
2024

ALASKA HIGH SCHOOL

MOCK TRIAL COMPETITION

April 5-6, 2024

Reynolds v. Crawford

Case No. 5AK-23-99999 CI

OFFICIAL CASE MATERIALS & COMPETITION RULES

TEAM MEMBER'S PACKET

Including all evidence, applicable law, competition rules, and team registration forms

Sponsored by the Anchorage Bar Association

Table of Contents

I. Legal Documents	
Complaint	1
Answer	5
Stipulations	8
Jury Instructions	10
II. Affidavits	
For the Plaintiff:	
Affidavit of Riley Reynolds	15
Affidavit of Coach Quinn Lee	20
Affidavit of Frankie Alexie	25
Affidavit of Cameron Washington	30
For the Defendant:	
Affidavit of Bailey Crawford	35
Affidavit of Jordan Okina	40
Affidavit of Peyton Shepherd	43
Affidavit of Dr. Taylor Austin	48
III. Exhibits	
Algebra 2 Gradebook for Riley Reynolds as of Oct. 12, 2023	52
Riley Reynolds Algebra 2 Midterm Exam Excerpts	53
IV. Competition Rules and Forms	
Contents	55
Rules of Competition	58
Modified Rules of Evidence	70
Evaluation Guidelines	80
Team Registration Form	(81)

Author's Note

Riley Reynolds is an 18-year-old high school senior at North Alaskopolis High School. Riley is suing his/her former best friend, Bailey Crawford, for defamation after Bailey told Riley's math teacher, Peyton Shepherd, that Riley had cheated on an algebra midterm, leading to Riley being pulled from the high school state swim championships and losing out on a potential college scholarship worth hundreds of thousands of dollars. Riley denies having cheated and claims to have benefitted from the math tutoring of Frankie Alexie, who happens to be Peyton's roommate and who may or may not have stolen a copy of the midterm. After receiving a 97% on the midterm, Riley bragged about it to Bailey; the contents of what Riley said to Bailey are in dispute, both by them and by others who heard the conversation. Did Riley cheat on the midterm? Is Bailey liable for defamation? It is up to you to litigate the answer.

After several years of recycling prior problems, we are back with a completely new problem. The problem this year focuses on alleged cheating and defamation. While the law of special education is not in dispute in the case, the problem does introduce some of the legal concepts and issues around learning disabilities. If any students feel they may have a learning disability, we encourage them to speak to a teacher or others to seek assistance.

The problem this year has minimal exhibits, shifting more of the emphasis to conflicting testimony. This is more consistent with how students have argued cases in the past. With the necessary time restrictions, there is not enough time for too many exhibits. There are also the usual opposing experts. And of course, teams can only call three out of the four available witnesses. Our hope is that the problem is on the whole balanced and engaging.

The problem drafters would like to thank Jo-Ann Chung, Adam Bartlett, and Seneca Freitag for their assistance in drafting affidavits. Amy Doogan created the basic storyline for the problem. We have had fun drafting the problem and hope that students will have even more fun working through the different nuances of the problem (every mock trial problem is like a puzzle to piece together) and arguing it at the competition in April.

Amy Doogan and Ryan Fortson

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIFTH JUDICIAL DISTRICT AT ALASKOPOLIS

RILEY REYNOLDS	)	
	)	
Plaintiff,	)	COMPLAINT
vs.	)	
	)	
BAILEY CRAWFORD	)	
	)	Case No. 5AK-23-99999 CI
Defendants.	)	

COMES NOW the Plaintiff, RILEY REYNOLDS, and in complaint against the Defendant, BAILEY CRAWFORD, alleges and requests relief as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this case pursuant to Alaska Statute 09.05.015 and Alaska Statute 22.10.020.
2. Venue is proper under Alaska Statute 22.10.030 and Alaska Civil Rule 3(c).

PARTIES

3. Plaintiff Riley Reynolds is now and was at the time of the facts described herein an 18-year-old resident of Alaskopolis, Alaska.
4. Defendant Bailey Crawford is now and was at the time of the facts described herein an 18-year-old resident of Alaskopolis, Alaska.

FACTUAL BACKGROUND

5. From the Fall of 2019 through the Fall of 2023, plaintiff was a swimmer on the varsity swim team at North Alaskopolis High School.

6. For the Fall of 2023, defendant was the student manager of the varsity swim team at North Alaskopolis High School.

7. Throughout his/her high-school swimming career, plaintiff was known throughout the state as an accomplished freestyle swimmer. In the 2023 swimming season, plaintiff won every 50-yard and 100-yard freestyle race s/he competed in and set new state records in both the 50-yard and 100-yard events.

8. Because of plaintiff's accomplishments, s/he was considered the heavy favorite to win the Iliamna Scholarship, a four-year full tuition scholarship granted by Big State University each year to the best high-school swimmer in the state of Alaska. Plaintiff's receipt of the Iliamna scholarship was contingent upon her/him competing at the state swim championships.

9. In the Alaskopolis School District, students are only eligible to compete on school athletic teams if their average in all required classes is a 70 percent or higher.

10. Plaintiff has struggled with Algebra 2 this year, and needed a passing score on the first semester midterm in order to keep his/her average over 70 percent and be eligible to compete at state championships.

11. On October 13, 2023, plaintiff took the midterm exam in Algebra 2 and secured a score of 97 percent, ensuring that her/his class average was high enough to allow him/her to compete at state championships.

12. On or about October 17, 2023, defendant approached Peyton Shepherd, plaintiff's Algebra 2 teacher and an assistant principle at North Alaskopolis High School, and falsely told him/her that plaintiff had admitted that Riley Reynolds had cheated on the Algebra 2 midterm exam.

13. Because of defendant's statement, Shepherd gave plaintiff a zero on the Algebra 2 exam, causing her/his grade in the class to drop below a 70 percent. Plaintiff was subsequently barred from competing at the state swim championships.

14. Due to plaintiff not competing at the state swim championships, s/he lost the Iliamna scholarship to a teammate, Jordan Okina, who did not have as many swimming accomplishments for the season as did plaintiff.

CAUSE OF ACTION (DEFAMATION)

15. Plaintiff repeats and incorporates by reference the allegations in each of the preceding paragraphs.

16. Defendant stated to Peyton Shepherd that plaintiff admitted that s/he cheated on his/her Algebra 2 test;

17. Defendant's statement was categorically false;

18. Defendant knew or should have known that the statement was false;

19. The statement harmed plaintiff's reputation by portraying him/her as a cheater; and

20. Due to defendant's statement, Peyton Shepherd took actions to suspend plaintiff from the swim team such that s/he was unable to swim at the state swimming championships, causing him/her to lose a scholarship to Big State University, the value of which shall be determined at trial.

WHEREFORE, the Plaintiff requests that this Court award the following relief:

- i. That plaintiff has and is entitled to recover from defendant compensatory damages in an amount to be determined at trial;
- ii. Punitive damages;

- iii. Reasonable attorneys' fees, including litigation expenses and costs; and
- iv. All other relief that the court deems just and proper.

Dated this 4th day of December, 2023.

By:

 /s/

Counsel for Plaintiff

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIFTH JUDICIAL DISTRICT AT ALASKOPOLIS

RILEY REYNOLDS	)	
	)	
Plaintiff,	)	ANSWER
vs.	)	
	)	
BAILEY CRAWFORD	)	
	)	Case No. 5AK-23-99999 CI
Defendants.	)	
_____	)	

COMES NOW the Defendant, BAILEY CRAWFORD, and in response to the Complaint filed by the Plaintiff, RILEY REYNOLDS, answers as follows:

JURISDICTION AND VENUE

1. Admitted. Defendant agrees that jurisdiction is proper.
2. Admitted. Defendant agrees that venue is proper.

PARTIES

3. Admitted.
4. Admitted.

FACTUAL BACKGROUND

5. Admitted.
6. Admitted.
7. On information and belief, defendant admits that plaintiff has won all 50-meter and 100-meter freestyle races s/he competed in during the 2023 swimming season. Defendant is without

sufficient information to admit or deny whether plaintiff was known throughout the state as an accomplished swimmer and therefore denies the remainder of Paragraph 7.

8. Defendant lacks sufficient information to admit or deny this allegation and therefore denies Paragraph 8.

9. Admitted.

10. Defendant lacks sufficient information to admit or deny this allegation and therefore denies Paragraph 10.

11. Denied.

12. Defendant admits that s/he spoke with Peyton Shepherd on October 17, 2023 about plaintiff's Algebra 2 midterm exam, but denies that s/he made any false statements during this conversation.

13. Defendant lacks sufficient information to admit or deny this allegation.

14. Denied.

CAUSE OF ACTION (DEFAMATION)

15. Defendant repeats and reincorporates by reference its responses to the allegations of the preceding paragraphs.

16. Defendant admits that s/he related to Peyton Shepherd statements made by plaintiff about the Algebra 2 midterm exam. Defendant denies that s/he characterized these statements as cheating or that plaintiff admitted to cheating.

17. Denied.

18. Denied.

19. Denied.

20. Denied.

Dated this 21st day of December, 2023.

By: /s/
Counsel for Defendant

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIFTH JUDICIAL DISTRICT AT ALASKOPOLIS

RILEY REYNOLDS	)	
	)	
Plaintiff,	)	
vs.	)	
	)	
BAILEY CRAWFORD	)	Case No. 5AK-23-99999 CI
	)	
Defendant.	)	
_____	)	

STIPULATIONS

It is stipulated for purposes of this trial that the following facts have been properly introduced into evidence and may be relied upon by the parties in the presentation of their case:

I.

Alaskopolis, Alaska is a city of approximately 300,000 people. It is located in the Fifth Judicial District of Alaska. Jurisdiction for this trial is properly located in the Fifth Judicial District.

II.

Both plaintiff, Riley Reynolds, and defendant, Bailey Crawford, were legal adults of the age of 18 at the time of the events in question and able to sue and be sued in Alaska court.

III.

The Parties stipulate that the type and amount of damages at stake reach the jurisdictional threshold for Alaska Superior Court. The parties agree to a bifurcation of the trial. A determination of the amount of damages, if any, will be determined in subsequent proceedings should Bailey Crawford be found to be liable for defamation against Riley Reynolds.

IV.

All pleadings have been properly filed and served to all other parties. Discovery has been conducted pursuant to the applicable Rules of Procedure, and no discovery violations are alleged. All other procedural matters have been properly conducted.

V.

All affidavits are considered part of the case materials and may be used during trial for impeachment purposes and to refresh the memory of that particular witness. All the affidavits were dictated in February 2024. The affidavits have all been validly signed and notarized.

VI.

All exhibits included in these case materials are authentic and, where appropriate, validly signed. No objections to the authenticity of the exhibits will be entertained. Exhibits may otherwise be challenged for admissibility.

VII.

The witnesses for the plaintiff are (in no particular order):

1. Riley Reynolds
2. Quinn Lee
3. Frankie Alexie
4. Cameron Washington

The witnesses for the defendant are (in no particular order):

1. Bailey Crawford
2. Jordan Okina
3. Peyton Shepherd
4. Taylor Austin

DATED this 19th day of March, 2024 at Alaskopolis, Alaska.

ATTORNEYS FOR
RILEY REYNOLDS

By: _____/s/_____

ATTORNEYS FOR
BAILEY CRAWFORD

By: _____/s/_____

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIFTH JUDICIAL DISTRICT AT ALASKOPOLIS

RILEY REYNOLDS	)	
	)	
Plaintiff,	)	
vs.	)	
	)	
BAILEY CRAWFORD	)	Case No. 5AK-23-99999 CI
	)	
	)	
Defendant.	)	
	)	

FOUNDATIONAL INSTRUCTIONS

Introduction

Members of the jury, you have now heard and seen all of the evidence in the case and you have heard argument about the meaning of the evidence. We have reached the stage of the trial where I instruct you about the law to be applied.

It is important that each of you listen carefully to the instructions. Your duty as jurors does not end with your fair and impartial consideration of the evidence. Your duty also includes paying careful attention to the instructions so that the law will properly and justly be applied to the parties in this case. You will have a copy of my instructions with you when you go into the jury room to deliberate and to reach your verdict. But it is still absolutely necessary for you to pay careful attention to the instructions now. Sometimes the spoken word is clearer than the written word, and you should not miss the chance to hear the instructions. I will give them to you as clearly as I can in order to assist you as much as possible.

The order in which the instructions are given has no relation to their importance. The length of instructions also has no relation to importance. Some concepts require more explanation than others, but this does not make longer instructions more important than shorter ones. All of the instructions are important and all should be carefully considered. You should understand each instruction and see how it relates to the others given.

Direct and Circumstantial Evidence

Evidence is either direct or circumstantial. Direct evidence, if you accept it as true, proves a fact. Circumstantial evidence, if you accept it as true, proves a fact from which you may infer that another fact is also true.

Let me give you an example. Let us pretend that as a juror you are asked to decide the following question: Did snow fall during a particular night? Direct evidence would be a witness

testifying that the witness awoke during that night, went to the window, and saw the snow falling. From this evidence you could conclude that snow fell during the night.

Circumstantial evidence would be a witness testifying that the ground was bare when the witness went to sleep at 10:00 p.m., but the next morning when the witness awoke and looked out the window, the witness saw that the ground was covered with snow. From this evidence you could also conclude that snow fell during the night.

Facts may be proved by either direct or circumstantial evidence. The law accepts each as a reasonable method of proof.

Witness Credibility

You have heard a number of witnesses testify in this case. You must decide how much weight to give the testimony of each witness.

In deciding whether to believe a witness and how much weight to give a witness's testimony, you may consider anything that reasonably helps you to evaluate the testimony. Among the things that you should consider are the following:

- (1) the witness's appearance, attitude, and behavior on the stand and the way the witness testified;
- (2) the witness's age, intelligence, and experience;
- (3) the witness's opportunity and ability to see or hear the things the witness testified about;
- (4) the accuracy of the witness's memory;
- (5) any motive of the witness not to tell the truth;
- (6) any interest that the witness has in the outcome of the case;
- (7) any bias of the witness;
- (8) any opinion or reputation evidence about the witness's truthfulness;
- (9) any prior criminal convictions of the witness which relate to honesty or veracity;
- (10) the consistency of the witness's testimony and whether it was supported or contradicted by other evidence.

You should bear in mind that inconsistencies and contradictions in a witness' testimony, or between a witness's testimony and that of others, do not necessarily mean that you should disbelieve the witness. It is not uncommon for people to forget or to remember things incorrectly and this may explain some inconsistencies and contradictions. It is also not uncommon for two honest people to witness the same event and see or hear things differently. It may be helpful when you evaluate inconsistencies and contradictions to consider whether they relate to important or unimportant facts.

If you believe that part of a witness's testimony is false, you may also choose to distrust other parts of that witness's testimony, but you are not required to do so. You may believe all, part, or none of the testimony of any witness. You need not believe a witness even if the witness's testimony is uncontradicted. However, you should act reasonably in deciding whether you believe a witness and how much weight to give to the witness's testimony.

You are not required to accept testimony as true simply because a number of witnesses agree with each other. You may decide that even the unanimous testimony of witnesses is erroneous. However, you should act reasonably in deciding whether to reject uncontradicted testimony.

When witnesses are in conflict, you need not accept the testimony of a majority of witnesses. You may find the testimony of one witness or of a few witnesses more persuasive than the testimony of a larger number.

Evaluation of Evidence

The weight to be given the evidence is for you to determine. You must examine the evidence carefully and decide how to evaluate it in light of the law that I have given you in these instructions. In your deliberations, you must not be governed by mere sentiment, unsupported conjecture, sympathy, passion, prejudice, public opinion, or public feeling. You should consider the evidence in light of your own common sense and observations and experiences in everyday life. But you may not consider other sources of information not presented to you in this court.

Your consideration of this case should be based solely on the evidence presented and the instructions I have given. The parties to this action are entitled to have a calm, careful, conscientious appraisal of the issues presented to you. Sympathy, bias or prejudice should not have the slightest influence upon you in reaching your verdict.

Objections

There are rules of law that control what evidence you can consider. When a lawyer asks a question or offers an exhibit into evidence, and the lawyer on the other side thinks that it is not permitted by the rules of evidence, that lawyer may object. If I overrule the objection, the question may be answered or the exhibit received. If I sustain the objection, the question cannot be answered, or the exhibit be received. Whenever I sustain an objection to a question addressed to a witness, you must disregard the question entirely, and must not draw any inference from the wording of it, nor speculate as to what the witness would have said if permitted to answer the question. If I sustain an objection to a question after an answer has been given, then you must disregard the question and the answer.

Sometimes I may order that evidence be stricken from the record and that you disregard or ignore the evidence. In that case, you must not consider the evidence which I told you to disregard. You may wonder why some evidence must be excluded or disregarded when it appears to be of some interest to you. The rules that govern what evidence can be received are designed to do two things. First, they try to help you focus on important and reliable evidence by keeping out interesting but not very important or reliable information. Second, the rules help you decide the case objectively without being swayed by information that might cause you to respond emotionally.

Many of us have said to ourselves from time to time something like “I wish I never heard that about someone, because it makes it impossible for me to be unbiased now.” The law tries to

protect jurors from this natural human reaction. It is because the law protects what jurors hear that we have such confidence in the impartiality and integrity of the jury.

You should not be influenced by the fact that objections are made or that requests are made that I take certain actions; nor should you be influenced by the number of objections or requests that are made. Objections or requests are not evidence. Please remember that my rulings that exclude evidence or that bar questions are designed to help you decide the case fairly. When I allow testimony or other evidence to be introduced over the objection of a lawyer, I do not mean to suggest any opinion as to the weight or effect of such evidence.

Burden of Proof

In this case, you will be asked to decide questions according to whether something is “more likely true than not true.” An alleged fact is “more likely true than not true” if you believe that the chance that it is true is even the slightest bit greater than the chance that it is false. In more familiar language, an alleged fact is more likely true than not true if you believe that there is a greater than 50% chance that it is true. Fifty-one percent certainty is sufficient; no more is required for you to decide that the alleged fact is more likely true than not true.

Bifurcation

In this trial, you will only be deciding whether liability exists for either Party. If you decide that either Party is legally liable for damages to the other Party, there will be a second trial to determine the amount of those damages. If damages are an element of a claim, then the existence of damages must be proven according to the appropriate burden of proof, but it is not necessary to prove the amount of those damages. In your deliberations today, you must disregard the monetary amount of any damages either Party may have suffered.

SUBSTANTIVE INSTRUCTIONS – *REYNOLDS v. CRAWFORD*

Defamation — Elements of Defamation Per Quod Where Plaintiff Is Not a Public Figure and Statement Does Not Relate to Issue of Public Interest or Concern

In this case, the plaintiff, Riley Reynolds, claims that the defendant, Bailey Crawford, harmed the plaintiff's reputation by making a false statement about the plaintiff. To establish this claim, the plaintiff must prove that each of the following elements is more likely true than not true:

- (1) the defendant communicated a statement to a person other than the plaintiff;
- (2) the statement was reasonably understood by this person to be about the plaintiff;
- (3) the statement tended to harm the plaintiff's reputation or to discourage others from associating with the plaintiff;
- (4) the statement was false;

(5) the defendant knew the statement was false or failed to use reasonable care to determine whether the statement was true or false;

(6) the plaintiff suffered a specific monetary loss; and

(7) the statement was a substantial factor in causing that loss.

If the plaintiff fails to prove any one of these elements, you must find for the defendant on this claim. If the plaintiff proves all seven elements, you must find for the plaintiff on this claim.

Affidavit of Riley Reynolds

1. My name is Riley Reynolds. I am 18 and a senior at North Alaskopolis High School in Alaskopolis, Alaska. I love swimming. I find it so freeing. All my stress fades away when I am going as hard as I can in the pool. I am best at the freestyle stroke, but I also have a pretty good butterfly. It has a lot of power and I've been working hard at it, doing lots of lengths in practice and lifting weights to get stronger.

2. My dad was a swimmer. He was actually quite competitive in college and might have gone on to the Olympics if things had gone differently. Well, my mom got pregnant with me right after they both graduated from college, they got married, my dad got a job as a physical therapist, and I guess that ended his Olympic career. He taught me to swim, and we used to go to the pool all the time when I was younger. When I was seven, he enrolled me in a competitive swim club and I started doing really well. My dad was so proud. He used to tell me that he could see me going to Olympics and if I did, I would fulfill his dreams. All I needed to do is work hard because I have natural talent. He told me to focus and foster my talent, even if it meant giving up other stuff. I think he was really counting on me.

3. My Dad died of pancreatic cancer when I was nine. From then on, it's just been my mom, Kate, and me. She was always working to provide for me after my father died. My mom worked as a nurse, which she really enjoyed, although she was always putting in long hours at the hospital. Her work just happened to be very close to the club where I swam, so I was able to practice while she was working. About a year ago, my mom got into a car accident. Now, she's in a wheelchair and she has not been able to work since. It's been tough. Mom is in pain a lot. It has also been really hard on us financially, as you might imagine. She's getting disability checks, and the only way we are getting by is sometimes my grandparents help out. They bought me a used car so I can get to the pool on my own. Mom seems depressed a lot, and as much as I love her I just have to get out of the house to take a break sometimes.

4. I've always been a good swimmer, but I grew a couple of inches during my junior year and got a lot stronger and more physically mature, and since then I've won almost every race I've entered. I've even been mentioned in the newspaper a few times. I guess it can seem like there's a lot of pressure on me to succeed. I don't really look at it that way, though. I just love to swim, and I love to win. My mom goes to all my swim meets, and she gets so excited to see me win races. When I set a new state record in the freestyle a few months ago, she started to cry and tell me how proud my dad would have been if he could see me now. I guess sometimes I feel like I have to do well in my races to keep Mom happy, but that's okay. It's nice to see that she's still able to act like her old self sometimes. And my grandparents even came to a couple of meets, which is great because it can be hard for them to get out of the house and go places.

