

Honors American Government
Moot Supreme Court
Justice Role and Responsibility

Thank you for agreeing to serve as a justice on my moot Supreme Court. I just wanted to brief on you what will happen during the first case, which will serve as the model for the three other cases.

During the week of the oral argument, both petitioner and respondent teams will turn in summary briefs on Tuesday morning. I will get them to you as soon as possible. In addition, both teams will be able to turn in response briefs on Wednesday if they so desire. I will also get these to you as soon as possible. In the briefs, both teams will be giving their constitutional arguments concerning the case and why their side should win the case. In most cases, the briefs will not win the case for the side, but will serve as a place where you will be able to preview their arguments and develop any constitutional questions you might have that will help you develop your decision.

During oral arguments, you will be free to ask any questions that you have of the team's argument at anytime during their allotted 15 minutes to argue their case before the moot Court's justices. Often, justices on the Supreme Court will not care much about individual facts of the case, but will focus on the broad constitutional questions and national impact of any decision reached by the Court. However, feel free to ask whatever you need to have answered to help make up your mind concerning the issues of the case.

Once oral arguments have concluded, I will adjourn the Court. We will meet on the following Tuesday "in conference" to decide the case. After we discuss and vote on the case, we'll assign a majority opinion writer. After a first draft of a majority opinion is finished, it will circulate among the justices (both majority and minority). Justices in the majority can either decide to join the majority opinion or write a separate concurring opinion if they believe the reasoning behind the majority opinion to be faulty. At this time, those in the minority will indicate if they plan to write a dissenting opinion, which will then be circulated among the justices and those in the minority can choose to join the dissent or write a separate dissent.

Once all of the opinions have been written and joined, I will read a summary of the decision to the class. Any justice who wishes to be present during the reading of the argument is welcome to join me. If you wish to read a summary of your dissent to the class, just let me know before I read the summary opinion.

Thanks for your time in helping me give students as authentic of a citizenship education experience that I can create in class.