



UMBC  
Mock Trial



## 2021-2022 Fall Tryout Packet

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### Basic Information

Welcome to UMBC Mock Trial! We are thrilled you are interested in joining the 2021 National Champions as we defend our title. In 2021, UMBC Mock Trial defeated Yale University and won the 2021 American Mock Trial Association (AMTA) National Championship. More than 700 teams competed during the 2020-21 season and UMBC finished #1 in the country.

This year's tryouts will take place on **Friday, September 17 and Saturday, September 18, 2021**. Your tryout will be about ten minutes long and will happen over Zoom. You'll perform in front of our executive board and a few of our coaches.

### How to Try Out

Step 1: Fill out the short questionnaire at [UMBCMockTrial.com/tryouts](https://UMBCMockTrial.com/tryouts).

Step 2: Sign up for a tryout slot using [this SignUpGenius form](#).

Step 3: Use this tryout packet to prepare for your tryout – and make sure to test Zoom before your tryout date.

Step 4: Attend your tryout!

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## Where to Try Out

All of our tryouts this year are happening using Zoom. A few days before your tryout we'll send you a Zoom link. You should download Zoom to your computer well in advance of your tryout date and test Zoom to make sure it works with your camera and microphone. We ask that you please use a laptop or desktop to try out and to only use Zoom on your phone if your computer fails on the day of your tryout.

## Witness or Attorney?

You get to choose whether to try out as a witness or an attorney? Both roles are critically important to the success of the team and are responsible for the same amount of points in each round.

Witnesses portray a wide variety of characters. This year's case is about arson at a bar, and it has forensic investigators, firefighters, former bar patrons, and others. If you love acting and can come up with a creative backstory for a character, a witness role is perfect for you.

Attorneys deliver arguments and ask questions to witnesses during trial. If you love arguing and performing in front of people, want to get better at public speaking, or want the challenge of thinking quickly on your feet, an attorney role is probably right for you.

One thing to know: it's possible you might try out for one role and be offered a spot in a different role. That's a normal part of the process, and we encourage you to be openminded. Many of our members started as witnesses and transitioned to portraying an attorney. Either way, we'll work together to find the best spot on the team for you!

## Frequently Asked Questions

**Q. I've never done Mock Trial or speech/debate before. Will I be at a disadvantage during my tryout?**

A. Definitely not. Previous experience is great if you have it, but the majority of our members were brand new to Mock Trial when they joined. You have an equal chance to make the team even if you don't have any prior experience with this activity.

**Q. You just won the National Championship, and I don't think I'm good enough to try out. Should I even bother?**

A. Absolutely! Every one of us started where you are now, and we will take the time to teach you how to be a great competitor. Don't let the success of our team make you think you don't belong or won't be good enough. (And we're sorry if this question sounds like we're bragging; we've just gotten it a lot over the last few months.)

**Q. Where can I see videos to help me prepare for trying out – and for trying out online?**

A. Great question! [Here's a link to our National Championship round](#) against Yale University. If you look on [the main YouTube page for the American Mock Trial Association](#) you'll see several others videos from online rounds.

**Q. Can I ask questions about my tryout?**

A. Yes! Send your questions to [UMBCMocTrial@UMBC.edu](mailto:UMBCMocTrial@UMBC.edu) and a member of the executive board will get back to you within 24 hours. We're happy to give you general tips about your tryout and clarify anything you're not sure about.

**Q. I'm unsure about trying out or thinking about withdrawing from my tryout. What should I do?**

A. You should try out and do your best! We really think you should try out even if you're on the fence about going through with it. Do the best you can – we're not looking for perfection. We just want to see how you present and we can teach you everything else. And it's totally okay if you're nervous, that's really common! We'll do our best to make the experience as easy and relaxing as possible.

## Attorney Tryout

Tryout: This year's case is about arson. Dakota Sutcliffe is accused of purposefully burning down Chuggie's Bar in the state of Midlands on August 1, 2020. Your job is to give a short persuasive speech arguing one of two options:

1. Dakota Sutcliffe is guilty of arson and burned down Chuggie's Bar on purpose; or
2. Dakota Sutcliffe is not guilty of arson and Chuggie's burned down for a different reason.

