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WISCONSIN YMCA YOUTH IN GOVERNMENT

JUDICIAL BRANCH: SUPREME COURT & COURT OF APPEALS

Use this packet to prepare for Pre-Gov and the Model Government Conference.

Judicial delegates will defend a position or decision in the Supreme Court or Court of Appeals by interpreting the Constitution and creating a persuasive case.

THINGS JUDICIAL DELEGATES WILL ACCOMPLISH

- Study your case, apply the existing law and prepare a court document.
- Prepare an oral argument.
- Meet all deadlines.
- Be aware and informed of judicial rules and procedures.
- Attend Pre-Gov.
- Present your oral argument before a panel of justices at Model Gov.
- Supreme Court delegates will also act as a justice at Model Gov.
- Adhere to the Code of Conduct.

Along the way, you will also have the chance to become a better speaker. And as an added benefit, you may even find out a little more about what is going on in the world around you!

Your whole position revolves around studying case law, discussing, reviewing, applying laws to your case fact pattern, and writing arguments based on law.

The information in this packet is set up chronologically. Work through the lessons and activities with the other delegates in your delegation. The following information will help you understand what is expected of you.



LESSON – read through the information.



ACTIVITY – print these pages and complete the activity.



ASSIGNMENT – share these completed pages with your youth leader or Delegation Director



LESSON: How the Courts work

The role of the courts is to interpret the law. The law can be very complicated depending on the situation at hand. The way the judicial system operates and how a court hearing is run is different from what you see on TV; you will learn this through your participation. Here is a very basic description of how the courts operate in the United States.

TYPES OF COURTS

In the United States, the court system is divided into two parts:

1. TRIAL COURTS

These courts handle serious criminal cases and divorce cases. They can also handle civil arguments, such as trying to figure out who is responsible for an auto accident.

2. APPELLATE COURTS

The Supreme Court and the Court of Appeals are where people go when they don't agree with the decision of the lower court.

Supreme Court – the Supreme Court doesn't hear many cases—the cases they hear usually involve important issues of the law and that's why you hear about them on the news. When the Supreme Court hears a case, it will usually change the way a law is interpreted; this is called setting precedent and is considered Constitutional Law.

Court of Appeals – the website for the Wisconsin Court Systems states that “the primary function of the Court of Appeals is to correct errors that occurred at the circuit court level.”

Key Idea: An appellate court generally considers **legal issues only**, not factual issues. The facts of a case are decided at the trial level, either by a judge or a jury. If there is an appeal from a trial court's decision, the appellate courts defer to the facts as found by the trial court judge or jury and **consider only whether the law was properly applied to those facts**.

FEDERAL VS STATE COURTS

The court system in the United States is broken into two basic systems: state courts and federal courts. State courts are established by the laws of each state and have broad jurisdiction. These courts can hear cases on everything ranging from criminal matters to family law disputes. In contrast, federal courts are established under the U.S. Constitution and have a much narrower jurisdiction.

Federal courts generally hear cases that involve the following:

- The United States as a party to the case
- An allegation of a violation of the United States Constitution or a federal law
- Bankruptcy, copyright, patent and maritime laws
- Parties in different states when the amount in controversy is over \$75,000

WISCONSIN SUPREME COURT

Go to wisconsinyig.org/judicial to see information from the Wisconsin Supreme Court about the following:

- How a case comes to the Wisconsin Supreme Court.
- Set up of the Wisconsin Supreme Court at the State Capitol.
- Wisconsin Supreme Court: From Petition to Opinion.



LESSON: SUPREME COURT & COURT OF APPEALS AT YIG

In the Supreme Court and the Court of Appeals, there are no facts to be decided, no jury, and no witnesses. The difference between the lower courts and appellate courts is that while **there isn't a dispute about the facts of the case, the disagreement is in how the law was interpreted and applied to the facts.** The attorneys argue how they feel the law **SHOULD** be interpreted and applied. The Justices listen to the presentations, ask questions of the attorneys, deliberate, and then either uphold or overturn the decision of the lower court. Justices are allowed to interrupt the attorneys to ask questions, mostly to clarify a point in the case they are uncertain of.

As a participant in the judicial program, you will participate as an attorney appearing before the Supreme Court or Court of Appeals. Supreme Court delegates will also serve as a Justice for the Supreme Court.

As a **JUSTICE**, Supreme Court delegates will serve on a panel of Justices that will decide the case. Each Justice will be responsible for reading the parties' briefs, preparing for and participating in oral arguments, deliberating and helping to issue a final written opinion and decision. The Supreme Court has a panel of seven justices and the Court of Appeals has a panel of three justices. The Justices for the Court of Appeals will be appointed.

