

APPELLATE PRACTICE FOR EXTRAMURAL CONTESTANTS
Fall 2004 – Friday, 10 a.m.-11:50; Rm. 123/ Prof. Isenstadt
Syllabus

***Friday, August 20, 2004** – Introduction – Rules Governing Preparation of Appellate Briefs – FRAP, Supreme Court Rules, Moot Court Contest Rules. Pre-Argument Sections of the Brief: Statement of Issues or Questions Presented; Statement of the Case and Statement of Facts (discuss differing FRAP and S.Ct. approaches).

Reading: Effective Appellate Advocacy, pp 1-13, 40-68, 73-91; Supreme Court Rule 24 at pp. 215-217; skim sample briefs at pp. 297ff. (in back of book)

***Friday, Aug. 27, 2004** – The Argument.—Discussion of summary of argument and argument; writing style and editing points

Reading: Effective Appellate Advocacy, pp. 91-121; re-skim sample briefs at pp. 297ff.

Friday, Sept. 3, 2004 – Individual Team Meetings

***Friday, Sept. 10 or 17, 2004** – Oral Argument Class for Students Doing early semester arguments – Discuss Oral Argument Techniques and Preparation; View and Critique Video of ABA Finals

Reading: Effective Appellate Advocacy, pp. 122-188

Friday, Sept. 24, 2004 – Individual Team Meetings

Friday, Oct. 1, 2004 – Practice Contest Arguments

Friday, Oct. 8, 2004 – Oral Argument Class for late semester arguments or team meetings

Friday, Oct. 15, 2004 – Oral Argument Class or Practice Contest Arguments

Friday, Oct. 22, 2004 – Practice Contest Arguments

Friday, Oct. 29, 2004 – Practice Contest Arguments

Friday, Nov. 5, 2004 – Practice Contest Arguments

Friday, Nov. 12 or 19, 2004 – Contest Debriefings/Discuss Final Assignment

Class times are subject to change to suit contest schedules. Other times may be used as needed for practice arguments and meetings.

Appellate Practice – Fall Semester ‘04

Assignment Checklist

Below are the required components of the course as they relate to computation of each student’s final grade.

1. Final Contest Brief (40%) _____

Each member of the team preparing the brief will be assigned the same grade, unless contest rules require team members to work separately on different parts of the brief, in which case grades will be based on sections prepared individually by each student.

2. First Practice Argument (10%) _____

3. Second Practice Argument (20%)

Each student will participate in two faculty-judged practice arguments before the contest.

4. Critique of Another Team’s Brief (20%) _____

Each student will be assigned to prepare a 3-5 page critique of another team’s brief, utilizing the criteria discussed in class and in the assigned readings. Due dates will be staggered in order not to interfere with contest preparation. Each student will provide a copy of the completed critique to both the instructor and to the authors of the subject brief.

5. “Class Participation” (10%) – This includes various non-graded but essential course components, in particular:

____ Participation in prebriefing meeting with instructor to discuss contest rules and other matters.

____ Submission of outline of contest brief per schedule agreed to at prebriefing meeting.

____ Submission of rough draft of brief per schedule.

____ Submission of contest post-mortem.

(After the contest, each student, or a team jointly, must submit a report on the contest to include at least (1) results achieved by the team; (2) assessment of caliber of the judges and other contestants; (3) assessment of quality of arrangements made by the hosting organization; and (4) recommendations re. future participation and advice for future participants.. These evaluations will be compiled and made available to future years’ students.)

____ Participation in scheduled class sessions, including mootings of other teams.