COURSE SYLLABUS: MOOT COURT
Spring Semester 2014: Sections 7 & 8

Cameron Fogle
Room A242
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Office Phone: 348-9118
Cell: 662-684-9222

Class Hours: Section 8: Mondays & Wednesdays at 9:45-10:35 a.m. (Room A250)
Section 7: Mondays & Wednesdays at 1:00-1:50 p.m. (Room A250)
Sections 1 & 2 Combined Classes, generally held at 1:00 p.m. (Room A250)

The Bluebook: A Uniform System of Citation (19th ed. 2010)
A Lawyer Writes: Coughlin et al. (2d ed. 2013)

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.” You will also have a final exam. During the exam, you will be asked to read several cases and prepare a persuasive written analysis.

ASSIGNMENTS: The assignments indicated in your Class Schedule and Assignments chart are tentative; they may change as the semester progresses. Assignments due "in class" must be ready at the beginning of the indicated class. Assignments turned in after the beginning of class will be considered late.

E-MAIL: You must check your e-mail regularly for announcements.

GRADING: This course is graded, adhering to the law school’s first year curve. Your grade will be based primarily on the final draft of the appellate brief and your final exam. 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 mandatory CAIR, court-watching sessions, or conferences. You will be notified if you are in danger of failing the class. You will use your anonymous number (available on your myBama page) instead of your name on most assignments this semester and on the final exam.
RESEARCH CLASSES: You must satisfactorily complete all Research Exercises and the Research Exam to receive credit for Moot Court.

TIMELINESS: Due dates and times for both the research and the writing 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 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 draft of the appellate brief if your paper is even one minute late. The same rule applies to your final exam. If you are late with either draft of the appellate brief or the outline, 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 until the morning an assignment is due to print it out. Computer problems in the library or with your personal computer will not excuse a late paper.

CLASS ATTENDANCE: Barring a genuine emergency, you are expected to be in class. Please notify me if you will be unable to attend any class.

TECHNOLOGY: You may not record or photograph any portion of the class without my prior approval. Only in rare instances, such as a medical emergency, will I allow class to be recorded by the Law School’s technology department. Please discuss any request to record class with me as soon as practicable.

You may use a laptop computer in class for class purposes, including note-taking and referring to class materials on your computer. I reserve the right to curtail the use of laptops if I believe they are being used for non-class-related activities or are distracting from our discussion. I anticipate there will be several 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. If you have a phone or other wireless communication device, please turn it off before class.

NO COLLABORATION: You may not discuss or work together on any research or writing assignment or exercise unless otherwise instructed. You may not discuss or work together on your final exam. You may not discuss the appellate brief or your research for any assignment unless a professor is present. Your work product must always be your own. No one may read or edit your work. Although you may be assigned a partner during 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 turned in to me. 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. Similarly, students who divide up research and/or writing assignments are violating the Honor Code. If you witness these activities and do not report them, you are also violating the Honor Code. You will be required to sign an oath for each research and writing assignment and for your final exam, confirming that you have complied with this policy. You are expected to read the oath and clarify any questions you may have before beginning the assignment.

STUDENT CONFERENCES: There will be one mandatory conference with me this semester. The conference will be held in my office - Room A242. You are primarily responsible for what we
will discuss in conference. You should be prepared to discuss any 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 prior to conference. Conferences about your work can be extremely helpful to you, but are of little use if you do not come prepared. Similar to the fall semester, you are always welcome and encouraged to schedule additional conferences or drop by during office hours or at other times.

COURT WATCHING: You must observe one hour of an appellate court proceeding this year. You must submit the attached certification to me by April 24, 2014.

COVER SHEET: A cover sheet is required when submitting assignments. Your cover sheet will provide the following: assignment title, your anonymous grading number, date, professor’s name, and moot court section (7 or 8). The cover sheet will not be counted in calculating line limitations.

FORMATTING REQUIREMENTS: You must read and strictly follow the formatting requirements attached to this syllabus. Even an inadvertent failure to comply with these requirements will affect your grade significantly.

ADA POLICY: 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 assistant deans and the University’s Office of Disability Services work together to help individuals with disabilities achieve and maintain individual autonomy. Students with disabilities are encouraged to contact Claude Arrington, Associate Dean for Academic Affairs at 348-6557 or carrington@law.ua.edu so that the individual’s needs for support services can be evaluated and accommodated in a timely manner.
FORMATTING REQUIREMENTS

Following are the formatting requirements for legal memoranda in Spring 2014:

- 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. The page 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 from the left and right margins.
- You may choose to single-space your point and subpoint headings.
- You may not alter the standard line height.
- You may not justify your right margin.
- You must number your lines.

- The total number of lines may not exceed the line limit for the assignment.

If you fail to follow any of these formatting 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. In addition, if you violate the formatting requirements, you may lose your anonymity and may also be brought before the Honor Court. You are responsible for following all of these formatting requirements regardless of the type of computer software or equipment you use.
LINE NUMBERING INSTRUCTIONS FOR WORD AND WORDPERFECT

Microsoft Word 2003: If necessary, switch to print-layout view by selecting View from the menu bar and Print Layout from the drop-down menu that appears. Next, select File from the menu bar and then Page Setup from the drop-down menu. Click on the Layout tab. Click on Line Numbers box. Click the box next to Add line numbering. To keep count of the total number of lines in your paper, select the circle next to Continuous.

You may remove line numbers for any blank lines using the following steps:

Highlight the first blank line that is numbered. Select Format from the menu bar at the top of the screen. Click Paragraph and then click the Line and Page Breaks tab. Check the Suppress line numbers check box, and the line number will be turned off for that line. To remove line numbers elsewhere in the document, move the cursor to each blank line and then press Control-Y to copy the formatting for the blank line.

Microsoft Word 2007: Select Page Layout from the menu at the top of the screen. Click on Line Numbers and select Continuous in the drop-down menu that appears. To suppress the line numbers for a blank line, place the cursor in the line; if there are multiple blank lines, highlight them. In the drop-down menu for Line Numbers, you can then turn off the line numbering by checking Suppress for Current Paragraph.

WordPerfect: Select Format from the menu bar at the top of the screen. Highlight Line on the drop-down menu and then select Numbering on the menu that appears. Check the box to Turn line numbering on. Make sure the boxes for Restart numbering on each page and Count blank lines are unchecked.

Word 2004 for Mac: If necessary, switch to page-layout view by selecting View from the menu bar and Page Layout from the drop-down menu that appears. Next, select Format from the menu bar and then Document from the drop-down menu. Click on the Layout tab. Click on the Line Numbers box. Click the box next to Add line numbering. To keep count of the total number of lines in your paper, select the circle next to Continuous.

You may remove line numbers for any blank lines using the following steps:

Highlight the first blank line that is numbered. Select Format from the menu bar at the top of the screen. Click Paragraph and then click the Line and Page Breaks tab. Check the Suppress line numbers check box, and the line number will be turned off for that line. To remove line numbers elsewhere in the document, move the cursor to each blank line and then press Apple-Y to copy the formatting for the blank line.
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, please turn it in to your professor. You must turn it in by April 24, 2013.

Please answer these questions about the nature of 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? How do you plan to incorporate what you saw into your own oral argument this semester?

Signature:________________________

Name:________________________

Section:________________________

Date Attended:__________________

Date Submitted:________________
## Class Schedule and Assignments

Section 8 meets at 9:45 a.m. on Mondays & Wednesdays in Room A250.
Section 7 meets at 1:00 p.m. on Mondays & Wednesdays in Room A250
Sections 7 & 8 meet together at times below in Room A250 for most Combined Classes.

<table>
<thead>
<tr>
<th>Week</th>
<th>Date</th>
<th>Time</th>
<th>Reading</th>
<th>Writing Due</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Wed. 1/8</td>
<td>1:00</td>
<td>Introduction to Course and Persuasive Writing [Reading]</td>
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<tr>
<td></td>
<td></td>
<td>(7&amp;8)</td>
<td>Garner &amp; Scalia: Forward and Introduction; Coughlin: pp. 305-11</td>
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<tr>
<td>2</td>
<td>Mon. 1/13</td>
<td>1:00</td>
<td>COMBINED CLASS—All 1Ls — Room 140 Hand Out &amp; Discuss Appellate Problem</td>
<td>Coughlin: pp. 11-21.</td>
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<td></td>
<td></td>
<td>(7&amp;8)</td>
<td>Garner &amp; Scalia: pp. 3-10.</td>
<td>Assignment: Read Appellate Problem and attend</td>
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<td>Westlaw training as scheduled</td>
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<tr>
<td>2</td>
<td>Wed. 1/15</td>
<td>1:00</td>
<td>COMBINED CLASS Motions; Standard of Review; Preparing to Write a Brief</td>
<td>Coughlin: pp. 11-21.</td>
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<td></td>
<td></td>
<td>(7&amp;8)</td>
<td>Garner &amp; Scalia: pp. 11-21.</td>
<td>Assignment: Standard of Review Section of Brief</td>
</tr>
<tr>
<td>3</td>
<td>Tues. 1/21</td>
<td>2:00</td>
<td>Argument &amp; Outlining: The Big Picture</td>
<td>Standard of Review Section of Brief</td>
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<td></td>
<td>Assignment: Source List &amp; Outline Continue</td>
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<tr>
<td>3</td>
<td>Wed. 1/22</td>
<td>9:45 (8)</td>
<td>Developing &amp; Defending Your Arguments</td>
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<td></td>
<td></td>
<td>1:00 (7)</td>
<td>Coughlin: pp. 312-316.</td>
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<tr>
<td>4</td>
<td>Mon. 1/27</td>
<td>9:45-10:35</td>
<td>RESEARCH – Room 188</td>
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<td></td>
<td></td>
<td>(7&amp;8)</td>
<td>Lecture on Research Strategies for the Brief</td>
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<td>Sloan: Chapter 11 (pp. 327-53).</td>
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<tr>
<td>4</td>
<td>Wed. 1/29</td>
<td>9:45 (8)</td>
<td>More on Argument</td>
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<td>1:00 (7)</td>
<td>Coughlin: pp. 316-25.</td>
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<td>4</td>
<td>Fri. 1/31</td>
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<td>Source List &amp; Outline</td>
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<td>5</td>
<td>Fri. 2/7</td>
<td>9:45</td>
<td>COMBINED CLASS</td>
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<td></td>
<td></td>
<td>(7&amp;8)</td>
<td>Common Errors on Source Lists and Outlines.</td>
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<td></td>
<td>Date</td>
<td>Time</td>
<td>Topic</td>
<td>Assignment</td>
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| 6  | Mon. 2/10 | 9:45 (8) | Persuasive Facts  
| 6  | Wed. 2/12 | 9:45 (8) | Citation & Writing Style Review;  
Point Headings  
| 7  | Mon. 2/17 |       | NO LW CLASS                                                              |                                                                            |
| 7  | Wed. 2/19 | 9:45 (8) | Opinion Below; Statutes Involved; Issues Presented; Summary of Argument; Conclusion Assignment: Work on other parts of Brief.  
*We will likely cancel and do all parts on 3/10.* | First Draft of Brief                                                        |
| 8  | Mon. 2/24 |       | NO LW CLASS                                                               |                                                                            |
| 8  | Wed. 2/26 | 1:00-2:20 (7&8) | COMBINED CLASS – Room TBA  
The Honorable Ed Carnes  
United States Court of Appeals for the Eleventh Circuit  
"Effective Writing and Editing: Thomas Jefferson, Hank Williams, and Others" |                                                                            |
| 9  | Mon. 3/3 |       | NO LW CLASS                                                               |                                                                            |
| 9  | Wed. 3/5 | 1:00 (7&8) | COMBINED CLASS  
Common Errors on First Drafts Assignment: Review Common Errors, Comments, and Prepare for Conferences |                                                                            |
| 10 | Mon. 3/10 | 1:00 (7&8) | COMBINED CLASS  
Other Parts of the Appellate Brief (Opinion Below; Statutes Involved; Issues Presented; Summary of Argument; Conclusion; Jurisdiction; Table of Contents; Table of Authorities); Polishing the Appellate Brief  
| 10 | Wed. 3/12 | 9:45 (8) | Introduction to Oral Argument  
<table>
<thead>
<tr>
<th>Date</th>
<th>Day</th>
<th>Time</th>
<th>Event</th>
</tr>
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<tbody>
<tr>
<td>3/17</td>
<td>Mon.</td>
<td>1:00</td>
<td>Oral Argument Continued; Come prepared to present your intro and roadmap Garner &amp; Scalia: pp. 178-99.</td>
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<tr>
<td>3/19</td>
<td>Wed.</td>
<td>1:00</td>
<td>Attend Final Round of Campbell Moot Court Competition - Room 187-188</td>
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<tr>
<td>3/21</td>
<td>Fri.</td>
<td></td>
<td>Final Draft of Brief</td>
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<tr>
<td>3/31</td>
<td>Mon.</td>
<td>9:45</td>
<td>Preparing &amp; Practicing your Oral Argument Assignment: Prepare for PRACTICE ROUNDS</td>
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<td>4/1-4/4</td>
<td>T-F</td>
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<td>PRACTICE ROUNDS THIS WEEK</td>
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<tr>
<td>4/4</td>
<td>Fri.</td>
<td>9:45</td>
<td>COMBINED CLASS – Polishing Your Oral Argument</td>
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<tr>
<td>4/7-4/10</td>
<td>M-Th</td>
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<td>FINAL ROUNDS THIS WEEK</td>
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<tr>
<td>4/9</td>
<td>Wed.</td>
<td>1:00</td>
<td>COMBINED CLASS – Preparing for the Final Exam</td>
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<tr>
<td>4/11</td>
<td>Fri.</td>
<td></td>
<td>FINAL EXAM</td>
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