As an **ATTORNEY**, you will prepare a formal brief and an oral argument. A brief is a factual, written argument, similar to a research paper, summarizing your stance on the issues of the case. An oral argument is both facts and emotional appeals. You can add biased statements and things that will sway the justices to your side.

As an attorney you will either represent the respondent or the appellant. The respondent is the person who originally won and is trying to keep the same verdict. The appellant is the person who originally lost and is appealing their case to the higher court and is trying to overturn the verdict.

What is a Brief? A brief is a formal document a lawyer uses both to convince a court that the client's argument is sound and to persuade a court to adopt that position. A brief must honestly state the law, the facts of the case (as the client sees them) and the reasons for the conclusions in a clear and concise manner.

A brief needs to follow the following format:

1. State your position - unarguable claim.
2. Summary of the facts in the case - can be written with a biased point of view.
3. Legal definitions - provide explanations for amendments, statutes, laws, cases, etc.
4. Argument 1 in support of your position with cited case law.
5. Argument 2 in support of your position with cited case law.
6. Additional arguments in support of your position with cited case law.
7. Conclusion - restate your unarguable claim and conclude reasoning.
8. Authorities - list amendments, statutes, precedent cases, sources, etc that you used to support your arguments.

What is an Oral Argument? An oral argument is a speech that is presented to the Justices and contains both facts and emotional appeals. You can add biased statements and things that will sway the justices to your side.

An oral argument should follow this general format:

1. Brief overview of your case that may be biased to your side
2. Arguments based on evidence/law, emotion/pathos, and precedent cases
3. Address legal questions
4. Rebuttal
5. Conclusion

All judicial delegates will complete the following steps:

Research and Prepare a Brief

- Step 1** Annotate the case
- Step 2** Research
- Step 3** Draft your brief – state a claim, provide evidence, connect the evidence to the claim
- Step 4** Get feedback

Craft an Oral Argument

- Step 5** Brief overview of your case that may be biased to your side
- Step 6** Arguments
- Step 7** Address legal questions
- Step 8** Rebuttal
- Step 9** Conclusion
- Step 10** Get feedback

All Supreme Court and some Court of Appeals delegates will also:

Prepare to Justice

- Step 11** Case review
- Step 12** Prepare questions
- Step 13** Case hearing
- Step 14** Deliberation
- Step 15** Write opinions



ACTIVITY: Research – Step 1 & Step 2

Use the cases from the State Office to complete Step 1 & Step 2 for all cases.

- Step 1** Annotate the case – read the statement of facts, work to understand the facts and then summarize in your own words.

Every case starts with a statement of facts. This is the chain of events that leads to the two parties going to court. When a case is heard by the Supreme Court or Court of Appeals, it has been already decided once by a lower court (limited or general jurisdiction courts). Usually the party bringing the case to the Supreme Court or Court of Appeals is not satisfied with the decision of the lower court and wants to change or overturn the decision.

Case Annotations are notes or comments that you use to fully understand the statement of facts. First, circle or underline unfamiliar words, highlight important information, and write down any thoughts or questions. Identify the parties involved, the legal claims and the court's decision.

Once you have a good understanding of the facts, use your own words to summarize the case. Keep your summary short and focus on the most important aspects.

Step 2 Research

Legal Background – look up any laws, statutes or amendments that relate to the issues of the case

Precedent Cases – find and analyze precedent cases which are court decisions that are considered an authority for deciding subsequent cases involving identical or similar facts, or similar legal issues.

Legal Definitions – define words or phrases in order to help avoid confusion. Note the source of the definition in case you need to refer back

Resources

- Wisconsin Statutes
- Wisconsin Constitution
- Precedent Cases - oyez.org and justia.com
- Legal Definitions - Black Law Dictionary

Use this planning document to keep track of your research: [Supreme Court planning doc](#)

When reading through precedent cases, look for:

1. **FACTS:** although the facts are not in dispute, there may be some information that doesn't apply to your case. Your job is to pick out the most important pieces of information that support your position.
2. **ISSUES:** In one sentence you should be able to pick out the major question that the court must decide in the case. In some cases, there may be more than one, but remember to keep it as simple as possible.
3. **RULE OF LAW:** Most authorities will clearly state what part and type of law is in question in the specific case (i.e., Wisconsin Statutes, Constitution, federal codes/statutes, etc.).
4. **CONCLUSION:** The decision of the court.