5. Everyone in the swimming community in Alaska knows about the Iliamna Scholarship at Big State University. It is an endowed scholarship that is awarded every year to the most promising swimmer in the state. It has been my dream for the past few years to receive the Iliamna, and ever since my swim times have improved over the past year or so I began to consider it a real possibility. Getting this scholarship would really have helped me go to college and pursue my dreams. My parents were not able to save up much money for me for college, and full tuition at Big State would be more than \$100,000 for four years. We can't afford that. I even

know what I would study at Big State. They have a physical therapy department, and I looked into their courses. I want to get a degree in kinesiology and become a physical therapist like my dad. I also want to continue swimming in college, and Big State has a very competitive swim team. Other top notch Big State swimmers and divers have gone onto to world championships and even the Olympics. I get goosebumps just thinking about the possibilities that would open up for me if I had gotten the Iliamna scholarship. Now I'll be lucky to be able to afford tuition at Alaska Community College, which doesn't even have a swim team or a physical therapy program. All thanks to Bailey Crawford.

6. Over the summer I started training like crazy at both the 50 and 100 freestyle. Even though I prefer the butterfly, I am fastest at the freestyle. I set a state record on the 100 at one meet early in the season. The previous 100 state record was previously set by Jamie Pronto, who went to North High too, and then to Big State University on the Iliamna Scholarship, and then onto the Olympics. Jamie didn't medal, but it would still be awesome to follow that same path! I think I have the ability to do it too! The newspaper wrote up that I broke the record and featured me on the front page. Then, during one of my practices, I beat the state 50-meter record that was also set by Jamie. I've won the 50 and 100 meter freestyles every time I raced this year, including in all the regular season meets and at the conference meet. I was entering the state championships as the heavy favorite to win those races, too, and possibly even beat my own state records. Coach Quinn told me that there was going to be a scout present from Big State at the state championship and that if I won both of my freestyle races I would be a shoe-in for the Iliamna Scholarship. I was also doing well in the butterfly and the individual medley, and winning those races would just cement my status as the best high-school swim racer in Alaska. Sometimes I think some of my teammates are jealous of me, but that's fine. I know I'm the best high-school swimmer in the state – why shouldn't they know it too?

7. In addition to being really good at swimming, I am really good at school too. I'm in all the honors classes North High offers. Well, except for math. Ever since I was a little kid, I've had trouble with math. I'm not sure why. Sometimes I look at math problems and the numbers start being transposed, or my mind just goes completely blank and I can't process even simple addition and subtraction. I have always been on the remedial math track; it is sort of embarrassing. Even in the easy classes I would mostly get Bs or an occasional C, never an A for the semester. It took a lot of work just to pass everything. Mom would help me with my homework, at least when I was younger and it was stuff she could handle. My teachers and the school never really did anything to try to get me help. Bailey's mom, who teaches special ed at Swift Elementary, actually talked to my mom about getting me evaluated for some kind of math disability when I was still in grade school, but my mom never followed up and Bailey's mom never mentioned it again. Sometimes a teacher would have me come in for recess to help me a little with math, but that was only sporadic, and I never really improved all that much. I think everyone just figured I was not good at math, and I guess they were right.

8. I really started to struggle once I got into Ms./Mr. Shepherd's Algebra 2 class. I was in there with mostly a bunch of sophomores and even some freshmen, which is the year I should have taken the course if I were on a more advanced math sequence. I barely made it through Algebra 1 in 10th grade. I was a little better in Geometry the next year because it was more visual. But when I got into Algebra 2, everything just got way too abstract for me. Mr./Ms. Shepherd is an ok teacher and everything, but s/he was clearly teaching to the brighter kids in the

class and did not care much about me or how I was doing. S/He would try to talk to me after class or during breaks in algebra when students were able to work on homework. But, it was never enough time to make much of a difference. I could do decently on the homework because I could spend all the time I needed to finish it. I tried asking my mom for help some of the time, but she couldn't recall much of her high school math, so I pretty much had to do it all myself. Where I really struggled, though, was on the quizzes. I couldn't handle the time pressures. I know I could have done better with more time, but I would start to stumble on a problem and get nervous and just go into a brain fog I couldn't snap out of. We had only had three quizzes prior to the midterm, but I got Fs on two of them and a D on the other. I knew I was in danger of not passing the class and even worse of losing my eligibility for State.

9. Our school district is pretty strict about students maintaining good grades to be allowed to participate in sports. I think overall this is a good thing. If your grade drops below 70% in any of the core classes – math, English, science, social studies – then you cannot participate in athletic competitions until you get your grade back up. You have a little more leeway in electives – I mean because who really cares how you do in art class? You do not get kicked off the team entirely if you are on academic probation, but the reason you participate in sports is to be able to compete, so being held back from swim meets or whatever is a pretty big incentive to do well in class, especially for a star athlete such as myself.

10. I was worried because the big midterm in Algebra 2 was the week before the state swimming championship. My grade was barely hovering above a 70% as it was, with my homework scores keeping me above water. But the midterm in the class was worth one quarter of the total grade. I knew that if I did not get a C on the midterm, my grade for the class would drop below the 70% threshold and I would be ineligible for state. I wouldn't get the Iliamna Scholarship and all my dreams would be ruined! To my surprise, a couple weeks before the midterm, Ms./Mr. Shepherd pulled me aside after class and told me s/he had arranged for a math tutor to help me prepare for the midterm if I wanted it. I wouldn't even have to pay for the tutoring. I was ecstatic and jumped (maybe literally, I don't remember) at the opportunity.

11. I had my first session with Frankie Alexie, the math tutor Mr./Ms. Shepherd set me up with, on a Tuesday night. Frankie – s/he told me to call him/her “Frankie” and not “Mr./Ms. Alexie – was very nice and obviously very intelligent in math. That first session was mostly just Frankie trying to get to know me and my difficulties with math. I told Frankie about how I could look at the numbers on a page and not really understand what they mean or how to solve even simple equations. Or how I had a lot of trouble solving word problems because I couldn't translate the sentences into math equations. I had some foundation for Algebra 2 from taking Algebra 1, but I didn't remember that much of it, and the math in Algebra 2 was way more abstract and harder to think through. Sometimes the solutions would come to me – eventually they usually would – and I would be able to complete the problems, but that this would take so much longer than I felt it should. Frankie and I decided to meet again on Thursday to start tutoring after s/he had had some time to figure out how to help me. That second session went really well, and we decided to meet every day the next week to prepare me for the Algebra 2 midterm that Friday.

12. Frankie was able to teach me some great techniques for solving math problems, especially how to break down math problems down into simple steps that are easy to solve.

Frankie also taught me how better to visualize algebra problems and some mnemonic devices to remember the order of operations and other basic math steps. But the biggest thing Frankie taught me was confidence in myself and my math abilities. I just needed that individual one-on-one attention to help me work through my difficulties in grasping and processing math problems. I could see my confidence grow with each practice test I took with Frankie. Even under timed conditions, my scores improved substantially over what I had received on the quizzes in Algebra 2. I was scoring well above 80% and even got a 91% on one of the practice tests. Going into the Algebra 2 midterm I knew I would do well. I was a little nervous, but I had gotten a good night's sleep the night before and could really concentrate during the test. I won't say the test was easy, but coming out of it I had no doubt that I had passed and could turn my attention to preparing for the state swimming championship. Ms./Mr. Shepherd is really good about posting grades in the afternoon when there is a math test. I checked as soon as I got done with classes. Was I surprised I got a 97% on the midterm? Sort of, but not really. Can't say I didn't brag to some of my friends about how well I had done.

13. I can't believe Bailey said I cheated on the test. We were friends. I mean, not lately, but way back we went to the same elementary school. I have known Bailey since second grade. Growing up, we would play together a lot after school. We bonded because both of us lost our dads, for different reasons, at about the same time. In middle school, Bailey, who is really good at math, even helped me sometimes with my homework. But as we got older, and I got more into and more successful at swimming, we have sort of grown apart. We haven't really been friends for the last couple of years. Bailey isn't an athlete and says weird stuff, and my teammates would make fun of me for hanging out with him/her so I just had to let that friendship go. It was nice to see Bailey volunteer to be the student manager of the swim team. I guess maybe it was maybe Bailey's way of trying to be cool. Didn't work, but whatever. Bailey gets obsessed with people and just follows them around. Most of the other members of the swim team could sense this about Bailey, so s/he didn't really make any friends on the team, but we needed a manager to keep track of all of our swimming times and splits and all that, and as the math whiz s/he is, Bailey was really good at that.

14. Bailey has had it out for me since last Spring. Bailey had a crush on Morgan Stern. Morgan's really cute and nice and kind of artsy. Bailey had a few classes with Morgan, and everyone in school could tell that Bailey was attracted to Morgan. I don't remember exactly how we came up with the idea, but me and some of my swim team friends decided it would be funny if Bailey was catfished. Mel Ford, who's our top backstroke, has had it in for Bailey since Bailey beat him/her out for the Susitna Award last year, and Mel's family lives next door to the Sterns, so Mel knew that Morgan was going to be out of town the week of prom. So, Mel and I set up a fake Snapchat account pretending to be from Morgan to ask Bailey to the junior prom. It was so funny, Bailey showed up at the junior prom expecting to meet Morgan, and we were like "nope, it's not happening." We took a video of the whole thing and posted it on TikTok. Bailey was so pissed off and was crying and screaming at me and Mel in front of everyone. Bailey screamed s/he would get me back, however long it took, and I guess, this is it. I feel kinda bad about it now, because I didn't expect Bailey to take it so hard. It was all for fun. I mean it was humiliating for Bailey, but this stuff happens all the time in high school, and if Bailey wants to be cool, s/he needs to learn how to roll with it. It's not like I haven't been pranked before, though admittedly not by Bailey. S/He wouldn't really have the social skills to pull off a prank like this.

I was sort of surprised that Bailey wanted to be swim team student manager after all of this, but maybe that was all part of his/her plot to get me back.

15. Ms./Mr. Shepherd called me into her/his assistant principal office on the Thursday after the Algebra 2 midterm, the day before the state championships. I guess s/he was talking to me more as an administrator than as my math teacher, but I'm not really sure. Mr./Ms. Shepherd told me that Bailey had come to him/her on Tuesday and accused me of cheating. Bailey told her/him that I had told Bailey that I obtained the answers to the Algebra 2 midterm in advance and used them to achieve what Mr./Ms. Shepherd described as an "unbelievably" high score on the test for someone with my history in math. Ms./Mr. Shepherd said s/he had investigated the situation and had reason to believe that Bailey was telling the truth. S/He told me I would likely be suspended from school after the proper administrative hearings and procedures were followed but that for now s/he had given me a zero on the exam and so my grade in the class had dropped to a 63% and I would be ineligible to compete at championships. I couldn't believe it. I begged Mr./Ms. Shepherd to change his/her mind, but he/she was adamant. I ended up not being allowed to swim at championships, and Jordan Okina, one of my teammates, got the Iliamna Scholarship.

16. It's not true that I cheated! Bailey is just trying to get me back for last Spring. At swim practice on the Monday after the midterm, Bailey came up to me and congratulated me on getting such a good grade, and I said "it was easy when you study hard and feel like you know the questions and answers beforehand." Maybe Bailey was so biased against me that s/he heard me say I had gotten the answers ahead of time. Or maybe Bailey didn't even listen to what I said and just wanted a pretense for accusing me of cheating. Bailey can be really vindictive – in freshman year this kid put gum in her/his hair on the bus, and Bailey trashed the kid's locker. Then, a few weeks after the prom incident last year, I guess Morgan Stern started ignoring Bailey in class and then his/her locker got trashed as well. Bailey said it wasn't him/her and the principal couldn't prove anything so Bailey didn't get in trouble, but everyone knows s/he was the one who did it. Bailey has always been jealous of me and just wants to bring me down. It's not my fault that Bailey is a geek and has no friends. Coach Quinn was there and heard the whole thing. Ask Frankie. I studied. I did practice exams. I earned my 97% honestly! I am devastated that I missed championships and lost the scholarship. It was my pathway to Big State University and maybe even the Olympics. Everything is ruined now!

17. I understand the need for me to be assessed by experts in special education, but it has not been a fun experience for me. I didn't mind meeting with Cameron Washington too much. S/He was very casual and supportive of me. I wish that I had access to Cameron at my school and that s/he had created an IEP for me. I understand now that I have a learning disability and feel that if the school district had properly assessed me I would not be in this situation. Frankie has been great in giving me the instruction I needed to become more confident and capable in math, but this is a problem that should have been addressed much earlier. I did not, on the other hand, like being assessed by Dr. Taylor Austin. I felt like Dr. Austin was very impersonal and treated me as if I were a science experiment. And the dyscalculia diagnostic test that Dr. Austin gave me made me very nervous. It was a long test, and I don't like being judged. The longer it went on, the less I cared about doing well and the less I tried to solve the problems correctly. I don't know if this skewed the results any, but I'm also not sure it matters. I know I didn't cheat, and anyone who says I did is either wrong or lying.

Affidavit of Quinn Lee

1. My name is Quinn Lee. I am 32 years old and I work as a swim coach at North Alaskopolis High School in Alaskopolis, Alaska. I was born in Alaskopolis but my dad was in the military, so my family moved around a lot during my childhood. I was lonely a lot and had trouble making friends due to the frequent moves. One day I decided to try out for the swim team to see if I could make some friends at my new high school, and I was thrilled when I got a spot on the varsity team. It turned out that I was good, especially as a freestyle swimmer, and I won several regional and state titles my senior year.

2. After graduation, I got an athletic scholarship to Middle State University, where I ended up setting state collegiate records in the 100-freestyle. In my junior year at Middle State, I went to the national collegiate swimming championships, where I set a new national collegiate record in the 100-freestyle. This got the attention of the director of the national training center, who offered to take me under his wing and develop my talent. Obviously, I was thrilled. I'd dreamed of becoming an Olympic swimmer, but I never thought I'd actually get an opportunity like this one. Of course, I took it, and moved to train with the national team in Colorado. It was hard work, but it paid off. After about a year, I began swimming so well that I earned a spot at the Olympic trials, and my coach told me I would be a lock for the team.

3. Unfortunately, a week before trials I was on a training swim and I overextended my shoulder. I knew immediately something was seriously wrong. My arm was stiff and sore, and I didn't have full range of motion. The trainer sent me to an orthopedic surgeon, where I had an MRI that showed I had a severe labrum tear. I had to have surgery, and I was unable to swim at trials. That was devastating, especially since the swimmer who ended up being chosen to swim the 100-freestyle in the Olympics posted a time that was almost half a second slower than my best time.

4. After surgery and months of physical therapy, I was doing a little better but I was still in pretty rough shape. I tried to get back into training, but the tear had caused permanent damage to my shoulder joint and I just couldn't swim as fast as I could before I got hurt. After a few months my coach told me that he was sorry, but I had to leave the training center because they needed my spot for a new swimmer. That hurt to hear, but I couldn't really blame him. I didn't know what I was going to do next, so he suggested I try coaching. He called a few people he knew from the circuit and managed to get me an assistant coaching gig at Big State University.

5. While I was recovering from surgery, I had started taking opioid pain medication and I soon found that I had become dependent on it. It seemed to take the edge off not just the physical pain, but all the issues I was having with my disaster of a life. My doctor eventually stopped prescribing it to me, saying it was meant for short-term use and I should be recovered enough to get by with ibuprofen. I tried to go without it for three days after that, and I've never felt worse in my life. Fortunately, the other swimmers on the circuit knew which doctors would prescribe those pills freely, and I was able to find a new clinic that kept writing prescriptions for me.

6. By the time I started at Big State University, I was taking over a dozen opioid pills a day. I can admit now that my habit really impacted my performance at Big State. I was unreliable, and the mood swings I had because of the pills made me irritable with the swimmers when they

performed less than perfectly. One day, our star swimmer showed up five minutes late to practice and my temper got the best of me. I yelled at her in front of the rest of the team. She rolled her eyes at me, and I pushed her into the pool. I'm not proud of my behavior. I realize now how inappropriate it was, but at the time I just couldn't control myself. After that incident, the head Big State coach fired me. I was able to find another job at a less well-regarded school, but because of the pills I messed that one up too. For a few years after that, I just went from one school to another, until eventually word had gotten around about how unreliable I was and nobody would hire me.

7. I hit rock bottom on Christmas Eve in 2018. I was up in Alaskopolis visiting my sister, and I ended up taking one too many pills and passing out in the drive-through line at a Taco Bell. After that, my sister told me that if I didn't get my problem under control, she and the rest of my family were going to cut me off. My sister's college roommate is a therapist who works at an inpatient rehab center, and she was able to get me a treatment bed, which I agreed to take.

8. I was in inpatient rehab for three months. It was hard, but it helped me kick the pills for good. After I was released, I decided it would be best to stay in Alaskopolis for a while. My sister offered to let me stay at her place free, but I knew I would need a job to be able to pay the rest of my bills. My sister knew one of the PE teachers at North High, and they said they were looking for a swimming coach. My sister's friend and my Narcotics Anonymous sponsor, who was married to the athletic director at North High, both vouched for me, and I guess I was the only applicant with the kind of competitive swimming experience they were looking for, so I got the job.

9. I've been the swim coach at North High now for four years. It's an okay job. It's part-time and the pay's not great, and sometimes I think it's beneath me, you know? I was almost an Olympian, and I never thought I'd end up coaching high schoolers who barely know the breaststroke from the backstroke. I hope that eventually I can get back into college coaching. Last year, I heard there was an opening at Big State University, so I called the coach there to ask about it. I figured once he heard I had a few years sober, he might be willing to give me another chance. He just laughed and said it would take a miracle for me to break back into collegiate swimming. That hurt, but it just made me determined to prove him wrong and find a way back into college coaching.

10. I've known Riley Reynolds since s/he tried out for the team during his/her freshman year. I could tell the first time that I saw Riley swim that Riley was special. I put her/him on the varsity squad that year, which was pretty much unheard of for a freshman, but I believed in Riley. And Riley didn't disappoint me. S/He swam well enough that s/he almost made the state championships at the end of his/her freshman year. Riley had a ton of natural talent, and I knew that with the right coaching, s/he would be a star.

11. I started working with Riley outside of standard practices. I had her/him spend extra time in the pool, and we put in a lot of hours in the gym doing weight training and flexibility work. All of our work paid off, because Riley just got faster and faster until, during his/her junior year, s/he was easily the best swimmer on the team. We have other talented kids, like Jordan Okina, but none of them can match Riley. Earlier this season, Riley beat the state records for both the

50- and 100- freestyle races, and s/he was heavily favored to win both events, as well as some of his/her other races, at the state swimming championships at the end of the season.

12. I had heard about the Iliamna Scholarship shortly after I started working at North High. North High had only had one previous student win it, Jamie Pronto, but as soon as Riley started breaking records everyone started saying it was hers/his to lose. In fact, one day out of the blue, the coach at Big State called me to ask about Riley. The coach said that if Riley won both of the freestyle events at state championships, Riley was a “lock” for the Iliamna Scholarship. He also said that he knew Riley and I had a close relationship, and if “Riley is able to deliver results for Big State in the same way that s/he was delivering them for North High, there might be a job in it for you as well.” This is the same coach who told me a year earlier that there was no way I’d ever work in collegiate swimming again!

13. Obviously, this promise was hugely motivating for me, and I started working overtime to help Riley succeed. We had extra practices and workouts, and I even brought in a dietician to work with Riley on his/her nutrition and hydration. The best thing about working with Riley is that I never had to push her/him to do what was best for her/his swimming. Riley wanted to succeed just as much as I wanted him/her to. I knew Riley had been struggling with math, because s/he had mentioned it at practice a few times. Still, I was shocked when Riley told me one day that s/he was in danger of failing an Algebra midterm and being ineligible to swim at state. I mean, I know school is important, but Riley is a major talent! Who cares if s/he can solve for x? I told Riley that I didn’t care what it took, but he/she had to pass that exam so he/she could swim at state and get the Iliamna Scholarship. His/Her future was riding on it, and so was mine.

14. Riley told me that Peyton Shepherd had hooked him/her up with a tutor. He/she had to miss a couple of practices to go to tutoring sessions. I guess they must have helped, because the next thing I knew, Riley was telling me that he/she hadn’t just passed the math exam, but had gotten a 97%! I’m not going to lie, that floored me. I knew Riley was capable of doing well enough to pass the exam, but I didn’t think he/she would get an A. I’m not stupid; I knew that there would be some speculation that Riley had found a way to cheat on the exam, but I don’t think Riley would do that. Riley is incredibly hardworking and motivated and wants to be a success. I just don’t see her/him jeopardizing his/her future by doing something so stupid.

15. Riley is very much against cheating. I remember a swim meet last year where Riley did something I’ve never seen another swimmer do – Riley turned herself/himself in for jumping early off the blocks. We don’t always have the best lane judges in high school swimming meets, and usually not enough of them. So, we were in a meet with our big rival, Madison High, and Riley was racing in the 100-meter freestyle. Riley was not quite the swimmer s/he is today, and winning this race would be a big boost to his/her status and confidence. When the starters gun went off, I thought Riley may have jumped slightly early but could not tell for sure. Riley did great in the race and won by a couple of lengths over the next closest swimmer. Everyone was cheering for Riley when s/he got out of the pool. But without hesitation, Riley went over to the lead race official – I was standing right next to her – and told her: “The lane judge missed it. I jumped a bit early. I guess I was just excited to start the race. I need to be disqualified.” The race official seemed surprised, thanked Riley, and asked why Riley continued with the race. Riley responded, “I just needed to see if I could win. I’m sorry.” No one would have known otherwise, and Riley totally could have gotten away with the false start and notched a big win. It was very

brave of Riley to admit that s/he had “cheated” and ask to be disqualified. I was very proud of Riley.

