in mock trial programs, at any level, accrue a myriad of life skills. CEOs across our country tell us that the most valuable commodity a high school graduate can possess is the ability to clearly articulate ideas. Mock Trial, then, provides the ultimate forum for the development of public speaking skills. In addition, the confidence and discipline that is learned during participation earmark students for success beyond their high school years. Moreover, students understand the inherent worth of cooperative learning. Students witnesses and attorneys learn to work together. Attorney Coaches infuse the law into school curriculum. Teacher coaches broaden the boundaries of their classrooms by engaging the community while expanding the educational reach of their students. Mock Trial, for all involved, is a win-win scenario.

And what about the social value of this law-related project? Lasting friendships are formed as students from participating schools create a network of contacts that will span a lifetime. Just last year, incidentally, one of my former HHS Student Attorneys married a former student attorney from Tupelo High School. Yes, mock trail has changed lives profoundly.

Teachers, too, form alliances with their colleagues. I have personally called on former teacher coaches to stage workshops. During my period of service as Law-Related Education Teacher of the Year, I had conducted an endorsement interview for a former mock trial coach colleague who was by then an aspiring candidate for the state senate. The impact of mock trial is far reaching.

I held my breath as we awaited the judges decision. It was unanimous. Hattiesburg High School had won its first state championship and would represent Mississippi in the national finals. As I shook my former coach's hand at the conclusion of the spirited round, I felt like I had beaten the legendary Bear Bryant on his home turf at Alabama.

That was the first of a four-year stint as state champs. Each year grew tougher. Great teams surfaced to test our legal mettle. In our last appearance in the state championship round, we created our own version of the storied all-Pike County final rounds staged by McComb and South Pike. This time it would be Hattiesburg High School's cross-county rival, petal, that would secure a final round spot creating an all-Forrest County showdown.

With encouragement from the friendly folks at the Mississippi State Bar Association and the financial support of South Mississippi lawyers, we were fortunate enough to distinguish our state with Top Six Team finishes in each of our four years. On more than one instance, we missed the final national championship round by only one point!

Great cases like The Shoeless Joe Hardy Scandal, Elvis's Death, and the Johnstown Floor served as sufficient inspiration for my team to continue trial work into the waning weeks of May, when other state teams were finished after the March State finals.

No one has to convince me now of the academic integrity of mock trial competition. I've lived it and I understand the value it plays in the education of my students. It is one of the best educational opportunities that a high school student could garner. It is, in fact, *priceless*.

Before our first round in Pittsburgh, Pennsylvania, I turned to one of our witnesses and asked him if he could stand the pressure of his first national round. His laconic reply was, "Coach, there is no pressure when one is prepared." Somehow I know that his "game day" philosophy will apply to his life as well.

One can of hairspray to convincingly play an Elvis groupie: \$3.11.

Sixteen lunches made by your parent booster club so that the team is energized for Round 3: \$78.20.

Knowing that mock trial has helped prepare your students for life in the work-a-day world: *priceless*.

*(Michael Marks is a debate/drama instructor at Hattiesburg High School. He is serving as a national officer of the 2.6 million member National Education Association, the largest educational advocacy organization in the country. He also serves on the Board of Directors for the National Board of Professional Teaching Standards and can be reached at [mmarks@nea.org].*

*The son of two public school teachers, Marks boasts a long and rich history of contribution to education and the arts. He most recently served as president of the Mississippi Association of Educators (MAE). He is a former Mississippi Teacher of the Year (1988) who has received national honors, including Disney's Outstanding Teacher of the Performing Arts Award in 1995 and the Milken National Educator Award in 1994.)*

# **michael marks**

## **Executive Committee**

### **National Education Association**

**Michael Marks**, a high school dramatic arts and debate teacher from Hattiesburg, Mississippi, was elected in July 2001 to the National Education Association Executive Committee, the nine-member governing body that oversees the 2.6 million member Association.

The son of two public school teachers, Marks boasts a long and rich history of contribution to education and the arts. He most recently served as president of the Mississippi Association of Educators (MAE), where he successfully advocated a 38% salary increase for teachers - the largest in state history - as well as passage of the first "Fair Dismissal Act" for educators.

A 19-year teaching veteran, Marks previously served as chair of the Mississippi affiliate's student program and on the MAE board of directors. He is a former Mississippi Teacher of the Year (1988) who has received national honors, including Disney's Outstanding Teacher of the Performing Arts Award in 1995 and the Milken National Educator Award in 1994.

In addition, Marks' career highlights include a choir performance at the White House in 1987, serving as the U.S. representative to the International Theatre Festival in Edinburgh, Scotland, in 1996, and leading the Hattiesburg High School debate team to 13 consecutive state titles. He is especially proud of being the vicechair of outreach and marketing for the National Board for Professional Teaching Standards, the organization charged with establishing what accomplished teachers should know and be able to do and which oversees the rigorous process through which teachers become board certified.

Marks continues his work as the drama and debate teacher at Hattiesburg High School, and is a member of the State 4-H Advisory Council, the National Forensic League, and the Mississippi Arts Commission.

He received both his Bachelor's and Master's degrees from the University of Southern Mississippi and lives in Hattiesburg.

The NEA Executive Committee comprises the three NEA officers plus six members elected at large by the nearly 10,000 member Representative Assembly.