



Handout 7A: A Supreme Court Hearing—Justices

The Supreme Court of the United States is the highest court in the land and the court of last resort. A decision by the Supreme Court is the law of the land. The Court, composed of a panel of justices, is asked to rule on a lower court's decision. There is no trial; no witnesses are called, and the basic facts in a case are not disputed.

The arguments to be presented can be based on the Constitution, the applicable law, and previous court precedents. The arguments do not need to be rooted in legal technicalities.

In this activity you will be making a decision in the case.

As a Supreme Court Justice, your job is to:

1. Review the case and think of questions to ask the attorneys.
2. Select a student to serve as Chief Justice. He or she will be in charge of the hearing and call on the attorneys to present their arguments.
3. Prepare questions to ask of each side.
4. Listen carefully to the arguments.
5. Be sure to consider the impact of your decision on other situations that may arise in the future.
6. Discuss the case with the other justices and decide whether you think the decision of the lower court should be upheld or overturned. You do not have to agree. The decision will be based on the majority vote. There can be dissenting opinions.
7. Announce your decision and your reasons.



Handout 7B: A Supreme Court Hearing—Petitioner

The Supreme Court of the United States is the highest court in the land and the court of last resort. A decision by the Supreme Court is the law of the land. The Court, composed of a panel of justices, is asked to rule on a lower court's decision. There is no trial; no witnesses are called, and the basic facts in a case are not disputed.

The arguments to be presented can be based on the Constitution, the applicable law, and previous court precedents. The arguments do not need to be rooted in legal technicalities.

In this activity you will be preparing and presenting an argument before the court.

As an attorney for the petitioner, your job is to:

1. Discuss the case and develop arguments to persuade the Supreme Court to overturn the lower court decision. Be prepared to answer any questions the justices may ask you. In preparing your arguments, you should think about the following questions:

Why is the decision of the lower court wrong?

- What decision do you want?
 - What are the arguments in favor of and against each side? (Anticipating the opposition can strengthen your argument.)
 - Which arguments are the most persuasive? Why?
 - What are the precedents and how do they influence this case?
 - What might be the consequences of each possible decision?
 - To the parties? To society?
 - Are there any alternatives besides what each side is demanding?
2. Select two or more students to present your arguments. Anyone in the group may answer questions from the justices.
 3. Present your arguments in the time allowed.



Handout 7C: A Supreme Court Hearing—Respondent

The Supreme Court of the United States is the highest court in the land and the court of last resort. A decision by the Supreme Court is the law of the land. The Court, composed of a panel of justices, is asked to rule on a lower court's decision. There is no trial; no witnesses are called, and the basic facts in a case are not disputed.

The arguments to be presented can be based on the Constitution, the applicable law, and previous court precedent. The arguments do not need to be rooted in legal technicalities.

In this activity you will be preparing and presenting an argument before the court.

As an attorney for the respondent, your job is to:

1. Discuss the case and develop arguments to persuade the Supreme Court to uphold the lower court decision. Be prepared to answer any questions the justices may ask you. In preparing your arguments, you should think about the following questions:
 - Why is the decision of the lower court correct?
 - What decision do you want?
 - What are the arguments in favor of and against each side? (Anticipating the opposition can strengthen your argument.)
 - Which arguments are the most persuasive? Why?
 - What are the precedents and how do they influence this case?
 - What might be the consequences of each possible decision? To the parties? To society?
 - Are there any alternatives besides what each side is demanding?
2. Select two students to present your arguments. Anyone in the group may answer questions from the justices.
3. Present your arguments in the time allowed.

Handout 7D: A Supreme Court Hearing—Journalist

The Supreme Court of the United States is the highest court in the land and the court of last resort. A decision by the Supreme Court is the law of the land. The Court, composed of a panel of justices, is asked to rule on a lower court's decision. There is no trial; no witnesses are called, and the basic facts in a case are not disputed.

The arguments to be presented can be based on the Constitution, the applicable law, and previous court precedent. The arguments do not need to be rooted in legal technicalities.

For this activity you will be preparing and writing news reports.

As a journalist, your job is to:

Prior to the Moot Court:

1. Listen to the preparation of the petitioners and respondents. Take notes on the most compelling statements or arguments. (Do not disturb their discussion as you move between the groups; you are just observing.)
2. Write the lead paragraph for the daily news in your hometown. The first sentence could be: *Today the U.S. Supreme Court will hear oral arguments in the case of . . .* Continue by predicting how the Justices will decide.
3. Post this paragraph on the wall or read it to the class.

After the Moot Court:

1. Attend the hearing (moot court) and take notes. After the hearing you may interview one of the attorneys.
2. Write the lead paragraph for the daily news in your hometown. The first sentence could be: *Today the U.S. Supreme Court decided in the case of . . .*
3. Post this paragraph on the wall or read it to the class.



Handout 7E: A Supreme Court Hearing—Clerk

The Supreme Court of the United States is the highest court in the land and the court of last resort. A decision by the Supreme Court is the law of the land. The Court, composed of a panel of justices, is asked to rule on a lower court's decision. There is no trial; no witnesses are called, and the basic facts in a case are not disputed.

The arguments to be presented can be based on the Constitution, the applicable law, and previous court precedents. The arguments do not need to be rooted in legal technicalities.

In this activity you will be assisting the justices.

As a Supreme Court clerk, your job is to:

1. Review the case and work with the justices to develop questions.
2. Listen carefully to the arguments, in case your justice ask for input.
3. Time the arguments and rebuttals.
4. Select one clerk to announce the justices by saying:

Oyez, Oyez, Oyez. All persons having business before the Honorable, the Supreme Court of the United States, are admonished to draw near and give their attention, for the Court is now sitting. God save the United States and this Honorable Court!

5. Give input to the justices before they go into Conference:
 - What do you think is the most compelling argument?
 - How do you think the justices should vote?
 - What do you think you may need to clarify for the justices?

- How do you think you will react to stress in the future?
- How do you think the future should be?
- What do you think is the most important achievement?

2. How do you think you will react to stress in the future?

How do you think you will react to stress in the future? How do you think the future should be? What do you think is the most important achievement?

3. How do you think you will react to stress in the future?

4. How do you think you will react to stress in the future?

5. How do you think you will react to stress in the future?

6. How do you think you will react to stress in the future?

How do you think you will react to stress in the future? How do you think the future should be? What do you think is the most important achievement?

How do you think you will react to stress in the future? How do you think the future should be? What do you think is the most important achievement?

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