Time limits: 3-6 minutes for your speech

For the purposes of your tryout, we are giving you facts from four different witnesses. You should use those witness statements and these basic facts to support the side you choose.

### Basic facts:

1. Dakota Sutcliffe was the owner of Chuggie's Bar on August 1, 2020 when Chuggie's burned to the ground.
2. Dakota Sutcliffe purchased Chuggie's Bar in November of 2019 and was the owner from November of 2019 to August of 2020 when the bar burned down.
3. Chuggie's Bar was shut down on March 15, 2020 due to the COVID-19 pandemic. It was not permitted to reopen for indoor dining until June of 2020.

## Witness statements

Detective Nour Khan:

1. Dakota Sutcliffe purchased fire insurance in November of 2019 when they purchased Chuggie's. That insurance would pay Sutcliffe \$1,500,000.00 in the event their property is destroyed by fire.
2. Soon after purchasing Chuggie's Bar, Sutcliffe took out a \$1,000,00.00 loan for extensive renovations to the bar.
3. Sutcliffe made full payments of \$7,600.00 on that loan until March of 2020 when Chuggie's was forced to close due to the COVID-19 pandemic. Sutcliffe made a partial payment on the loan in March and did not make another payment on the loan before Chuggie's burned down.
4. Khan spoke to two eyewitnesses. One of them reported that Sutcliffe would frequently discuss how their debt on the bar was growing. Another said they saw flammable material, specifically cans of paint thinner, stored sometimes near the electrical outlets for the oven in the kitchen at Chuggie's.
5. Khan interviewed another bar patron named Maddox Vaughn who was friendly with Sutcliffe. Vaughn provided an alibi for Sutcliffe at the time of the fire and said they saw Sutcliffe several miles away at the time Chuggie's burned down. Khan thought that Vaughn seemed fidgety and agitated during their interview.

Forensic Investigator Dana Weber

1. The fire originated in the kitchen at Chuggie's and spread outward to the bar area and seating areas. The most severe damage occurred in the area of the kitchen where the oven and cook range are located.
2. A trained K-9 unit detected the presence of liquid fire accelerant – and some of the burn marks on the lower walls of the kitchen showed irregular burn patterns which are a telltale sign of liquid fire accelerant.
3. Debris around the oven and electrical outlets near the oven tested positive for the chemicals contained in paint thinners, and several metal cans were recovered from the kitchen that look like paint thinner cans.
4. Sutcliffe purchased three cannisters of paint thinner from a hardware store on July 17, 2020.

5. The electrical outlets in the kitchen are old and were a potential risk of sparking or malfunctioning, and Weber believes it would be difficult to tell after the fact if this happens. Weber acknowledges it is possible a spark could have accidentally ignited cans of paint thinner. But Weber did not see evidence of fire damage to suggest the electrical boxes were the origin point of the fire.

#### Chuggie's Employee Tobin Johnson

1. When Dakota Sutcliffe took over Chuggie's Bar, they immediately made several positive changes. They made sure staff carefully enforced laws about underage drinking and not overserving patrons, and they put a lot of time and effort into promoting Chuggie's and making sure the place was clean and attractive.
2. Chuggie's was closed for all of December of 2019 for intensive renovations. When Chuggie's reopened in January of 2020, they had initially strong crowds but did not see the amount of business they were hoping to see.
3. One of the areas of the renovations was the back patio, and those renovations were not finished in January of 2020. Sutcliffe ordered several different supplies to finish those renovations in July of 2020, and stated the cans of paint thinner were meant for the back patio renovations.
4. Dakota Sutcliffe had expressed some concern about finances at Chuggie's but takeout business was extremely busy for most of the summer of 2020. Johnson remembers having over an hour wait nearly every night for orders and also remembers Sutcliffe once saying that they could stay afloat for a long time if takeout business kept up.
5. After Chuggie's burned down, Johnson rushed to the scene and saw Sutcliffe wiping tears away. Johnson does not believe that Sutcliffe would have ever set this fire and knows how much Sutcliffe loved Chuggie's.
6. Johnson saw Sutcliffe store the cans of paint thinner in the kitchen on the night of July 21, 2020. Johnson did not know why Sutcliffe was storing the cans in the kitchen but didn't ask any questions.

