

POLITICAL SCIENCE 444Q, Section 1

MOOT COURT

Fall, 2016

INFORMATION

COURSE: Participants will meet at least once a week to discuss case development and progress

INSTRUCTOR: Dr. Mikel Norris

OFFICE: Brittain Hall #356

OFFICE HOURS: Tuesday & Thursday, 11:30am – 1:30pm, and by appointment

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INTRODUCTION

Catalog Description

POLI 444Q Moot Court. (1) (Permission of the Instructor). This course is an experiential approach to understanding the appellate court process. Students develop their understanding of the judicial process and learn about important legal principles by forming two-person teams and developing and arguing a fictional appellate case. Students are required to argue their cases at invitational and regional elimination tournaments sponsored by the American Collegiate Moot Court Association. May be repeated up to four times for credit. May be counted up to three credits for political science major or minor requirements. F

Moot Court Description

Moot court is designed to help students develop analytical and public speaking skills, and team-building skills, by developing an appellate legal case and arguing that case before a judge in a court-type setting. Students participating in moot court will prepare legal briefs based on a hypothetical case prepared by the American Collegiate Moot Court Association, and then defend their cases in invitational tournaments, and in regional and national competitive tournaments. Moot Court teams consist of two people. These teams must work together as well as on their own to prepare for competition.

Course Objectives

1. Introduce students to legal research techniques.
2. Develop analytical, team-building, and public speaking skills
3. Give students the opportunity to understand first-hand attorneys' work at the appellate stage of the judicial process.

Student Learning Outcomes

Upon successful completion of this course, students are expected to be able to:

1. Comprehend appellate court opinions and use them to craft a legal argument

2. Develop a complete appellate case based on hypothetical case materials, and argue that case in a moot court competition.
3. Write a detailed legal brief to be judged by American Collegiate Moot Court Association

Quality Enhancement Plan – The Coastal Experience

Coastal Carolina University has chosen *The Coastal Experience* as its Quality Enhancement Plan (QEP). The fundamental purpose of *The Coastal Experience* is to strengthen the abilities of students to link theory with practice by expanding and enhancing experiential learning across the University's educational programs. The goals of this program are:

❖ ***Goal 1: Students investigate and choose an experiential learning activity that compliments their academic program and/or career goals.***

SLO A: Students will identify experiential learning activities and select one or more that complement their academic program and/or career goals. This will be accomplished by the student enrolling in moot court, along with a partner to form a moot court team

❖ ***Goal 2: Students participate in experiential learning activities that complement and build on the knowledge and skills relevant to their academic program and/or career goals.***

SLO A: Students will identify knowledge and skills they expect to apply in the experiential learning activities they have chosen

SLO B: Students will demonstrate the knowledge and skills obtained through participation in experiential learning activities.

SLO C: Students will compare and contrast their expected learning to their actual learning derived from experiential learning activities. This goal will be accomplished by attending and participating in a sanctioned American Collegiate Moot Court Association tournament.

❖ ***Goal 3: Students critically reflect on the relationship between experiential learning, their academic experience, and the world in which they live***

SLO A: Students will demonstrate a high level of comprehension and skill in connecting theory and practice which is correlated to their level of participation.

SLO B: Students will reflect on the impact that experiential learning activities has had on their personal academic and/or career goals.

SLO C: Students will reflect on the impact their participation on experiential learning activities has had on their academic or career field, and/or the community, and/or on other individuals.

Upon the completion of the semester, students will be required to submit a four-page essay addressing the impact this program has had on them.

REQUIRED TEXTS

There are no required **texts** for this course. Students will be required to have hard copy of the case materials posted on the American Collegiate Moot Court Association's website. Students need to visit the website frequently to stay up to date on case addendums, as well as scheduling and deadlines for competitions.

Students will be required to brief several Supreme Court cases over the course of the semester. The full court opinions can be found through **Lexis Nexis**, which is available through the Kimbel Library website. Other places on the internet have these cases as well. I highly recommend students use the resources available on the **Cornell Law Website**, **Justia.com** or though the **Oyez Project**. If students cannot find the cases they are looking for through these means I will find them and post them on Moodle.

Any supplementary materials I believe will be useful for case development will be posted on Moodle, and I will inform students of these posts either during our weekly meetings, or via email.

ASSIGNMENTS

The assignments for this course are listed below:

- **CASE BRIEFS:** Students will be required to brief every Supreme Court case available for use in the case packet. As well as other allowed cases the students choose to use for their legal arguments.
- **WEEKLY ASSIGNMENTS:** These assignments will be assigned in insure students are making progress on their case development
- **ORAL ARGUMENT:** Students will be required to argue their cases before me by the end of the semester. Guidelines for oral argument will be handed out at a later date.
- **WRITTEN BRIEF:** Students will be required to turn in a formal, written brief arguing one side of the case being argued. This will be the brief the student wishes to submit to the American Collegiate Moot Court Association for review.

NOTE: Students will not be evaluated on performance in invitationals or in national competition. Assessment will be based on progress, and the student's willingness and ability to identify strengths and weakness in their case and adapt to changes necessary to enhance the strength of their case.

