

**APPELLATE ADVOCACY
Fall 2025 Syllabus**

Basic Information

Course Number: 159-001, 159-002

Credit Hours: 2

Meeting Times: Tuesday (1:50 – 3:50 p.m.) (001)
Monday (8:10 – 10:10 p.m.) (002)

Note: Regardless of the meeting day and time assigned on the law school's official course schedule, the professors will work with each team to develop an individualized course schedule.

Meeting Mode: On campus¹

Professors: Ernest Isenstadt (001)
eisensta@gmu.edu

Brandy Wagstaff (002)
bwagstaf@gmu.edu

Justin Angotti (002)
jangott@gmu.edu

Office Hours: By appointment

Grading Mode: Letter

Exam Mode: No exam

Prerequisites: None

Corequisites: None

¹ Some sessions may also be held via Zoom to accommodate the course starting before the regular semester.

Course Materials

Required:

- Antonin Scalia & Bryan A. Garner, *Making Your Case: The Art of Persuading Judges* (2008)
- Bryan A. Garner, [*Interviews with United States Supreme Court Justices*](#), Scribes J. of L. Writing (2010)
- Clerk of the Ct., Sup. Ct. of the U.S., [*Guide for Counsel in Cases to be Argued Before the Supreme Court of the United States*](#) (2015)
- *The Bluebook: A Uniform System of Citation* (Columbia L. Rev. Ass'n et al. eds., 22d ed. 2025)

Optional:

- Bryan A. Garner, *The Winning Brief* (3d ed. 2014)
- Richard Wydick & Amanda Sloan, *Plain English for Lawyers* (7th ed. 2024) (electronic version available for free through Lexis Study Aids)
- [BriefCatch](#) (free trial and paid subscription available)

Course Overview

Appellate Advocacy is designed to prepare your extramural team for its moot court competition. The course builds on the persuasive writing skills you developed in LRWA II and LRWA III and focuses intensively on brief writing, as well as preparing for and delivering appellate oral arguments.

Learning Outcomes

After this course, you should be able to:

- Explain and apply the Supreme Court of the United States' briefing and oral argument rules, practices, and expectations.
- Work with a team to research and brief complex legal issues at the appellate level under tight deadlines.
- Formulate, refine, and deliver complex, appellate oral arguments.

Assignments & Grading

The following table summarizes the assignments, expectations, and weights that will be used to calculate your grade:²

Assignment	Weight	Due Date
Class Participation , which includes the following requirements that are not individually graded: <ul style="list-style-type: none">• Participation in a semester planning meeting.• Participation in scheduled class sessions and completion of assignments.• Timely submission of (1) a semester team schedule, (2) an outline of the brief, (3) a rough draft of the brief, and (4) a post-competition evaluation form.• Help with mooting other teams as requested and time allows.	10%	Based on competition schedule Post-competition evaluation form: by 5:00 p.m. (ET) on the earlier of (a) the 21st day after your competition or (b) November 21, 2025
Final Competition Brief <ul style="list-style-type: none">• Barring exceptional circumstances, each team member will be assigned the same grade on the brief.	40%	Based on competition schedule
Oral Argument ³ <ul style="list-style-type: none">• You must participate in at least 3 faculty-judged practice arguments before your competition.• Additionally, you must arrange at least 2 additional practice sessions before one or more judges (other than teammates). You must report the date, time, location, and judges for those practices to your assigned professors.	40%	Based on competition schedule Information about additional practice sessions: by 5:00 (ET) on the earlier of (a) the 21st day after your competition or (b) November 21, 2025

² Professors may change assignment weights without advance notice.

³ For students who are only writing their team's brief (if applicable), your grade will be based on your assistance in developing practice questions and helping the professor moot the students who are arguing.

Assignment	Weight	Due Date
Self-Evaluation and Team Feedback <ul style="list-style-type: none"> You will evaluate your own performance, as well as your teammates'. Your feedback will be quantitative and qualitative. Your self-evaluation will be emailed to your assigned professors. Your team feedback will be emailed to each teammate, copying your assigned professors. 	10%	By 5:00 p.m. (ET) on the earlier of (a) the 21st day after your competition or (b) November 21, 2025

Your assigned professor retains the sole discretion to decide whether late assignments are accepted or penalized. Your final grade may be increased as a result of exceptional competition performance.

