

## LEH355/PHI365 – LEGAL REASONING – FALL 2015

MARCELLO DI BELLO – LEHMAN COLLEGE, CUNY

### MOCK TRIAL GUIDE

#### Mock Trial Schedule .

	same sex Nov 23	abortion Nov 30	health care Dec 7
Justices	Temi (B) Kiara (R) John (D)	Fatou (B) Shiyana (R) Marinell (D)	..... (B) Carey (R) David (D)
Petitioners	Bakary Viviana	Adam Xhulia	Christopher Elaine
Respondents	Roberto Shakeem	Andy Syntis	Monica Yaw

Each Justice will impersonate a political ideology, loosely identifiable with the Republican Party (R), the Democratic party (D) or somewhere in between (B).

**Preparation** Start early! This requires significant amount of reading and thinking.

*Stage 1:* Read the majority opinion; concurring opinions; and dissenting opinions. Identify the questions at issue, governing law and precedents, the decision of the court and the supporting arguments.

*Stage 2:* Listen to the oral argument, preferably in its entirety or at least to significant portions of it. Take notes of the petitioner's and respondent's arguments. Keep track of the questions posed by the Justices.

*Stage 3:* Gather your thoughts. As a Justice, you will ask difficult questions to the lawyers in the case. As a lawyer, you will make a convincing case for either petitioner or respondent and answer questions by the Justices. Prepare your arguments together with the lawyer in your team.

*Extra:* If available, you can also look at petitioner's and respondent's briefs or additional materials.

**Legal Arguments Only** You should elaborate legal arguments, based on text, precedent, history, tradition, purpose and precedent. Use the course readings as sources of inspiration.