

WORKSHEET NN
INTRODUCTION TO APPELLATE COURTS

Discuss appellate arguments, techniques, and tips for effective oral argument.

- Observe appellate arguments in the Supreme Court of Ohio, Ohio appellate court, or United States Circuit Court with your mentee. Observe the different styles of argument and discuss what was effective and ineffective. If you cannot attend oral arguments in person, watch live or archived Ohio Supreme Court arguments online at <https://ohiochannel.org/collections/supreme-court-of-ohio>.
- Provide suggestions for preparing for oral argument. Share with your mentee exercises that you or members of your firm engage in to prepare for oral argument.
- Discuss techniques for being effective during your argument, including:
 - Choosing the most important issues to raise during argument
 - Avoiding misstating or over-stating the facts or law in a case
 - Being honest and responsive when asked questions
 - Re-focusing on an issue you were addressing before being interrupted with questions
 - Limiting or excluding emotion from argument
 - Having a conversation with the court (as opposed to reading from a script)
 - Managing your time
- Review the suggestions and tips provided in the following articles:
https://www.americanbar.org/groups/judicial/publications/appellate_issues/2019/summer/the-complete-appellate-advocate-beyond-brief-writing/ and
https://www.americanbar.org/groups/gpsolo/publications/gp_solo/2021/november-december/oral-argument-five-tips-improve-your-delivery/
- Discuss the importance of professionalism in appellate practice and unwritten guidelines for oral arguments such as proper attire, how to address the court, when and where to check in before arguments, who may sit at counsel's table, etc.