

Family Law Education Reform Project

William Mitchell Cross Examination Evaluation

OVERVIEW

This document is an evaluation for a cross examination exercise.

EXPLANATION AND COMMENTS

This evaluation may be used to assess students' performances in a cross examination exercise. It may be distributed to students in the form of feedback, used to grade each student's performance, or both.

ABOUT THE AUTHOR

Contributed by the Faculty of:
William Mitchell College of Law
St. Paul, Minnesota

The academic program at the William Mitchell College of Law is founded on legal theory and practical learning, professors who are both scholars and legal practitioners, and a student body that includes career professionals and recent college graduates.

The College of Law places an emphasis on practical lawyering skills by fusing together the curriculum and philosophy of teaching. From writing and trial advocacy program to their clinic program, the curriculum combines skills training with a focus on ethics and legal theory, preparing each student to be a powerful advocate and counselor to their clients.

**CROSS-EXAMINATION
EVALUATION FORM**

William Mitchell College of Law (Advocacy)

INSTRUCTOR: _____ STUDENT: _____

Absent _____ Late _____ No. of min. late _____ Left early _____ (# of Min. _____)

Student unprepared as opposing lawyer: _____ Student unprepared as witness _____

CROSS-EXAMINATION

Instructors: Please circle the appropriate score for each exercise vector using 10 points as the high score.

- | | | |
|-----------|---|-----------------------------|
| A. | Effective supportive cross-examination
Questions and answers supported cross-examiner's case | 1 2 3 4 5 6 7 8 9 10 |
| B. | Effective discrediting cross-examination
Questions and answers discredited other side or witness | 1 2 3 4 5 6 7 8 9 10 |
| C. | Proper leading questions
Leading questions were understandable and not objectionable | 1 2 3 4 5 6 7 8 9 10 |
| D. | Proper structure
Examination conducted in an orderly fashion with effective transitions | 1 2 3 4 5 6 7 8 9 10 |
| E. | Proper cross-examination technique
Student used effective tactics or proper impeachment | 1 2 3 4 5 6 7 8 9 10 |
| F. | Demeanor and presence
Appropriate eye contact, voice projection, facial expressions,
physical posture, and avoidance of distractions | 1 2 3 4 5 6 7 8 9 10 |
| | | TOTAL _____/60 |

SUGGESTIONS FOR IMPROVEMENT

WRITTEN WORK

Instructors: Please circle the appropriate score for each written work vector using 5 points as the high score.

- | | | | | | | |
|-----------|---|-------------------------|--|--|--|--|
| | | <i>Preparation Memo</i> | | | | |
| A. | Explanation of legal theories and factual themes | 1 2 3 4 5 | | | | |
| B. | Explanation of approach/strategies/tactics | 1 2 3 4 5 | | | | |
| C. | Explanation of anticipated problems | 1 2 3 4 5 | | | | |
| | | <i>Questions</i> | | | | |
| A. | Thorough and complete line of questioning | 1 2 3 4 5 | | | | |
| B. | Questions designed to produce supportive story on cross | 1 2 3 4 5 | | | | |
| C. | Questions designed to produce discrediting story on cross | 1 2 3 4 5 | | | | |

TOTAL _____/30

SUGGESTIONS FOR IMPROVEMENT