## Firefighter Alex Silva

1. Silva knows Dakota Sutcliffe because Sutcliffe was a volunteer firefighter with the Midlands City Fire Department. Silva states that Sutcliffe has extensive experience with how fires start and grow, and also states that Sutcliffe would always go above and beyond the call of duty to make sure everyone is safe during a fire.
2. Silva believes Sutcliffe has money problems. Silva once overheard Sutcliffe making large wagers over the phone and has never heard Sutcliffe talk about winning large sums of money. But Silva has seen Sutcliffe lose large sums of money, sometimes more than \$10,000.00, when they would go to the casino together.
3. Silva has seen lots of situations where fires can be started by accident. Silva acknowledges that older electrical systems and outlets can be a source of sparking or overheating that can ignite things around those systems.
4. Silva helped fight the fire on the night Chuggie's burned down. Right before the firefighters were leaving for that call, Sutcliffe showed up and said "Looks like another hot night in downtown Midlands!" Silva thought this was odd because the firefighters hadn't been told where they were going yet, and Chuggie's is in downtown Midlands.
5. After Chuggie's burned down, Silva saw Sutcliffe screaming and crying. Silva thought the emotion was genuine and felt that Sutcliffe would never set this fire on purpose because Sutcliffe knows the risks and dangers of fire.



### A few preparation tips:

1. Make sure to have a clear **theme** for your speech. A theme is one phrase that tells us what you think happened. Here's a few examples:
  - a. "The defendant promised, and the defendant delivered."
  - b. "Close enough isn't good enough."
  - c. "Desperate times lead to desperate measures."
2. You don't need to use every fact we give you. Choose the facts you think are most important for your case and make those the focus of your speech.
3. Remember to argue the facts; don't just state them again. Tell us *why* you believe the facts you're highlighting show that Dakota Sutcliffe is guilty or not guilty of arson.

### A few presentation tips:

1. Stand when you present. Practice pointing your computer's webcam at an angle where you can be seen while standing. Consider setting your computer a bit higher (maybe on a few books) so the camera is closer to eye level.
2. Don't have notes in your hands. Feel free to have anything you want written down or on the computer screen, but don't hold any paper in your hands while you present. Try to present as memorized as possible.
3. Practice on Zoom before you try out. Call a friend on Zoom and make sure they can see and hear you clearly, or send us an email and we'll be happy to help you test out your Zoom setup and connection.

Once you finish your speech, we'll ask you a few easy questions about yourself – and then you're done! We'll be in touch within a few days to let you know about tryout results.

## Witness Tryout

If you're trying out as a witness, you need to pick one of two witnesses: Student Kiran Singh or Detective Nour Khan.

The facts: Dakota Sutcliffe is accused of purposefully burning down Chuggie's Bar in the state of Midlands on August 1, 2020, and causing the death of firefighter Jaylen Williams. Sutcliffe has been charged with arson.

The witnesses:

1. Kiran Singh, a local student who was a customer at Chuggie's
2. Det. Nour Khan, the lead investigator for this case

Here's what you need to do:

1. Pick one of the two witnesses.
2. Develop your character for that witness.
3. Fill in the answers to the questions we've provided.
4. Learn those answers. We'll ask the questions at your tryout and you'll answer them in character.
5. We'll ask you a few quick questions – and then you're done!

How to develop a character:

1. Think about who you are. Do you speak with an accent? Do you speak slowly or quickly? Are you funny or serious? Get creative and don't be afraid to make bold choices.
2. Dress the part. Try to choose a costume that fits your character. Feel free to put props in your Zoom background that fit your character if you want to add to the effect.
3. Be confident. Whatever you choose to do, do it confidently and try to convey your emotions realistically based on the character you are playing.

## Affidavit of Kiran Singh

My name is Kiran Singh. I'm over 18 and qualified to give this affidavit. I was there the night that Chuggie's burned down and Jaylen Williams died. I'm here to tell you everything I know about that night and about Dakota Sutcliffe's involvement.

