

HASTINGS MOOT COURT PROGRAM

CLASS SYLLABUS – SPRING 2016

Student Learning Objectives. In Moot Court, students will learn to:

- learn the fundamentals of persuasive legal writing and the differences between objective and persuasive writing;
- analyze an appellate record to identify and utilize legally significant facts;
- persuasively write a client-centered Statement of Facts;
- conduct in-depth legal research on an unresolved issue of law;
- improve use of online research sources;
- refine research techniques for efficiency and breadth;
- use legal authority to advocate and persuade;
- cite legal authority correctly in an appellate brief;
- draft a persuasive appellate brief of professional, error-free quality;
- develop advocacy writing skills and persuasive techniques;
- understand the procedural process of an appellate case including legal analysis of the case, a record or appendix, opinion below, and pleadings and records on file;
- perform an appellate oral argument, with proper organization, reliance on authority, professionalism, and courtroom etiquette.

Note: First Class Assignment: Read Opinion Below for your case before first class.

Week 1 (January 11 – 15, 2016)	
Focus	<i>INTRODUCTION TO MOOT COURT</i>
Class Lecture	<ol style="list-style-type: none"> 1. Introduction of Teacher and Teaching Assistants (TAs), attendance, review class policies. 2. Discussion of purpose and format of appellate brief. 3. Discussion of the difference between advisory/predictive writing and persuasive/argumentative writing. 4. Explanation of context for persuasive writing and procedures for Moot Court and appellate briefs. 5. Discussion of appellate court system, appellate brief writing and appellate review. 6. Review of class syllabus. 7. Distribution of class materials and introduction to Moot Court Record. 8. Discuss Opinion Below and Moot Court case facts and procedural posture. 9. Pairing of TAs and students – students to meet with TAs by Week 2 or 3. 10. Discussion of research log with research log assignments due next week.
Due this Week	Opinion Below Review – General Class Discussion of Case.
Due Next Week	<ol style="list-style-type: none"> 1. Read Record, Opinion Below again, and make a list of legally significant facts. 2. Research log. 3. Attend at least two of the Lexis, Westlaw or Bloomberg training session arranged by campus representatives (Two sessions to be chosen by student). 4. Sign up to meet with TA during Week 2 or 3.
Reading for Next Week	<ol style="list-style-type: none"> 1. Moot Court Record and review Opinion Below. 2. Moot Court Student Handbook: Chapter 1 (General Information).
Handouts	<ol style="list-style-type: none"> 1. Opinion Below 2. Record 3. Moot Court Syllabus

Week 2 (January 18 – 22, 2016)

NOTE: Monday, January 18, 2016 is Martin Luther King Day and a Hastings holiday. Campus will be closed and Monday Moot Court classes will be rescheduled. Tuesday, January 19, 2016 will be treated as a Monday for doctrinal classes. Professors of Monday Moot Court classes will confirm student availability for class in Week 1. Classes will be rescheduled if necessary.

Focus	<i>USING RESEARCH AND FACTS TO FRAME A PERSUASIVE LEGAL ARGUMENT</i>
Class Lecture	<ol style="list-style-type: none"> 1. Substantive law and research strategies. 2. Main arguments and theories of case. 3. Continue discussion of fact development and instruction on how to write an appellate court level Statement of Facts. 4. Preliminary Statement discussion and begin framing of Statement for Petitioner and Respondent. 5. Argument and Question(s) Presented sections of brief. 6. Writing a powerful Conclusion section. 7. Introduction to service of documents. 8. Reminder regarding class requirement of judging for a Hastings Intercollegiate Moot Court Team Practice. Sign up to judge teams at www.hastingsmootcourt.com.
Due this Week	<ol style="list-style-type: none"> 1. Research log. 2. List of legally significant facts. 3. Lexis/Westlaw/Bloomberg training this week – mandatory 2 sessions
Assignments Due Next Week	<ol style="list-style-type: none"> 1. Continue research on topic. 2. Draft Statement of the Case (Statement of Facts and Preliminary Statement). 3. Meet with TAs in Week 2 or 3.
Reading for Next Week	Student Handbook: Chapter 2 (The Appellate Brief).

