COURSE SYLLABUS: MOOT COURT

Spring Semester 2022: Sections 7 & 8

Professor Cameron Fogle
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Class Hours: Section 8: Tuesdays & Thursdays from 11:00-11:50 a.m. (Room A225)
Section 7: Tuesdays & Thursdays from 1:00-1:50 p.m. (Room A225)
Combined Classes: Noted on Class Schedule and Assignments Chart

Required Texts: *An Advocate Persuades,* Rocklin, et al. (1st ed. 2016)
The Bluebook: A Uniform System of Citation (21st ed. 2020)

Course Objectives: By the end of this semester, you should be able to:

1. thoroughly research legal issues;
2. understand the impact of the procedural posture of a case on legal issues;
3. write a persuasive analysis of a legal issue that adheres to the conventions of appellate practice;
4. effectively argue a client's position orally; and
5. improve your writing and appellate argument by implementing constructive criticism.

Course Overview: This semester will focus on persuasive writing and oral advocacy. You will prepare an appellate brief in which you will attempt to persuade the court to rule in your client's favor. You will also learn to effectively argue your client's position orally and will demonstrate this skill in a practice argument and a final argument before a mock appellate panel. These arguments are called "practice rounds" and "final rounds."

Assignments: The assignments indicated in your Class Schedule and Assignments chart are tentative; they may change as the semester progresses. Assignments must be submitted to TWEN by the deadlines on your chart.

TWEN: You must be registered for my class TWEN page and check it regularly. My TWEN page is for students in Sections 7 & 8 only. Do not share any materials posted on our class TWEN page with students in other Legal Writing sections.

Grading: This course is graded, adhering to the law school's first-year mean. Your grade will be based primarily on the final draft of the appellate brief. I will deduct points or assess failing grades for failure to attend or participate in class; for failure to submit work on time; for submission of inferior work; for violations of the Honor Code; for violations of formatting requirements; or for failure to attend required research reviews, court-watching sessions, or conferences. You will be notified if you are in danger of failing the class. You will use your anonymous number instead of your name on most assignments this semester.

Research: You must attend the required Research review session and satisfactorily complete any exercises assigned by your research professors to receive credit for Moot Court.

Professionalism: I expect the same level of professionalism from you that I would expect from a practicing attorney. In the context of this class, professional conduct requires the following:

- **Email:** Attorneys must regularly monitor communications from clients, courts, and other attorneys. In this class, you must check your **law school email** regularly for announcements, assignments, and other information relating to your research and writing classes. Please note that I frequently use email to communicate with my students.

- **Timeliness:** Attorneys must comply with strict deadlines. In this class, due dates and times for assignments are strict, barring a genuine emergency such as a significant, verifiable illness or a death in the family. If there is a genuine emergency, you must request an extension as soon as you are aware of it. If no extension is granted, I may deduct points for any assignment that is late. I will not comment on or grade any assignment that is turned in more than 24 hours after the deadline.

  In the absence of a genuine emergency, you will lose 10 percent of the total possible points for the final appellate brief if your paper is even one minute late. The official submission time will be the time reflected on TWEN or Blackboard. If you are late with any assignment relating to appellate brief, anonymity may be lost.

  Be sure to back up all work so that you do not lose work if your computer crashes. Do not wait to ensure that you understand and can access the required online system for electronic submissions. Also be sure to allow sufficient time for your document to upload. **Computer problems in the library, with your personal computer, or with these online systems will not excuse a late assignment.**

- **Class Attendance:** You should treat this class as you would treat a client meeting or court appearance. You should be present, on time, and prepared. Please notify me if you will be unable to attend any class.

- **Masks and Social Distancing:** You must comply with all University and Law School directives regarding masks and social distancing. Failure to adhere to this guidance will result in your dismissal from the classroom. You should direct any questions about this policy to the Associate Dean of Academic Affairs, Grace Lee.

- **Conferences:** You should treat any meetings with me as you would treat a meeting with your senior partner. You should be prepared and punctual. You will have at least one mandatory conference with me this semester.

  Conferences allow us to discuss works in progress. We will meet after you submit the first draft of your appellate brief and receive my feedback on it. In conferences, you are primarily responsible for what we discuss. You must come prepared with questions you may have, including those raised by my comments. I may also ask you to rewrite portions of your paper or to complete certain tasks before conference.

Conferences about your work can be extremely helpful to you, but they are of little use if you do not come prepared. Similar to the fall semester, you are always welcome to schedule additional conferences.

- **Technology:**

  In-Person Technology Use
  Attorneys should be respectful of their colleagues, clients, and the court and use technology appropriately. During professional interactions, attorneys should minimize distractions and employ the best practices to focus on the tasks before them.
  Because I expect the same level of professionalism from you that I would expect from a practicing attorney, you must use technology appropriately. You may use a laptop computer in class for class purposes, including note taking and referring to class materials on your computer. You may not use a computer, however, for other purposes, such as surfing the internet, instant messaging, emailing, or game-playing. I reserve the right to curtail the use of laptops if I believe they are distracting you or others from our discussion. Also, there may be some classes this semester in which I do not allow the use of laptops, given the nature of our discussion and classroom exercises. Please prepare accordingly.