16. I know Bailey Crawford, the swim team manager, is the one who accused Riley of cheating on the math exam. I should have suspected Bailey would do something like this. I was confused when Bailey came to me at the beginning of the season and asked to be the swim team manager. S/He doesn't have an athletic bone in her/his body, and I don't think s/he has any real passion for swimming either. Regardless, I knew Bailey's great at math and would be able to help us track our stats, and he/she was always willing to pitch in and help with equipment and stuff, so I'm not complaining. But, one thing about that initial interview did stick out to me. I asked Bailey why s/he wanted to manage the swim team when s/he had never been on the team before. S/He told me s/he wanted the job to beef up college applications, but then said a bit nervously, “I think Riley Reynolds is going to have a big year, and I just want to keep my eyes on Riley.” I didn't think anything of it at the time – kids say weird things all the time – but it still seemed like a weird thing for Bailey to say. I knew there had been some kind of beef between Bailey and Riley several months back, something about Riley playing a prank on Bailey and Bailey taking it way too seriously, so I was a little worried, but they always seemed to get along fine. Looking back now, I think Bailey only wanted to manage the swim team to be in a position to get revenge on Riley.

17. The math exam gave Bailey that opportunity. On the Monday before the state championship, I saw Riley talking to Bailey. I was standing over by the equipment room, which is about 50 feet away from where Bailey and Riley were standing. But, I mean, everything echoes in a swimming pool, so it is easy to hear from far away. They seemed to be joking around. Bailey was very jovial and congratulated Riley on doing well on the exam. I then heard Riley say something like “it's easy when you study hard.” And that was it. The swim practice proceeded like normal.

18. Two days after I saw Riley and Bailey together, I was called into Peyton Shepherd's office. S/He told me that Bailey had accused Riley of cheating on the math midterm. Peyton told me Bailey had said that I was around during the conversation between Bailey and Riley, and asked if I had heard anything. I told the truth, which is that Riley and Bailey were having a friendly chat and all Riley said about the exam was “it's easy when you study hard.” Peyton asked if I had heard Riley say anything about knowing the questions ahead of time. I said I hadn't heard anything like that, because I didn't. Like I said, a swimming pool is an echo chamber, and you can pick up on pretty much any conversation you want to hear. If Riley had said anything about knowing the questions ahead of time, I would have heard it and definitely remembered it. Of course, I realized that if Riley was found to have cheated on the exam, Peyton would give him/her a zero and s/he wouldn't be able to swim at state, but I didn't think that was going to happen. I assumed Peyton would believe Riley and me when we told him/her what had actually happened. I mean, Bailey must have been lying to get back at Riley for the prank. That's the only explanation that makes any sense.

19. I was shocked when Riley told me the next day that Peyton had given her/him a zero, and that s/he wouldn't be allowed to compete at the state championships. I felt terrible for Riley, who was in tears when s/he gave me the news. Of course, I also felt terrible for myself, because if Riley didn't make it to Big State, there was no incentive for them to offer me that coaching job

they had promised. A talent like Riley only comes along once in a generation, so it's not like I could just find someone to take Riley's place.

20. State came around and Jordan Okina won her/his freestyle races, though not by much. Still, Jordan ended up winning the Iliamna Scholarship too. I guess Jordan was probably the best swimmer at the meet, but only because Riley was not there. I'm sure Jordan was thrilled – everyone knows his/her parents push her/him really hard to excel at sports and go to Big State on scholarship like the rest of her/his family did. I'm happy for him/her of course – it is great that a swimmer from North High got the scholarship – but I really think the scholarship should have gone to Riley. And would have gone to Riley if s/he had been allowed to swim. There was no one close to Riley's times this season; s/he was a clear favorite in all of her/his races, with the possible exception of the individual medley. And even that I would have placed money on Riley to win. Not that I bet on my team, mind you. Moreover, Riley had the promise of being an amazingly successful swimmer, and that would have reflected positively on me and my coaching. Jordan is a bit of a let down to get the Iliamna Scholarship. Everyone knows, especially the coaches at Big State, that Jordan will be just another swim team member at Big State and not really achieve anything of note. I'm really upset that Riley was barred from competing at the state championships and winning the Iliamna Scholarship. Now it looks like neither Riley nor I get to achieve our dreams.

Affidavit of Frankie Alexie

1. My name is Frankie Alexie. I am 28-years old. I was born and raised in Alaskopolis, but I only returned a few months ago after being away for college and graduate school. I guess you could say I am a bit of a math whiz. I own and operate The Math Gym, which is a math tutoring business here in Alaskopolis. The Math Gym offers tutoring for high school and college students who are struggling with math. A lot of students find math and numbers difficult; I really enjoy helping them work through their problems. I came up with the name because I market my skills especially to high school athletes, many of whom struggle with math and need to maintain a 2.0 GPA to be eligible to play sports. I guess part of me also wants to “fit in” with high school athletes – the cool kids, you now – since I never really could fit in growing up.

2. When I say I am a math whiz, I am being honest. I was a math prodigy at an early age. I finished elementary school math by third grade and went to a nearby junior high for supplemental instruction. By the time I entered Egan High School, I had already completed calculus and began taking math classes at Alaska State University. Needless to say, I did well in my classes. But I admit that being such a genius made me feel a bit socially awkward. I couldn’t really relate to other high school students, who just were not at my level. At the same time, I was too young to hang out with college students. I loved math and only wanted to do math, so when I was not in classes I mostly hung out in the library doing math.

3. I mean, I was good in other subjects as well. I had a high GPA and great SAT score – perfect on the Math section of course. My professors at Alaska State University wanted me to enroll there, but I knew I was destined for greater things. I assumed I would get into MIT. I was devastated when I was rejected. I even called the admissions office to ask why did not get in and was told that it was because I was not a “well rounded” student. I never had any interest in extracurricular activities other than completing extra college-level math textbooks for fun. I just think it is stupid and unfair that someone as smart as me would not get into MIT just because I didn’t join Glee Club.

4. After crying for days about not being admitted to MIT, I decided to attend Carter College, one of my safety schools. Carter is a good school and all, but it is not on the level of MIT. I excelled at Carter College, earning a 4.0 GPA and winning the prestigious Samuel Mathematics Prize in my junior year for work I did on the obscure Labrador Theorem. This finally got MIT’s attention, and I was accepted into their PhD program in Mathematics.

5. Unfortunately, things did not work out so well for me at MIT. I really enjoyed my classes and did well on them. I naturally gravitated to Dr. Patrick Murphy, who was also working on the Labrador Theorem. I don’t know if Dr. Murphy felt threatened by me or what, but I never became his star protégé like I should have been. Dr. Murphy never gave me the most desirable research and teaching assistant assignments, always sticking me instead into teaching lower-level math sections and tutoring jobs. I shared my frustration with Dr. Murphy several times, but it was like we were just two dogs barking at each other. After about three years I couldn’t take it any more and kind of lost it with Dr. Murphy. During a loud argument, I yelled at him that he was a “washed up hack” and should “step aside and let some real brains do research”. This did not go over well, and I was asked to leave MIT. It did not help that I also knocked over some computer equipment on my way out of the room after the argument.

6. After I got kicked out of MIT, I was having trouble paying my bills. I didn't want to go home to Alaskopolis, but I couldn't find a job. My landlord was hassling me because I was behind on the rent, and I was getting shutoff notices from the gas company. My grandmother lived in New Hampshire, and I thought maybe she'd be willing to lend me some money until I could find a job, so I drove up to see her one day. She said she wasn't giving me anything, because the problems I was having were all of my own making. So when she got up to put on the television to watch a soap opera, I stole a check out of her checkbook. I'm not proud of it – I never thought I was the kind of person who would steal from their own grandmother – but I was desperate. I wrote a check for \$2000 and forged her signature, then deposited it into my own account. Unfortunately, grandma is sharper than I thought, and she noticed the check on her bank statement. It wasn't hard to figure out it was me who took it. She decided to press charges, saying it was for my own good. I pled guilty in exchange for them lowering the charge from a felony to a misdemeanor theft charge. Because I didn't have a prior record, I was only given thirty days in jail and three years of informal probation.

7. After I got out of jail, I couldn't find a job. Grandma obviously wasn't going to let me move in with her, so I decided to return home to Alaskopolis, my tail between my legs. This was in July 2023. I just couldn't bring myself to move back in with my parents, so I looked on Craigslist for an apartment or roommate. I came across a listing from Peyton Shepherd. It seemed like a fair price to rent a room, but what really intrigued me was that Peyton was a high school math teacher at North Alaskopolis High School. Despite it being beneath me, I had sort of enjoyed being a math tutor at MIT and thought I might want to start a math tutoring business in Alaskopolis. It wouldn't be the high-level mathematics I really wanted to do, but I had pretty much burned all my bridges with academic mathematicians, and this would be a way to make a career out of doing math. And without my PhD, I was not going to be able to teach at a college. I thought about trying to teach high school, but that would require getting a teaching certificate, which meant more school, which I really was not in the mood for.

8. When I was tutoring college students while at MIT, I realized that a lot of the problems underperforming math students have are related to anxiety. Not exactly something I can relate to, but I was able to come up with creative ways to ease that anxiety. For example, if students had trouble understanding basic concepts in geometry, I could teach them ways to visualize the math problem to simplify it. Having this image of the math problem put students at ease because it became more possible for them to determine the correct angles or whatever the math problem was asking. Indeed, visualization can help with all sorts of math problems, from simple addition all the way up to calculus. If students had trouble reading and understanding mathematical formulas, I could help them use special mnemonic devices that map numbers and formulas onto letters and words to help the student better remember and process common math concepts. In retrospect, I wish I had taken a couple of math teaching courses in graduate school to better learn these techniques, but I was able to figure them out on my own through Internet research and trial and error. I had had measurable impact on student test scores at MIT, and I knew I could translate that to The Math Gym in Alaskopolis. I started my business with the beginning of the 2023-24 school year.

9. Mostly through word of mouth and social media postings I was able to get a few tutoring students pretty quickly. And as Peyton got to know me and trust me a bit more, I started getting a couple referrals from her/him. Still, this was only barely enough to get by financially. I needed a

couple dozen regular clients if I was going to be a math tutor full time. I mean, I was a graduate student before, so I knew how to survive on not much money. But, I also did not want to live like that the rest of my life and was looking for ways to grow my business. I wasn't the only math tutor in town, and there are an increasing number of online math programs available. I figured if I could have some success story that would really make news and get my name known among local teachers and parents, my number of referrals and clients would really take off. My savings were dwindling, and I was afraid that in a couple of months I might no longer be able to pay my rent and would have to move back in with my parents. Or even worse, get a non-math job.

10. It was in mid-October 2023 that I got my big break, so to speak, when Payton referred Riley Reynolds to me. Riley was in Peyton's algebra class. Everyone in Alaskopolis knew of Riley and his/her swimming exploits. Riley held several district swim records and even the state record in the 100 freestyle. Riley garnered local press as a promising young swimmer who might some day go to Nationals or maybe even the Olympics, like Lydia Jacoby. Peyton told me that Riley was a good kid and generally pretty smart, only s/he had trouble with math. I see this kind of thing all the time. When Peyton talked to me, the state swimming championships were three weeks away. The problem was that there was a big algebra test the week before the championships, and Peyton was worried Riley would not score well enough on the test to stay on the swim team. Riley was at a 70% for the semester in algebra, barely a passing grade, and needed to maintain that score to remain eligible for athletics. If Riley did not score well on the upcoming test and her/his grade dropped below 70%, s/he would be off the swim team and unable to go to the state championship.

11. Peyton told me s/he had been trying to help Riley out with math but did not have the time with his/her new assistant principal job to spend all the time it would take to help Riley succeed in math. Peyton told me that Riley had math phobia, that it was almost a confidence thing. Peyton mentioned that Riley was reluctant to ask for help and rarely spoke up in math class. The few times Peyton called on him/her, Riley was clearly very nervous had difficulty understanding or describing the algebra problem being discussed. Peyton said in those instances that s/he would try to break down the problem into component steps and explain the underlying formulas needed to solve the problem, but Riley would usually just clam up and ask that another student solve the problem. Peyton knew that Riley was an Honors student in English, so s/he was clearly smart. Peyton could not understand why Riley was struggling in math. This was not even Honors math.

12. Up to this point in the semester, students had only had untimed homework assignments and short quizzes in algebra. Riley could do ok on the homework assignments – Peyton suspected Riley's mom, Kate, was helping with them – but bombed the quizzes, usually scoring around a 50%. S/He was very concerned that the same thing would happen on the upcoming algebra mid-term. Peyton told me it was really important for the prestige of North High that Riley stay on the swim team and go to State. S/He even said that I would get a month of free rent if I could get Riley to pass the test. I knew this was my chance not only to score financially but also to make a name for myself with parents of future math clients.

13. When I met with Riley, s/he seemed like a shy, unassuming kid. I think Riley was a bit embarrassed to need math tutoring. I asked Riley what kinds of problems s/he was having in math, and s/he said that when looking at numbers in math tests, it took a while to grasp the idea that the numbers stood for some quantity, as if s/he was looking at a foreign language s/he could

not translate. This became especially challenging in algebra because everything was just numbers and symbols on a page, and Riley could not visualize the problems like s/he had done with geometry and earlier subjects in math. Riley confided that s/he had always struggled with math even as a young child. It took Riley longer than classmates in elementary school to understand how to add or subtract single digit numbers. Riley always felt behind in math, and this led to confidence issues that further contributed to difficulty doing well in class. Riley told me s/he had come to accept that s/he would always be a B-level student at best on the basic math track. I could tell this was difficult for Riley because s/he was so successful in everything else, from swimming to academics. Riley could usually get by with a lot of effort, but algebra was too abstract for Riley to grasp and understand. Riley said it took over an hour to do homework assignments that other students completed in 30 minutes or less and that s/he was really worried about finishing the upcoming midterm in time.

14. I quickly realized that the first thing I needed to do was build Riley's confidence in his/her ability to do math. I assured Riley that I could teach her/him techniques to improve his/her math abilities to the point where s/he could process algebra problems in the time allowed for the test. A lot of students when they see a math equation think that they need to solve the whole problem all at once. Math is always a series of simple steps of simple problems of addition, multiplication, subtraction, or division. For example, if you are adding two three-digit numbers, you add the ones, then the tens, then the hundreds. Multiplying those same numbers requires several more steps, but that is all they are – steps. That is why math teachers want students to show their work, so that they can see students are following the correct steps and where errors are made. But lots of students like Riley have trouble understanding what those steps are, particularly for more complex and abstract subjects like algebra.

15. Through lots of hard work and intense tutoring, I was able to teach Riley to take algebra problems and break them down into a series of smaller steps s/he felt more comfortable answering. I'm sure Riley paid attention in class when Peyton was doing the same thing, but most students benefit from one-on-one attention that is only available through tutoring. This is particularly true when a student feels uncomfortable in math class and does not want to speak up when he or she is confused. Tutoring can break down those barriers and provide struggling math students more time to work through their issues and finally begin to understand how to solve math problems. It is a matter of taking the extra time to explain repeatedly in detail how to break down an algebra problem into its component parts by learning to solve increasingly harder equations. This is something a math tutor can do that cannot be done in class. I was also able to teach Riley some mnemonic devices to remember the order of operations and other basic math steps. And importantly, I convinced Riley that even algebra problems can be visualized, just like other math problems. You just need again to know how to break down the problem and what to visualize.

16. I could see after even the first couple of sessions Riley's confidence grow exponentially, to borrow a math term. I knew I am a great math tutor, but it is always gratifying to see this reflected in student improvement. Riley and I decided to meet every night for the week leading up to the midterm. We both knew how important it was to our respective futures that Riley pass the midterm. I am not saying Riley didn't struggle at all during tutoring, but her/his improvement in being able to solve algebra equations was quite impressive. I mostly tutored Riley on individual problems, breaking them down into small steps and carefully explaining to Riley how

to solve each step. But, I also knew I needed to increase Riley's speed in solving math problems so that s/he could finish the Algebra 2 midterm in the allotted time. So, I gave Riley a few practice tests from some math skills books I had and tried as best I could to simulate the time and pressures Riley would face in the actual midterm. We did practice tests every night that week before the midterm. Riley got a 78% on the first practice test, which would have been enough to pass the midterm and represented a significant improvement on Riley's quiz scores in class. But Riley improved even more with each practice test, getting an 83%, 86% and then a 91% the night before the midterm. Riley entered the Algebra 2 midterm believing not only would s/he finish in time but that s/he would do well on the test. I have to admit that even I was surprised that Riley scored a 97% on the exam. It just shows what confidence and good tutoring can do.

17. I am appalled that anyone would suggest I would cheat by stealing the answers to the algebra midterm from Peyton and giving them to Riley. Three things. First, I have never cheated in academics in my life, and certainly not in math. Never needed to. But, I also don't condone cheating by others. Math should be a pure form of competition where only those with the strongest intellectual abilities excel. Second, everyone knows if you cheat not to go overboard with it. If I *had* given Riley the answers to the midterm – and I didn't – I would have told him/her to make sure to miss several problems – aim for about an 80-85% – so that it did not look like s/he was cheating. Finally, I am staking my entire career and livelihood on being a successful math tutor. Peyton may be Riley's math teacher, but s/he is not going to be the math teacher for very many of my students. In other words, I am not going to be able to cheat for everyone. I need to show that I can succeed with such a high profile student like Riley. It is too risky to cheat and risk getting caught. I have confidence in my own abilities as a math tutor. I don't need to cheat!

Affidavit of Cameron Washington

1. My name is Cameron Washington. I am 44 years old and live and work in the Seattle area. I obtained a Master's Degree in Education in 2016 from San Diego State University, which is a top ten program for this degree. As part of my graduate program, I had two concentrations – special education and cognitive psychology. Prior to going to San Diego State, I had been an elementary school teacher for eight years, having obtained my teaching certificate after graduating from college with a bachelor's degree in elementary education from the University of Washington. Working as an elementary school teacher in my home town of Olympia, Washington, it tugged at my heart strings seeing young children struggle to learn while their classmates progressed at a normal pace. I decided I wanted to further my education so that I could help those children.

2. Upon graduating with my master's degree, I worked for four years as a special education teacher in two elementary schools in Tacoma. I encountered students with a variety of learning disabilities, such as dyslexia, ADHD, and executive functioning deficits. I also worked with students with autism, speech impairments, and other developmental disorders. I did not work with deaf or blind students, as those require specialized communication skills that I do not have. Every special education student is different, and you have to adapt learning techniques for each student based not just on their learning disability but also their personality. I found this to be quite challenging but also very engaging and rewarding. Where possible, students with learning disabilities need one on one attention.

3. Often, working with trained special education teachers, students with milder forms of learning disabilities can gain the tools to reintegrate into the classroom and function similarly to students without their condition. Usually this involves the creation of an Individualized Education Plan or IEP. An IEP is a program developed to ensure that a child identified as having a learning or other disability receives specialized instruction or other accommodations in the classroom. This could mean extra time on tests, additional instruction outside of class, adapted instructions, alternate testing conditions – it all depends on what is best for that individual student to learn. All public schools are required under the Individuals with Disabilities Education Act (IDEA) to identify and accommodate students needing special education and related services. Once children with suspected disabilities are evaluated by qualified professionals and found to be eligible for an IEP, parents, teachers, and specialists meet to come up with a plan to address the identified learning impairment. Students with an IEP are then monitored on a regular basis for progress toward annual goals.

4. The COVID pandemic was especially hard on special education students. The isolation caused by the pandemic made it much more difficult to provide the individualized instruction these students need. There is only so much that can be done online. Many special education students felt and were left behind. In my own life, I felt disoriented by not being able to work in person with students. I used the pandemic as an opportunity to reassess what I wanted to do with my career and concluded that with my education and work experience I could move out of the classroom and into more of a consulting role. I have young children, and this change also had the benefit of greater work flexibility. So, in Spring of 2021 I started a business as a private education consultant for special education programs in school districts around Seattle. I advise these programs on how to structure their special education offerings and on training of their

special education teachers. As part of my services, I offer continuing education workshops to special education teachers to make sure their skills reflect current techniques and learning theory. This of course requires me to keep up on these areas as well. I liked being in the classroom, but I also really enjoy the intellectual engagement of my new job.

5. I was contacted in January 2024 by Riley Reynolds' attorney about the possibility of serving as an expert witness at trial. I had been referred to the attorney by a colleague in Tacoma who has a child with special education needs who had been a former student of mine. This is the first time I have been asked to testify at a trial in court. My consulting business is relatively new. Plus, most special education and IEP disputes are handled through arbitration and administrative processes. Riley's situation is unique because there was no IEP, though there probably should have been. I usually work for school district on a flat fee contract, but where I do bill on an hourly basis, I charge \$200/hour, which is what I am charging for my preparation and testimony in this case.

6. I was told of the cheating allegations against Riley and that I would be expected to assess whether it was possible for Riley to improve her/his math abilities sufficiently with Frankie Alexie's tutoring assistance to pass the midterm in Peyton McBride's math class. I knew that the first thing I had to do was assess whether Riley had a learning disability and that to do so I would need to meet with Riley in person. I suspected Riley has dyscalculia, a condition somewhat similar to dyslexia, only with math and numbers. There is no test for dyscalculia; the only way to diagnose the condition is through an in person evaluation by a trained specialist, though often times referrals are made by teachers who suspect some form of learning disability.

