

Moot Court Student Guide

Name: _____ Class: _____

Case: _____

You and your classmates will serve as Supreme Court justices, petitioners (someone who is making an appeal and asking the court to review an earlier decision), and respondents (someone who is responding to an appeal) to argue and decide an important constitutional issue.

Step 1: Read.

- A. Read through the entire case without stopping to think about any particular section.
- B. Re-read the selection and annotate (“talk to”) the text:
- Underline the main/most important points. You can comment on these points in the margins.
 - Circle words or phrases that are unknown or confusing to you.
 - Write down any questions you have in the margin labeling them with a “?”.
 - In the margin write “P” when the facts support the petitioner. Write “R” when the facts support the respondent.

Step 2: Examine the case.

A. What is the question before the court?	B. What is the test? (This is the rule the court has to apply.)
C. Find two facts that support the petitioners’ case.	D. Find two facts that support the respondents’ case.

Step 3: Note your assigned role here:

Step 4a (Attorneys only): Work with your co-counsel to complete sections A and B below. As an attorney, you are responsible for presenting sound arguments to the court.

A. Based on your reading of the case and your notes in Step 2, create a clear, brief statement of your position. Your statement should include at least two facts and an explanation on how those facts support your position. At the end of your statement, include how you would like the court to decide your case.

B. List one previous court decision and explain how it supports your position.

Step 4b (Justices only): Work with the other justices to complete sections A and B below. As a justice, you are responsible for reviewing documents and identifying questions as you prepare to hear a case.

A. Based on your reading of the case and your notes in Step 2 write three questions you would like each side to answer. (What facts do you want clarified? Are there actions by parties involved you would like the attorneys' to justify or explain?)

B. How do the cases cited in the reading apply to this case? (You can ask the attorneys how the facts in this case are similar or different than the cases in the reading.)