

Ohio Mock Trial Competition

PRESIDING Judge Packet

Are you ready for trial? Consult the checklists that follow to help make sure you are prepared for our students.

- ☐ I have reviewed the Scoring Rubric on the back of this page.
- ☐ I have read the Judge's Brief included in this packet.
- ☐ I understand the mock trial specific rules listed in the Ohio Mock Trial Reference Guide (included in this packet).
- ☐ I understand how to fill out my score sheet.
- ☐ I know that I am presiding in room _____ with fellow judges _____ and _____.
- ☐ I understand the procedures for a two-judge panel if needed.
- ☐ I know what materials to return to the competition coordinator at the conclusion of trial.
- ☐ I know who to contact if I have a question during the trial.

Additional PRESIDING JUDGE Responsibilities

- ☐ I have read the Presiding Judge Procedures List. You should have received this as a separate packet.
 - This document walks you through the process for presiding over a mock trial and has scripts when necessary.
- ☐ I understand how to complete the Summary Score Sheet and Awards Tabulation Assistance Sheet (blue paper).
- ☐ I understand the process for addressing post-trial objections.

2026 Ohio Mock Trial Scoring Rubric

Points, Performance, and Evaluation Criteria

9-10 Excellent:	Exhibits mastery of <u>all</u> procedural and substantive elements. Significantly advances team effort.
7-8 Good:	Proficient in <u>most</u> procedural and substantive elements. Helps team on the whole.
5-6 Average:	Moderately comfortable with procedural and substantive elements of the trial but is imprecise or lacks polish.
3-4 Minimal:	Does not advance team effort. Minimal comprehension of procedural and substantive trial elements.
1-2 Limited:	No evidence of procedural or substantive Trial Elements.

Attorney Performance Indicators:

- ✓ Advocacy skills: creative, organized and convincing presentation?
- ✓ Understanding of legal issues: ability to apply law and facts to case?
- ✓ Oratorical skills: poised, able to think on feet, extemporaneous delivery?
- ✓ Mastery of trial technique: effective use of objections, appropriate form of questioning, ability to recognize and rehabilitate own weaknesses, mitigate opponent's good points?
- ✓ Did not ask questions that called for an unfair extrapolation from the witness?
- ✓ Did not make excessive, unnecessary objections when the invention of fact had no material impact?
- ✓ Opening arguments, provided case overview, identified theory of the case, discussed the burden of proof, stated the relief requested and was non-argumentative?
- ✓ Closing arguments: continued theory of case introduced in opening statement, summarized the evidence, applied the applicable law, discussed the burden of proof, concentrated on the important – not the trivial, and overall was persuasive?
- ✓ Complied with Competition Rules?
- ✓ Civility: models respectful and professional behavior at all times towards the court, fellow team members, advisors, and opposing team?

Witness Performance Indicators:

- ✓ Possess knowledge of case facts and theory of team's case?
- ✓ Are they observant of courtroom decorum?
- ✓ Is there believability of characterization and convincing testimony?
- ✓ Do they avoid unnecessarily long and/or nonresponsive answers on cross examination?
- ✓ Articulate and responsive?
- ✓ Did not make unfair extrapolations?
- ✓ Complies with Competition Rules?
- ✓ Civility: models respectful and professional behavior at all times towards the court, fellow team members, advisors, and opposing teams?

Team Performance Indicators:

- ✓ Did the team establish a credible theme for its argument?
- ✓ Did the team select appropriate witnesses to prove the argument?
- ✓ Was the witness examination organized?
- ✓ Did witness examination develop the argument?
- ✓ Was the team's case carefully crafted and skillfully delivered?
- ✓ Complies with Competition Rules and demonstrates civility?

State of Buckeye v. Morgan Remy

2026 Judge's Brief

In 2000, Caleb “CJ” Jansen was found murdered in his Harmony apartment. Although DNA believed to belong to his assailant was discovered at the scene, it did not match any known profiles in police databases. As a result, the case went cold for decades. In 2025, a student’s DNA upload to a genealogy site provided a critical lead that pointed investigators to Morgan Remy, a former security guard at CJ’s workplace. Remy was later arrested after police matched their DNA to evidence from the crime scene and recovered CJ’s missing gold signet ring. Remy now seeks to suppress the genealogical evidence, arguing that law enforcement’s access to it without prior judicial authorization violated the Fourth Amendment. Students in this year’s case will participate in a hearing on that motion to suppress.

Burden

The State of Buckeye has the burden to establish, by a preponderance of the evidence, that the warrantless collection of the genealogic information from GeneHeritage is permissible under the Fourth Amendment.