7. Dyscalculia manifests differently in different individuals. Some sufferers of dyscalculia show signs as early as preschool, whereas for others the effects of dyscalculia become clearer as math gets more complex in middle and high school. Indeed, the effects of dyscalculia are a matter of degree rather than an either/or situation. Common signs of dyscalculia can include difficulty grasping the meaning of quantities or concepts like "bigger" or "smaller"; remembering math facts, such as multiplication tables; understanding the correspondence between math concepts and their verbal representations, such as that the numeral "7" and the word "seven" mean the same thing; counting money or making change; remembering numbers when solving simple math problems; estimating time, speed, and distance; and understanding the logic related to solving math problems. Not all those with dyscalculia will experience all of these symptoms, and neither will they experience them to the same degree. People with dyscalculia, especially those with more serious forms of dyscalculia, often also have dyslexia, though this is not always the case.

8. After meeting with Riley, I assessed her/him as having a mild form of dyscalculia. Riley expressed trepidation not just about algebra but about solving math problems in general. Riley said that s/he had trouble doing mental math and had to write everything down. Riley also expressed difficulty conceptualizing math problems, especially word problems. I asked Riley several follow up questions to confirm that this was a diagnosable condition and not just a general aversion to math. Riley told me that because everything in prior math classes had been written down and easy to visualize, s/he had always been able to get by in math class with a passing grade. Riley never felt comfortable with math, but was smart enough generally – and I could tell from talking to Riley and his/her command of language that s/he was quite adept at

language skills – to cover up for any deficiencies in math. Riley is an outgoing and successful campus athlete, and s/he confided in me that as such s/he had a certain reputation to uphold. If other students knew s/he was struggling at school it might diminish her popularity, something Riley cared greatly about. I never experienced those kinds of pressures in high school, but they definitely seemed very real to Riley.

9. If Riley had a more severe form of dyscalculia, s/he never would have made it to the Algebra class s/he was currently in. Riley had taken and passed basic algebra, but more advanced forms of algebra, as found in Algebra 2, are simply too abstract for Riley, with his/her dyscalculia, to fake her/his way through. Riley told me s/he struggled with Algebra 2 homework and took almost twice as long to finish as her/his classmates. Riley said s/he tried to get his/her mother, Kate, to help with the homework, but that she had forgotten whatever algebra she had once learned and was unable to assist with the homework. With hard work and extra time, Riley was able to get mostly Bs and an occasional A on the homework. Quizzes were another matter, with Riley telling me s/he would be lucky to get Ds. I requested a copy of Riley's math gradebook from Peyton Shepherd, her/his algebra teacher, and confirmed the scores Riley had told me about.

10. It is unfortunate that Riley had not been diagnosed with dyscalculia earlier. Differing scores on homework as compared to timed tests is often a clear sign of a learning disability, as it signals the need for extra time to complete assignments, be that in math or science or language skills or whatever. Had Riley been assessed for dyscalculia, s/he would have been given an IEP that likely would have included extra time on exams along with specialized math instruction to address his/her challenges with dyscalculia. It is hard not to think that had this happened a couple years ago or at worst at the beginning of the semester, Riley would not be in this mess that has brought her/him to court. I fault Peyton for not making a referral of Riley for special education assessment. This is what should have happened but did not.

11. I realize, however, that the issue before the court is not whether Riley could have or should have been assessed for dyscalculia and given an IEP, but rather whether Riley cheated on her/his algebra midterm. The answer turns on whether the tutoring from Frankie Alexie could have provided Riley with the tools to overcome his/her dyscalculia. I am in the business of helping students with learning disabilities such as dyscalculia and believe that this is possible. To my knowledge, Frankie is not trained in dyscalculia special education and may not even be aware of the condition. I did not interview Frankie as part of my assessment of Riley or in preparation for trial. However, from my discussions with Riley about tutoring with Frankie, it appears that Frankie may have inadvertently stumbled onto some of the industry-standard learning techniques for addressing dyscalculia in individuals with Riley's manifestation of the condition. For individuals with milder forms of dyscalculia, learning how to break equations down into simpler steps, developing visualization techniques, and utilizing mnemonic devices to better understand how to process basic math principles can all lead to dramatically improved math scores. Indeed, even the increased one-on-one attention afforded by individual tutoring can be enough for some students with mild dyscalculia to improve in math. Many such students just need more repetitions of the explanations involved in the math lessons, regardless of how good their math teacher is.

12. I also looked at the midterm exam in question to see if it evidenced understanding of fundamental math principles by Riley. I have to admit that I was surprised to learn that Riley received a score of 97% on the exam. This is obviously a significant improvement that goes beyond the norm of what math tutoring can achieve, especially in such a short time. But, it is not impossible. In looking at the exam, Riley demonstrates the ability to dissect complex math problems into their component parts and think through how to solve each of them. If Riley only knew the answers to the algebra equations and did not understand the underlying concepts, there is simply no way that Riley or anyone with dyscalculia would have been able to show their work in solving the problems. There are a few skipped steps, but I attribute this to Frankie teaching Riley some memory aides to make these steps unnecessary. Keep in mind that this is beginning and not advanced algebra.

13. Let me explain by examining two pages – pages 2 and 3 – of the Algebra 2 midterm exam. There are two word problems on the first page and four equations without words on the second page. Word problems can be a challenge for people with dyscalculia because you need to translate the words into a math equation. You can really see Riley's thought process in problem 3. S/He sets out the basic formulas for calculating how much fence will be painted over a certain number of hours. Riley then breaks down the hours into when Tom and Huck are there respectively, followed by subtracting the known hours to get the remaining hours that Huck will be painting by himself. It is interesting that Riley seems to make a mistake in the math, first thinking that $100 \text{ minus } 10 \text{ minus } 10 \text{ minus } 16 \text{ equals } 74$, but then erasing that to get the correct answer of 64. This signals to me that Riley is actually doing the math and had difficulty subtracting that many numbers in her/his head. I would also note that this is not the most efficient way to solve this equation and probably not how either Peyton or Frankie would have taught Riley to solve it. It would have been much simpler to just say that Tom was there for 4 hours, meaning he would have painted 20 feet of fence, leaving Huck to paint 80 feet. This would take Huck 10 hours, and $10 \text{ minus } 4 \text{ is } 6$. Riley's method yielded the same results, but shows the need to process the problem more carefully. Similarly, in the other word problem (#4), Riley writes out more than maybe other students would have. But, this is what was necessary for Riley to solve the problem, and s/he of course gets the answer correct.

14. The problems on the next page, while abstract and without words, are more straightforward in the sense that the "translation" is already done for you. Riley does a good job solving these problems by going through the necessary steps for each one. It looks like s/he makes a small mistake on the second line of her/his work in #5, but then inserts the missing "2". It looks like Riley may also have originally inserted an extraneous "x" in the denominator of the answer but then correctly erased it. This is a difficult problem, and I am impressed that Riley was able to solve it. Riley includes more steps than other students might have for #6, but that is certainly expected for someone with dyscalculia. Riley does skip a couple of steps on #7, but it is a relatively easy problem. Problem #8 requires recognizing the need to multiply the whole equation by 3 to get rid of the fraction, which is a difficult concept for someone with dyscalculia. But, Riley is able to remember this step and comes up with the correct answer. The math test as a whole demonstrates that Frankie (and maybe Peyton) had taught Riley how to solve algebra problems using a step-by-step process. If all Riley knew was the correct answers to the questions, it is again hard to imagine that s/he could have come up with intervening steps to solve the math problems without understanding the fundamental concepts of algebra. It is equally

hard to imagine that Riley could have memorized all of these steps even if Frankie had demonstrated them to him/her.

15. I am aware that Riley Reynolds scored poorly on the dyscalculia diagnostic test administered by Dr. Taylor Austin. I do not question Dr. Austin's qualifications, but I am not familiar with this test, which seems to be a tool used in more of a clinical or academic setting. In all of my years in special education, I have always assessed students through interviewing them. For suspected dyscalculia, I do have the student solve a limited number of math problems and explain to me his or her thought process. But, having children and young adults take a long test like the diagnostic test used by Dr. Austin only recreates the stresses that brought the student to a special education assessment in the first place. I think this stress and general nervousness is likely the reason why Riley did not do well on the diagnostic test and scored a moderate dyscalculia level.

16. I cannot of course rule out completely the possibility that Riley cheated on the Algebra 2 midterm exam. When I interviewed Riley, s/he seemed sincere in denying the allegations. While going from a relatively low starting point to an almost perfect score in the course of a couple of weeks is probably the most dramatic improvement I have seen in my career in special education, this has to be balanced out by how intelligent Riley is in other areas. I believe that the techniques taught to Riley Reynolds by Frankie Alexie and the confidence that Riley gained by learning those techniques make it possible and even likely that Riley did not cheat on the exam. I consider Riley a dyscalculia success story and an inspiration to others with the condition.

Affidavit of Bailey Crawford

1. My name is Bailey Crawford. I am 18 years old and I am currently a senior at North High School in Alaskopolis, Alaska. I grew up on the north side of Alaskopolis. When I was seven, my parents got divorced and my father moved to Texas and started a new family. I stayed in Alaskopolis with my mother, who works as a special education teacher for the Alaskopolis School District. I don't keep in touch with my father much; he mostly just sends me cards and presents for birthdays and holidays.

2. I first met Riley Reynolds when we were both second-grade students at Jackson Elementary School in Alaskopolis. Riley showed up one day halfway through the quarter, saying they had just transferred from Labb Elementary on the south side of town. I had finished our math lesson early that day, so our teacher asked me to show Riley around the school. As Riley and I were walking to the library, they mentioned they had moved into a house on the street where I live. I told Riley we were neighbors, and s/he asked if we could walk home from school together. From then on, we were friends.

3. At first Riley was kind of a casual friend. We'd walk to and from school together most days, and sometimes we'd sit together at lunch, but Riley was pretty popular with the other kids and s/he spent time with a lot of different people. That changed in fourth grade. Riley's dad, who had always been his/her hero, died of cancer that year. I hadn't seen my dad since he left, so I guess I kind of understood how Riley felt. We started spending every lunch together and hanging out anytime Riley wasn't at swim practice.

4. I've always been shy and mature for my age. I'd rather read or draw than play sports or video games, which can make it hard to relate to other kids. I wasn't an outcast or anything, but I spent most recesses by myself and didn't get invited to a lot of birthday parties. I guess you could say Riley was my first good friend. For a long time, I considered her/him my best friend.

5. In ninth grade, things started to change. Riley had turned into a great swimmer, and s/he made the varsity team. S/He started cancelling plans with me so s/he could hang out with his/her teammates instead. By the end of freshman year, I hardly ever saw Riley outside of school. That hurt a little, but I handled it okay. I had gotten involved in the anime and art clubs, so I started spending time with those kids instead. And to be honest, Riley was getting kind of annoying. Anytime s/he has a major accomplishment, s/he has to brag about it. My mom says Riley's probably just insecure under the bravado, but it's still annoying.

6. For a couple of years things were fine between me and Riley. Riley was still nice enough when we saw each other at school, although his/her swim team friends picked on me and my friends sometimes. But, I mean, it never really phased me that much. I figured all high school students have to go through at least some ribbing. Then, last April, I won the Susitna prize. The Susitna prize is kind of a big deal – it's given once a year for the best art piece completed by an Alaskopolis high-school student. There is only \$100 in prize money attached to it, but the real "prize" is the recognition of being the best artist at North High. Mel Ford, who is on the swim team with Riley, wanted it and thought s/he was a lock, even though her/his paintings are terrible. When Mel found out I got it, s/he was really upset.

7. Later that month, North High had their junior prom, which was on the third Saturday of April. I wasn't planning to go, but I had recently made friends with a fellow art student, Morgan Stern. Morgan's really sweet and cute, and we had a lot in common. Still, I never would have considered asking him/her out – I figured s/he was out of my league. So, I was shocked when a week before prom I got a Snapchat from Morgan asking if I wanted to go with him/her. Of course, I said yes.

8. Morgan wasn't at school the following week at all; when I asked over Snapchat what was going on, s/he said they had a bad case of the flu. I was worried that meant we wouldn't be able to go to the dance, but he/she said they were feeling way better by Thursday night. Morgan had previously told me that his/her parents were super strict and monitored their cell phone and email – in fact, I asked if I could text Morgan once and s/he freaked out and said his/her mom would flip. I wasn't surprised when Morgan told me that s/he had lied and told her/his parents s/he was going to a meeting of their church youth group, so we would have to meet at prom instead of going there together.

9. I went all out for prom. I got a new outfit, got my hair cut, and got Morgan a gift of this rare anime comic book I knew s/he would like. My mom was so excited that I finally had a date that she even let me borrow the car. I drove to the venue and waited outside to meet Morgan like we'd planned. I waited and waited, but s/he never showed. I sent several snaps and even tried texting, but Morgan didn't respond. I was really upset about him/her ghosting me. If Morgan didn't want to go, why did s/he ask me?

10. I was just about to leave when I saw Riley and her/his friends, most of them from the swim team, coming up the sidewalk. Riley had his/her phone out, and the whole group was laughing. When s/he got closer, Mel yelled out, "Hey, loser! Waiting for someone?" I must have looked confused, because Mel turned to Riley and said, "Aww, I think this loser actually thought Morgan was gonna show!" Mel explained that they had set up the Snapchat account and had been catfishing me using Morgan's name, and that Riley was filming my reaction and was going to make a TikTok of it. Mel said I had it coming for "stealing" the Susitna prize.

11. I was hurt and embarrassed about the whole thing, but I think what bothered me the most was knowing the Riley had been involved. That just made me sad. I mean, I knew we weren't friends anymore, but I didn't think Riley hated me or anything. I was so upset that I started to cry and yell at Riley. I don't remember everything I said, but I do remember saying I would get Riley back even if it took years. I didn't mean I was actually going to do anything, though. I was just really upset. I went straight home and told my mom the whole thing. She called Riley's mom, Alex, immediately and insisted Alex make Riley take the TikTok down. I guess Riley did take it down, but not before half the kids at school had already seen it. People were making fun of me for weeks.

12. The worst part was Morgan's reaction. Apparently, the reason s/he hadn't been at school was that s/he had been out of town for his/her great grandmother's 90th birthday party, so s/he had no idea that any of this happened until s/he got back that Monday. I explained everything and said I was sorry for dragging him/her into this mess. S/He was nice about it, but s/he had this look of pity on her/his face, like s/he couldn't believe I would ever have thought that s/he would be interested in going out on a date with me. The other kids started teasing Morgan, too, every

time they saw us together. Ultimately, Morgan started sitting at a different table in art class, and we didn't really talk again after that.

13. My mom called the school to complain, and the principal talked to Riley and her/his friends that had been there that night. The principal wouldn't do anything more than that, though. Riley was clearly showing promise as a swimming star, and the principal was probably afraid that if word got out about what Riley had done it would have reflected badly on the school. After that, I just kind of pretended Riley didn't exist. Fortunately, it was near the end of the school year, and I knew Riley was going to some big swimming camp during the summer so I wouldn't have to see them around the neighborhood very much.

14. By the time school started again in August, I wasn't mad at Riley anymore. I mean, I was still really hurt that s/he had publicly humiliated me, of course. But, if I let what Riley did ruin my life, then Riley wins, and I did not want that to happen. I still got occasional comments from the other students about prom night, and I found out that Morgan had switched his/her locker assignment so s/he wouldn't be in the same hall as me, which made me feel pretty crappy. But I wasn't really angry anymore. Life's too short to hold a grudge.

15. My mom had been pressuring me to join more extracurricular activities to beef up my college applications. I didn't think it was necessary; I had already decided I wanted to go to Alaskopolis Art School, and they care way more about your portfolio than your extracurriculars, but I said okay to get my mom off my back. She said it would be best if I did something athletic, but I hate sports and am not very good at them, so I wasn't going to join any teams. I looked on the student activity board and saw that the swim team needed a student manager to help with equipment and keep statistics. I figured I would be good at that. Plus, it's kind of embarrassing to admit this, but I thought that maybe if I joined the team and showed the students on it that I was okay, they wouldn't pick on me as much. I also felt that if I was the swim team manager it was a way for me to stand up to Riley and move past the junior prom incident. I talked to Coach Lee after gym class one day, and s/he said the job was mine.

16. I was kind of surprised by how much I ended up liking being swim team manager, actually, at least until the thing with Riley. One day in early October while we were waiting for coach on the pool deck, I heard Riley talking to Jordan Okina, one of his/her teammates. Riley was saying that if they didn't totally ace their next algebra exam, their average was going to drop below a 70 percent and Riley would be ineligible to compete at the state swimming championships. I guess this was a huge deal because everyone had been going on and on for weeks about how Riley was a lock for winning the 100 freestyle, and how s/he was definitely going to get the Iliamna Scholarship to Big State University. Anyway, Riley said that Peyton Shepherd, the algebra teacher, had recommended that Riley work with a tutor named Frankie Alexie. Jordan said that was probably a good thing, but Riley said nothing short of a miracle would help them pass the algebra midterm exam.

17. Riley's always had a hard time with math. S/He is really smart in all the other subjects, but ever since second grade he's struggled with anything involving numbers. When we were in sixth grade, my mom actually talked to Riley's mom about getting Riley a special ed evaluation, but Riley's mom never followed through. She kept insisting that Riley was fine and just needed to study harder. I helped Riley a lot with math homework in middle school, and Riley told me

that was the only reason s/he passed the class. So I guess I wasn't surprised to hear that Riley was having such a hard time with algebra.

18. I was shocked, though, when I heard through the grapevine over that weekend that Riley had not only passed the algebra test, but gotten a 97 percent. That's a really good score for someone who normally has a hard time even making Cs, and Peyton Shepherd has a reputation for giving really hard exams. Still, I felt good for Riley. Riley had been nicer to me lately, actually going out of his/her way to say hi and stuff, and I figured maybe s/he felt sorry for the junior prom thing. And I had recently found out I'd gotten into Alaskopolis Art School early decision, so I was feeling pretty good about myself. I decided I could afford to be the bigger person and let bygones be bygones.

19. On Monday, October 16th (I specifically remember because that's my cousin's birthday and I sent her an ecard right before practice) I went up to Riley while we were on the pool deck after class. I said something like "congratulations, I hear you aced the math exam." Riley looked at me and laughed and said "it's easy when you know the questions ahead of time." I asked what s/he was talking about and Riley said that Frankie Alexie, their tutor, was roommates with Peyton Shepherd and had stolen a copy of the test from Mr./Ms. Shepherd's briefcase, then helped Riley memorize the questions and the answers. I was shocked and asked Riley why he/she was telling me this. Riley laughed again and said "why not? This is too good to keep to myself. Nobody would believe a loser like you over me anyway."

20. I thought about the conversation for the rest of the day and finally decided I needed to say something, because it wasn't fair to all the students who had worked hard for their grades to have Riley get a 97 and set the curve by cheating. I thought about going to the principal, but I knew he'd just sweep it under the rug again so Riley didn't get dropped from the team right before the state meet. So, I decided to tell Peyton Shepherd, who is Riley's math teacher and also a temporary assistant principal. I figured s/he would know what to do.

21. When I told Mr./Ms. Shepherd, I expected that s/he would be shocked, but s/he wasn't. S/He just kind of looked at me and sighed, then said that s/he thought Riley's performance had been too good to be true. Mr./Ms. Shepherd said that s/he knew Riley and I had been having some problems lately, and asked if I was sure about what I heard. I told Ms./Mr. Shepherd I was 100% sure. I even suggested that s/he check with Jordan Okina and Coach Lee, who had also been on the pool deck at the time, although Coach Lee was over near the equipment room putting stuff and might not have heard Riley. To be honest, I'm not sure s/he would have heard Riley even if s/he had been on deck; s/he has been acting super weird lately. Last year, my mom had dental surgery and they gave her some strong painkillers and I remember that they made her super talkative and kind of drowsy, which is what Coach has been acting like lately.

22. The next day, I was called to the principal's office to tell him what Riley had said. He looked really mad and kept telling me I must be saying it to get back at Riley for the incident at prom, but I stuck to my guns. I think Riley's a jerk, and I can't say I'm sorry s/he got in trouble, but I'm not a liar. The principal kept trying to convince me I was wrong, but Mr./Ms. Shepherd stepped in and told him to remember that my story had been corroborated by Jordan Okina. Ms./Mr. Shepherd told the principal that s/he had no choice but to give Riley an zero on the exam, and maybe suspend her/him too.

23. I guess the principal managed to get out of suspending Riley, but he couldn't stop Mr./Ms. Shepherd from giving Riley a zero on the exam, making her/him ineligible to swim at state championships. Jordan Okina ended up winning getting the Iliamna Scholarship instead. I know Riley's mom was really disappointed. She couldn't afford to send Riley to Big State – she couldn't even afford to scrape together enough money to send Riley to Alaskopolis Community College without Riley having to get a job – and with those math grades it's not like Riley was going to qualify for an academic scholarship. Still, I was pretty surprised when Riley actually sued me!

24. Look, I know I have a bit of a reputation for holding a grudge. It's true that in the past, I have tried to get revenge on kids who made my life difficult. When I was a freshman, some jerk on the bus rubbed gum into my hair, and I was so upset that I drew all over her locker with a sharpie and shot some whipped cream through the vents. I got caught and was punished pretty harshly, although I guess I deserved it. I've grown up a lot since then and I realize now that hurting someone to get revenge is wrong. I mean, I have no idea what happened to Morgan Stern's locker. I wasn't the one who vandalized it; even though Morgan rejected me, I wouldn't do something like that. I would also never make up a story like this just to get back at Riley. I told the absolute truth when I talked to Mr./Ms. Shepherd about Riley's cheating, and I stand by my story one hundred percent.

Affidavit of Jordan Okina

1. My name is Jordan Okina. I am 18 years old. I'm a senior at North Alaskopolis High School. We moved here when I was 3. I've gone to school with Riley Reynolds since kindergarten. We've kind of been friends off and on over the years, though it is certainly more off than on these days. About the only interaction we have is that we're both currently on the high school swim team.