I am an undergraduate student at Midlands State University. I've tried a lot of different majors and had a lot of different jobs, so I'm not sure yet what I'm going to do with my life. I'm working right now but I still have a few more years to decide what I'm going to do after college.

In November of 2019, some friends and I went to Chuggie's Bar to celebrate a 21<sup>st</sup> birthday party. I wasn't 21 yet so I tried to use a fake ID to get inside, but Dakota Sutcliffe was checking IDs at the bar that night. Sutcliffe looked at my ID and said "are you sure you want to do that?" I tried to project confidence and say yes, and Sutcliffe just laughed. Sutcliffe called over a police officer who was standing nearby, and before I knew it was in the back of a squad car headed to the police station. I had to do 300 hours of community service and pay a \$500 fine, and it was all Dakota Sutcliffe's fault.

A few months later in July of 2020, I saw Sutcliffe at the hardware store. I was there buying some supplies when Sutcliffe walked in and bought six cans of paint thinner. I asked Sutcliffe about that because I was curious, and Sutcliffe looked at me nervously and said "oh, this is just for some work we're doing at Chuggie's." That seemed like a decent explanation to me so I didn't think anything else about it. I did notice that Sutcliffe paid with cash though, which I thought was odd for an expensive purchase.

The night of July 31<sup>st</sup>, 2020 I was in the area of Chuggie's going for a walk around midnight. I saw someone dressed in all black slip out the back door of Chuggie's into the alleyway. I couldn't tell who it was at first but then the person walked under a streetlight and I saw their face: it was Dakota Sutcliffe. A few minutes later I started to smell burning and see smoke coming from Chuggie's. By the time I walked back over there, the whole place was in flames. I saw the firefighters run into the building yelling about how there might be people inside. It's terrible that one of them died that night.

Some people have accused me of hating Dakota Sutcliffe, but that's absolutely not true. Yes, Sutcliffe made my life really difficult by turning me in for using a fake ID, but I've moved on from that. And it's ridiculous to suggest that I might have started the fire and tried to frame Sutcliffe. Sure, I didn't like Sutcliffe very much, but I obviously didn't burn down Sutcliffe's bar just because I think Sutcliffe is a jerk!

The police asked me if anyone else was around who could confirm I saw Sutcliffe leaving Chuggie's right before the fire started. I didn't see anyone else around, so I guess I just have to hope they believe me. It's about time that Sutcliffe got what was coming to them, and I'm just glad I can play my part in helping to make that happen.

## Questions for Kiran Singh

1. Could you please introduce yourself to the jury?
  - a. Hi there. I'm Kiran Singh.
2. Kiran, can you tell us what you do for a living?
  - a. [Your answer goes here. This isn't in the affidavit, so you can choose any job you want that fits with your character.]
3. You mentioned that you haven't chosen a major yet. Do you know what you want to do with your life once you graduate?
  - a. [Your answer goes here. This isn't in the affidavit, so you can choose any potential career or life decision that fits with your character.]
4. Kiran, we're here today to discuss the fire at Chuggie's Bar. Had you been to Chuggie's before?
  - a. I had. I tried to go there once before I was 21 and got thrown out and arrested for using a fake ID.
5. How did that interaction make you feel about Dakota Sutcliffe?
  - a. [Your answer goes here. Use the information in the affidavit to write an answer that is truthful but also makes your character look as credible as possible.]
6. After you got thrown out of Chuggie's, when was the next time you saw Dakota Sutcliffe?
  - a. [Your answer goes here. Tell us about the time you saw Sutcliffe at the hardware store.]
7. Was that the last time you saw Dakota Sutcliffe?
  - a. No, it wasn't. I saw Dakota again on the night of July 31<sup>st</sup> when Chuggie's burned down.
8. Tell us about what you saw that night.
  - a. [Your answer goes here. Tell us about seeing Sutcliffe on the night of July 31.]
9. You mentioned you were there when the firefighters went in and one of them died. How did you react to that?
  - a. [Your answer goes here. This was a very sad thing to witness, so tell us about how you felt when that happened.]
10. How do you react to people who say you're making all of this up because you hate Dakota Sutcliffe?
  - a. [Your answer goes here. Defend yourself against this accusation.]