A total of 500 points can be earned in this class. You will earn points as follows:

- Case Briefs: 100 points
- Weekly Assignments: 100 points
- Oral Argument: 150 points
- Case Brief: 150 points

Your grade will be based on the following calculations:

- A (90% - 100%) = 450-500 points
- B+ (88% - 89.9%) = 438-449 points
- B (80% - 87.9%) = 400-437 points
- C+ (78% - 79.9%) = 388-399 points
- C (70% - 77.9%) = 350-387 points
- D+ (68% - 69.9%) = 338-349 points
- D (60% - 67.9%) = 300-337 points
- F (0% - 59.9%) = 299 points or less

ATTENDANCE AND CLASS PARTICIPATION

Students are expected to attend all formal and informal meetings related to moot court preparation and competition. This includes, but is not limited to, weekly meetings with the professor, meetings with moot court team partners, and participation in selected invitationals and competitions. Failure to make these meetings will result in points taken off of the student's final grade. Per university policy, I will fail a student who misses over 25% of scheduled classes. This determination will be based on the frequency and egregiousness of offense (for example, missing an invitational and only informing participants a few days before competition), and will be made at the discretion of the professor.

LATE & MISSED ASSIGNMENTS

No late assignments will be tolerated. Assignments not turned in on time will be given a **zero grade**. There will be no exceptions. If a student cannot hand in a hard copy of an assignment on the due date they can email me a copy of the assignment before the due date **as long as I am notified beforehand**.

CHEATING AND PLAGIARISM

Cheating and/or plagiarism are wrong and I do not like it. It is unfair to other students. Furthermore, it reflects very poorly on your character. Cheating and/or plagiarism carry with it a severe penalty, and may even lead to expulsion from the university. **DON'T DO IT**. It is wrong and will not be tolerated. Those caught cheating or plagiarizing (e.g., looking at someone else's paper during a test, consulting notes during a test, plagiarizing material on papers, etc.) will be penalized severely. Instances of plagiarism will be sent to academic affairs. The penalty I will ask the Academic Integrity Committee will be determined by the nature of the offense. Typically, I students receive an F (0 points) for plagiarizing a case brief, and an **Fx** for all other assignments, including if a student is caught plagiarizing a case brief for a second time. Students need to be immediately aware that **I regularly check students' case briefs against available briefs online. I have no tolerance for lazy students who think they are savvy enough to copy internet case briefs, turn them in as their own, and get away with it.**

Coastal Carolina University operates under a Code of Student Conduct, which governs both academic and social conduct. The Code of Student Conduct may be reviewed here:

<http://www.coastal.edu/conduct/documents/codeofconduct.pdf>

Per the Code of Student Conduct, all students at Coastal Carolina pledge to oppose all instances of academic dishonesty. Plagiarism is listed as the first form of prohibited conduct in the Code of Conduct. This should make abundantly clear the importance of not engaging in this type of activity. Students may talk to me privately if they have any questions or concerns involving cheating and plagiarism.

ACCOMODATION FOR STUDENTS WITH DISABILITIES

I am committed to making all necessary accommodations for students with verified disabilities. Students with disabilities are urged to contact the Office of Accessibility and Disability Services (843-349-2503) to learn more about the rights and responsibilities of disabled students attending Coastal Carolina University.

COURSE SCHEDULE & ASSIGNMENTS

SINCE THE CASE MATERIALS ARE RELEASED IN THE MAY PRECEDING FALL SEMESTER, I EXPECT TEAM MEMBERS TO HAVE STARTED READING SUPREME COURT CASES OVER THE SUMMER IN PREPARATION.

- **Week 1 (August 22 – August 26)**
 - Review of case
 - Decide which issue before the Court you wish to concentrate on
- **Week 2 (August 29 – September 2)**
 - **CASE BRIEFS DUE AT THIS MEETING**
 - Review of case law
- **Week 3 (September 5 – September 9)**
 - Review of case law
- **Week 4 (September 12 – September 16)**
 - Review of case law
- **Week 5 (September 19 – September 23)**
 - Brainstorming session and begin case development
- **Week 6 (September 26 – September 30)**
 - Case development
- **Week 7 (October 3 – October 7)**
 - Case development and verification of written draft
 - First informal practice session
- **Week 8 (October 10 – October 14)**
 - Informal practice session
- **Week 9 (October 17 – October 21)**
 - **Possible weekend date for an invitational – no meeting)**
- **Week 10 (October 24 – October 28)**
 - Review of invitational and first revisions

- **Week 11 (October 31 – November 4)**
 - Informal practice session
- **Week 12 (November 7 – November 11)**
 - Possible weekend date for invitational – no meeting)
- **Week 13 (November 14 – November 18)**
 - Review of invitational and more revisions
- **Week 14 (November 28 – December 2)**
 - Informal practice session
 - **CASE BRIEF DUE NO LATER THAN FRIDAY, DECEMBER 2nd**
- **Week 15 (December 5 – 7)**
 - **ASSESSED ORAL ARGUMENT TO BE SCHEDULED DURING THIS WEEK**

*******THE PROFESSOR RESERVES THE RIGHT TO MAKE CHANGES TO THE SYLLABUS DURING THE COURSE OF THE SEMESTER. ANY CHANGES WILL BE DISCUSSED IN CLASS BEFOREHAND*******