2. My family is super into sports. It's basically our life. My mom was a really good gymnast and starred on her college gymnastics team. She came close to making the U.S. national team, but fell just short and has maintained a grudge ever since. My dad was a professional soccer player for several years, before he broke his knee and had to retire. Both of my brothers go to Big State University. My oldest brother got a football scholarship and my other brother got a scholarship to play soccer and run track. My parents got, like, this subscription streaming service so that they can watch my brothers play every weekend.

3. Growing up I was always pressured into going into sports. Don't get me wrong, I like sports – it's not like I wanted to join the band or the debate team. My parents tried to get me into all sorts of sports when I was young – soccer, running, cross country skiing – but none of them ever really stuck. I knew I would never be as competitive as my brothers, but my parents wanted me to find a sport I could excel in. I started swimming when I was about 10. I'm pretty good. My softball coach got me into it, and I picked it up pretty quickly. I don't know, it just feels sort of natural for me. I've won several meets and been ranked as the number one freestyle swimmer in the state a few times. I swim on the North High School team, and I also swim on a competitive team. A lot of us on the school team do.

4. After high school I plan on going to Big State like my brothers. I think my parents would really like that, too. Everything comes so easily for my brothers and my parents are so proud of them. I've been working really hard to try and get a swimming scholarship. I think my parents would be happy about that, sort of like carrying on a family tradition. My parents are so intense about sports! Some people are intimidated by it, like when they heard my dad yell at me after a meet once that I should be better. But I know he's just trying to motivate me. That's just how they are. I know they love me and just want to see me succeed.

5. Riley and I have been swimming together since I started when I was 10. We're not super close, but we get along fine, I guess. We started off as friends, but as Riley got older and better at swimming, s/he got sort of, I don't know, arrogant. Riley has built this whole ethos of superiority around himself/herself. I don't know if Riley could handle ever failing at anything. We don't really hang out in the same circles anymore, except for swimming. I have to admit Riley is a really good swimmer, but it's really just because s/he grew so much the last couple of years. Riley's best strokes are freestyle and the butterfly; Riley also competes in the individual medley races. It seems lately like everybody was more interested in Riley, just because s/he swam multiple strokes and won a few races this past season. The newspaper was always running stories and pictures of him/her, even when other people on the team won their races too. It was annoying and unfair. I wished Riley would just go away, and I know most of the rest of the swim

team agrees with me. It was nice to have attention on the swim team, which did not happen very often, but it was really just attention on Riley.

6. I was really looking forward to swimming at the state championship at the end of the season. I knew that a scout from Big State U. was going to be there. This was because of the Iliamna Scholarship. It's sort of odd, but there is this endowed scholarship every year at Big State U. for the best swimmer from Alaska. There was this woman from Alaska who made a lot of money early on with Google. She had been a competitive swimmer in high school growing up in Alaska and wanted to give back to her home state while also encouraging high school students to swim. So, she set up this scholarship at Big State U., her alma mater, that paid for a full ride to Big State for the best Alaskan high school swimmer each year, regardless of gender, provided the student had a minimum GPA of 3.0 and was a member of the Big State swim team for the first two years of college. She named it after Mount Iliamna and Lake Iliamna, her favorite places to vacation in Alaska. I think she even built an elaborate cabin somewhere on the lake.

7. Everyone just assumed that Riley would get the Iliamna Scholarship. As full of it as Riley was, even I have to admit that s/he was a pretty good swimmer his/her senior year. But, I think that I'm good too. I knew that with Riley not competing at the state championship, it would give the scout from Big State U. a better chance to watch me swim. There would of course be other good swimmers at the meet, but I felt that if I did my best I had a chance to get the Iliamna Scholarship and make my parents proud. And that is what happened! I swam the best 100-meter freestyle of my life, broke the state record, and was awarded the Iliamna Scholarship!

8. Ultimately, I do not feel too bad for Riley. The Iliamna Scholarship is meant to reward not only swimming ability but also achievement in school. You should not be able to cheat your way to an academic scholarship. Mr./Ms. Shepherd interviewed me about what I overheard between Riley and Bailey Crawford at practice the Monday before the state championship. Despite my dislike for Riley, I didn't want to get her/him in trouble or anything. I still don't, but Mr./Mrs. Shepherd told me I should just tell him/her whatever I remember.

9. I told Ms./Mr. Shepherd that I was at the pool, getting ready to start practice. It wasn't super busy, but there were a couple other people around. I think Coach Lee was nearby too. I'm not sure who else. I saw Bailey was talking to Riley. I only remember it because it kind of surprised me because I didn't think they were good friends any more. I was standing a few lanes down doing some stretches, but I could hear Bailey pretty easily because s/he is pretty loud. S/He told Riley "good job" on his/her test, or congratulations, or something like that. Riley laughed. I remember thinking that was a little odd because it wasn't like just a smile or something, like when you're happy. I don't know, it seemed weird to laugh at that. I couldn't hear everything else they said to each other, but I did hear Riley say something about "questions ahead of time."

10. I didn't know what that meant at the time, but it makes a little more sense now. I admit I'm not super surprised. I can't really believe that Riley got a 97% on a math test. Everyone in school knew that Riley was super smart at everything else but struggled in math. I remember when we were in elementary school, Riley used to have to leave our class for a few times a week to go do some special math class for kids who weren't as good at math. Back when we were friends, s/he used to tell me s/he wished math was easier for her/him, like it was for me. I'm in

calculus now, and Riley is still in algebra. There is nothing wrong with that, but it just doesn't fit with Riley's arrogant attitude toward school and life. Most honors students at North High were in honors for all of their classes, but Riley being in algebra was a big hole in her/his persona. I've always gotten good grades and I don't really have to try too hard. I know Riley struggled sometimes with math. So, I don't really know what happened, but a 97 on an algebra test just seems crazy.

11. It also made me recall something Riley said to me during junior year. We were in the same American literature class. The teacher thought the whole class was goofing off and not doing the assigned reading. We were supposed to be reading Tom Sawyer, and the teacher surprised us with an essay that we had to write in two days! I guess this was to try to catch those who were not keeping up. I had been reading the book like I was supposed to, so I wasn't worried. But, I still complained to Riley after class about only having two days to write an essay. Riley responded, "Don't stress it. Just use ChatGPT to write your essay for you. It's easy." I didn't think much of it at the time – and definitely did not cheat on my Tom Sawyer essay. At the time I thought Riley was just joking. It didn't occur to me that Riley might be cheating at school, but now I am not so sure.

12. I am not in the same math class as Riley. I think it would be pretty hard to cheat in Ms./Mr. Shepherd's class. I had him/her for Algebra 2 sophomore year, and s/he always watched carefully during math tests, frequently walking up and down the aisles in the classroom to make sure no one had any notes or anything. So, I seriously doubt Riley could have gotten away with bringing a copy of the answers into the midterm. But, I have known Bailey Crawford for years and do not think s/he would lie. Bailey is in many of the same honors classes as me and certainly seems like an excellent and honest student. Socially awkward and a little bit of a geek, but that is ok. Bailey always seems to want to help other students in class and ends up happily doing most of the work when we have group projects. I do think Bailey harbors a grudge against Riley from that catfishing incident at junior prom. Bailey is sort of known for holding grudges and not being someone you want to get crosswise with. But, from having Bailey in several of my classes, I just do not think s/he is someone who would lie or do anything dishonest. Plus, Bailey has been a great help as student manager of the swim team and very friendly to and supportive of all the swimmers, even Riley. Bailey knew well that all the positive publicity the swim team was receiving was mostly because of Riley. It would definitely be a huge black mark on the team if Riley was found to have cheated and was disqualified from the state championship. I simply do not believe Bailey would have gone to Mr./Ms. Shepherd and accused Riley of cheating if it were not true.

Affidavit of Peyton Shepherd

1. My name is Peyton Shepherd. I am 36 years old and a math teacher at North Alaskopolis High School. I am currently also the interim assistant principal for academics at the school. In this role I am in charge of all academic and student discipline matters. I grew up in South Dakota and attended college at Rural State University, where I obtained a double major in math and secondary education. I come from a long line of teachers – my mother, grandmother, and great-grandmother were all teachers, so I knew at an early age that I wanted to become a teacher too.

2. After I graduated from college, my aunt Ellie told me about a teaching job opening in Cold Harbor, in Southwestern Alaska, where she was the postmaster. It sounded like an adventure, so I applied for the position and got it. It also helped that Aunt Ellie said I could live there. I figured I would only stay for a year or two, but I found I really liked living in Alaska and the sense of community in a small town. The school there was pretty small and only had six teachers for grades K-12 and about 70 students total, give or take each year. So, I taught all of the math classes for all grade levels, which I really enjoyed. I ended up staying for about six years. I left after I had a bad breakup with a fellow teacher. My ex was from Cold Harbor, so I knew s/he wouldn't leave. Plus, it seemed like everyone in town knew and liked my ex and was on his/her side. Cold Harbor was too small for me to stay there. Craving anonymity, I moved to Alaskopolis, where I was fortunate to get my current position at North High.

3. I have been in Alaskopolis for five years and feel relatively established in school and the community. I rented for a couple of years and then bought my own place. Interest rates were low, so I decided to splurge on a three bedroom condo. I realized later on that I had overbought. I could make it financially fine for the first couple of years, but then with inflation and no pay raises money started to get tight. I thought about getting a summer job, but one of the reasons I went into teaching was to have the flexibility during the summer to unwind and go hiking or camping whenever I wanted. I decided instead to get a roommate. My first roommate was a North Slope worker. This was great because not only did he have no problem paying the rent, he was also away for two weeks at a time, so I would have the condo all to myself. But after a couple years he was transferred to the Middle East, so I had to find a new roommate.

4. I put an ad on Craigslist in July 2023 for a roommate. Frankie Alexie was one of the first people to respond. I called Frankie up and had a good conversation with her/him. I was intrigued that Frankie had been in graduate school at MIT in math. I think I am good at math, but certainly not at that level. I thought it would be fun to have a roommate I could talk math with and that we would be able to bond over math. I asked Frankie why s/he had dropped out of graduate school, and s/he told me that s/he felt s/he could no longer work with her/his graduate advisor and had become homesick for Alaskopolis. I felt sort of sorry for Frankie and agreed to let him/her rent my spare room. I did do a background check on Frankie. I found that s/he had a misdemeanor conviction for forgery from back in New Hampshire. I asked Frankie about it, and s/he said it was all a misunderstanding, that her/his grandmother had forgotten to pay a utility bill and that s/he wrote a check from his/her grandmother's checkbook to avoid a late fee or a shut off. Frankie said s/he had learned her/his lesson and would never do anything like that again. I trusted Frankie's explanation and finalized a lease.

5. Frankie and I never really became close friends as I had hoped. We were pleasant enough with each other and had a few fun conversations about math, but our personalities never really meshed, and it was clear that Frankie was way more advanced than me at math. I sort of felt that Frankie thought s/he had to talk down to me a bit when explaining complicated math concepts like the Labrador Theorem. If maybe we had more time to hang out or go out and do activities together Frankie and I could have become better friends. Frankie was trying to start a math tutoring business and often was tutoring after school or in the evening when I was more free. Then again, even when s/he was home Frankie mostly just wanted to stay in his/her room and work on math. Plus, I was basically pulling double duty at North High. The assistant principal for academics and discipline had to take a leave of absence for an undisclosed reason, and the rumor was that she had engaged in inappropriate behavior with a student and would be fired after the investigation was completed. The principal asked if I could fill in for the semester, with the possibility of receiving the position permanently if I did well. I got to drop two of my math classes, but it was still way more than full time work. But, I had for a while been interested in moving into school administration, and this seemed like a great opportunity. Plus, it paid more, meaning that if I got the permanent position I could afford my condo without a roommate.

6. I tried to help Frankie's math tutoring business out by referring an occasional student to him/her. A lot of students have difficulties with math, and a little individualized tutoring can often help them get over the hump to a better grade. I have seen this several times in my teaching career. When I was at Cold Harbor I would just spend extra time after school with students who needed help because I often had nothing but time there. But at North High with way more students, and especially now that I am also assistant principal, I simply do not have the time for individualized attention. I felt a little bit of a conflict of interest because Frankie was also my roommate and needed money to pay rent, but at the same time I knew Frankie was really, really smart at math and passionate about helping students learn, and with all of his/her graduate school experience could easily teach high school math. I wish that Frankie had gotten a teaching certificate – s/he could just teach all of my classes.

7. I felt particular sympathy for one of my students – Riley Reynolds, a senior at North High. Riley is an excellent swimmer and had a promising career ahead of her/him, possibly even including the Olympics. Riley's success at swimming was well known locally and brought a great deal of positive publicity to North High. The problem was that Riley was not very good at math. Riley is very smart and got good grades in every other class s/he took. But, Riley was close to remedial level at math. Ever since I have known Riley, s/he had always been behind in the standard high school math sequence and even then sometimes struggled to get passing grades. Teachers talk in the break room and whatnot, so this was well known among all the teachers. Everyone was surprised that Riley was not better at math, but that is just how some students are. I never suspected Riley of having a learning disability – s/he is plenty smart at everything else. Even the best students have their kryptonite, and Riley's was math.

8. Riley was in my Algebra 2 class. Normally this course is taken by sophomores, but Riley was in it as a senior. I mean, there were a few juniors and one other senior in the class, but it was still awkward to see Riley there. S/He was also struggling. Riley did fine on homework, but received poor grades on the three quizzes that were given in the first half of the semester. I think it was probably just a matter of confidence and faster mental processing. I tried to help Riley out if there was extra time in class for students to do homework, but I was limited in what I could do.

I knew the state swimming championships were coming up on October 20-21, and that this would be Riley's chance to cement his/her status as the favorite for the Iliamna Scholarship that went to the top swimmer in the state. The problem was that there was a midterm exam in Algebra 2 on Friday, October 13, and if Riley did not pass that exam s/he would be ineligible to compete at the state championship. In my role as assistant principal for academics I knew it was important for my job security that Riley be able to compete at the state championship. It would be a huge and very public embarrassment if Riley was disqualified. So, a couple weeks before the midterm I made the decision to match Riley up with Frankie for some intensive math tutoring. I even told Frankie that if Riley passed the Algebra 2 midterm that I would waive one month's rent. I knew how important it was to Riley to be able to compete at the state championship, and I considered this a small sacrifice on my part to enable this to happen.

9. Frankie went over to Riley's house for tutoring, so I never saw what went on in their sessions. But, Frankie would report back to me about Riley's dramatic improvement in her/his understanding of the core principles of algebra. Frankie met with Riley twice for the first week and then every evening the week leading up to the midterm. I only had two homework assignments during this last week and no quizzes, so I did not have any way to tell if Riley really was improving in math prior to the midterm. Riley got perfect scores on the two homework assignments, but I just figured that Frankie was helping her/him with them.

10. To say the least, I was surprised that Riley got a 97% on the midterm exam in Algebra 2. I have never seen that much improvement in a few short weeks my entire career teaching math, even from my students who have gone to tutoring. Riley is smart, but not that smart in math. I should have suspected something was up at the beginning of the week when a copy of the midterm went missing from my desk at home. I didn't think anything of it at the time. I am a somewhat messy and disorganized person, with papers everywhere on my desk. It is entirely possible that the first copy of the test got lost or misfiled or accidentally thrown in the recycling. This has happened before, and I just print off a new copy, which is what I did this time. But given Riley's score on the midterm, I have come to the conclusion that Frankie took that printout of the midterm and worked through the questions and answers with Riley. That is the only way I can see Riley making such dramatic improvement. Or, frankly, even passing the midterm. But, I did not at first have any proof, and in my role as assistant principal for academics, I know you need to have proof of something as serious as cheating and cannot just throw around accusations randomly.

11. That proof came to me on Tuesday, October 17, when Bailey Crawford came into my office. I have open office hours during the lunch break in my role as assistant principal; I want to give students the opportunity to come to me if they are having any problems. Bailey came into my office a bit sheepish and said s/he had something s/he felt s/he needed to tell me. I had to ask Bailey what it was, and after a little prodding s/he said that Riley Reynolds told him/her the previous day that s/he had cheated on the math midterm. Bailey told me that at swim practice s/he had gone up to Riley to congratulate her/him on "acing" the math test and that Riley had responded, "It was easy. I went over the questions ahead of time." I knew that Bailey and Riley did not get along and had problems between them. I also knew that in freshman year Bailey had vandalized a locker out of revenge. Bailey had been accused of vandalizing another locker last spring semester. This was before I was assistant principal, but my predecessor told me that despite a serious prank against Bailey involving Morgan Stern, there had been no proof that

Bailey had committed this second locker vandalization and that he believed Bailey had learned his/her lesson from being caught after the first incident and would not jeopardize her/his college career by risking further disciplinary actions. I had reason to be cautious about Bailey but also ultimately to trust him/her.

12. Still, I asked Bailey if s/he was making this up to get back at Riley for something. S/He shook her head no. Bailey looked embarrassed to be there and did not seem eager to rat Riley out or get him/her in trouble. As a high school teacher, you learn to be a good judge of students and when they are lying and when they are telling the truth. You get to become a bit of an expert at it. Based on his/her behavior, I believed that Bailey was being honest. I asked Bailey to repeat again what s/he heard Riley say. This time s/he responded slightly differently, reporting that Riley had said, "It is easy when you know the questions ahead of time." Students – people in general – sometimes have small differences in recalling statements, particularly when nervous, so I did not read anything into the different phrasings. The main point was the same. I knew I would need to do further investigation.

13. One of my main duties as interim assistant principal for academics is student discipline, including accusations of cheating. While I did believe Bailey, I wanted to find independent corroboration. I had asked Bailey if anyone else might have heard the conversation between him/her and Riley, and s/he told me that Jordan Okina and Coach Quinn Lee were nearby and might have heard what Riley said. I contacted each of them the next day to find out if they had heard anything. Jordan did not seem to want to talk to me. I assured Jordan that s/he was not in trouble, which caused him/her to open up a bit. Jordan told me that Bailey had congratulated Riley on doing a "good job" on the math test. Jordan further told me that Riley's response was a bit odd, that s/he laughed at Bailey. Not so much a happy laugh but more of a mischievous laugh. Bailey said that Riley was not as loud a talker as Bailey but that s/he then heard Riley say something about "questions ahead of time."

14. I talked to Quinn Lee next. Coach Lee said s/he did not hear Riley say anything that would indicate cheating on the math midterm exam and that s/he was nearby and definitely would have heard any such statements. Coach Lee did say s/he heard Bailey congratulate Riley on doing well on the math midterm and that Riley laughed and smiled in response and said something like "it was easy when you study hard." I asked Coach Lee if s/he heard anything about "questions" or "answers" and s/he said s/he had not. Coach Lee thanked me for arranging for a tutor for Riley and said that s/he was excited that Riley had passed the Algebra 2 midterm and would be able to compete at the state swimming championship.

15. Not to disappoint Coach Lee, but I knew I had no choice but to give Riley Reynolds a zero on the exam, even though I knew that would make him/her ineligible to swim at championships. Jordan Okina's statements confirmed what Bailey Crawford had said about Riley cheating by having a copy of the test ahead of time, and this further corroborated my own suspicions about the missing Algebra 2 midterm exam. Coach Lee did not say anything to contradict the possibility that Riley had cheated. Riley was a high profile athlete at North High, and it would be a huge embarrassment to the school and generate a ton of negative publicity if the school let Riley compete at the state swimming championship knowing that s/he likely cheated. It would be even worse if Riley were awarded the Iliamna Scholarship and then had it

rescinded. I could not risk that kind of embarrassment in my career, not if I wanted to prove that I could be a strong and effective administrator.

16. I called Riley into my assistant principal office on Thursday. It was a bit awkward because I was also Riley's math teacher and could just talk to her/him after class. But, I felt it important that I speak to Riley in a more official capacity. I told Riley everything I had heard from Bailey and in my investigation. Riley protested that Bailey could not be trusted and was just trying to get her/him back for a stupid catfishing prank s/he had pulled on Bailey last spring, that s/he was sorry for the prank and would never do anything like it again. Riley told me that Bailey had in fact congratulated him/her on doing well on the Algebra 2 midterm exam, but that despite their history s/he was gracious to Bailey and replied that "it was easy when you study hard and feel like you know the questions and answers beforehand." This response did not make any sense to me; it is just not how high school students talk. Riley pleaded with me to let her/him stay on the swim team and compete at the state championship. Everything about the way Riley acted and what s/he said came across as someone who had been caught doing something bad and knew s/he was about to be punished. I told Riley that s/he had made a serious mistake in cheating on the Algebra 2 midterm. I decided to give Riley a zero on the midterm exam, which would make his/her grade drop well below a C and make him/her ineligible to compete at the swim championships. I also told Riley that there would need to be further processes, but that s/he would likely be suspended from school entirely. Riley was crestfallen when I informed her/him of the punishment. S/He yelled at me: "That sucks! You suck! Congratulations on ruining my life." Riley then stormed out of my office. I did not enjoy the encounter, but I did what I had to do and do not regret it.

17. In some small way, I admire Riley. I am very vigilant about cheating in my classroom. I am always walking up and down the aisle making sure that students do not have notes or a smart phone or other unallowed assistance on their math tests. So, I am quite confident that Riley could not have brought an actual copy of the Algebra 2 exam, presumably with the answers filled in, and used it to cheat. Meaning that Riley must have memorized the questions and the answers with Frankie's help. That is quite impressive when you think about it. If Riley had put that much effort into learning how to do math, s/he might actually be good at it.