No further questions.

## Affidavit of Nour Khan

My name is Nour Khan. I'm a Detective for the White Collar Crime Division of the Midlands Center Police Department. I was in charge of the investigation surrounding the burning of Chuggie's Bar in downtown Midlands, and the possibility that the owner, Dakota Sutcliffe, may have financially benefited from that burning. I've been a detective for seven years now, and before that I was a forensic financial accountant.

My job is to examine finances and financial records to look for unusual patterns and unlikely coincidences that could suggest criminal activity. I used a method in this case called the Transaction method. This involves examining cancelled checks and invoices, contracts and records, and any other public notices that may be relevant to a financial investigation. In this case I examined Chuggie's financial data and looked for any suspicious gaps or irregular transactions.

Based on my investigation, I learned that Dakota Sutcliffe purchased Chuggie's Bar in November of 2019. Within a few weeks of buying Chuggie's, Sutcliffe took out a fire insurance policy for \$1.5 million dollars. This policy stated that if Chuggie's was ever burned to the ground due to an act not caused by deliberate actions of the policyholder, Sutcliffe would receive a one-time lump-sum payment of \$1,500,000.00. There was nothing unusual about this policy.

My investigation showed that in December of 2019, Sutcliffe took out a \$1,000,000.00 (one million) loan for extensive renovations to Chuggie's. Chuggie's was closed for all of December and into the beginning of January before reopening on January 5, 2020. While Chuggie's did not see a substantial increase in business upon reopening, nothing in their records suggests financial distress for January or February of 2020.

In March of 2020, Chuggie's was forced to close along with all other restaurants during the COVID-19 stay at home order. My review of emails between Sutcliffe and an employee at the bank where they took out the renovations loan shows that Sutcliffe repeatedly asked for extensions on due dates due to lost revenue. Chuggie's had monthly payments of \$7,600.00 due to the bank on that loan. In March of 2020, Sutcliffe made a partial payment of \$6,500.00. That was the last payment that Sutcliffe made. The bank gave Sutcliffe two more extensions but informed Sutcliffe on July 15, 2020 that no more extensions would be given and Sutcliffe's full balance was due on August 1, 2020.

Based on this information, I believe that Sutcliffe deliberately started the fire at Chuggie's on the night of July 31, 2020. The combination of Sutcliffe's mounting financial problems and the due date of August 1, 2020 for full repayment of delayed loan payments cannot possibly be coincidental. It is clear to me from the use of my Transaction method that Sutcliffe committed financial fraud in this case.

## Questions for Detective Nour Khan

1. Could you please introduce yourself to the jury?
  - a. Hi there. I'm Detective Nour Khan.
2. Detective, what do you do for a living?
  - a. I'm a Detective in the White Collar Crime division of the Midlands City Police Department.
3. Why did you get into that line of work?
  - a. [Your answer goes here. Tell us why you went into financial crime enforcement. This answer isn't in the affidavit, so make one up that fits your character.]
4. Let's turn to this case, the burning of Chuggie's Bar. How did you get involved?
  - a. I was assigned to this case to conduct an investigation into possible financial crimes committed by Dakota Sutcliffe.
5. How did you go about conducting that investigation?
  - a. [Your answer goes here. Use the information in the affidavit as a starting point, but feel free to add other things you did to complete your investigation.]
6. What did you learn about Dakota Sutcliffe's financial situation?
  - a. [Your answer goes here. Use the information in the affidavit to explain the loan and Sutcliffe's lack of payments.]
7. Sutcliffe's loan payments were due on August 1, 2020. Did anything significant happen that day?
  - a. [Your answer goes here. Tell us about Chuggie's burning down in your own words.]
8. Was the timing of this fire relevant to your investigation?
  - a. [Your answer goes here. Explain in your own words why the timing of the fire was suspicious to you.]
9. Based on the information you gathered, what was your conclusion in this case?
  - a. [Your answer goes here. Start with the information in the affidavit and feel free to add your own words to tell us what you think happened, and why you believe that.]

No further questions.