  You may not record or photograph any portion of the class without my approval. Only in rare instances, such as a medical emergency, will I record a class session. Please discuss any request to record class with me as soon as practicable.
  If you have a phone or other wireless communication device, please turn it off and put it away before class. If you have any accommodation concerns regarding this policy, please contact Associate Dean for Academic Affairs, Grace Lee, at 205-348-7190 or glee@law.ua.edu.

  Remote Access
  Students who cannot attend our in-person class meetings for health or COVID-related reasons should contact the Dean of Academic Affairs, Grace Lee. Her office must approve attending class remotely rather than attending in person.

- **Formatting Requirements:** When submitting formal documents, attorneys must comply with strict formatting requirements. In court, these standards are often set out in a judge's standing order. In this class, you must read and strictly follow the formatting requirements attached to this syllabus in my standing order. Even an inadvertent failure to comply with these requirements may affect your grade significantly.

  A **cover sheet** is also required when submitting assignments. Your cover sheet will provide the following: assignment title, your name or anonymous grading number, date, professor's name, and moot court section (7 or 8). The cover sheet will not count toward line limitations.

- **<u>Collaboration:</u> Attorneys must adhere to professional and ethical standards. In this class, you may not discuss the appellate brief or your research for any assignment unless a professor is present and you are instructed to do so.** Your work product must always be your own. No one other than your legal writing professor may read or edit your work. **Although you may be assigned a partner for oral argument this semester, you may not discuss the problem, your research, or your brief with your partner or anyone else until after the final brief is submitted.**

  Copying **any** portion of another student's work and handing it in as your own is plagiarism and is a violation of the Honor Code. If you witness these activities and do not report them, you are also violating the Honor Code. Similarly, students who share research are violating the Honor Code. You will be required to sign an oath for each research and writing assignment, confirming that you have complied with this policy. **You should read the applicable oath before starting each research or writing assignment and ask your professor if you have any questions.**

<u>Court Watching:</u> You must observe one hour of an appellate court proceeding this year. You must submit the attached certification to me by April 22, 2022.

<u>ADA and COVID Accommodations:</u> The Law School is committed to meeting the needs of students with physical, learning, and other disabilities, and provides appropriate accommodations and services tailored to each person's specific requirements. The Law School's deans and the University's Office of Disability Services work together to help individuals with disabilities achieve and maintain individual autonomy. Students with disabilities and those needing COVID-related accommodations should contact Grace Lee, the Associate Dean for Academic Affairs, at (205) 348-7190 or glee@law.ua.edu so that the individual's needs for support services can be evaluated and accommodated in a timely manner.

STANDING ORDER

All your assignments for this class must comply with the following formatting requirements:

- You must indent paragraphs at least five spaces.
- You must use Times New Roman typeface and twelve-point type.
- Your left and right margins must be at least 1.25 inches.
- Your top and bottom margins must be at least 1 inch.
- You must number each page at the bottom of the page. The number may drop below your one-inch bottom margin, but text may not.
- You must double space lines, except that block quotations must be single spaced and indented one additional inch from both the left and right margins.
- You must single space your point and subpoint headings.
- You may not alter the standard line height.
- You may not justify your right margin except in block quotations.
- You must number your lines, and the total number of lines may not exceed the line limit for the assignment. Staple all assignments except the final appellate brief, which you must bind or staple.
- All assignments require a cover sheet. For all assignments except the final appellate brief, the cover page must contain the assignment title, your anonymous number, the submission date, your professor's name, and your moot court section (7 or 8). You will receive instructions for the cover sheet of the final appellate brief in class.
- You are responsible for complying with any additional, assignment-specific formatting or submission requirements discussed in class.
- You must upload your assignment in Microsoft Word. You should check the formatting on your document after uploading it to make sure that it is compliant.

If you fail to follow any of these requirements for any reason—intentional or unintentional—you may lose points on the assignment. Your point deduction will depend on the egregiousness of your violation, which I will determine. If you violate the above formatting requirements, you may lose your anonymity and may be brought before the Honor Council. You are responsible for following all the requirements regardless of the type of computer software or equipment you use. Formatting requirements are imposed to achieve fairness and to prepare you for law practice.

COURT WATCHING CERTIFICATION
APPELLATE COURT ARGUMENT

To complete this course requirement, you must attend one federal or state appellate court argument. After completing this form, you may submit it to me in hard copy or electronically. You must turn it in by April 22, 2022.

Please answer these questions about the proceeding.

1. Was the proceeding in federal or state appellate court?

2. Was the matter civil or criminal?

3. Who obtained a judgment at the trial court level?

4. What issue(s) were the appellant or petitioner appealing?

5. What oral argument techniques did the advocates use that were particularly effective?

   Which techniques were ineffective?

6. How do you plan to incorporate what you saw into your own oral argument this semester?

Signature:_____

Name:_____

Section:_____

Date of Observation:_____

Date Submitted:_____