Prosecution

Prosecution’s Key Arguments:

- Frankie Moyo willingly gave their genetic material to GeneHeritage, under the Third-Party Doctrine, no warrant is required when a company willingly gives the information to law enforcement.
- Frankie Moyo consented to the disclosure of their profile to law enforcement users when they subscribed to the service.

Prosecution Witnesses

Frankie Moyo – Student

Frankie Moyo is a 19-year-old freshman at The Buckeye State University. Adopted as an infant, Frankie submitted DNA to a consumer genetics site as part of a class assignment and personal search for relatives. That DNA ultimately helped police solve a cold case murder and led to the arrest of Morgan Remy, Moyo’s biological uncle. They did not read the terms and conditions of the site they were using but they believe that investigative genetic genealogy is a good thing, and if they had read the conditions they would not have opted out.

Ronan Saleh – Detective

Detective Ronan Saleh has served with the Harmony Police Department for 35 years, leading its Cold Case Division since 2005. They were the lead investigator on the 2000 murder of Caleb “CJ” Jansen, which went unsolved for two decades. After learning about investigative genetic genealogy in 2018, Saleh began using databases like GeneHeritage to generate new leads on old cases. In 2025, a DNA upload by Frankie Moyo produced a 25% match that eventually led investigators to Morgan Remy, a former coworker of CJ’s, whose DNA and possession of CJ’s missing ring led to their arrest.

Bailey Kim – Professor

Bailey Kim is an adjunct professor at Buckeye State Community College and a retired forensic lab technician. They designed a course, including an extra credit assignment using the GeneHeritage DNA site, to demonstrate how ancestry and genetic data can aid criminal investigations. Kim strongly supports investigative genetic genealogy as a tool for solving cold cases and educating the next generation of forensic scientists.

Defense

Defense's Key Arguments:

- The fact that the DNA is held by a third party does not itself overcome the user's claim to Fourth Amendment protection.
- Frankie Moyo did not knowingly or willingly consent to the government's use of their DNA and the opt-out provision in the contract was not sufficient.
- Even if Frankie consented, Morgan Remy did not consent to the search and the third-party doctrine would not permit the disclosure of their genetic profile.

Defense Witnesses:

Archer Morales – CEO of GeneHeritage

Archer Morales is the CEO and founder of GeneHeritage, a genetic genealogy company that helps people locate biological relatives and assists law enforcement in solving crimes. Adopted as an infant, Morales personally experienced the benefits of genealogical DNA testing, which inspired him to make basic hereditary matching free while offering enhanced services for a fee. Under his leadership, GeneHeritage collaborates with law enforcement by allowing agencies to upload DNA profiles to aid in criminal investigations, while users can opt out if they choose.

Val Barak – Student

Val Barak is a 20-year-old sophomore at The Buckeye State University. They opted out of a DNA genealogy extra credit assignment due to concerns about law enforcement access. Inspired by wrongful conviction cases and DNA exonerations, Val is actively involved in the Innocence Project and advocates for careful handling of genetic information. They support House Bill 12, which would strengthen privacy protections for DNA, emphasizing the importance of safeguarding individuals against misuse of their genetic data.

Haven Peeters– Journalist/Podcaster

Haven Peeters is an independent journalist and podcaster who focuses on true crime, forensic science, and media ethics. Through their award-winning podcast, *Reasonable Doubt*, they highlight the ethical and privacy risks of investigative genetic genealogy, using cases like Michael Usry Jr. and Richard Knapp to illustrate the potential for wrongful suspicion and harm to innocent people. Peeters is a strong advocate for House Bill 12, which would create statutory protections for individuals' DNA privacy and regulate how consumer DNA companies interact with law enforcement.

Exhibits

Exhibit A: Proponent Testimony for HB12

Exhibit B: GeneHeritage Terms and Conditions

Exhibit C: Law Enforcement Use Provisions for GeneHeritage

Exhibit D: GeneHeritage Kinship Match Report

Exhibit E: Buccal Swab Warrant and Affidavit

Exhibit F: Press Release for Public Safety Grant

Exhibit G: DNA Lab Report

2026 Ohio Mock Trial Reference Guide

Trial Sequence

<u>Part of Trial</u>	<u>Minutes</u>
Pre-trial conference	10
Bailiff Opens Court	Not Timed
Opening Statement – Prosecution	4
Opening Statement – Defense	4
*Direct and Re-Direct (2 Prosecution witnesses)	20
*Cross and Re-Cross (2 Prosecution witnesses)	18
*Direct and Re-Direct (2 Defense witnesses)	20
*Cross and Re-Cross (2 Defense witnesses)	18
 Intermission to gather thoughts	 2
 Closing Argument – Prosecution	 5
Closing Argument – Defense	5
 Rebuttal – Prosecution (optional)	 2
 Subtotal	 <u>108</u>
 Judges' Feedback & Award Presentation	 12 (timed)
 TOTAL	 120 = 2 HOURS