Affidavit of Dr. Taylor Austin

1. My name is Taylor Austin. I am 52 years old and am a professor of developmental cognitive neuroscience at Ohio State University. I received my Ph.D. in neuroscience from the University of Texas at Austin in 2000. No, I did not go there because of my last name. My primary field of research is learning disabilities in children and adolescents. Ohio State is a major research university, and I am fortunate to have substantial funding for my research. I have published a variety of articles and given even more conference presentations on a variety of learning disabilities, focusing on the neurological causes of those disabilities and how they might be addressed in an education setting. Much of my work has centered on Attention Deficit Hyperactivity Disorder (ADHD), which has become a bit overpopularized but is still a diagnosed condition in about 5% of children and young adults. I have done research as well into dyslexia and published two articles on the condition. I have not done any research specifically on dyscalculia, but from a neuroscience perspective it shares many of the same traits as dyslexia. Indeed, many individuals with dyslexia also have dyscalculia, particularly those with more serious forms of either condition.

2. Research for me consists primarily clinical examinations and testing in a controlled setting. Neuroscience research can go so far as to involve mapping of electrical activity in the brain or even experiments on mice. I value that research but do not do any of it myself. I am more interested in direct interaction with children and young adults to explore how they perceive and react to their condition as a way of understanding how different teaching techniques affect their cognitive development and ability to learn. In other words, I look at ways to address their condition to suggest improved teaching strategies for special education teachers. My hope is that my research and publications will filter down to the special education community and that children will benefit from my efforts.

3. I tend not to conduct my research in classroom settings in schools as there are often too many distractions to be able to accurately assess the impact of the different teaching techniques I am experimenting with. Moreover, I am better able to interact with students one-on-one in my education lab on campus. Simply put, students are much more likely to be open and talkative if it is just me sitting in front of them than if they are in a room with their teachers and peers. I have great respect for teachers, but have never personally taught special education or in an elementary or secondary school. I do of course teach university courses at both the undergraduate and graduate level, but that is completely different.

4. I have evaluated Individual Education Plans (IEPs) for parents of children with learning disabilities who do not believe their children are receiving the proper accommodations in school. Usually, the school district in question is willing to follow my recommendations. Most educators genuinely want to help students learn better, and often just need to understand how to accomplish that. Consequently, these matters are typically resolved through internal school proceedings or arbitration. Only once has an IEP dispute I participated in gone to court. That is the only time I have testified at trial. I am charging \$150 per hour for this case.

5. While I have not done research specifically on dyscalculia, I am certainly familiar with the condition. I keep up with research on dyscalculia and include lessons on dyscalculia in my courses. Many of my students go on to become practitioners in the field of special education, and

it is important that they be aware of all the possible learning disabilities they may encounter. In my research on dyslexia, I have come across students who also have dyscalculia. Usually, children that are referred to me for research purposes have been previously diagnosed with a specific learning disability. I am not a clinician. Yet, while my focus is more on research than treatment, I do need to know how to identify dyscalculia and some of the more common learning strategies that can be employed to address it. If a student in one of my lab settings had both dyslexia and dyscalculia, I would not feel comfortable talking to parents about one condition but refusing to talk about the other.

6. The “bible” for neurodevelopmental disorders is the Diagnostic Statistic Manual (DSM-5) from the American Psychiatric Association. Dyscalculia is described there as a diagnosable learning disorder associated with difficulty learning number-related concepts or using the symbols and functions to perform math calculations. The difficulties those with dyscalculia can have with math include: understanding how numbers work and relate to each other, doing math problems, learning basic math rules, using math symbols, understanding word problems, and organizing and recording information while solving a math problem. Dyscalculia is not simply having difficulty with math – not everyone is expected to be a math genius – but rather is a specific cognitive disorder relating to the conceptualization of fundamental math principles. To put it more simply, a person with dyscalculia has difficulty associating math symbols, even numbers, with their function in a math equation. Or to say it in an oversimplified form: dyscalculia involves the inability of the brain to process math. Dyscalculia in this way shares some similarities with dyslexia, only dyslexia applies to words and language.

7. There are different levels of severity of dyscalculia, usually characterized as mild, moderate, or severe. There is no cure for dyscalculia or other learning disorders, but those with mild forms of dyscalculia may be able to compensate for their disability through proper learning strategies specific to their individual challenges with math. Those with moderate forms of dyscalculia have significant difficulty learning math and require specialized teaching and some accommodations or supportive services to be able to function in math at a passable level. Those with severe forms of dyscalculia require ongoing intensive specialized training and even then may never be functionable in math. Because dyscalculia is a recognized and diagnosable learning disorder, students with the condition are eligible for an IEP under the Individuals with Disabilities Education Act (IDEA). This means that if a student is suspected of having a learning disorder, the school district must provide an evaluation by an individual trained in the suspected disorder. If the diagnosis is confirmed, specialized services and accommodations must be provided specific to that student’s individual learning needs. Over time and with focused attention, special education instruction can improve the math abilities of those with dyscalculia. Some of the common learning techniques for addressing dyscalculia include visualization strategies, mnemonic devices, and learning how to break math problems down into component steps. These techniques can have varying degrees of success, depending on the student. There is no one set of learning techniques that works for every student with dyscalculia; each student must be examined individually and have learning techniques adapted specifically to that student.

8. After being hired as an expert in this case, I flew to Alaska and met in person with Riley Reynolds. Using the standard procedures I use in my lab setting for assessing students with suspected learning disabilities, I diagnosed Riley with moderate dyscalculia. I made my diagnosis based both on conversations with Riley and with administering a math test to her/him.

During my interview, Riley expressed substantial discomfort with math and described difficulties keeping numbers in his/her head and converting mathematic word problems into equations. From the interview alone it was hard to evaluate the severity of Riley's dyscalculia, but the test provided a more concrete measure. The content of the math test ranged from simple addition, subtraction, multiplication, and division problems that would be covered in elementary school up to pre-algebra, beginning algebra, and geometry that would be covered in middle school and/or the first couple years of high school. These are all subjects Riley would have completed before the more advanced Algebra 2 class that is the subject of this lawsuit. The structure of the test is to gradually ramp up the difficulty of the math problems to determine where a student falls in the levels of dyscalculia. The test is standard within the learning disorder community for this purpose. Riley scored on the test at a level consistent with moderate dyscalculia.

9. Riley certainly would have been entitled to an IEP from the school district, but absent accommodations and instruction by a teacher trained in special education, it is impossible to imagine Riley doing well in advanced high school algebra, let alone registering significant improvement over a short period of time. I understand that Riley passed beginning algebra, but the advanced algebra found in Ms./Mr. Shepherd's Algebra 2 course is much more complicated than that. I therefore unfortunately must conclude that Riley cheated on the algebra midterm. I have not met with Frankie Alexie or reviewed her/his teaching methods, but it is my understanding that s/he does not have training in special education and related teaching techniques. It is thus hard to see how Mr./Ms. Alexie could have effectively taught Riley Reynolds the proper learning techniques and skills for someone with dyscalculia. But even if Frankie Alexie was the best special education teacher in the world, a student with dyscalculia simply cannot go from almost failing on timed exercises such as short quizzes to a near perfect score on a high-pressure period-long midterm exam with only two weeks of tutoring. I acknowledge that Riley is a quite intelligent individual – indeed, this intelligence is what has allowed Riley to earn passing grades in earlier math classes. However, advanced high school algebra is too complex and abstract for a person with Riley's manifestation of dyscalculia to process competently. Perhaps with months or years of special education assistance and an accommodation of extra time on the test Riley could have received good grades on an Algebra 2 test, but even then s/he would be unlikely to achieve a near perfect score without cheating.

10. Reviewing the midterm exam itself further confirms my belief that Riley cheated. Let's take the word problems and the non-word problems separately. Word problems pose particular problems for individuals with dyscalculia because they need to convert the written problem into math equations before they can even begin to solve the equation itself. The inability to do this is one of the primary signs that someone has dyscalculia, and indeed Riley scored poorly on this skill on the diagnostic test I administered. It is therefore hard to imagine that Riley had a brief window during the Algebra 2 midterm where s/he magically obtained this ability. If Riley could solve word problems to perfection on the Algebra 2 midterm, that skill should to some degree have transferred to the diagnostic test. But it did not. Riley was not completely unable to solve word problems on the diagnostic test, but it took her/him a long time to do so and not without error. In other words, the results of the diagnostic test was consistent for someone with dyscalculia; the Algebra 2 midterm exam results were not.

11. There is further evidence of cheating when looking more specifically at Riley's efforts on the Algebra 2 midterm. The first word problem, having to do with painting a fence, shows an

attempt to break down the problem into a series of steps, but in a way overly concerned with showing that work, as if Riley had been coached to do so. Moreover, Riley apparently made a mistake in subtraction (first writing 74 before erasing it) that signaled to me misremembering the correct answer. A person with dyscalculia would not only have great difficulty subtracting three numbers at a time, a skill that requires keeping numbers in one's head, but also very likely would not recognize when that answer was wrong. The second word problem is very conceptual. Indeed, I find the problem poorly worded and confusing. Again, Riley demonstrated substantial difficulty translating word problems into math equations on the diagnostic test, and this particular problem is an especially challenging example of that skill. I do not see how Riley could have answered this problem under the pressures of a timed test without first being tipped off in advance about the proper way to solve it.

12. The non-word problems show similar evidence of cheating. These problems are all at a high level of abstraction that would be very hard for a person with moderate dyscalculia to solve. Problem #5 suggests that Riley was transcribing from memory the steps to solve the problem and had to remember to add a 2 to the second line. A person with dyscalculia is very unlikely to recognize mistakes, particularly for abstract problems, so the chances that Riley would have corrected the solution honestly are small. Negative numbers can be especially difficult for individuals with dyscalculia to comprehend because they can be counterintuitive, meaning a person with dyscalculia like Riley is likely to have been stymied and thought the answer to problem #6 wrong if not told in advance what it was. Problem #7 skips some steps in solving it. A person without dyscalculia could do these steps in their head, but someone with dyscalculia could not. Moreover, if taking the test honestly Riley would have needed to follow a similar process to problem #6 to solve it and show all of her/his work. Finally, problem #8 demonstrates an ability to work with fractions, including knowing to multiply the entire equation by 3 to solve it, that is well beyond the abilities of a person with dyscalculia to accomplish with only a couple weeks of tutoring. The only way I can see Riley achieving a near perfect score on his/her algebra midterm exam was by memorizing the answers to the questions beforehand and the steps necessary to "show her/his work." I do believe that Riley is intelligent enough to do this with assistance from Frankie Alexie.

13. I do not doubt that Riley Reynolds is a very nice person and an accomplished swimmer. It seems like Riley faced pressures to succeed and obtain a scholarship that would have opened up so many opportunities. These pressures must have led Riley to make the unfortunate and regrettable decision to cheat on his/her algebra midterm.

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Algebra 2 (Shepherd)					Homework (each out of 10 points)							Quizzes (each out of 50 points)		Total	Grade %
1		Hmwrk 1	Hmwrk 2	Hmwrk 3	Hmwrk 4	Hmwrk 5	Hmwrk 6	Hmwrk 7	Hmwrk 8	Hmwrk 9	Hmwrk 10	Quiz 1	Quiz 2	Quiz 3		
2																
3																
4	Riley Reynolds	8.7	9.1	8.2	7.6	8.8	8.9	8.5	9.3	8.4	8.8	28.5	33	29	176.8	70.72

3. Tom is painting a fence 100 feet long. He starts at the West end of the fence and paints at a rate of 5 feet per hour. After 2 hours, Huck joins Tom and begins painting from the East end of the fence at a rate of 8 feet per hour. After 2 hours of the two boys painting at the same time, Tom leaves Huck to finish the job by himself.

If Huck completes painting the entire fence after Tom leaves, how many more hours will Huck work than Tom?

$$\begin{aligned}
 &\text{Tom} = 5 \text{ ft/hr} \quad \text{Huck} = 8 \text{ ft/hr} \\
 &\text{dist} = \text{rate} \times \text{time} \\
 &\text{hours: } 0-2 \quad 2-4 \quad \text{Tom} = 4 \text{ hrs} \\
 &\quad \text{Tom} = 10 \text{ ft} \quad \text{Tom} = 10 \text{ ft} \quad \text{Huck} = 8 \times 2 \\
 &\quad \quad \quad \text{Huck} = 16 \text{ ft} \quad \quad \quad 10 \\
 &\quad \quad \quad 10 - 4 = 6 \\
 &100 - 10 - 10 - 16 = 64 \\
 &\text{Huck} = 64 / 8 = 8 \\
 &\quad \quad \quad \boxed{6 \text{ hours}}
 \end{aligned}$$

4. A cardboard packing box contains footballs and baseballs. The ratio by weight of baseballs to footballs is 7 to 9. How many kilograms of footballs will there be in the box if the total weight of the box is 48 kilograms?

$$\begin{aligned}
 &\text{baseballs} = 7x \text{ kg} \\
 &\text{footballs} = 9x \text{ kg} \quad 7x + 9x = 48 \\
 &16x = 48 \\
 &x = 3 \quad 9x = 27 \\
 &\quad \quad \quad \boxed{27 \text{ kg footballs}}
 \end{aligned}$$

Solve the following equations for x:

5. $\frac{ax}{b-ax} = 2$

$$ax = 2(b-ax)$$

$$ax = 2b - 2ax$$

$$2ax + ax = 2b$$

$$3ax = 2b$$

$$x = \frac{2b}{3a}$$

6. $9x + 3x + 2 + 10 = 4(2 + x)$

$$12x + 12 = 8 + 4x$$

$$8x + 12 = 8$$

$$8x = -4$$

$$x = -\frac{4}{8}$$

$$x = -\frac{1}{2}$$

7. $3x + 4x + 2 = 5x + 6$

$$2x = 4$$

$$x = 2$$

8. $\frac{x}{3} + 3(x+2) = 7 + x$

$$\frac{x}{3} + 3x + 6 = 7 + x$$

$$x + 9x + 18 = 21 + 3x$$

$$10x + 18 = 21 + 3x$$

$$7x = 3$$

$$x = \frac{3}{7}$$

RULES GOVERNING THE ALASKA HIGH SCHOOL MOCK TRIAL CHAMPIONSHIP COMPETITION

CONTENTS

I. COMPETITION RULES AND RULES OF PROCEDURE

A. *Governing Rules*

- Rule 1. Competition Coordinators
- Rule 2. Interpretation of Rules
- Rule 3. Code of Conduct
- Rule 4. Emergencies

B. *The Problem*

- Rule 5. Case Materials
- Rule 6. Witness Bound by Statements
- Rule 7. Unfair Extrapolation
- Rule 8. Gender of Witnesses
- Rule 9. Voir Dire

C. *The Trial*

- Rule 10. Team Eligibility
- Rule 11. Team Composition
- Rule 12. Team Presentation
- Rule 13. Team Duties
- Rule 14. Swearing of Witnesses
- Rule 15. Trial Sequence and Time Limits
- Rule 16. Timekeeping
- Rule 17. Time Extensions
- Rule 18. Prohibited Motions
- Rule 19. Sequestration
- Rule 20. Bench Conferences
- Rule 21. Supplemental Material/Illustrative Aids
- Rule 22. Trial Communication
- Rule 23. Viewing a Trial
- Rule 24. Videotaping/Photography/Audiotaping

D. *Judging*

- Rule 25. Decisions
- Rule 26. Composition of Panel
- Rule 27. Score Sheets/Ballots
- Rule 28. Completion of Score Sheets
- Rule 29. Team Advancement
- Rule 30. Selection of Opponents for Each Round
- Rule 31. Merit Decisions

Rule 32. Effect of Bye/Default

E. *Dispute Settlement*

Rule 33. Reporting a Rules Violation/Inside the Bar

RULES OF PROCEDURE

A. *Before the Trial*

Rule 34. Team Roster

Rule 35. Stipulations

Rule 36. The Record

B. *Beginning the Trial*

Rule 37. Jury Trial

Rule 38. Standing During Trial

Rule 39. Objection During Opening Statement/Closing Argument

C. *Presenting Evidence*

Rule 40. Argumentative Questions

Rule 41. Lack of Proper Predicate/Foundation

Rule 42. Procedure for Introduction of Exhibits

Rule 43. Use of Notes

Rule 44. Redirect/Recross

D. *Closing Arguments*

Rule 45. Scope of Closing Arguments

E. *After the Trial*

Rule 46. The Critique

Rule 47. Semi-Finals and Final Round

II. MODIFIED RULES OF EVIDENCE (Mock Trial Version)

A. *General Provisions*

Rule 101. Scope

Rule 102. Purpose and Construction

B. *Relevancy and its Limits*

Rule 401. Definition of “Relevant Evidence”

Rule 402. Relevant Evidence Generally Admissible; Irrelevant Evidence
Inadmissible

Rule 403. Exclusion of Relevant Evidence on Grounds of Prejudice, Confusion,
or Waste of Time

Rule 404. Character Evidence Not Admissible to Prove Conduct; Exceptions;
Other Crimes

- Rule 405. Methods of Proving Character
- Rule 406. Habit; Routine Practice
- Rule 407. Subsequent Remedial Measures
- Rule 410. Inadmissibility of Pleas, Plea Discussions, and Related Statements
- Rule 411. Liability Insurance (civil case only)

- C. *Privileges*
 - Rule 501. General Rule

- D. *Witnesses*
 - Rule 601. General Rule of Competency
 - Rule 602. Lack of Personal Knowledge
 - Rule 607. Who may Impeach
 - Rule 608. Evidence of Character and Conduct of Witnesses
 - Rule 609. Impeachment by Evidence of Conviction of Crime (this rule applies only to witnesses with prior convictions)
 - Rule 610. Religious Beliefs or Opinions
 - Rule 611. Mode or Order of Interrogation and Presentation
 - Rule 612. Writing Used to Refresh Memory
 - Rule 613. Prior Statements of Witnesses

- E. *Opinions and Expert Testimony*
 - Rule 701. Opinion Testimony by Lay Witnesses
 - Rule 702. Testimony by Experts
 - Rule 703. Bases of Opinion Testimony by Experts
 - Rule 704. Opinion on Ultimate Issue
 - Rule 705. Disclosure of Facts or Data Underlying Expert Opinion

- F. *Hearsay*
 - Rule 801. Definitions
 - Rule 802. Hearsay Rule
 - Rule 803. Hearsay Exceptions; Availability of Declarant Immaterial
 - Rule 804. Hearsay Exceptions – Declarant Unavailable
 - Rule 805. Hearsay within Hearsay

I. COMPETITION RULES AND RULES OF PROCEDURE

A. GOVERNING RULES

Rule 1. Competition Coordinators

The Alaska High School Mock Trial Championship is sponsored by the Anchorage Bar Association, Young Lawyers Section. A committee comprised of interested members of that organization and other persons, as appropriate, shall organize and oversee all aspects of the competition, and shall be referenced as the competition coordinators. All written correspondence with the competition coordinators should be addressed to:

ANCHORAGE BAR ASSOCIATION
YOUNG LAWYERS SECTION
c/o PROF. RYAN FORTSON
JUSTICE CENTER
UNIVERSITY OF ALASKA ANCHORAGE
3211 PROVIDENCE DRIVE, PSB 234
ANCHORAGE, AK 99508-4614
Attn: MOCK TRIAL

Competition organizers may also communicate via electronic means with teams and offer alternate addresses to which to send or fax registration and other forms. Email communication can be sent through hfortson@alaska.edu or through another email address provided by competition organizers. Registrations may be submitted electronically, with fees paid at the competition.

Rule 2. Interpretation of the Rules

All trials will be governed by the current Alaska High School Mock Trial Championship's Rules of Competition and Rules of Procedure and by the Federal Rules of Evidence (Mock Trial Version). Interpretation of the rules is within the discretion of the competition coordinators, whose decisions are final. Any clarification of rules will be issued in writing to all participating teams. Teams who believe that clarification is needed should request clarification in writing.

Rule 3. Code of Conduct

The Competition rules, as well as proper rules of courthouse and courtroom decorum and security must be followed. The Competition Coordinators will have discretion to impose sanctions, up to and including forfeiture or disqualification, for any misconduct, flagrant rule violations, or breaches of decorum which affect the conduct of a trial or which impugn the reputation or integrity of any team, school, participant, court officer, judge or the mock trial program.

Rule 4. Emergencies

During a trial, the presiding judge or the competition coordinators shall have discretion to declare an emergency and adjourn the trial for the period of time necessary to address the emergency. If an emergency arises which would cause a team to be unable to continue a trial, or require it to participate with less than six members, the competition coordinators

Rule 4.5. Food and Beverages in the Courthouse

Food and beverages –with the exception of water – are NOT ALLOWED in the courtroom at any time. After receiving a warning, teams that fail to follow this rule are subject to forfeiture of rounds and/or disqualification. Water will be available during the trial for the participating lawyers and witnesses.

B. THE PROBLEM

Rule 5. Case Materials

The problem will be an original fact pattern which may contain any or all of the following: statement of facts, indictment, stipulations, witness statements/affidavits, jury charges, exhibits, etc. Stipulations may not be disputed at trial. Witness statements may not be altered.

Teams who believe that errors exist in the case materials should bring such errors to the attention of the competition coordinators in writing. Any clarification of case materials will be issued in writing to all participating teams. In preparing and participating in the Competition, students are limited to the supplied case materials, the Governing Rules and the Modified Rules of Evidence.

Rule 6. Witness Bound by Statements

Each witness is bound by the facts contained in his/her own witness statement, the Statement of Facts, if present, and/or any necessary documentation relevant to his/her testimony. Fair extrapolations may be allowed, provided reasonable inference may be made from the witness 'statement. If, in direct examination, an attorney asks a question which calls for extrapolated information pivotal to the facts at issue, the information is subject to objection under Rule 7, outside the scope of the problem.

If, in cross-examination, an attorney asks for unknown information, the witness may or may not respond, so long as any response is consistent with the witness 'statement or affidavit and does not materially affect the witness 'testimony.

A witness is not bound by the facts contained in other witness statements.