Knowing these things will help you have a complete understanding of the authorities without all of the "legal jargon."

For help understanding how to read/use the Authorities please contact Ann Fisher, afisher@ymcafoxcities.org.

Once your case is assigned, complete Steps 3-10 for your assigned case.



ACTIVITY: Draft the Brief – Step 3

Step 3 Draft your brief.

1. State your position – unarguable claim.
 - a. “This is illegal because of the law...” “She broke the law according to....”
 - b. Get creative! You can start by answering the legal questions or start with an unarguable fact that helps your side of the argument (“he’s broken the law before, so his punishment can be more severe...)
2. Summarize the facts in the case – can be written with a biased point of view.
3. Legal definitions – provide explanations for amendments, statutes, laws, cases, etc.
4. Argument 1 in support of your position with cited case law.
 - a. Start with strong and unarguable claim
 - b. Support your claim with evidence
 - i. This is your time to lay out all your research!
 - ii. Define an amendment, state the law in question, or talk about a precedent that helps your case
 - c. Reason your evidence
 - i. What does your evidence mean? How does it help you?
 - d. More evidence!
 - i. Define, state, quote
 - ii. You’ve spent weeks on research; lay it all out!
 - e. Use statistics and reference precedent cases.
 - f. Make sure to address all legal questions.
5. Argument 2 in support of your position with cited case law.
 - a. Repeat #4, a-f.
6. Additional arguments in support of your position with cited case law.
 - a. Repeat #4, a-f.
7. Conclusion – restate your unarguable claim and conclude reasoning.
 - a. Reason and restate your claim
 - i. Depending on your evidence and length of the paragraph, you will want to explain your evidence more and reason it
 - ii. Or, you will want to restate your claim in **different words**
 - iii. Do not repeat the same words and sound repetitive; if a justice reads a different viewpoint of the same idea, they will see all sides of the case
 - iv. Every time you restate your claim, back it up with evidence
 - b. Concluding statement
 - i. End your brief with a restatement of your claim and a brief overview of your evidence to back up your thesis
 - ii. End with an unarguable sentence
 - iii. Does not have to be a separate paragraph, but it can be; whatever flows the best!
8. Authorities – list amendments, statutes, precedent cases, sources, etc. that you used to support your arguments.



LESSON: Review your Brief

Tips for Persuasion

- **BE SUBTLE.** Maintain an objective tone in your facts. A Justice should find your statement of facts candid and reliable. In persuading, rely on organization, writing, careful selection and juxtaposition of facts and detail, and storytelling.
- **HAVE A THEME.** Your statement of the facts should reflect your theory of the case.
- **TELL A STORY.** Your facts should read like a novel or short story. The story should have a clear beginning, middle and end. Instead of summarizing trial testimony or exhibits in the order in which they were entered, it should focus on the underlying story.
- **ORGANIZE YOUR FACTS TO MAXIMIZE PERSUASION.** Often, but not always a chronological organization is effective. It is often useful to begin even a chronological account with a short introduction that summarizes the key facts or highlights a particularly explosive fact that favors your side.
- **INCLUDE DETAILS THAT ADVANCE YOUR THEORY.** Details, especially vivid or sensory ones, will help the reader understand, feel and remember your story. Details enable you to show, rather than tell, and allow your reader to reach his or her own conclusions.
- **EMPHASIZE FAVORABLE FACTS.** It goes without saying that the facts that favor your side should be emphasized. You can do this by placing favorable facts in prominent locations and by providing details about them.
- **DE-EMPHASIZE UNFAVORABLE FACTS.** Avoid unimportant or unfavorable detail. While you must include all determinative facts, you need not include all details. Edit out details that are not important or distracting. Any detail you include will be presumptively considered important by the reader.
- **AVOID SARCASM, HYPERBOLE, AND ARGUMENT.** Maintain an intriguing and professional style.

Step 4 Get feedback

Author	Peer	Advisor	
			Is the statement of facts easy to understand?
			Is the strong unarguable claim clear?
			Is that claim supported by evidence?
			Is the evidence explained?
			Are legal definitions provided?
			Are additional arguments also supported by evidence?
			Is the brief one to two paragraphs?
			Is at least one precedent case mentioned?
			Are relevant statistics included?
			Are laws or amendments referenced?
			Is the unarguable claim restated?



LESSON: Crafting an Oral Argument

Once your court materials are written and submitted, you must figure out how to convince everyone that your brilliant argument should be the law of the land.

