

MOCK COURT PROGRAM, MARCH 20, 2015

HISTORICAL SOCIETY OF THE DISTRICT OF COLUMBIA CIRCUIT

Note to Mentors

Thank you for agreeing to mentor high school students participating in this year's Historical Society of the District of Columbia Circuit Mock Court Program. This year's program will give approximately 100 area high school students the opportunity to present appellate-style oral arguments to federal district court and appellate judges. This Note will give you some general guidance on the program and your role in it.

General

The program will take place on Friday, March 20, 2015, in the United States Courthouse, 333 Constitution Ave. It will begin at 9:30 a.m. with a gathering of all students in the Ceremonial Courtroom on the Sixth Floor. After some opening remarks, students will disperse to their assigned courtrooms for their arguments before participating federal judges. The program will end with another general gathering at which the judges will award certificates and prizes, followed by a reception (with food) for all participants. More details will be provided closer to the program date.

You will be responsible for seeing that your students arrive at the Courthouse on March 20 and make their way to the Ceremonial Courtroom on time. Metro fare will be provided for students who come by Metro.

Argument Logistics

Each student will make a 3-5 minute argument to one of the federal judges who have generously volunteered to participate in the program. Students from the same school will generally argue before the same judge, but larger groups might be split between two judges. We encourage you to have the students argue in pairs, with one student representing each side in the dispute. But if there are an odd number of students, a student may simply come to the podium and present an argument without having an opposing counsel. The judges will be in their robes in their courtrooms, and students will stand at the lectern used by arguing counsel. The judge will ask each student a few questions suitable for their level of experience. Many judges also take some time before or after the arguments to speak with the students informally and answer any questions they might have about being a judge or lawyer.

Students should dress neatly, but they need not dress in business attire.

Case Materials

This year's case materials consist of two hypothetical fact patterns—one that raises First Amendment issues and one that raises Fourth Amendment issues. Students can choose which hypothetical fact pattern they would like to use for their arguments (or you can choose for them). Each hypothetical fact pattern is followed by a short e-mail to each arguing counsel suggesting potential arguments and four short case excerpts that students can use for guidance in forming their arguments. We will provide these materials to you electronically with the expectation that you will provide copies to your school contact and students. The judges will receive these same materials, which make up the full “record” in this case. Students are not expected to do any additional research.

The Mentoring Process

Pairings. Teams of mentors will be paired with participating schools—often a high school class but sometimes an informal group of students who take part in the program as an extracurricular activity instead of a classroom exercise. Your school and the contact information for your school are in the email accompanying these materials.

Contact information. We will provide you with a contact person for your assigned school—generally, the teacher—with whom you can schedule meetings with your students. You should contact that person as soon as possible and develop a schedule for mentoring sessions. You might also want some way of contacting your students. Consider collecting email addresses or phone numbers or arranging for a way to contact your students through your school contact. You might also want to give your students a way to contact you.

Meetings. We suggest scheduling at least three sessions with your students, and preferably more, like four or five. Generally, mentoring sessions take place during class time at your assigned school. We recommend that your last session take place, if possible, within a week of the program. You might find, after you get started, that you or your students want additional or longer/shorter sessions; feel free to tailor your sessions to your group's needs. Your meetings may be integrated into a class or take place after school. Try to be flexible with meeting times, but impress upon the students that they must show up for a scheduled meeting.

At the first meeting, we suggest describing the program generally and walking the students through the case materials, allowing time for questions and discussion. We suggest that you have each student select a side to argue either at that meeting or shortly thereafter. You might also want to describe for your students what an argument consists of (i.e., identifying oneself, stating the question, stating and arguing a few points, and stating a brief conclusion).

Past mentors have found it useful to give their students a short generic outline of the contents of an oral argument and ask them to provide, at the following meeting, a written outline of his or her argument. A sample argument outline and other guidance are attached.

Once students are oriented with the program and have had an opportunity to develop their arguments, we suggest that you have them present their arguments to you (at least once), so that they are comfortable presenting on March 20. You should guide your students, as needed, on substance and demeanor. You might find that some of your students are more comfortable arguing policy rather than law, and that is perfectly fine. But please make sure that they have a basic understanding of the legal issue and the potential arguments for each side.

Please keep us posted on your progress and contact Paras Shah (paras.shah@nteu.org) or Chris Wright (cwright@hwglaw.com) with any questions or issues that come up. In particular, please e-mail us when you have set up your first session with your assigned school.

Good luck! We hope that you and your students find this to be a memorable experience.