

APPELLATE ADVOCACY  
SUMMER 2023  
Catherine Fregosi  
[cfregosi@vermontlaw.edu](mailto:cfregosi@vermontlaw.edu)  
Class and Assignment Schedule

Week	Date	Class Assignments	Written Assignments	Class Discussion Topics (subject to change as needed)
1	May 30	<ul style="list-style-type: none"> <li>• Class syllabus and schedule</li> <li>• THE ART OF ADVOCACY, Introduction pgs. xix-xx</li> <li>• The Complete Appellate Advocate</li> <li>• 16 U.S.C. § 1853</li> <li>• <i>Loper Bright Enterprises, Inc. v. Raimondo</i> (Dist. Ct.)</li> </ul>		Course overview and introduction; intro to the brief format and appellate procedure; intro to case and discussion of reading
	June 1	<ul style="list-style-type: none"> <li>• <i>Loper Bright Enterprises, Inc. v. Raimondo</i> (D.C. Cir.)</li> <li>• THE ART OF ADVOCACY, Part I, Chapter 1, pgs. 1-20</li> </ul>		Discussion of assigned reading; begin discussing the statement of the case; sign up for conferences and arguments (practice and final)
2	June 6	<ul style="list-style-type: none"> <li>• <i>Chevron, U.S.A., Inc. v. Natural Resources Defense Council, Inc.</i></li> <li>• THE ART OF ADVOCACY, Chapter 2, pgs. 21-31</li> <li>• <i>Kisor v. Wilkie</i>, Petitioner’s Opening Brief &amp; Respondent’s Opening Brief, read Introduction and Statement of the Case sections</li> </ul>		Discussion of assigned reading; continue discussing statement of the case

	June 8	<ul style="list-style-type: none"> <li>• <i>Kisor v. Wilkie</i></li> <li>• THE ART OF ADVOCACY, Chapter 3, pgs. 33-53</li> <li>• Research 101</li> </ul>		Discussion of assigned reading; continue discussing statement of the case; discussion of research next steps
	June 11		Statement of the Case due on Canvas by midnight	
3	June 13	<ul style="list-style-type: none"> <li>• THE ART OF ADVOCACY, Part II, Chapters 4 &amp; 5, pgs. 55-95</li> <li>• <i>Kisor v. Wilkie</i>, Petitioner's Opening Brief, read Argument section</li> </ul>		Discussion of arguments relying on or countering authority; citation workshop (basics)
	June 15	<ul style="list-style-type: none"> <li>• THE ART OF ADVOCACY, Chapters 6 &amp; 11, pgs. 97-111 &amp; 161-174</li> <li>• <i>Kisor v. Wilkie</i>, Respondent's Opening Brief, read Argument section</li> </ul>		Discussion of analysis and argument organization
	June 18		Research Memo due on Canvas by midnight	
4	June 20	<ul style="list-style-type: none"> <li>• THE ART OF ADVOCACY, Chapters 7 &amp; 8, pgs. 113-134</li> <li>• <i>Kisor v. Wilkie</i>, Petitioner's Reply Brief, read Argument section</li> <li>• Standards of Review</li> </ul>		Discussion of Word formatting for briefs, standard of review, and arguments based on text or legislative history
	June 22	<ul style="list-style-type: none"> <li>• THE ART OF ADVOCACY, Chapters 9 &amp; 10, pgs. 135-158</li> <li>• Bluebook Signals Explained</li> <li>• Parentheticals</li> </ul>		Discussion of arguments based on policy or historical practice; point heading drafting; citation workshop

				(signals and parentheticals)
<b>5</b>	June 27	<ul style="list-style-type: none"> <li>• THE ART OF ADVOCACY, Chapters 12 &amp; 13, pgs. 175-207</li> <li>• <i>Kisor v. Wilkie</i>, Petitioner’s Opening Brief &amp; Respondent’s Opening Brief, Summary of the Argument sections</li> </ul>		Discussion of the question presented, summary of the argument, table of authorities and other minor brief sections
	June 29	<ul style="list-style-type: none"> <li>• THE ART OF ADVOCACY, Chapters 15 &amp; 16, pgs. 227-263</li> </ul>		Discussion of specific concerns in brief writing and writing more generally
	July 2		<p>First Draft due on Canvas by midnight</p> <p>Final Draft due by midnight ten days after individual conference</p>	
<b>6</b>	July 3-7			No class, summer break
<b>7</b>	July 11			No class, individual first draft conferences
	July 13	<ul style="list-style-type: none"> <li>• Supreme Court Guide for Counsel</li> </ul>		Discussion of oral argument
<b>8</b>	July 18			Continue discussion of oral argument
	July 20			Practice oral arguments

<b>9</b>	July 27-29			No class, final arguments
<b>10</b>	August 1			Course evaluations and final wrap up
	August 3			No class