

Lesson 9

How do attorneys conduct oral arguments to advocate for their clients?

Lesson Objectives

Students will be able to:

- Organize and deliver oral arguments to a panel of judges during a mock argument exercise
- Defend a position by referring to facts from fictional depositions and reasoning from actual Supreme Court opinions
- Respond to questions and rebut arguments from opponents

Materials

- Handout 19: Mock argument role assignments (from Lesson 8)
- Handout 21: Mock argument rubrics
- Handout 22: Mock argument reflection

Lesson Assessments

- Mock argument with accompanying rubric
- Mock argument reflection

Instructional Activities

Anticipatory Set

- Distribute **Handout 21: Mock argument rubrics**. Read through each of the categories together as a class so that students know what they will be graded on throughout the mock argument. Note that there is one rubric for the arguers and one slightly modified rubric for the judges.
- Give students 5 minutes to meet with their partners or other members of their team (Plaintiff / Defendant / judges). Students should review what they are going to say and practice their piece (introduction, conclusion, argument, rebuttal, or questions) one more time.
- Divide the class so that everyone on the Plaintiff's team is sitting on the left side of the room, everyone on the Defendant's team is sitting in the right side of the room, and the judges are in a row in front facing the class.
- Set up one podium facing the judges where students will stand to deliver their arguments.

Unit 5: Lesson 9
First Amendment Rights in Schools

Guided Practice

- The clerk calls the case.
 - "All rise. (*Everyone stands.*) The United States District Court for the Eastern District of Michigan is now in session. The honorable judges _____, _____, and _____ presiding. Please be seated. (*Everyone sits.*) Now calling case number 12-45678, *Kenji Davis vs. Ann Arbor School Board.*"
- Use **Handout 19: Mock argument role assignments** (from Lesson 8) to proceed through the order of events. The clerk is responsible for keeping time with a stopwatch, and should alert the parties when their time has expired.
 - The judges may ask questions during any of the arguments or rebuttals and the party must respond to the best of his or her ability. When the party is finished responding to the question, he or she should continue on to the next point.
- As students present, the teacher may use **Handout 21: Mock argument rubric** to evaluate each student's performance.

Independent Practice / Closure

- Distribute **Handout 22: Mock argument reflection**. Students should use any remaining class time to begin filling out these reflection questions based on their own performance and that of their peers, and finish it for homework.