Week 3 (January 25 – 29, 2016)

Focus	<i>MECHANICS OF ADVOCACY WRITING AND APPLICATION OF PUBLIC POLICY</i>
Class Lecture	<ol style="list-style-type: none"> 1. Argument headings and subheadings. 2. Use of authority and review of research strategies. 3. Use of public policy in building argument. 4. Effective argument techniques and language. 5. Discuss caption, cover sheet, signature page, proof of service, and technical issues for brief.
Due this week	<ol style="list-style-type: none"> 1. Additional research. 2. Statement of the Case (Statement of Facts and Preliminary Statement).
Assignments Due Next Week	<ol style="list-style-type: none"> 1. Meet with TAs in Week 2 or 3. 2. Draft Question(s) Presented. 3. 7-10 page Legal Argument section of brief with argument headings and subheadings.
Reading for Next Week	Review Student Handbook: Chapter 2 (The Appellate Brief) and sample briefs.

Week 4 (February 1 - 5, 2016)

Focus	<i>ORGANIZING FACTS, AUTHORITIES AND LEGAL ANALYSIS FOR PERSUASIVE EFFECT</i>
Class Lecture	<ol style="list-style-type: none"> 1. Feedback on Statement of the Case (Preliminary Statement & Statement of Facts). 2. Additional discussion of Question(s) Presented. 3. Review of law and discussion of questions on substantive issues and strategies for both sides of Argument. 4. Discuss Table of Contents, Table of Authorities, and Conclusion. 5. Review of Moot Court appellate brief components and proper formatting. 6. Discuss organization of brief and Argument for both parties. 7. 10-Error Rule and review of citations, use of authority, and Bluebook/California Style Manual/ALWD. 8. Proof of Personal Service and filing requirements for briefs.
Due this Week	<ol style="list-style-type: none"> 1. Question(s) Presented 2. 7-10 pages of Argument with argument headings and subheadings.
Return this Week (with comments & corrections)	Statement of the Case (Statement of Facts and Preliminary Statement).
Assignments Due Next Week	<ol style="list-style-type: none"> 1. Revise and edit all work to date; preliminary 10-Error Rule Check on argument drafts. 2. Draft Title page with caption and cover sheet, Table of Contents, Table of Authorities, Conclusion, and Proof of Service.
Reading for Next Week	Student Handbook: Chapter 3 (Hastings Moot Court Citation Style).

Week 5 (February 8 – 12, 2016)

Focus	<i>EDITING AND REVISING TO IMPROVE PERSUASIVE EFFECT</i>
Class Lecture	<ol style="list-style-type: none"> 1. Return Question(s) Presented and argument; discuss substance and style; provide feedback on writing. 2. Discuss revisions and editing. 3. Use of powerful and effective paragraphs and topic sentences.
Due this Week	<ol style="list-style-type: none"> 1. Title page and cover 2. Table of Contents 3. Table of Authorities 4. Conclusion 5. Proof of Personal Service by Hand-Delivery
Return this Week (with comments & corrections)	<ol style="list-style-type: none"> 1. Question(s) Presented 2. Argument (7-10 pages) 3. Heading and subheadings
Assignments Due Next Week	<ol style="list-style-type: none"> 1. Revise and edit entire brief. 2. Complete full brief, including Argument, cover page, Question(s) Presented, Table of Contents and Table of Authorities, Proof of Service. Submit 3 copies—1 copy for Professor, 1 copy for TA, and 1 copy for Oral Argument opponent. 3. Review 10-Error Rule and Moot Court citation format. 4. Student meetings with TAs.
Reading for Next Week	Review Student Handbook Chapter 3 (Hastings Moot Court Citation Style).

Week 6 (February 15 – 19, 2016)

NOTE: Monday, February 15, 2016 is President's Day and a Hastings holiday. Campus will be closed and Monday Moot Court classes will be rescheduled. Friday, February 19, 2016 will be treated as a Monday for doctrinal classes. Professors of Monday Moot Court classes will confirm student availability for class in Week 5. Classes will be rescheduled if necessary.