Course Policies

Common Policies for All Courses at George Mason University

The University maintains [four policies](#) that affect all courses:

- Academic Standards
- Accommodations for Students with Disabilities
- FERPA and Use of GMU Email Address for Course Communication
- Title IX Resources and Required Reporting

These policies are incorporated into this syllabus by reference.

Attendance (AR 3-1.4)

Maintaining your matriculation requires regular class preparation, participation, and attendance; registration in the course of study required for your program (full-time or part-time); successive registration for each fall and spring term of each academic year until your study is completed; and compliance with all other relevant requirements.

Absences (AR 4-1.1)

If you are absent for any reason for more than 20% of this course's sessions, you are not eligible for credit in this course. If you are not present for at least 75% of a course session, you will be considered absent from that session.

Use of Generative Artificial Intelligence

Consistent with Academic Regulation 4-3, you may not use generative artificial intelligence (AI) to draft or edit your outline, competition brief, self-evaluation, or team feedback.

Unless the competition rules provide otherwise, you may, however, use generative AI to prepare for your oral argument. This includes generating practice questions or hypotheticals. If asked by your professor, you must be prepared to describe how you used generative AI to prepare for oral argument. If you use generative AI to help draft practice questions submitted to your professor, you must affirmatively disclose how you used the generative AI tool.

If you have any questions about whether a particular use of generative AI is permissible under this policy or the competition rules, you should consult with your professor **before** using the tool.

Affirmed Name and Pronouns

Everyone has the right to be addressed by the name and personal pronouns that correspond to their gender identity, including non-binary pronouns. You can update your pronouns on Patriot Web. If you have not yet updated your pronouns, please do so at the beginning of the semester so we can ensure we refer to you by the correct pronouns. If your pronoun set is not available, please let us know. We also recognize that names and pronouns may change during the semester. If at any point during the semester you would like to be addressed differently, please let us know.

As part of our commitment to inclusion in this course, you are expected to respect your classmates and use their affirmed name and pronouns. Mistakes may happen. If you make a mistake or are corrected, please briefly apologize and correct yourself.

To learn more about personal pronouns and why they are important please review the University's [Chosen Name and Pronouns Policy](#) and visit pronouns.org.

Course Schedule

The following table outlines the general course schedule and preparation required for each week. This schedule will be adjusted based on your team's competition schedule and may be modified by your assigned professor.

Week	Topic	Required Preparation
Week 1	Class #1: Brief Writing <ul style="list-style-type: none"> Rules governing how to prepare an appellate brief <ul style="list-style-type: none"> Supreme Court Rules Federal Rules of Appellate Procedure Moot court competition rules Strategies for drafting the questions presented, statement of the case, summary of the argument, argument, and conclusion Competition Problem Release	<ul style="list-style-type: none"> <i>Making Your Case</i> (p. 82–97) <i>Justice Interviews</i> (p. 1–40) S. Ct. Rules 24 and 34 Review competition problem to identify legal issues presented Conduct preliminary research on competition problem
Week 2	Class #2: Revising and Editing <ul style="list-style-type: none"> Writing style, editing and polishing, and common errors 	<ul style="list-style-type: none"> <i>Making Your Case</i> (p. 1–82, 97–137) <i>Justice Interviews</i> (p. 41–78)
Weeks 3–4	Individual Team Meetings	<ul style="list-style-type: none"> Conduct research on competition problem Draft outline and brief
Week 5	Class #3: Oral Argument <ul style="list-style-type: none"> Oral argument techniques and preparation 	<ul style="list-style-type: none"> <i>Making Your Case</i> (p. 137–205) <i>Guide for Counsel</i> Section 002: Prepare roadmaps for oral argument
Weeks 6–10	Individual Team Meetings and Mooting	<ul style="list-style-type: none"> Prepare oral argument for competition Draft 3–5 questions for each issue on each side
Weeks 11–13	Competition Debriefing	<ul style="list-style-type: none"> Complete self-evaluation and team feedback

Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency: Dial 911
Escort Services: 703-993-8070
Dispatch: 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As faculty members, we are designated as “Non-Confidential Employees” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703 -380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730 or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[Student Conduct](#)

[University Life](#)