At Model Government, you will present your argument in front of a bench of Justices. You need to prepare for anything the Justices may ask you, address the other side's argument, and focus the court on the three or four things that should decide the case in your favor. It is important that you practice your argument in advance.

Note: You are writing a SPEECH, not an essay. Your oral argument should be easy to read off, and it should say when you need to pause, speak up, or emphasize a point. It's your argument only, you can mark it up.

Tips for preparing your argument

1. Your argument should be written out in detail for your presentation at Model Government. Be creative!
2. A good argument will cover all facets. Use facts and reasoning from your own experiences.
3. Do not argue about facts – they are fixed by the lower court. However, you should use the most important ones to support your arguments.
4. Remember who is being blamed for what – be sure to keep the facts straight.
5. Use those authorities that help your case **and** distinguish or dispute those which hurt your case. Cite them in your argument; be sure to quote particularly good portions.
6. Always cite the Authorities – they are your argument's base and support.
7. Appeal to the emotions of the justices: tell stories, talk about how your client feels, and how the justices should empathize with your side.



ACTIVITY: Crafting an Oral Argument

Step 5 Brief overview of your case that may be biased to your side

This is your speech; you have the freedom to write it however you want. However, an argument is easiest to understand if you start with an overview of your case and your stance, followed by sectioned-out arguments. Make sure to include your unarguable claim.

Step 6 Arguments

Evidence/Law Based Arguments	Emotion/Pathos Based Arguments	Precedent Case Arguments
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Step 7 Address legal questions

Direct Attack of Legal Questions

Step 8 Rebuttal

Rebuttal (What do you think the other side will bring up)

Note: you might have to write more for your rebuttal while your opponent speaks. Your speech is a working document; you should add more arguments/ points as your opponent brings them up. Respondent, you will do this before speaking, as you only speak once. Appellant, you will do this after speaking first because you speak twice.

Step 9 Conclusion

Your conclusion should restate your main arguments, reaffirm why you are right, and end with another inarguable claim.

Step 10 Get feedback

Author	Peer	Advisor	
			Is the case overview easy to understand?
			Are the three types of arguments addressed?
			Are the legal questions addressed?
			Does the conclusion restate the main arguments?



ASSIGNMENT: Submit your brief and an outline of your oral argument to the State Office



LESSON: Preparing to Justice

Step 11 Case review

The case review is used to familiarize the justices with the case prior to the hearing. The justices review the brief, and ask each other questions concerning the case until all are fully aware of the aspects. This portion of the court procedure is very important, as it prepares the justices for each case.

Step 12 Prepare questions

Justices should prepare questions to ask attorneys during the case hearing. Always be polite! Question whatever you're unsure of; it doesn't have to fit into a format; these are just a few ideas to get you started.

Question examples

- Could you please define that word?
- Can you explain the details of that precedent?
- What did you mean when you said...
- Can you please explain...
- Are you saying that...
- What exactly is... (for clarification on laws, statutes, or amendments)
- How does this apply to your argument?
- Can you clarify that last point you said?
- Can you explain the significance of this to your case?

Step 13 Case hearing

As the attorneys are presenting their cases, it is the duty of each justice to listen carefully, take notes, and ask questions to clarify certain statements. Questions bring out debate, and debate is needed in the court if there is to be a fair and complete hearing.

Justices may ask questions at any time, even when the attorneys are speaking. Do not be afraid to interrupt the attorneys at any time by saying, "Excuse me, counsel..." After the appellant and respondent have finished presenting their cases, justices are encouraged to ask as many questions as needed to benefit the court. Please note that if you are in the middle of a question and your time expires, it is acceptable for you to finish answering the question. After all questions have been asked, the court recesses and the justices adjourn to the deliberation room.

Step 14 Deliberation

After a case has been heard, the justices meet in the deliberation room. As the issues are debated, it is important that all justices become involved in the discussion. The deliberation is a friendly atmosphere in which the justices can freely discuss the aspects of the case. The statements made by the justices will be a deciding factor in each case. Provide as much input as possible to fully benefit the deliberation. Each deliberation will last between 15 and 30 minutes. The deliberation ends when all justices have voted. It is the duty of the presiding justice to function as a facilitator of debate, trying to involve those who seem hesitant to voice their opinion, occasionally playing devil's advocate, and refraining from making their own opinion known until the final vote has occurred.

During deliberation, the justices shall decide on each of the legal questions, determine the constitutionality of the issues, and decide in favor of the appellant or the respondent for each case. Justices may choose to not decide in complete favor for one party or the other, but instead solely make a declaration about the constitutionality of one or several issues.

