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MOCK TRIAL COMPETITION: Prep teams face off in local court

By Venice Buhain | The Olympian • Published March 26, 2007

OLYMPIA - Kelly Margard, 17, of Seattle's University Prep High School seemed incredulous at a business manager's claim that her rock star client would never mention being hounded by an aggressive photographer.

So, Margard pressed for more explanation, in character as an attorney in the finals at the annual Washington State YMCA Youth and Government Mock Trial Competition on Sunday at the Thurston County Courthouse.

"You have been his business manager and on the road with him," Margard, the "photographer's" attorney, asked Ruth Vizcaino, who was in character as business manager to the stars, Parker Thom. "Didn't you know anything about this 'paparazzi stalker' that was following your client."

"I don't know everything about him," retorted Vizcaino, a Seattle Prep senior, in her character's vaguely European accent. "I don't follow him to the bathroom."

Margard's team from University Prep squared off against Vizcaino's team from Seattle Preparatory School. Seattle Prep represented a fictional rock star in his assault lawsuit against University Prep's client, a photographer who was counter-suing on the basis that her career was ruined after she was wrongly named in a news release as a paparazzo and a stalker.

The teams came out on top of 20 Mock Trial teams who competed at the annual event at the Thurston County Courthouse last weekend. All competitors practiced on both sides of the same fictional lawsuit.

Each team studied the affidavits of the witnesses and Washington laws on privacy, defamation and assault, and developed arguments and strategies for questioning witnesses, said Lorrie Thompson, communications officer at the Administrative Offices of the Washington State Courts.

The plaintiff, defendant and the witnesses were played by students - complete with costumes and accents.

Winning praise

Supreme Court Justice James M. Johnson, who presided over the finals, congratulated both sides on well-prepared cases, and said that in this case, more testimony from other

witnesses might have been necessary to determine who would have been awarded damages.

The winner isn't necessarily based on what a jury would decide, but through points awarded by judges for the presentations by each team, each lawyer and each witness.

"We're rating each lawyer on direct examination, cross-examination, how well they know their facts," said Seattle attorney Noah Davis, who one of the judges during the finals. "We are watching to see, 'Are they yawning? How are they handling adversity?'"

Witnesses were judged on how well they answer questions and how well they know their stories, he said.

Davis said that by the time of the finals, the high school teams often have argued the case four or five times, on top of any rehearsal at school.

"All of the (scoring) grades are really high for this round," he said. "They're really polished."

The winners

First place: Seattle Preparatory School

Second place: University Prep High School, Seattle

Third place: Franklin High School, Seattle

Fourth place: Eastside Catholic High School, Bellevue

Fifth place: Archbishop Murphy High School, Everett

Best Witness: Ruth Vizcaino, Seattle Prep

Best Attorney: Kelly Margard, University Prep

The team from Seattle Prep is eligible to compete for the national title in Dallas in May. The second place team from University Prep is eligible to compete in the American Mock Trial Invitational in Brunswick, N.J.