

APPELLATE ADVOCACY  
 FALL 2021  
 Class Assignment Schedule  
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<u>Week</u>	<u>Class</u>	<u>Date</u>	<u>Assignment</u>	<u>Written Assignment</u>	<u>Class Agenda</u>
1	1	August 30	-Read syllabus and class assignment schedule  -Read pages 1-10 of the Berry textbook		Introduction and class overview  Discuss the appellate process and the importance of appellate advocacy
	2	Sept 1	-Read District Court and First Circuit decisions in <i>U.S. v. Vaello-Madero</i> (TWEN)  - <b>Optional:</b> Read <i>First Circuit Affirms that Unequal Federal Benefits Program in Puerto Rico Violates Fifth Amendment</i> , 134 Harvard L. Rev. 1260 (2021) (TWEN)		Discuss the <i>U.S. v. Vaello-Madero</i> District Court and First Circuit opinions
2		Sept 6	<b>No Class (Labor Day)</b>		<b>No Class (Labor Day)</b>

	3	Sept 8	<p>-Read <i>U.S. v. Vaello-Madero</i> Joint Appendix (TWEN)</p> <p>-Read Juan R. Torruella, Ruling America's Colonies: <i>The Insular Cases</i>, 32 Yale L. &amp; Pol'y Rev. 57 (2013) (TWEN)</p>		<p>Continue to discuss <i>Vaello-Madero</i> lower court opinions; discuss Record</p> <p>Learn who you will represent</p>
3	4	Sept 13	<p>-Read pages 3-27 of the McAlpin textbook</p> <p>-Read pages 78-80 of the Berry textbook</p>		<p><u>Writing</u></p> <p>Discuss coherent writing</p> <p><u>Appellate Process</u></p> <p>Discuss Preliminary Outline</p>
	5	Sept 15	<p>-Read pages 33-58 of the McAlpin textbook</p> <p>-Read pages 93-97 of the Berry textbook</p> <p>-Skim <i>PA v. Dunlap</i> (Roberts, C.J., dissenting from denial of cert) (TWEN)</p>		<p><u>Writing</u></p> <p>Discuss vigorous writing</p> <p><u>Appellate Process</u></p> <p>Discuss Questions Presented, Standard of Review</p>

4	6	Sept 20	<p>-Read pages 63-100 of the McAlpin textbook</p> <p>-Read pages 97-105 of the Berry textbook</p>	<b>Preliminary Outline due in class and on TWEN</b>	<p><u>Writing</u></p> <p>Discuss clear writing</p> <p><u>Appellate Process</u></p> <p>Discuss Statement of the Case</p>
	7	Sept 22	<p>-Read pages 105-139 of the McAlpin textbook</p> <p>-Read pages 107-113 of the Berry textbook</p>		<p><u>Writing</u></p> <p>Discuss polished writing</p> <p><u>Appellate Process</u></p> <p>Discuss Point Headings</p>
5	8	Sept 27	<p>-Read pages 59-63 and 105-107 of the Berry textbook</p> <p>-Skim:</p> <p><i>Fry v. Napoleon Comty. Schools</i></p> <p><i>State v. Robinson</i> (majority op.)</p> <p><i>US v. Whitten</i> (majority op.)</p> <p>(TWEN)</p>		<p><u>Writing</u></p> <p>Discuss tips for persuasive writing</p> <p><u>Appellate Process</u></p> <p>Discuss Summary of the Argument</p>

	9	Sept 29	Read pages 70-78 and 114-121 of the Berry textbook	<b>OPTIONAL: Statement of the case due in class and on TWEN</b>	Discuss Argument section of brief: structuring and organizing arguments; different types of arguments; and hierarchy of authority
6	10	Oct 4	Read pages 125-136 of the Berry textbook		Discuss dealing with adverse facts and authority Discuss Appellee, Respondent, and Reply briefs
	11	Oct 6		<b>Point Headings due in class and on TWEN</b>	Research refresher Plan for writing the brief
7		Oct 11	<b>No Class (Fall break)</b>		<b>No Class (Fall break)</b>
	12	Oct 13	-Read pages 141-172 of the Berry textbook  -Come to class with any questions about the brief		Putting it all together
8	13	Oct 18	Read pages 173-216 of the Berry textbook		Discuss oral argument
	14	<b>Oct 20</b>		<b>First draft of brief due in class and on TWEN</b>	Discuss oral argument

9		Oct 25	<b>NO CLASS</b> (Individual conferences)		<b>NO CLASS</b> (Individual conferences)
		Oct 27	<b>NO CLASS</b> (Individual conferences)		<b>NO CLASS</b> (Individual conferences)
10		Nov 1	<b>NO CLASS</b> (Individual conferences)		<b>NO CLASS</b> (Individual conferences)
	15	Nov 3			Oral argument bootcamp
11		Nov 8			Oral argument practice
		Nov 10			Oral argument practice
12*		Nov 15	<b>No class (Oral arguments)</b>		<b>No class (Oral arguments)</b>
		Nov 17	<b>No class (Oral arguments)</b>		<b>No class (Oral arguments)</b>
13*		Nov 22	<b>No class (Oral arguments)</b>		<b>No class (Oral arguments)</b>
		Nov 24	<b>No class</b>		<b>No class</b>
14*		Nov 29	<b>No class</b>		<b>No class</b>
		Dec 1	<b>No class (Oral arguments)</b>		<b>No class (Oral arguments)</b>
15	16	Dec 6			Final class— debrief, celebration

**\*Oral arguments will take place November 15-19, 22-23, 30 and December 1-2. Arguments will begin at 7 pm and 8:15 pm except on Friday November 19, they will begin at 3 pm and 4:15 pm.**