Focus	<i>SUBSTANCE AND STYLE: THE FULL PERSUASIVE BRIEF AND INTRODUCTION TO ORAL ARGUMENT</i>
Class Lecture	<ol style="list-style-type: none"> 1. Additional discussion of brief arguments and substantive law. 2. Brief drafts, submission and discussion. 3. TAs perform sample oral argument. 4. Schedule student oral arguments.
Due this Week	<ol style="list-style-type: none"> 1. <i>Full draft briefs due today!</i> 3 copies – 1 for Professor, 1 for TA and 1 for oral argument opponent. Exchange full brief with opponent today. 2. 10-Error Rule Check by all TAs.
Return this Week (with comments & corrections)	<ol style="list-style-type: none"> 1. Title page, Table of Contents, Table of Authorities, Conclusion and Appendix 2. Proof of Service
Assignments Due Next Week	<ol style="list-style-type: none"> 1. Meet with TAs to discuss Ten-Error Rule. 2. Prepare for Partner/Associate conference next week. 3. Prepare for a 7-10 minute oral argument practice with TAs.
Reading for This Week	Student Handbook Chapter 4 (Oral Arguments).
Handouts	<p>Student Oral Argument Schedule.</p> <p>Mid-Year Court Evaluation Forms distributed and collected in class this week. (Evaluations must be delivered to Room 452 in 198 Building).</p> <p>Sign up for Student Conferences for Week 7.</p>

Week 7 (February 22 – 26, 2016)

Focus	<i>FROM PAGE TO STAGE: TRANSLATING WRITTEN ADVOCACY INTO A PERSUASIVE ORAL ARGUMENT</i>
Student Conferences and Oral Argument practices	<ol style="list-style-type: none"> 1. Partner/Associate Conference to discuss full draft of brief and review arguments, analysis, 10-Error Rule problems and corrections. 2. Each student to perform a 7-10 minute practice oral argument in class with TAs. 3. Students schedule individual conferences with TAs as needed during week.
Due this Week	<ol style="list-style-type: none"> 1. Partner/Associate Conference 2. 7-10 minute oral argument practice with TA in class.
Return this Week (with comments & corrections)	Full briefs
Assignments	<ol style="list-style-type: none"> 1. Students and TAs schedule individual conferences during the upcoming week to discuss final revisions to the brief as needed. 2. Prepare final revisions after Partner/Associate conference. Final brief due next week – 8 copies required.

Week 8 (February 29 – March 4, 2016)

Focus	<i>THE LAWYER'S PROCESS FOR ORAL ARGUMENT PREPARATION</i>
Class Lecture	<ol style="list-style-type: none"> 1. FINAL BRIEFS DUE – 8 BOUND COPIES. To be eligible for awards, briefs must be submitted at the beginning of class. Each student will complete service by hand-delivery on their opponent, TA, and Professor. 2. Practice oral arguments or watch video of oral arguments. 3. Explanation of videotape practice procedure. 4. Review of Oral Argument Evaluation Forms/Judge Score Sheets. 5. Students to meet with their TAs and schedule Oral Argument videotape practices.
Due this Week	FINAL BRIEFS DUE
Assignments	<ol style="list-style-type: none"> 1. Schedule Oral Argument videotape practices with TAs (one student to argue; one student to judge) for Week 10. 2. Judge an intercollegiate moot court team oral argument practice and submit observation paper. Sign up to judge teams at www.hastingsmootcourt.com. 3. Submission of Revised Briefs that failed the 10-Error Rule. Briefs that have failed the 10-Error Rule must be revised in order to pass Moot Court. Revised briefs with 10-Error Rule corrections are due by 12:00 noon on Tuesday, March 15, 2016 in the LW&R/Moot Court Department Room 452. Two (2) revised copies must be submitted to Room 452 after review by TAs and after briefs have passed the 10-Error Rule. Failure to pass the 10-Error rule by March 15, 2016 will mean an automatic fail in the class.
Reading for Weeks 10-12	Read Student Handbook: Chapter 4 (Oral Arguments).

Week 9 (March 7 – 11, 2016)

NO CLASS – SPRING BREAK
ENJOY YOUR VACATION!