Rule 7. Unfair Extrapolation

Unfair extrapolations are best attacked through impeachment and closing arguments and are to be dealt with in the course of the trial. A fair extrapolation is one that is neutral. Attorneys shall not ask questions calling for information outside the scope of the case materials or requesting an unfair extrapolation.

If a witness is asked information not contained in the witness 'statement, the answer must be consistent with the statement and may not materially affect the witness 'testimony or any substantive issue of the case.

Consistent with the obligation to attack unfair extrapolations through impeachment and closing arguments, attorneys for the opposing team may refer to Rule 7 in a special objection, such as “unfair extrapolation” or “This information is beyond the scope of the statement of facts.”

Possible rulings by a judge include:

- a. No extrapolation has occurred;
- b. An unfair extrapolation has occurred;
- c. The extrapolation was fair; or
- d. Ruling is taken under advisement.

When an attorney objects to an extrapolation, the judge will rule in open court to clarify the course of further proceedings. The decision of the presiding judge regarding extrapolations or evidentiary matters is final.

Rule 8. Gender of Witnesses

All witnesses are gender neutral. Personal pronoun changes in witness statements indicating gender of the characters may be made. Any team member may portray the role of any witness of either gender. Please try to be mindful of the genders of the witnesses portrayed by the opposing team.

Rule 9. Voir Dire

Voir dire examination of a witness, with the exception of experts, is not permitted.

C. THE TRIAL

Rule 10. Team Eligibility

Any Alaska high school may assemble one or more teams and become eligible to compete in the Alaska High School Mock Trial Championship Competition. Two or more Alaska high schools may jointly form a team if each school participating in the formation of a joint team would otherwise be unable to participate in the Alaska High School Mock Trial Championship Competition. Educational and civic organizations which are 1) independent of any Alaska high school, 2) not formed primarily for the purpose of competing in the Alaska High School Mock Trial Championship Competition, and 3) comprised of high school students residing in Alaska, may assemble one or more teams and become eligible to compete in the Competition. Alaska high schools wishing to form a team but not qualifying under this Rule may timely request that an exception to this Rule be granted by the competition coordinators. A decision by the competition coordinators as to eligibility under this Rule or an exception to this Rule shall be final. Any team wishing to participate in the Alaska High School Mock Trial Championship Competition must properly register with the competition coordinators in advance of the competition. The competition coordinators will attempt to accommodate all registrants. Any school or other organization wishing to enter multiple teams must designate a “first” team.

Rule 11. Team Competition

Teams consist of no less than **six** members and no more than **nine** members, including alternates. Team members are assigned to roles representing the Prosecution/Plaintiff and Defense/Defendant sides in each round of the competition. Student timekeepers may be provided by the teams; however, these persons are not considered “official timekeepers” in the

tournament. Competition organizers may make exceptions to this rule for extraordinary circumstances upon prior request by the team coach.

Rule 12. Team Presentation

Teams must present both the Prosecution/Plaintiff and Defense/Defendant sides of the case, using six team members. Different sides will be assigned to teams for different rounds. Only in the case of an emergency occurring during a round of competition may a team participate with less than six members. In such a case, a team may continue in the competition by making substitutions to achieve a two attorney/three witness composition. If an emergency causes a team to use less than three attorneys, the team may be penalized by a reduction of points for that round or may be caused to forfeit the round, depending on the nature of the emergency. Final determinations of emergency, forfeiture, or scoring record will be made by the competition coordinators.

Rule 13. Team Duties

Team members are to evenly divide their duties. Each of the three attorneys will conduct one direct and one cross; in addition, one will present the opening statement and another will present a closing argument. The principal attorney duties for each team will be as follows:

1. Opening Statement
2. Direct Examination of Witness #1
3. Direct Examination of Witness #2
4. Direct Examination of Witness #3
5. Cross Examination of Opposing Witness #1
6. Cross Examination of Opposing Witness #2
7. Cross Examination of Opposing Witness #3
8. Closing Argument

Opening Statements must be given by both sides at the beginning of the trial.

The attorney who will examine a particular witness on direct examination is the only person who may make objections to the opposing attorney's questions of that witness's cross-examination, and the attorney who will cross-examine a witness will be the only one permitted to make objections during the direct examination of that witness.

Each team must call three witnesses and only three witnesses. Witnesses must be called only by their own team and examined by both sides. Although re-direct and re-cross are permissible, witnesses may not be recalled to the stand after their testimony is complete. Thus, once a witness is excused and steps down, neither team may recall the witness for further questioning even if no re-direct or re-cross was previously conducted.

Rule 14. Swearing of Witnesses

The following oath, or a similar oath permitted by the presiding judge, may be used before questioning begins:

"Do you promise that the testimony you are about to give faithfully and truthfully conforms to the facts and rules of the mock trial competition?"

The swearing of witnesses will occur in one of two ways. Either the presiding judge will indicate that all witnesses are assumed to be sworn, or the above oath will be conducted by a) the presiding judge, b) a bailiff or clerk provided by the competition coordinators, or c) the examining attorney. The presiding judge shall indicate which method will be used during any given round of the Mock Trial Competition. Witnesses may stand or sit during the oath.

Rule 15. Trial Sequence and Time Limits

The trial sequence and time limits are as follows:

1. Opening Statement (5 minutes per side)
3. Direct and (optional) Redirect Exam (25 minutes total per side)
4. Cross and (optional) Recross Exam (15 minutes total per side)
5. Closing Argument (5 minutes per side)

The Prosecution/Plaintiff is the first to present the opening statement and give the closing argument. The Prosecution/Plaintiff may reserve a portion of the time allotted for closing argument to present a rebuttal. Rebuttal is limited to the scope of the opposing side's argument.

Rule 16. Timekeeping

Time limits are mandatory and will be enforced. Each team is permitted to have its own timekeeper and timekeeping aids; however, an official timekeeper will be assigned to each trial. Time for objections, extensive questioning from the judge, or administering the oath will not be counted as part of the allotted time during examination of witnesses and opening and closing statements. Time does not stop for the introduction of exhibits.

Rule 17. Time Extensions and Scoring

The presiding judge has sole discretion to grant time extensions. Extensions of time will be granted only in two-minute increments and are at the discretion of the presiding judge. A team requesting an extension of time will be assessed a penalty of three (3) points against that team's overall score for each extension of time granted; the penalty will be recorded in the "penalty" section of each judge's score sheet. If time has expired and an attorney continues without permission from the Court, the scoring judges may determine individually whether or not to discount points in a category because of over-runs in time.

Rule 18. Prohibited Motions

Except as provided in these Rules, no motions may be made. (A motion for directed verdict, acquittal, or dismissal of the case at the end of the Prosecution's case, for example, may not be used.) A motion for a recess may be used in the event of an emergency (i.e., health emergency). To the greatest extent possible, team members are to remain in place. Should a recess be called by the court, teams are not to communicate with any observers, timekeepers, coaches, or instructors during the recess.

Rule 19. Sequestration

Teams may not invoke the rule of sequestration.

Rule 20. Bench Conferences

Bench conferences may be granted at the discretion of the presiding judge, but should normally be conducted in such a manner that all participants, scoring judges, instructors, alternates, and other courtroom observers can hear the arguments and discussions in their entirety. This Rule is designed to further the educational interests of the Alaska High School Mock Trial Competition. Bench conference time shall not be counted against the time allotted to either team.

Rule 21. Supplemental Materials/Illustrative Aids

Teams may refer to and use as exhibits the materials included in the trial packet. Challenges to the authenticity of exhibits is not allowed. No illustrations of any kind may be used, unless provided in the case packet. Absolutely no props or costumes are permitted unless authorized specifically in the case materials.

Students will be permitted to make enlargements of the materials in the case packet, including the provided exhibits, for use at trial. Students may also create for use at trial demonstrative displays containing timelines or quotations from affidavits or case exhibits, provided these demonstrative displays quote exactly the source material or are directly supported by the case materials. Demonstrative displays may be objected to as to their accuracy. Demonstrative displays may be admitted as exhibits subject to all information contained in the display having been previously admitted into evidence. If an enlargement of an exhibit or demonstrative display is used, it must be displayed in a manner easily observable to all trial participants and must remain so displayed for the duration of its use.

Rule 22. Trial Communication

Instructors, alternates, and observers shall not talk to, signal, communicate with, or coach their teams during trial. This Rule remains in force during any recess time that may occur during the course of the trial. Team members may, among themselves, communicate during the trial; however, no disruptive communication is allowed. Signaling of time by the teams' own timekeepers shall not be considered a violation of this Rule. Non-team members, alternate team members, teachers, and coaches must remain outside the bar in the spectator section of the courtroom. Only team members participating in a round may sit inside the bar during that round.

Rule 23. Viewing a Trial

Each team is responsible for the conduct of its members and persons associated with the team throughout the duration of the mock trial competition. Team members, alternates, attorney-coaches, teacher-sponsors, and any other persons directly associated with a mock trial team may view their team competition, but otherwise, except when specifically authorized by the competition coordinators, are not allowed to view other teams in competition, so long as their team remains in the competition.

Nothing may be brought into the courtroom which would tend to reveal the identity of the participating teams. Spectators should be cautioned that they may not wear school insignias. School owned equipment should have all identifying marks covered.

Rule 24. Videotaping/Photography/Audiotaping

Any team may videotape or audiotape a competition round in which it participates for its own educational purposes only. With the consent of an opposing team, any team may videotape

or audiotape a competition round for any other purpose. Bright camera lights, flash bulbs and equipment tending to distract the competitors may be barred in the discretion of the presiding judge. Disruptive conduct in the course of taping, filming, or taking photographs is prohibited, and may result in a penalty against the team responsible for the conduct of the offending photographer.

If school owned equipment is employed for video or audiotaping, identifying information must not be visible on such equipment that might be seen by a judge. Media coverage will be allowed in accordance with the policies of the competition coordinators.

D. JUDGING

Rule 25. Decisions

All decisions of the judges are FINAL.

Rule 26. Composition of the Judging Panel

The judging panel will consist of individuals determined to be eligible by the competition coordinators. Generally, the competition judges are members of the Alaska judiciary, attorneys practicing in Alaska, or law clerks having graduated from law school. Qualified educators and other persons may also be invited by the competition coordinators to participate as Mock Trial judges. The composition of the judging panel and the role of the presiding judge will be at the discretion of the competition coordinators. For preliminary rounds, one presiding judge and at least one additional scoring judge will be appointed by the competition coordinators to judge the round. The final (championship) round may have a larger judging panel than preliminary rounds, at the discretion of the competition coordinators.

All presiding and scoring judges receive the mock trial manual, a memorandum outlining the case, orientation materials, and a briefing as to the case, the role of judges, and the standards to be applied.

Rule 27. Score Sheets/Ballots

The presiding judge and each additional scoring judge shall complete a “score sheet” or “ballot” for each trial conducted in each round of the competition. Judges’ ballots will be substantially like the sample provided by the competition coordinators to each team. When evaluating the teams that each judge observes in the competition, the judges will reference the teams only by their assigned identification codes.

Score sheets are to be completed individually by the judges and without consultation with the other judges. Scoring judges are not bound by the rulings of the presiding judge. While the judging panel may confer within guidelines established by the competition coordinators, the judging panel should not deliberate on individual scores.

Rule 28. Completion of Score Sheets

Score sheets are completed by the judges as follows:

1. Trial Points:

Each judge will award and record a number of points for each aspect of the trial. Points will be awarded from a scale of 1 to 10, with 10 being the highest. Judges

are required to complete the ballots in their entirety, though they are not required to compute final scores.

2. Final Point Total:

A team is determined to be the winner of a round when that team wins a majority of the points cast by the judges scoring a given trial. If the opposing teams for a given round each receive the same number of points for that trial, the competition coordinators shall consider the judges' determinations of tiebreaker points, as provided in the tiebreaker box at the bottom of each scoresheet.

3. Blank Scores:

In the event a scoring box is left blank due to inadvertence of the scoring judge, the average score of the other judges will be put in its place. Every effort will be made to ensure that judges fill out all scoring boxes. If a scoring box is left blank because a team did not direct or cross examine a witness, due to running out of time or not bringing a student to portray that witness, that team will receive a score of zero for all scores associated with that witness; the opposing team will receive scores based on the average of the direct or cross examination scores for the other witnesses in that round.

Rule 29. Team Forfeiture

If a trial cannot continue due to forfeiture, the non-forfeiting team shall be considered to have won by default. Team forfeiture will be determined by the competition organizers and may include failure to show up for the competition or round, participation in a round with fewer than the required number of students, or other serious rules violations. A forfeiting team will receive a loss for purposes of ranking and zero points toward the competition total. A non-forfeiting team will not be penalized in ranking by any inability to receive points from scoring judges.

will be ranked based on the total number of points received for all rounds. The two teams emerging with the strongest record from the preliminary rounds will advance to the final round. Ballots from the championship round will determine the current Alaska State Mock Trial Champion only.

Rule 30. Selection of Opponents for Each Round

As best as possible, a random lottery will be conducted prior to the competition for the purpose of assigning team identification designations. The assignment of opponents for all rounds will be governed by a fixed schedule which will be made available for review by team coaches prior to the time of conducting the lottery. As a result, all opponent selections for all preliminary rounds will become manifest through the random process of assigning team identification designations. Efforts will be made to prevent multiple teams from the same school from competing against each other in the preliminary rounds.

The schedule governing the assignment of opponents will designate which team is to present the Prosecution/Plaintiff's case and which is to present the Defense/Defendant's in each round. To the greatest extent possible, teams will alternate side presentation in subsequent rounds. Every effort will be made to ensure that each team will present each side twice, but all teams will be scheduled to present each side of the case at least once.

Rule 31. Merit Decisions

Judges will make a ruling on the legal merits of the trial, after deliberating. During the debriefing process, judges may inform students of the verdict on the merits of the case. Judges may not inform the students of score sheet results.

Rule 32. Effect of Bye

A “bye” becomes necessary when an odd number of teams are present for the tournament. If an odd number of teams are competing, an additional round will be scheduled, during which those teams receiving a bye will compete against each other. Any team receiving a bye must not observe other teams competing during the round in which the bye was drawn.

E. DISPUTE SETTLEMENT

Rule 33. Reporting a Rules Violation/Inside the Bar

Disputes which (a) involve students competing in a competition round and (b) occur during the course of a trial must be filed immediately upon conclusion of the trial. Disputes must be brought to the attention of the competition organizers at the conclusion of the trial, either by a student or by a coach associated with the team. Competition organizers retain sole authority to resolve any rules dispute in the best interest of the Alaska High School Mock Trial Competition as a whole. Possible penalties, if any, include adjustments to the score from that round, forfeit of that round, or under extreme circumstances disqualification from the tournament.

RULES OF PROCEDURE

A. BEFORE THE TRIAL

Rule 34. Team Roster

Copies of the team roster must be completed and duplicated by each team prior to arrival for trial. Teams must be identified ONLY by the code assigned at registration. No information identifying a team’s city or school of origin should appear on the form or any materials brought into the courtroom or on any clothing worn by the team members or audience. Before beginning a trial, the teams must exchange copies of the Team Roster Form. Copies of the Team Roster Form should also be made available to the judging panel before each round.

Rule 35. Stipulations

When the Court asks the Plaintiff/Prosecution if it is ready to proceed with opening statements, the attorney assigned the opening statement should offer the stipulations into evidence.

Rule 36. The Record

The stipulations, indictment, and charge to the jury, if any, will not be read into the record.

B. BEGINNING THE TRIAL

Rule 37. Jury Trial

The case will be tried to a jury unless the presiding judge determines otherwise; arguments are to be made to the judge and jury. Teams may address the scoring judges and any other persons permitted by the presiding judge to sit in the jury box as the jury.

Rule 38. Standing During Trial

Unless excused by the presiding judge, attorneys will stand while giving opening and closing statements, during direct and cross examinations, and for all objections.

Rule 39. Objection During Opening Statement/Closing Argument

No objections may be raised during opening statements or during closing arguments.

If a team believes an objection would have been necessary during the opposing team's closing argument, a student-attorney, following the closing arguments, may seek to be recognized by the presiding judge and may say "If I had been permitted to object during closing arguments, I would have objected to the opposing team's statement that ____." The presiding judge need not rule on this "objection." Presiding and scoring judges will weigh the "objection" individually. No rebuttal by the opposing team will be heard.

C. PRESENTING EVIDENCE

Rule 40. Argumentative Questions

An attorney shall not ask argumentative questions, except that the Court, may, in its discretion, allow limited use of argumentative questions on cross-examination.

Rule 41. Lack of Proper Predicate/Foundation

Attorneys shall lay a proper foundation prior to moving for the admission of evidence. After motion has been made, the exhibits may still be objected to on other grounds.

Rule 42. Procedure for Introduction of Exhibits

The following steps are *examples* by which evidence may be effectively introduced:

1. All evidence will be pre-marked as exhibits.
2. Ask for permission to approach the bench. Show the presiding judge the marked exhibit. "Your honor, may I approach the bench to show you what has been marked as Exhibit No. ____?"
3. Show the exhibit to opposing counsel.
4. Ask for permission to approach the witness. Give the exhibit to the witness.
5. "I now hand you what has been marked as Exhibit No. ____ for identification."
6. Ask the witness to identify the exhibit. "Would you identify it please?"
7. Witness answers with identification only.
8. Offer the exhibit into evidence.
9. Court: "Is there an objection?" (If opposing counsel believes a proper foundation

- has not been laid, the attorney should be prepared to object at this time.)
10. Opposing Counsel: “No, your Honor,” or “Yes, your Honor.” If the response is “yes”, the objection will be stated on the record. Court: “Is there any response to the objection?”
 11. Court: “Exhibit No. ____ is/is not admitted.”

Rule 43. Use of Notes

Attorneys may use notes in presenting their cases. Witnesses are not permitted to use notes while testifying during the trial. Attorneys may consult with each other at counsel table verbally or through the use of notes.

Rule 44. Redirect/Recross

Redirect and recross examinations are permitted, provided that they conform to the restrictions in Rule 611(d) in the Federal Rules of Evidence (Mock Trial Version).

D. CLOSING ARGUMENTS

Rule 45. Scope of Closing Arguments

Closing arguments must be based on the actual evidence and testimony presented during the trial.

E. AFTER THE TRIAL

Rule 46. The Critique

The judging panel is allowed time for debriefing. Judges will not reveal the scores attributed by them to individual performances, nor will they reveal which team was the ballot winner. The judges may announce the winner of the case on the merits and may discuss or comment upon the presentations in furtherance of the educational interests of the Alaska High School Mock Trial Competition.

Rule 47. Semi-Finals and Final Round

At the discretion of the competition organizers, and depending on the number of teams in the competition, a semi-finals round may be scheduled. In the event that a semi-finals round is scheduled, the top four teams based on total points in the preliminary rounds will advance to the semi-finals. Head-to-head match-ups will not factor into this determination except to break a tie between teams. The team with the highest point total will face the team with the fourth highest point total; the team with the second highest point total will face the team with the third highest point total. For each match-up, the higher seed will be given the option to select which party to represent in the semi-final round. The winner of each semi-final match-up will advance to the final round. The winner of each match-up shall be determined by the total number of points on the judges’ scoresheet (and not on the basis of polling of judges).

In the event that a semi-finals round does not occur, the top two teams based on total points in the preliminary rounds will advance to the final round. Regardless of the method of selection for the final round, the team with the highest number of points in the preliminary

rounds will be given the option to select which party to represent in the final round. Head-to-head match-up scores between the two teams in the finals will not factor into this determination except to break a tie between the two teams in total points from the preliminary rounds. The winner of the final round shall be determined by the total number of points on the judges' scoresheet (and not on the basis of polling of judges).

Scores in the semi-finals and finals rounds are independent of the scores in previous rounds. Ballots from only the championship round will determine the Alaska State Mock Trial Champion.

II. MODIFIED RULES OF EVIDENCE

In American trials, complex rules are used to govern the admission of proof (i.e., oral or physical evidence). These rules are designed to ensure that all parties receive a fair hearing and to exclude evidence deemed irrelevant, incompetent, untrustworthy, unduly prejudicial, or otherwise improper. If it appears that a rule of evidence is being violated, an attorney may raise an objection to the judge. The judge then decides whether the rule has been violated and whether the evidence must be excluded from the record of the trial. In the absence of a properly made objection, however, the judge will probably allow the evidence. The burden is on the mock trial team to know the Federal Rules of Evidence (Mock Trial Version) and to be able to use them to protect their client and fairly limit the actions of opposing counsel and their witnesses. For purposes of mock trial competition, the Rules of Evidence have been modified and simplified. They are based on the Federal Rules of Evidence and its numbering system. When rule numbers or letters are skipped, those rules were deemed not applicable to mock trial procedure. Text in italics represents simplified or modified language.

Not all judges will interpret the Rules of Evidence (or procedure) the same way, and mock trial attorneys should be prepared to point out specific rules (quoting, if necessary) and to argue persuasively for the interpretation and application of the rule they think appropriate.

Article I. General Provisions

Rule 101. Scope

These Rules of Evidence (Mock Trial Version) govern the trial proceedings of the Alaska High School Mock Trial Competition.

Rule 102. Purpose and Construction

The Rules are intended to secure fairness in administration of the trials, eliminate unjust delay, and promote the laws of evidence so that the truth may be ascertained.

Rule 106. Remainder of Writings

When a writing or recorded statement or part thereof is introduced by a party, an adverse party may require the introduction at that time of any other part or any other writing or recorded statement which ought in fairness to be considered contemporaneously with it.

ARTICLE II. Judicial Notice

Rule 201. Judicial Notice of Fact

A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the subject jurisdiction or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. A court may take judicial notice whether requested or not.

