

ORAL ARGUMENT

- What is an oral argument?
 - A conversation among lawyers
 - It's a chance for the Court to explore their questions regarding how case law could/should apply to the case at bar
- The Court “runs the show”, not the attorneys
- Order of argument
 - Defendant-Appellant goes first (has the burden of proof)
 - State-Appellee goes second
 - Defendant-Appellant gets rebuttal

HOW DOES ORAL ARGUMENT WORK?

- Each side gets 15 minutes total
 - Figure out how you want to divide your time between issues/attorneys
 - Defendant-Appellant should also include time for rebuttal
 - Inform the Clerk-Bailiff how you want your time divided prior to court session beginning
- How do you Start?
 - “May it please the court...”
- Expect that the Court will interrupt with questions (they will)
 - Answer the questions as they are asked (Do not say “I’m getting to that...”)
 - Treat each question as a chance to advance your argument (shape your answers to stay consistent to your plan for your argument)

WHAT YOU NEED TO COVER IN ORAL ARGUMENT

- Don't write out your argument or plan to read your argument
 - Work from notes
 - Write out any case law you plan to quote verbatim
- Hit the high notes
 - What is the main point of your issue on appeal?
 - What facts and law support it?
- Anticipate the other side's arguments and address them

ADDITIONAL REMINDERS FOR SPRINGFIELD

- No food can be ordered to any of the governmental buildings
 - This includes the Attorney General's Office that we use as Judicial home base
 - Food will be available in the Stratton Cafeteria on Saturday
- Dress warmly/appropriately for the weather & Wear comfortable shoes
 - Judicial will be in at least 4 different buildings with walks as long as 10 minutes between them
 - Check the weather forecast when packing – The weather in early March can vary widely (rain, snow, windy, cold, etc.)
- The schedule will be different this year from past years – Review & pay attention to the schedule.