

CASE DEVELOPMENT AND ORAL ARGUMENT DAY

CASE DEVELOPMENT

As lead counsel:

As lead counsel it is your job, as well as the other leaders on the particular case, to lead the entire team throughout the case development process. You assign the researcher supporters to look up cases and summarize them for the case presentation before the Court. It is important for the lead counsel to remember that they must assign at least one researcher to look into developing what the other side might argue. This would be a great role for a researcher(s) that might not believe in your side's case with one-hundred-percent conviction.

In addition, the lead counsel is in charge of developing and writing the summary brief that details your final case arguments. It is also your role to mediate any disputes that arise over assigned roles during case development.

As supporting researcher:

If you are a researcher for a particular case, you are simply to follow the instructions of the lead counsel(s). As you research cases remember that the better you summarize your assigned cases, the better your leaders will be able to develop a great brief and oral argument, which increases the chances your side will win the case.

ORAL ARGUMENT DAY

As lead counsel:

Before oral argument day, make sure you have read over the guide published by the Supreme Court on what to expect and how to handle yourself during oral arguments. Also, make sure you know your case completely, and the other side's arguments as well.

As you address the Court, make sure you dress in an appropriate manner. While a coat and tie is not necessary for the gentlemen and a homecoming dress is not necessary for the ladies, khakis and a dress shirt is appropriate for the gentlemen and a blouse and skirt/pants is appropriate for the ladies.

When it is time for your oral arguments, make sure that you do not talk over one another and address the justices individually as they ask questions. You will have fifteen minutes to present your case. If you finish before the fifteen minutes expires, that is okay, but make sure you have addressed all the major points of your case.

As supporting researcher:

Your job during oral arguments is to help your leaders as they are questioned by the justices. Sometimes it is easier to remember certain cases when you are not on-stage. Discreetly hand case summaries to one of the leaders that would help them as they might get bogged down during this examination of the case.

Since you'll be required to write an overall critique of the case preparation and oral argument presentation, it would be wise to take notes during the proceedings so that you can write on how well your team did, the other team did and the types of questions asked by the panel.

Most importantly, sit quietly and do not distract the lead counsels. This is especially important during the examination of the other side's case. The justices will notice your lack of respect, which might bias them against your side even though you might have presented a better case.