ARTICLE III. Presumptions

Rule 301. Presumptions in General in Civil Actions and Proceedings

In all civil actions and proceedings when not otherwise provided for by statute, by judicial decision or by these rules, a presumption imposes on the party against whom it is directed the burden of going forward with evidence to rebut or meet the presumption, but does not shift to such party the burden of proof in the sense of the risk of nonpersuasion, which remains throughout the trial upon the party on whom it was originally cast. The burden of going forward is satisfied by the introduction of evidence sufficient to permit reasonable minds to conclude that the presumed fact does not exist. If the party against whom a presumption operates fails to meet the burden of producing evidence, the presumed fact shall be deemed proved, and the court shall instruct the jury accordingly. When the burden of producing evidence to meet a presumption is satisfied, the court must instruct the jury that it may, but is not required to, infer the existence of the presumed fact from the proved fact, but no mention of the word “presumption” may be made to the jury.

Rule 302. Applicability of Federal Law in Civil Actions and Proceedings – *Not applicable.*

Rule 303. Presumptions in General in Criminal Cases

In all criminal cases when not otherwise provided for by statute, by these rules or by judicial decision, a presumption directed against the accused imposes no burden of going forward with evidence to rebut or meet the presumption and does not shift to the accused the burden of proof in the sense of the risk of non-persuasion, which remains throughout the trial upon the party on whom it was originally cast. However, if the accused fails to offer evidence to rebut or meet the presumption, the court must instruct the jury that it may, but is not required to, infer the existence of the presumed fact from the proved fact, but no mention of the word “presumption” shall be made to the jury. If the accused offers evidence to rebut or meet the presumption, the court may instruct the jury that it may, but is not required to, infer the existence of the presumed fact from the proved fact, but no mention of the word “presumption” shall be made to the jury.

ARTICLE IV. Relevancy and its Limits

Rule 401. Definition of “Relevant Evidence”

“Relevant evidence” means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.

Rule 402. Relevant Evidence Generally Admissible; Irrelevant Evidence Inadmissible

Relevant evidence is admissible, except as otherwise provided *in these Rules*. *Irrelevant evidence is not admissible.*

Rule 403. Exclusion of Relevant Evidence on Grounds of Prejudice, Confusion, or Waste of Time

Although relevant, evidence may be excluded if its probative value is outweighed by the danger of unfair prejudice, *if it confuses the issues, if it is misleading, or if it causes undue delay, wastes time, or is a needless presentation of cumulative evidence.*

Rule 404. Character Evidence Not Admissible to Prove Conduct; Exceptions; Other Crimes

- (a) Character Evidence – Evidence of a person’s character or a *character trait*, is not admissible to prove *action regarding* a particular occasion, except:
 - (1) Character of Accused – Evidence of a pertinent character trait offered by an accused, or by the prosecution to rebut same;
 - (2) Character of Victim – Evidence of a pertinent character trait of the victim of the crime offered by an accused, or by the prosecution to rebut the same, or evidence of a character trait of peacefulness of the victim offered by the prosecution in a homicide case to rebut evidence that the victim was the aggressor;
 - (3) Character of witness – Evidence of the character of a witness as provided in Rules 607, 608, and 609.
- (b) Other crimes, wrongs, or acts – Evidence of other crimes, wrongs, or acts is not admissible to prove character of a person in order to show an action conforms to character. It may, however, be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.

Rule 405. Methods of Proving Character

- (a) Reputation or opinion – In all cases in which evidence of character or a character trait is admissible, proof may be made by testimony as to reputation or by testimony in the form of an opinion. On cross-examination, *questions may be asked regarding* relevant specific instances of conduct.
- (b) Specific instances of conduct – In cases in which character or a character trait is an essential element of a charge, claim, or defense, proof may also be made of specific instances of that person’s conduct.

Rule 406. Habit; Routine Practice

Evidence of the habit of a person or the routine practice of an organization, whether corroborated or not and regardless of the presence of eyewitnesses, is relevant to prove that the conduct of the person or organization, on a particular occasion, was in conformity with the habit or routine practice.

Rule 407. Subsequent Remedial Measures

When measures are taken after an event which, if taken before, would have made the event less likely to occur, evidence of the subsequent measures is not admissible to prove negligence or culpable conduct in connection with event. This rule does not require the exclusion of evidence of subsequent measures when offered for another purpose; such as proving ownership, control, or feasibility of precautionary measures, if controverted, or impeachment.

Rule 410. Inadmissibility of Pleas, Pleas Discussions, and Related Statements

Except as provided in this Rule, evidence of the following is not, in any civil or criminal proceeding, admissible against a defendant who made the plea or was a participant in the plea discussions:

- (1) a plea of guilty which was later withdrawn;
- (2) a plea of *nolo contendere*;
- (3) any statement made in the course of any proceeding under Rule 11 of the Federal Rules of Criminal Procedure or comparable state procedure regarding either of the foregoing pleas; or
- (4) any statement made in the course of plea discussions with an attorney for the prosecuting authority which do not result in a plea of guilty or which result in a plea of guilty later withdrawn. However, such a statement is admissible (i) in any proceeding wherein another statement made in the course of the same plea or plea discussions has been introduced and the statement ought, in fairness, be considered with it, or (ii) in a criminal proceeding for perjury or false statement if the statement was made by the defendant under oath, on the record, and in presence of counsel.

Rule 411. Liability Insurance (civil case only)

Evidence that a person was or was not insured against liability is not admissible upon the issue of whether the person acted negligently or otherwise wrongfully. This rule does not require the exclusion of evidence of insurance against liability when offered for another purpose, such as proof of agency, ownership, or control, or bias, or prejudice of a witness.

Article V. Privileges

Rule 501. General Rule

There are certain admissions and communications excluded from evidence on grounds of public policy. Among these are:

- (1) *communications between husband and wife;*
- (2) *communications between attorney and client;*
- (3) *communications between grand jurors;*
- (4) *communications between psychiatrist and patient.*

Article VI. Witnesses

Rule 601. General Rule of Competency

Every person is competent to be a witness.

Rule 602. Lack of Personal Knowledge

A witness may not testify to a matter unless *the witness has personal knowledge of the matter*. Evidence to prove personal knowledge may, but need not, consist of the witness 'own testimony. This rule is subject to the provisions of Rule 703, related to opinion testimony by expert witnesses.

Rule 607. Who may Impeach

The credibility of a witness may be attacked by any party, including the party calling the witness.

Rule 608. Evidence of Character and Conduct of Witness

- (a) Opinion and reputation evidence of character – The credibility of a witness may be attacked or supported by evidence in the form of opinion or reputation, but subject to these limitations: (1) the evidence may refer only to character for truthfulness or untruthfulness, and (2) evidence of truthful character is admissible only after the character of the witness for truthfulness has been attacked by opinion or reputation evidence, or otherwise.
- (b) Specific instances of conduct – Specific instances of the conduct of a witness, for the purpose of attacking or supporting the credibility of the witness, other than conviction of crime as provided in Rule 609, may not be proved by extrinsic evidence. They may, however, in the discretion of the Court, if probative of truthfulness or untruthfulness, be asked on cross-examination of the witness (1) concerning the witness 'character for truthfulness or untruthfulness, or (2) concerning the character for truthfulness or untruthfulness of another witness as to which character the witness being cross-examined has testified.

Testimony, whether by an accused or by any other witness, does not operate as a waiver of the accused's or the witness 'privilege against self-incrimination with respect to matters related only to credibility.

Rule 609. Impeachment by Evidence of Conviction of Crime (this rule applies only to witnesses with prior convictions)

- (a) General Rule – For the purpose of attacking the credibility of a witness, evidence that a witness other than the accused had been convicted of a crime shall be admitted if elicited from the witness or established by public record during cross-examination, but only if the crime was punishable by death or imprisonment in excess of one year, and the Court determines that the probative value of admitting this evidence outweighs its prejudicial effect to the accused. Evidence that any witness has been convicted of a crime shall be admitted if it involved dishonesty or false statement, regardless of the punishment.
- (b) Time Limit – Evidence of a conviction under this Rule is not admissible if a period of more than ten years has elapsed since the date of the conviction or of the release of the witness from the confinement imposed for that conviction, whichever is the later date, unless the Court determines that the value of the conviction substantially outweighs its prejudicial effect. However, evidence of a conviction more than 10 years old as calculated herein, is not admissible unless the proponent gives to the adverse party sufficient advance written notice of intent to use such evidence to provide the adverse party with a fair opportunity to contest the use of such evidence.
- (c) Effect of pardon, annulment, or certificate of rehabilitation – Evidence of a conviction is not admissible if (1) the conviction has been the subject of a pardon or other equivalent procedure based on a finding of the rehabilitation of the

person convicted of a subsequent crime which was punishable by death or imprisonment in excess of one year, or (2) the conviction has been the subject of a pardon, other equivalent procedure based on a finding of innocence.

(d) *Not applicable.*

(e) *Not applicable.*

Rule 610. Religious Beliefs or Opinions

Evidence of the beliefs or opinions of a witness on matters of religion is not admissible for the purpose of showing that by reason of their nature the witness 'credibility is impaired or enhanced.

Rule 611. Mode and Order of Interrogation and Presentation

- (a) Control by Court – The Court shall exercise reasonable control over *questioning* of witnesses and presenting evidence so as to (1) make the *questioning* and presentation effective for ascertaining the truth, (2) to avoid needless use of time, and (3) protect witnesses from harassment or undue embarrassment.
- (b) Scope of cross-examination – *The scope of cross examination shall not be limited to the scope of the direct examination, but may inquire into any relevant facts or matters contained in the witness 'statement, including all reasonable inferences that can be drawn from those facts and matters, and may inquire into any omissions from the witness statement that are otherwise material and admissible.*
- (c) Leading Questions – Leading questions should not be used on direct examination of a witness (except as may be necessary to develop the witness 'testimony). Ordinarily, leading questions are permitted on cross examination. When a party calls a hostile witness, an adverse party, or a witness identified with an adverse party, leading questions may be used.
- (d) Redirect/Recross – *After cross examination, additional questions may be asked by the direct examining attorney, but questions must be limited to matters raised by the attorney on cross examination. Likewise, additional questions may be asked by the cross examining attorney on recross, but such questions must be limited to matters raised on redirect examination and should avoid repetition.*

Rule 612. Writing Used to Refresh Memory

If a written statement is used to refresh the memory of a witness either while or before testifying, the Court shall determine that the adverse party is entitled to have the writing produced for inspection. The adverse party may cross examine the witness on the material and introduce into evidence those portions which relate to the testimony of the witness.

Rule 613. Prior Statement of Witnesses

Examining witness concerning prior statement – In examining a witness concerning a prior statement made by the witness, whether written or not, the statement need not be shown nor its contents disclosed to the witness at that time, but on request the same shall be shown or disclosed to opposing counsel.

Extrinsic evidence of prior inconsistent statement of witness – Extrinsic evidence of prior inconsistent statement by a witness is not admissible unless the witness is afforded opportunity to explain or deny the same and the opposite party is afforded an opportunity to interrogate.

Article VII. Opinions and Expert Testimony

Rule 701. Opinion Testimony by Lay Witness

If the witness is not testifying as an expert, the witness' testimony in the form of opinions or inferences is limited to those opinions or inferences which are (a) rationally based on the perception of the witness and (b) helpful to a clear understanding of the witness' testimony or the determination of a fact in issue.

Rule 702. Testimony by Experts

If scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify in the form of an opinion or otherwise, if (1) the testimony is based upon sufficient facts or data, (2) the testimony is the product of reliable principles and methods, and (3) the witness has applied the principles and methods reliably to the facts of the case.

Rule 703. Bases of Opinion Testimony by Experts

The facts or data upon which an expert bases an opinion may be those perceived by or made known to the expert at or before the hearing. If of a type reasonably relied upon by experts in the field in forming opinions or inferences, the facts or data need not be admissible in evidence.

Rule 704. Opinion on Ultimate Issue

- (a) *Opinion or inference testimony* otherwise admissible is not objectionable because it embraces an issue to be decided by the trier of fact.
- (b) In a criminal case, an expert witness shall not express an opinion as to the guilt or innocence of the accused.

Rule 705. Disclosure of Facts or Data Underlying Expert Opinion

The expert may testify in terms of opinion or inference and give reasons therefor without prior disclosure of the underlying facts or data, unless the Court requires otherwise. The expert may in any event be required to disclose the underlying facts or data on cross examination.

Article VIII. Hearsay

Rule 801. Definitions

The following definitions apply under this article:

- (a) Statement – A “statement” is an oral or written assertion or nonverbal conduct of a person, if it is intended by the person as an assertion.
- (b) Declarant – A “declarant” is a person who makes a statement.
- (c) Hearsay – “Hearsay” is a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted.
- (d) Statements which are not hearsay – A statement is not hearsay if:

- (1) Prior statement by witness – The declarant testifies at the trial or hearing and is subject to cross examination concerning the statement and the statement is (A) inconsistent with the declarant’s testimony, and was given under oath subject to the penalty of perjury at a trial, hearing, or other proceeding, or in a deposition, or (B) consistent with the declarant’s testimony and is offered to rebut an express or implied charge against the declarant of recent fabrication or improper influence or motive, or (C) one of identification of a person made after perceiving the person; or
- (2) Admission by a party-opponent – The statement is offered against a party and is (A) the party’s own statement in either an individual or a representative capacity or (B) a statement of which the party has manifested an adoption or belief in its truth, or (C) a statement by a person authorized by the party to make a statement concerning the subject, or (D) a statement by the party’s agent or servant concerning a matter within the scope of the agency or employment, made during the existence of the relationship, or (E) a statement by a co-conspirator of a party during the course in furtherance of the conspiracy.

Rule 802. Hearsay Rule

The following are not excluded by the hearsay rule, even though the declarant is available as a witness:

- (1) Present sense impression – A statement describing or explaining an event or condition made while the declarant was perceiving the event or condition, or immediately thereafter.
- (2) Excited utterance – A statement relating to a startling event or condition made while the declarant was under the stress of excitement caused by the event or condition.
- (3) Then existing mental, emotional, or physical conditions – A statement of the declarant’s then existing state of mind, emotion, sensation, or physical condition (such as intent, plan, motive, design, mental feeling, pain, and bodily health), but not including a statement of memory or belief to prove the fact remembered or believed unless it relates to the execution, revocation, identification, or terms of declarant’s will.
- (4) Statements for purpose of medical diagnosis or treatment – Statements made for the purpose of medical diagnosis or treatment.
- (5) Recorded Recollection – A memorandum or record concerning a matter about which a witness once had knowledge but now has insufficient recollection to enable the witness to testify fully and accurately, shown to have been made or adopted by the witness when the matter was fresh in the witness ’memory and to reflect that knowledge correctly.
- (6) Business Records – A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnosis, made at or near the time by, or from information transmitted by, a person with knowledge acquired of a regularly conducted business activity, and if it was the regular practice of that business activity to make and keep the memorandum, report, record, or data compilation, all as shown by the testimony of the custodian or other qualified witness, unless the source of information or the method or circumstances of

preparation indicate lack of trustworthiness. The term “business” as used in this paragraph includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit.

- (18) Learned treatises – To the extent called to the attention of an expert witness upon cross examination or relied upon by the expert witness in direct examination, statements contained in published treatises, periodicals, or pamphlets on a subject of history, medicine, or other science or art, established as a reliable authority by the testimony or admission of the witness or by other expert testimony or by judicial notice.
- (21) Reputation as to character – Reputation of a person’s character among associates or in the community.
- (22) Judgment of previous conviction – Evidence of a judgment *finding* a person guilty of a crime punishable by death or imprisonment in excess of one year, to prove any fact essential to sustain the judgment, but not including, when offered by the Government in a criminal prosecution for purposes other than impeachment, judgments against persons other than the accused.

Rule 804. Hearsay Exceptions–Declarant Unavailable.

(a) **Definition of Unavailability.** Unavailability as a witness includes situations in which the declarant

(1) is exempted by ruling of the court on the ground of privilege from testifying concerning the subject matter of his statement; or

(2) persists in refusing to testify concerning the subject matter of his statement despite an order of the court to do so; or

(3) establishes a lack of memory of the subject matter of his statement; or

(4) is unable to be present or to testify at the hearing because of death or then existing physical or mental illness or infirmity; or

(5) is absent from the hearing and the proponent of his statement has been unable to procure his attendance (or in the case of a hearsay exception under subdivision (b) (2), (3), (4), or (5), of this rule, his attendance or testimony) by reasonable means including process.

A declarant is not unavailable as a witness if his exemption, refusal, claim of lack of memory, inability, or absence is due to the procurement or wrongdoing of the proponent of his statement for the purpose of preventing the witness from attending or testifying.

(b) **Hearsay Exceptions.** The following are not excluded by the hearsay rule if the declarant is unavailable as a witness:

(1) *Former Testimony.* Testimony given as a witness at another hearing of the same or a different proceeding, or in a deposition taken in compliance with law in the course of another proceeding, if the party against whom the testimony is now offered, or, in a civil action or proceeding a predecessor in interest, had an opportunity and similar motive to develop the testimony by direct, cross, or redirect examination.

(2) *Statement Under Belief of Impending Death.* A statement made by a declarant while believing that the declarant’s death was imminent, concerning the cause or circumstances of what the declarant believed to be his impending death.

(3) *Statement Against Interest.* A statement which was at the time of its making so far contrary to the declarant's pecuniary or proprietary interest, or so far tended to subject the declarant to civil or criminal liability, or to render invalid a claim by the declarant against another, that a reasonable person in the declarant's position would not have made the statement unless believing it to be true. A statement tending to expose the declarant to criminal liability and offered to exculpate the accused is not admissible unless corroborating circumstances clearly indicate the trustworthiness of the statement.

(5) *Other Exceptions.* A statement not specifically covered by any of the foregoing exceptions but having equivalent circumstantial guarantees of trustworthiness, if the court determines that (A) the statement is offered as evidence of a material fact; (B) the statement is more probative on the point for which it is offered than any other evidence which the proponent can procure through reasonable efforts; and (C) the general purposes of these rules and the interests of justice will best be served by admission of the statement into evidence. However, a statement may not be admitted under this exception unless the proponent of it makes known to the adverse party sufficiently in advance of the trial or hearing to provide the adverse party with a fair opportunity to prepare to meet it, his intention to offer the statement and the particulars of it, including the name and address of the declarant.

Rule 805. Hearsay within Hearsay

Hearsay included within hearsay is not excluded under the hearsay rule if each part of the combined statement conforms with an exception to the hearsay rule provided in these rules.

Article IX. Documentary Evidence

Rule 901. Requirement of Identification

The requirement of identification as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims.

Article X. Contents of Writing, Recordings and Photographs – *Not applicable.*

EVALUATION GUIDELINES

The competition judges are given instructions on how to evaluate the performance of participating teams and individuals. The following guidelines, as well as additional instructions that are not included here, are included in the material provided to the competition judges. Participating teams may assume that the winning team will excel in the following ways:

ATTORNEYS:

DEMONSTRATED SPONTANEITY:

- in response to witnesses and/or the court;
- in the overall presentation of the case; and
- in making and responding to objections, capitalizing on opportunities which arise during trial.

DEMONSTRATED COMMAND OF THE FACTS AND ISSUES

in the case and attorney's understanding of the relevant points of law.

When examining witnesses, attorney **PHRASED QUESTIONS PROPERLY** and demonstrated a clear understanding of trial procedure and the simplified rules of evidence used for the mock trial competition.

The attorney's questions:

- were clearly stated, concise, and to the point;
- resulted in straightforward answers from the witness;
- brought out information important to the case; and
- brought out contradictions in testimony.

Opening statements and closing arguments were **ORGANIZED AND WELL-REASONED** presentations, with the closing argument emphasizing the strengths of the attorney's own side and addressing the flaws exposed by the opposing attorneys during trial.

WITNESSES:

Testimony was **CONVINCING** and characterizations were **BELIEVABLE** and **CONSISTENT** with the affidavits. **PREPARATION** and **SPONTANEITY** were evident in the manner witnesses handled questions posed to them by the attorneys.

TEAMS:

Courtroom **DECORUM AND COURTESY** by all team members and coaches were observed. Affiliated observers were not disruptive. All participants were **ACTIVE** in the presentation of the case.

2024 ALASKA HIGH SCHOOL
MOCK TRIAL CHAMPIONSHIP COMPETITION
(Anchorage, April 5-6, 2024)

TEAM REGISTRATION FORM
(Please CLEARLY print name and contact information)

School (Organization) Name: _____

Team Mailing Address: _____

Teacher or other School Advisor: _____ T-Shirt Size: _____

Advisor Contact Phone: _____ Message Phone: _____

E-Mail: _____

Attorney Coach: _____ T-Shirt Size: _____

Coach Contact Phone: _____ Message Phone: _____

E-Mail: _____

Student Team Members (Please print names in block lettering)

(T-Shirt Size)	(T-Shirt Size)
()	()
()	()
()	()
()	()
()	()
()	()

THIS IS TEAM NUMBER _____

Each team must have a minimum of six students members. No team may have more than nine members, including alternates. The assistance of attorney coaches is recommended, but not mandatory. Schools wishing to register more than one team may designate the same teacher or other school sponsor as the official school advisor. Any school wishing to register multiple teams **MUST** indicate which team is the "First Team," "Second Team," etc. **All teams must be registered *no later than April 1, 2024*; registration form may be emailed to hrfortson@alaska.edu; fees can be paid at the competition. There is a registration fee of \$150 per team.**

For any mailed registration forms, fees, or other correspondence, please use the following address:

ANCHORAGE BAR ASSOCIATION, YOUNG LAWYERS SECTION
c/o PROF. RYAN FORTSON, Attn: MOCK TRIAL
JUSTICE CENTER, UNIVERSITY OF ALASKA ANCHORAGE
3211 PROVIDENCE DRIVE, PSB 234
ANCHORAGE, AK 99508