Deliberation Process Guide

Initial Vote (5 minutes)

The presiding justice will ask the other justices for their initial opinion of who won the case through a show of hands (It's ok to not vote here). Each Justice will then give a brief explanation of why they voted the way they did or why they are undecided.

Appellant and Respondent Arguments (5 minutes)

The presiding justice will ask for 1-2 arguments for both the appellant and the respondent. There must be at least one argument per side –even if the initial vote was unanimous.

Open Debate (20 minutes)

Remember when debating to:

- **Be Respectful to your fellow delegates:** Let people share their thoughts and make sure to disagree with the argument, not the person.
- **Make everyone's voices heard:** Keep everyone involved in deliberation, make sure to listen, let people finish, and don't shut down others when they share their opinions.
- **Carefully consider both sides:** Your goal is to make a fair decision, and this means carefully weighing both sides of the case, even if you disagree initially with a particular side.
- **Use only the facts presented:** Don't use outside information that was not brought up during the case. If there is outside information or clarification that you feel is important, bring up that information during the trial through questioning.

Open debate ends when the justices are all strongly set in their positions, have come to a strong consensus, or when the allotted 20 minutes is over.

Final Vote

The presiding justice will get one final show of hands, which will be the final ruling on the case (ex. 4 votes appellant v. 3 votes respondent, appellant wins). **All justices must vote.**

Step 15 Write opinions

All decisions must be fully explained in the opinion document.

Writing Opinions (5–10 minutes, can be finished outside of the deliberation room)

Document the final vote results and choose the author of the opinions, which are an explanation of why the court voted the way they did. These should be concise but also thoroughly represent your decision. There are three types of opinions:

- **Majority:** The ultimate opinion of the court and is for the side that wins the case (required).
- **Dissenting:** The opinion of the side that does not win the case, must be written even if the vote was unanimous (required).
- **Concurrent:** A unique opinion that can be written by someone who agrees with the majority, but disagrees with some of their reasoning (optional).



LESSON: At the Conference

TRAINING

Much of the first session of Model Government is devoted to the final preparation of youth lawyers and case preparation. The Supreme Court procedures and the appellate process are explained, reviewed and practiced at that time.

COURT HEARINGS

This is where all the magic happens! As soon as your case is called in the courtroom, you'll become an attorney and/or Justice. This is your moment to shine, and all your practice and hard work will be put to the test. Some of your time will be spent either listening to presentations by other members of the court or making your own presentation. Listen carefully and be respectful towards everyone's presentation so they will do the same for you.

JUDICIAL REVIEW COMMITTEE (JRC)

The power to determine constitutionality is called the power of judicial review. The Supreme Court delegates participate in a model Judicial Review Committee. JRC is tasked with considering the constitutionality of certain legislative bills that pass through the chambers.

Delegates will participate in one of the following roles:

Case creation – assist the Supreme Court Specialist with creating the case

Justice – prepare questions in advance then during the hearing listen carefully, take notes, and ask questions to clarify certain statements.

Advocate/Lawyer – create the oral argument and focus on speaking skills

Interested organization – submit an amicus brief. Groups of delegates will be assigned an organization or group and they will have to write an amicus brief on behalf of that organization. These group will also present some questions that they hope the justices will ask.

TIPS ON PRESENTING

- The number one thing to remember while presenting your case is to be CONFIDENT. With confidence comes smooth, well-worded arguments.
- Be PREPARED – nothing looks worse to a panel of Justices than a delegate scrambling through notes to answer a question.
- Be a MASTER of the case. If you know the case inside and out, upside and down, you will be beyond ready to adjust to your opponent, answer questions and win.
- Know as much as you can about both sides of the argument, even if one partner is “specializing” on either side. QUESTIONS THAT ARE ASKED CAN BE ANSWERED BY EITHER MEMBER OF YOUR TEAM, meaning that if one person does not know how to answer, the other might.
- PERSUADE YOURSELF. At Youth in Government, each team is required to argue both sides of a case, even if you don't agree with one side. This means that you need to convince yourself that what you are saying is 100% CORRECT, JUST, AND LEGAL, even if in reality you do not. By doing this, you will not only convince yourself that you are right, but the Justices as well.
- Cut to the chase. Just because an argument is long, often this can distract ‘readers’ from the central and most important part of your case. You are limited in speaking time so everything you say should have meaning. Cut out the fluff, get to the point and hit it hard.
- RELAX. This is supposed to be fun!



