

Top Gun XI Tips

Introduction: DON'T PANIC! Instead, PRACTICE!

Most of our students have been using online meeting platforms for years. Platforms such as Skype and Facetime have been around for over a decade, and these online mock trial rounds will basically be glorified Facetime calls. So, our students have basically been preparing for this for their whole lives. So, our message is that we can do this! Plus, all over the country lawyers are already trying cases online because of the COVID-19 pandemic. So, while this may be your first time competing in a mock trial tournament like this, this is something that the broader legal community is already figuring out. So, our message is that we can do this!

So, we know that online trials are not only feasible, they are mostly intuitive. Based on the practice trials we have conducted – where none of our students had ever done an online trial before and they received little to no instruction about how to do it beforehand – students and judges are able to figure this out and jump right in there.

So, **DON'T PANIC!!** This is reliable, fairly-accessible technology that is mostly intuitive.

However, **PRACTICE**. Advocacy is a game of inches. There are hundreds of tiny signals you can send to the judge that you're less experienced than your opponent. Everything you do in a courtroom is part of your advocacy for your client, and everything you do on an online platform will be no different. So, the more you practice the better prepared you'll be and the more capable you'll be of projecting competence, experience, and control.

Five Technology Tips

1. Whatever tech you're going to get, get it soon

We know there isn't much time before the tournament, so if you're going to try to improve your tech prior to the tournament do so as quickly as possible. Also, you want whatever tech you're going to use to be in your possession with plenty of time to test it and to practice with it prior to the start of the tournament. You do not want to show up on the first day of the tournament with a brand-new microphone or webcam that you've never tried before.

2. Internet

First rule: a wired connection beats a wi-fi connection. It's just that simple. If you can figure out a way to plug directly into your router then that is a better option than just relying on your wi-fi connection. If your computer doesn't have an Ethernet port, you can get an [Ethernet to USB converter](#). Again, this is the **single most important thing** you can do to improve your set-up for online trials.

If you absolutely have to use wi-fi, be as close to your router as possible, with nothing in between your computer and your router. If that's not possible, consider a wi-fi range extender or mesh wi-fi like Nest.

3. The Mic

Anecdotally, we would tell you that gamer headset mics are the best, followed by an external microphone, followed by your in-laptop mic. We would recommend that you DON'T use AirPods. Of course, whatever mic you use you will also want to think about optics with the judges in the room. So, we're just talking about audio quality here.

Honestly, **proximity matters more than tech**. If you're using your in-laptop mic, just make sure you're very close to it. The reason I think gamer headsets are probably the best (even better than high quality external mics) is they stabilize the mic right next to your mouth, no matter where you move. In my experience, internet and proximity to the mic over-determine audio quality. After that, I think most mics are roughly equal.

Whatever mic you choose to use, make sure you test it with another human on the other end before the tournament begins.

4. Think about Investing in a Second Monitor

You will need to have exhibits, depositions, and other documents in front of you and accessible during the round. You will also want to be able to see your opponents and your judges/jurors during the round. The only way to facilitate that is with two monitors.

And think about how you set those monitors up so that you can maintain eye contact the best you can even when you must look at a second monitor.

5. Troubleshooting

IT 101: turn it off and on. This means if they're external, turn your mic and webcam off and on. Unplug them and plug them back in. Leave and re-enter the Zoom room. Some laptops have privacy switches over the webcam. Try sliding your finger over the webcam to see if you have one on.

However, nine out of ten times, the problem is your internet (see above: a wired connection is the most important thing you can do for yourself!).

Best Practices

1. Be aware of household bandwidth usage and potential tradeoffs

Know who in your household is going to be doing what online. Obviously, you can't and shouldn't tell your parents or your roommate to not have a business meeting on Zoom, but plan for what that looks like. What's your work set-up situation? Your proximity to your router? Your Ethernet connection set-up? Is there going to be competition for any of that? Are your roommates going to play League of Legends or watch Netflix? Consider negotiating internet use with them. Test your tech under your real-world worst-case scenario of bandwidth use.

Also, make sure the folks in your house know what you are up to. If your parent or roommate understands you're in a competition they probably won't interrupt to ask you to take out the trash. Also, make sure siblings or roommates know not to come running screaming into your room.

2. Close out of things that suck up bandwidth

Game clients (Steam, Epic, Blizzard, League of Legends).

Tons of tabs (especially YouTube/Twitch/Netflix/other streaming services). Consider the Chrome add-in The Great Suspender.

If you have a VPN, you should consider turning it off.

3. Don't be late for room check!

Be in the meeting ON TIME! And by, "ON TIME," we mean EARLY! It is more important than ever that this competition runs on time, so make sure you're in your meeting room as soon as you're done with woodshedding, and make sure your camera is on so that the presiding judge can see you and check you in when they enter the room.

