

MOOT COURT

Political Science 2513 - Spring Semester 2009

Facilitator: Karen Swenson

Class Meetings: Tuesdays at 4:00 in Coleman 2150

Office Hours: 2:00-4:00, Tuesday; 2:00-5:00; and by appointment

Office: 2321 Coleman Hall

E-mail: kbswenson@eiu.edu

Phone: 581-6964

Course Description:

Moot Court is one of two government simulations offered through the Political Science Department. It reflects the Department's emphasis on providing students with experiential learning opportunities designed to complement and build on knowledge gained in the traditional classroom setting. Moot Court, in particular, is an excellent way to build skills in legal argumentation that will serve well the aspiring law student and those who simply want to gain confidence in their ability to think quickly and speak on their feet.

Students work in teams of two attorneys, and deliver an oral argument before a mock Illinois Supreme Court. Justices on the Court will pepper student attorneys with questions - you must be well-prepared! The case, Beverly Hilstrand, et al. v. Stephen A. Martin, Jr., involves the liberty rights of gays and lesbians to marry under the Illinois and U.S. Constitutions versus the rights of states to define marriage as between one man and one woman. You will develop arguments for both sides of the case - on behalf of Beverly Hilstrand and her partner (as well as another gay couple), and on behalf of Stephen A. Martin (Chief Operating Officer of the Cook County Department of Public Health) and the State of Illinois.

Course Material:

The assigned textbook is Paul I. Weizer, ed., How to Please the Court: A Moot Court Handbook. You are responsible for reading the entirety of this useful book on your own. The real United States Supreme Court's "Guide for Counsel in Cases to be Argued Before the Supreme Court of the United States," http://www.supremecourtus.gov/oral_arguments/guideforcounsel.pdf is also quite useful. Additional information about Moot Court in general is contained on the website of the American Collegiate Moot Court Association, <http://falcon.fsc.edu/mootcourt>. And, of course, everyone must be well acquainted with the case (the mock Illinois Appellate Court opinion) and all cases and statutes set forth at the end of the case. I have DVDs of law school moot court rounds that you may borrow, and moot court clips can be found on "You-tube".

Assessment:

The course grade will be based on Participation and Effort at meetings and the tournament.

Consequently, attendance at class meetings and the tournament is mandatory. If you must miss a class meeting, you please provide explanation of the emergency that prevented your attendance. If you are humanly able, please communicate your intended absence to me in advance.

One facet of "Effort" is "Attitude." Moot Court is competitive, but, more importantly, it is a team endeavor. Behavior that is disruptive to the team spirit, e.g., disrespect for fellow Moot Court members, or opponents from other universities that we meet at the tournaments, will not

be tolerated. Good behavior is required while we are away from Charleston at the tournament as well. Behavior that is inappropriate, illegal, or otherwise brings ill repute to Eastern Illinois University will not be tolerated.

Another facet of “Effort” is behaving in a professional, organized and on-time manner while we are away at the tournament. In particular, and we need to be up, dressed, and fed *on time* so we are not late for rounds. In addition, I need your *receipts* from the hotel after you check out.

Tournament Schedule:

February 26 - March 1: Model Illinois Government (MIG) in Springfield, Illinois. For more information, consult <http://www.modelillinoisgovernment.org>.

Other Course Policies:

Finances: The Moot Court program will cover the cost of student lodging at the tournament. Students should be prepared to bear other costs of travel themselves.

Partners: We will try to partner everyone up with a suitable partner early in the semester, and hope that the relationship will grow and the partners will compete together at the MIG tournament. Sometimes students find that they and their partner do not work as well together as they had hoped. If this is the case, speak with me, and I will assist in rearranging teams.

WebCT: I hope we can make liberal use of the communication tools, especially “Discussions.” I will organize your posts. I also encourage and will participate in “chats” among students handling the same issues, and “mail”.