Week 10 (March 14 – 18, 2016)

Focus	<i>PREPARATION FOR MOOT COURT ORAL ARGUMENT</i>
Class Lecture	Lecture, demonstration, and discussion of best practices, techniques and strategies for Oral Argument.
Due this Week	<ol style="list-style-type: none"> 1. <u>Oral Argument Practices</u>. All students should practice for Oral Arguments and must conduct at least two videotape sessions, one as an advocate and one as a judge. Oral Argument practices in class with Professors and videotape practices with TAs before and after class will be the focus this week. 2. Videotape practices continue throughout this week and next week. All arrangements for videotape practices are made between the students and their TAs. Each student must argue at a videotape practice and act as a judge for another student practice. Each student must complete a satisfactory oral argument during a videotape practice to satisfy Moot Court class requirements. 3. Attend a team oral argument practice this week or next week to observe oral argument technique and format. 4. Deadline to complete Moot Court Team judging requirement and submit observation paper is Wednesday, March 30, 2016.
Reading for Weeks 10-12	Review Student Handbook: Chapter 4 (Oral Arguments).

Week 11 (March 21 – 25, 2016)

Focus	ORAL ARGUMENT PRACTICE
Class Lecture	Tips on Oral Arguments. Practice Oral Arguments with Teachers/Teaching Assistants and/or Volunteers.
Argument Practices/ Videotape Practices	Both Oral Argument practices and Video Practices continue this week. Students should practice with TAs and Professors, but <u>not</u> with their oral argument opponents for the class. Students are encouraged to practice on their own or with their student colleagues outside of class.
Due Next Week	<p>Oral Arguments in Civic Center Courthouse (corner of Polk & McAllister) next week. Oral Arguments will be held on Monday, Tuesday, Wednesday and Friday, March 28, 29, 30 and April 1. The Courthouse is closed for Cesar Chavez Day on Thursday, March 31, 2016. Information on Oral Arguments will be available in class and will be distributed via your Hastings email account.</p> <p>Oral Arguments will be held at 6:00 PM, 6:45PM and 7:45 PM in the evening. Oral Advocates should plan to arrive at the Courthouse at least 15-20 minutes before their Oral Arguments. When you arrive at the Courthouse, you will need to check in at the Hastings Moot Court table and go through a metal detector. Hastings uses courtrooms on several floors each evening so ensure enough time to get to your courtroom.</p>

Week 12 (March 28 – APRIL 1, 2016)	
Focus	ORAL ARGUMENT WEEK
Class	<u>Oral Argument Practices.</u> Moot Court classes have their formal Oral Arguments this week, and there is no regular class session. Moot Court classes may use class time to hold additional Oral Argument practices, and the classrooms will be available.
Oral Arguments	<p>Oral arguments will be held on Monday, Tuesday, Wednesday, and Friday, March 28- March 30 and April 1, 2016; Evening rounds are held at 6:00, 6:45, and 7:45 p.m. Afternoon rounds, if necessary, will start at 4:00 p.m.</p> <p>Oral Arguments are held at the San Francisco Superior Courthouse located at 400 McAllister St., located on the corner of Polk and McAllister. A valid government ID is required to enter the courthouse. Arrive with plenty of time to check in, pass through security, and find your courtroom.</p>
Videotape Practices	Videotape practices with Teaching Assistants will continue this week.

Week 13 (April 4 – 8, 2016)	
Focus	<i>ADVOCACY THROUGHOUT YOUR CAREER: PANEL DISCUSSION, GUEST SPEAKERS, FIELD TRIP, OR COURT OBSERVATION</i>
Handouts	Final Course Evaluations. Please return Evaluations to Room 452 in 198 Building. If office is closed, place Evaluations in box outside Room 452.
Competition Team Applications Due This Week	The deadline for filing applications for Moot Court Competition Team try-outs is Friday, April 8, 2016 by 3:00 p.m. in Room 431 – 4th Floor – Snodgrass Hall – 198 Building. Please sign up for a tryout time and date when you turn in your application, and please pick up a brief to use to prepare your tryout Oral Argument.
Moot Court Awards Given This Week	<p>Best Oral Argument and Best Brief Awards, as well as Honorable Mention Awards for Oral Argument and Brief, are announced at the last class session.</p> <p>Winners of the Best Brief and Best Oral Argument Awards in each section are invited to the Moot Court Awards Ceremony on Tuesday, April 19, 2016 at 4:30 p.m.</p>
Next Week	Moot Court Competition Team Tryouts are held next week – Monday-Thursday April 11-15, 2016 from 9am-7pm in the Moot Court Room. Applications are available outside Room 452 and on the Moot Court Web Page on the UC Hastings website.