**The clock stops for objections*

Rules Unique to Mock Trial

Invention of Fact/Extrapolation	On direct examination, witnesses are limited to the information contained in their witness statements. If on cross-examination a witness is asked a question, the answer to which is not contained in witness statement, the witness may respond with any answer, so long as it is responsive to the question, does not contain unnecessary elaboration beyond the scope of the witness statement, and does not contradict the witness statement. If an invention of fact objection is raised, the burden is on the team accused of inventing fact/unfairly extrapolating to prove that the information is in the witness statement and/or follows the rules.
Exhibits	All exhibits are stipulated as admitted. Teams do not need to authenticate the exhibits or move to admit them into evidence. Teams are responsible for demonstrating personal knowledge that would allow the witness to testify to the exhibit being used.
Use of Outside Research	Teams may not refer during trial to any material not included in the Mock Trial Case File. Case citations may not exceed cases cited or provided in the case materials. When an outside research objection is made, the burden is on the team presenting testimony to show where in the materials the information is sourced.
Contempt of Court	There is no contempt of court in the Ohio Mock Trial program.

Material Rules Violation

If a majority of the judging panel determines that there has been a violation of a competition rule that affected the fairness of the trial, 5 points shall be deducted from the offending team's score on each judge's scoresheet. If the panel believes that a 5-point penalty is insufficient given the seriousness of the violation, the presiding judge should notify the site coordinator, describing in writing as much detail as possible, to relay the information to OCLRE which may impose additional sanctions.

Notes for Scoring and Feedback

- **Please do not judge any trial in which you might be perceived to be biased toward one of the teams or to otherwise have some conflict of interest.** Please notify the site coordinator ASAP of any potential conflicts.
- To ensure the integrity of the Mock Trial program, **do NOT interact with any team/legal advisor or student on a personal basis.**
- Refrain from mentioning to the students if you are not thoroughly prepared to serve on a judging panel or if you are unfamiliar with the materials or rules. Students have put in a lot of time and effort preparing for this competition.
- Judge teams on the effectiveness of their presentations, **not on the merits of the case.**
- Make sure you have filled out **all sections** of your scoresheet, including the overall team performance score and the team totals.
- **No ties** are permitted in the team totals on your scoresheet. If the teams are tied after completing your scoresheet, you must adjust a score somewhere on your scoresheet to break the tie. A common place to do this is in the overall team performance score.
- The **presiding judge** should work with the scoring judge(s) to complete the Summary Score Sheet and Tabulation Assistance Sheet (*front & back of blue paper*). The Tabulation Assistance Sheet will determine winners of the Outstanding Attorney and Outstanding Witness awards.
- Do not refer to “real world” rules during the trial or debriefing session.
- **Do NOT** make comments about students' dress, hairstyle, or other aspect of their appearance.
- Provide constructive feedback that teams can utilize between levels of competition or as they prepare to compete next year.
- **Please do not leave the courthouse until information and scoresheets from your trial(s) have been tabulated** and any potential problems have been reviewed.

2026 Ohio High School Mock Trial Notes

- *This sheet may be used for taking notes during trial or preparing your post-trial comments*
- *Please complete your score sheet as the trial proceeds*
- *You may discard these notes at the conclusion of the trial*

Prosecution Case-In-Chief

<p><u>Opening Statements</u> Prosecution Attorney:</p> 	<p>Defense Attorney:</p>
<p><u>Prosecution Witness #1</u> Direct Attorney:</p> 	<p>Witness Direct:</p>
<p>Cross Attorney:</p> 	<p>Witness Cross:</p>
<p><u>Prosecution Witness #2</u> Direct Attorney:</p> 	<p>Witness Direct:</p>
<p>Cross Attorney:</p> 	<p>Witness Cross:</p>



Defense Case-In-Chief

<u>Defense Witness #1</u> Direct Attorney:	Witness Direct:
Cross Attorney:	Witness Cross:
<u>Defense Witness #2</u> Direct Attorney:	Witness Direct:
Cross Attorney:	Witness Cross:
<u>Closing Arguments</u> Plaintiff Attorney: Rebuttal:	Defense Attorney: