

Constitutional Law Seminar: Appellate Advocacy

Maureen D. MacManus, Esq.

Instructor's Contact Information:

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Office Hours: Thursdays, 4-6 p.m.

Course Information:

Poli 104F
Spring 2018
Thursdays, 6-8:50 p.m.
Warren 2112

Course Description

This course will provide a broad overview of several major topics in Constitutional Law and will also focus on legal writing, analysis, and appellate advocacy. Students will study seminal courses and be expected to discuss them similar to a law school course.

Additionally, students will write appellate briefs

The ability to read and critically examine cases, evaluate policy behind cases, and evaluate arguments of others are critical skills needed for a future in the legal field. Additionally, writing well to effectively advocate for a client is a skill that many lack.

This course aims to teach you to examine case law, write persuasively, work in teams, effectively argue your case, and act as a judge and jury. Ultimately, I aim to introduce you to what a law school course will be like and provide some training on effective writing. In return, I expect a high level of professionalism, engagement during class, and preparation for class each week.

Course Requirements

By the end of this course, students will be able to

- (1) Prepare for every class by reading and digesting the assigned material
- (2) Actively engage in class discussions
- (3) Work in teams on an appellate brief
- (4) Write an appellate brief with your team
- (5) Orally argue your brief in front of a panel of judges
- (6) Attend every class

Required Texts

Effective Appellate Advocacy: Brief Writing and Oral Argument by Carole C. Berry, 4th ed. (3rd ed. is acceptable as well)

Civil Rights and Liberties by Corey Brettschneider, ISBN 978-0735579866

Student Participation

Students must participate in class. We will be asking you to share your issue statements and case summaries with the entire class. The only way to effectively learn how to analyze cases and write persuasively is to actively engage with one another. This requires you to come to class prepared. When reading and written assignments are due, it is

because we expect you to share your work with your peers. If this seems burdensome to you, we recommend you enroll in another course.

We strongly encourage you to bring laptops to class. Yes, you read that correctly. This is because a great deal of legal research happens in online law libraries. However, we expect you to conduct yourselves with professionalism, to pay attention, and to only access materials relevant and necessary to the course. We reserve the right to change this policy at any time.

Grading

- Brief Draft: 150 points
- Final Brief: 300 points
- Oral Argument: 50 points

	DATE	TOPIC	Reading/Due
Week 1	4/4/19	Intro	No assigned reading
Week 2	4/11/19	Theories of Interpretation	From Bretttschneider, Ch. 1 Ca
Week 3	4/18/19	Substantive Due Process and Fundamental Rights; Persuasive Writing	From Bretttschneider, Ch. 4 Ca
Week 4	4/25/19	Race and Equality; Intro to Appellate Problem	Bretttschneider, Chapter 5 cases
Week 5	5/2/19	Gender, Sexual Orientation, and Equality; Persuasive Writing; Appellate Brief Components; Preparation for Brief Writing	Bretttschneider, Cases in Chapter 6
Week 6	5/9/19	Professor Demo & Mock Trial	Berry, Chapter 7
Week 7	5/16/19	Moot Court Preparation; Appellee and Reply Briefs; Group work on Brief	Berry, Chapter 7
			Berry, Chapter 9

Week
8

Group Work on Briefs

Berry, Chapter 10

Week
9

Practice Oral Arguments

Week
10

Oral Argument Presentations