

Supreme Court Practicum Spring 2022 Syllabus

Faculty & Staff

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General Course Information

- **Seminar:** The Practicum will meet once each week on Fridays promptly at 12:00 p.m. for one hour and fifteen minutes. The instructional portion of the Practicum will cover six general areas, through either class instruction or presentation
 1. Research
 2. Brief Writing
 3. Specialized Brief Writing (Petitions for Certiorari, Briefs in Opposition, Replies)
 4. Oral Advocacy
 5. The Court as an Institution
 6. Doctrinal Areas of Special Interest to the Court (e.g. Finality, Original Jurisdiction)
- **Case Teams:** Research projects, petitions, and briefs will be staffed in teams. We will determine the number of students in each team based upon the complexity and timing of each particular matter. Teams will meet both in person and via teleconference at least on a weekly basis, and participants should expect meetings to convene more frequently as the due dates approach for petitions and briefs.
- **Speakers:** Speakers will be invited for both semesters. These sessions will be open to all students.
- **Moot Courts:** Moot courts for attorneys who will argue during the Term will be convened at the Law School with panels of professors and practitioners. The opposing side and (if appropriate) amicus roles shall be argued by Practicum members. Moot courts will be open to all students, but all students who attend are required to assure confidentiality and the absence of any other conflict (for example, work on the case as a judicial extern).
- **Travel:** If circumstances permit, the Practicum will meet once in Washington to coincide with an oral argument in a case in which the Practicum has been involved. Participants will attend the argument and a post-argument lunch meeting (if possible, with the advocate) to discuss the case. Participants will also tour the Court and attend a dinner with the Practicum faculty.

Course Requirements and Expectations

- **Attendance:** Students are expected to attend the weekly seminar and hold regular calls with their teams.
- **Assignments:** Students are expected to complete all listed assignments on a given day *before* coming to class.
- **Case Rounds:** When we have case rounds, case teams should circulate to the class a short agenda (max. one page single-spaced), reviewing the relevant facts, issues, and questions that they would like the class to discuss.
- **Laptop & Phone Use:** Please refrain from non-class related laptop or phone use during clinic sessions.

Schedule of Classes

January 14

Finality

Assignment:

- Watch *Finality*

January 21

The SG's Office and the Criminal Docket

Guest Spaker: Eric Feigin, Solicitor General's Office

January 28

The Supreme Court Commission: Proposals and Reforms

Guest Spaker: Professor Michael Kang

Assignment:

- *Executive Summary and Introduction of the Biden Commission Report*

February 4

The Dark Arts (Zoom)

Assignment:

- Watch *Rhetoric I / The Dark Arts*

February 11

The Shadow Docket (Rob Hochman)

Assignment:

- Stephen Vladeck, *The Solicitor General and the Shadow Docket*

February 18

The Dark Arts – Results from Exercises

February 25 – Jeff

Rhetoric II (Zoom)

Assignment:

- Watch *Rhetoric II*

March 3 – Jeff

Saada Moot

March 4 – Jeff

Rhetoric II Exercises

March 11 (Tentative) – Jeff

Mootness and Standing (Taci Flint)

March 18

The Media and the Court (Linda Greenhouse, N.Y. Times)

Assignment:

- Noah Feldman, Review of *Justice On the Brink*

April 1

Fourth and Sixth Circuit Oral Arguments

Assignment:

- Listen to assigned cases for oral argument and evaluate/analyze strengths and weaknesses of advocates

April 8

Seventh Circuit Visit

Assignment:

- Read briefs in cases to be argued (assignments to be distributed)
- Prepare questions for Judges Hamilton, Lee, and Chang

April 15

End of Year Reflection and Celebration