4. Plan how you're going to communicate with your second chair during the trial

You will need to communicate with your second chair during the round. This could be as simple as texting or even a phone call but remember that if you're communicating via a platform or device that is using your wi-fi then you may create bandwidth issues for yourself in the meeting.

5. Lagging & Call Drops

There are going to be lagging issues during trials. There are going to be times when someone's screen pixelates for a few moments and their audio feed breaks up slightly. We may even have moments when someone freezes up entirely for a brief moment in time. These things are going to happen. First, don't worry about it when those slight disruptions are brief and do not impact the substance or flow of an attorney's presentation. Second, when there is a significant disruption to the feed and something gets missed, just alert the room and make sure you go back over whatever was missed.

6. Gallery vs speaker view

In the top right of Zoom, there's a button that either says Gallery View or Speaker View. We are not going to instruct attorneys on which view they should utilize. However, we would recommend that attorneys always keep their screens on Gallery View during the round. This will allow you to see your opponent, the presiding judge, any witness that is testifying, and your own screen. This will also give you someone to look at while you're doing your direct, cross, opening, or closing, which is critical in order to judge non-verbal reactions like the judge nodding along with your argument or shaking their head.

We are going to instruct all other judges in the room other than the presiding judge to turn off their video during the round in order to limit bandwidth usage and to limit the number of boxes on each person's screen. So, you will want to hide all non-video participants during the round so that you can get a good view of the people in the room and on camera.

7. Screen clutter

We've already talked about having a second monitor above, but even if you have a second monitor you need to be cognizant of keeping your screen(s) organized and free of unnecessary clutter. You need to have the Zoom meeting open at all times and you want to see the presiding judge, your opponent, and any witness that is testifying at that time. You may also need to have various documents up on your screen like exhibits or deposition transcripts. You might also have notes that you want up on your screen. So, you could have a lot going on. *THINK CAREFULLY ABOUT YOUR SETUP and AVOID CLUTTERING UP YOUR SCREEN.* This is probably another reason to seriously consider having a second external monitor if possible.

8. Mute your mic when you're not speaking

We will be instructing all presiding judges, witnesses, and other judges to mute their mics unless they are speaking, and you should do the same.

A corollary to this rule is that when you need to speak during someone else's opening, closing, direct, or cross – like to make an objection – you need to remember to turn your mic on. This takes some getting used to and is something you should think about when you're practicing.

9. Check in with the presiding judge to make sure they're ready

“May I proceed your honor” is something many competitors say prior to beginning any opening, closing, direct, or cross, but in this online format it is especially important. Make sure that you get some kind of positive acknowledgment from your presiding judge that you may proceed before you launch ahead.

10. Lighting

You want to be lit from the front. You do not want to have a bright light directly behind you. It will only make it harder to see you. So, make sure that whatever is providing light in the room you're in is on your face and not on your back.

11. Keep Track of your Time

While this is always true in any mock trial round, it will be especially important in this format because we need to stick to a very rigid schedule, and it is harder to manage when our judges and competitors are all over the country. So, make sure you keep track of your time.

12. Backgrounds

Think about what is behind you. You don't want judges staring at a messy room. You might not want them staring at that poster of your favorite band. You may not want lots of things behind you that could distract judges. Just remember, everything you do is part of your advocacy in the trial, and that includes your environment.

We will not allow virtual backgrounds to be used for this tournament, so there is no need to worry about creating or using a virtual background during these trials.

13. Screen sharing/marketing-up exhibits

This is just a quick note to practice, practice, PRACTICE sharing documents on your screen and marking up those documents before the tournament begins. You should try to get to the point where this is just second nature for you.

Also, think about how long you should share your screen when looking at a document and when you should return to the normal view.

Concerns about cheating?

Whether a tournament is online or in person, we can never fully eliminate cheating. Coaches can sit in on trials and could text with their students during breaks. The same is true with an online format. So, we will have to do what we always do, which is rely on the fact that we are attorneys and we are bound by a code of ethics and professional responsibility, and hope that all of the schools competing will abide by and remain committed to those ethical standards.

We also think that since we are hosting the very first online competition of this type it is important that as many people as possible get a chance to watch these rounds and see how it works. So, we intend on making as many rounds as possible available to stream on the internet. Obviously, that creates a risk of scouting, but we think the educational benefit for students and professors that may be running these tournaments in the fall or competing in these tournaments outweighs that risk. This activity is ultimately about education, and we think that the chance to learn from one another is more important than the possibility that someone would try to watch one of their future opponents.