ACTIVITY: Practice presenting your case

SUPREME COURT HEARING PROCEDURE:

1. Presentation of the Justices – Follow the administrator’s instructions.
2. Introductions
3. The Presiding Justice will ask if each of the attorney teams is ready.
4. The appellant attorneys will deliver their arguments.
 - Each side gets 15 minutes to present their argument. Each attorney on your team MUST deliver a portion of the presentation; typically, teams split the time in half. Remember that the Justices may interrupt at any time with questions and it is wise to prepare only about 5-7 minutes of material to present.
 - Be courteous when addressing the court. Before beginning your arguments say, “May it please the court, my name is _____. I represent the respondent/appellant, ___ in the case of ___vs ___?” Each member of the attorney team should say that before their presentation.
 - One more suggestion: If you are the appellant attorney, you get time for rebuttal after the Respondent attorneys have presented their case. Rebuttal is just telling the Justices ONE MORE TIME why your interpretation of the case is correct. Teams have 15 minutes for their presentation in total. Most teams save five minutes for their rebuttal, leaving 10 minutes for their main argument.
 - Justices own their courtrooms; it is their domain to do with as they please. They can interrupt the speaker at any time to ask questions. They may ask one, or several in a row. When a Justice or justice asks a question, try to answer it as briefly and directly as possible, as this counts towards your time. If your co-counsel is going to touch upon the question, tell the Justice this. Never argue with the Justice, simply “respectfully disagree” and listen to what they have to say.

- ## SUPREME COURT SCRIPT

1.	Call to Order	Administrator
	"ALL RISE FOR THE HONORABLE JUSTICES OF THE WISCONSIN SUPREME COURT, THE HONORABLE _____ JUSTICE _____ PRESIDING" (title) (name)	
2.	"YOU MAY BE SEATED"	Presiding Justice
3.	"ARE THE APPELLANTS PREPARED TO PROCEED?"	Presiding Justice
4.	"YES, YOUR HONOR"	Appellant's Attorney
5.	"ARE THE RESPONDENTS PREPARED TO PROCEED?"	Presiding Justice
6.	"YES, YOUR HONOR"	Respondent's Attorney
7.	"APPELLANTS, DO YOU WISH TO RESERVE TIME FOR REBUTTAL?"	Presiding Justice
8.	"YES, YOUR HONOR, WE WISH TO RESERVE FIVE MINUTES FOR REBUTTAL."	Appellant's Attorney
9.	"APPELLANTS, YOU MAY PROCEED"	Presiding Justice
10.	Appellant stands and addresses the court	Appellant's Attorney
	"MAY IT PLEASE THE COURT, MY NAME IS _____ I REPRESENT THE APPELLANT, _____ IN THE CASE OF _____ VS. _____."	

(Then proceed to give the overview of facts and then address each issue interweaving the law and the facts. You have a total of 10 minutes to present this main argument).

11. Justices ask questions

"EXCUSE ME, COUNSEL" or "EXCUSE ME, DELEGATE." Justices

(STOP. Listen to question and answer it. Appellant's Attorney
Then move on with your argument.)

12. At the end of 10 minutes, state – Appellant's Attorney

"WE WOULD LIKE TO RESERVE THE REMAINDER OF OUR TIME FOR REBUTTAL"

13. "RESPONDENTS, YOU MAY PROCEED" Presiding Justice

14. Respondent stands and addresses the court Respondent's Attorney

"MAY IT PLEASE THE COURT, MY NAME IS _____ .

WE REPRESENT THE RESPONDENT, _____"

(Address each issue interweaving the law and the facts. There is no apparent need to restate the facts unless they help you clarify your arguments. You have a total of 15 minutes to present your argument).

15. Justices ask questions

"Excuse me, counsel" or Excuse me, delegate." Justices

(STOP. Listen to question and answer it. Respondent's Attorney
Then move on with your argument.)

16. Respondent conclusion Respondent's Attorney

(At end of argument, Respondents conclude by telling the court what they want the court to do; i.e., to affirm the lower court's decision.)

17. Appellant rebuttal Appellant's Attorney

(Address questions raised by Respondents and conclude by telling the court what they want the court to do, i.e., Reverse the decision of the lower court).

18. Closing Presiding Justice

"THANK YOU, COUNSEL, THIS COURT WILL TAKE THE MATTER UNDER ADVISEMENT AND ISSUE AN OPINION SHORTLY."

19. "ALL RISE" Administrator

20. Justices adjourn to discuss the case in deliberation and draft the court's opinion