APPELLATE ADVOCACY (For Extramural Contest Participants)
Law 159 (2 credits) / Instructor: Ernie Isenstadt
Fall 2013 – Thursday, 12 noon-1:50 p.m.; Rm. 123

Syllabus

Textbooks: Berry, Effective Appellate Advocacy, 4th ed. (2009)

Reading: Effective Appellate Advocacy, pp 1-50 (skim), 51-65, 72-86, 92-110; Supreme Court Rules 24 & 34 at pp. 254-256, 270-272; skim sample briefs at pp. 342ff. (in back of book); Making Your Case, pp. 82-97

*Thursday, Aug. 22, 2013 – LECTURE CLASS #2 -- The Argument.—Discussion of Summary of Argument and Argument; writing style and editing points
Reading: Effective Appellate Advocacy, pp. 110-144; re-skim sample briefs at pp. 342ff.; Making Your Case, pp. 1-82, 97-137

Thursday, Aug 29, 2013 – Individual Team Meetings
Thursday, Sept. 5, 2013—Individual Team Meetings

*Thursday, Sept. 12, 2013 – LECTURE CLASS #3 -- Oral Argument Class for students doing early semester arguments – Discuss oral argument techniques and preparation; View and critique video of moot court contest(s)
Reading: Effective Appellate Advocacy, pp. 146-214; Making Your Case, pp. 137-205..

Thursday, Sept. 19, 2013 – Individual Team Meetings/Practice Contest Arguments
Thursday, Sept. 26, 2013 – “
Thursday, Oct. 10, 2013– “
Thursday, Oct. 17, 2013– “
Thursday, Oct. 24, 2013 – Individual Team Meetings/Practice Contest Arguments
Thursday, Oct. 31, 2013– “
Thursday, Nov. 7, 2013 – “
Thursday Nov. 14, 2013 – Contest debriefings and discuss final assignment.
* Dates of Lectures 1-3 may be shifted to suit contest schedules. Other times will be used as needed for practice arguments and meetings.
Assignment Checklist

Below are the required components of the course as they relate to computation of each student’s final grade. Weights may be altered with prior notice.

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. **Practice Arguments (40%)**

   *Each student will participate in a minimum of three faculty-judged practice arguments before the contest.*

3. **Critique of Another Team’s Brief (10%)**

   *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 reading. Each student will provide a copy of the completed critique to both the instructor and to the authors of the subject brief.*

4. **“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.
   - Organization of and adherence to non-faculty practice 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, help with mooting of other teams as needed.