

Wabash College Moot Court Competition:  
2007 Participant's Guide

Preliminary rounds of the Competition will be held in Baxter Hall on Saturday, October 20. The First Round will begin at 9:00 A.M., and the Second Round will begin at 11:00 A.M. Room assignments will be available outside of Baxter 114, beginning at 8:30 A.M. Each team, consisting of two (2) members, will argue in two rounds, once as Petitioners and once as Respondents.

<i>Party</i>	<i>Name in the Trial</i>	<i>Result in the Trial</i>	<i>Name in the Court of</i>	<i>Result in the Court of</i>	<i>Name in the Supreme</i>
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- 2.2. Defendants: First counsel: The majority (main) opinion got it right. The State of Alston gets to pick things like where you go to vote, under the constitution. So, what's the big deal? Legislatures, not courts, get to decide time, place and manner of voting and courts should defer to the legislative determination. A 1-

level of scrutiny, a rational basis, is all that's required here. Second counsel: ...and when we use that low level of scrutiny, the law passes muster. All we're trying to do is to prevent voter fraud. Maybe we could do it better, but so what? This isn't a chance to second guess how we think the law should have been passed – it's one chance to decide that it is constitutional.

### 3. ORAL ARGUMENT PROCEDURE:

- 3.1. You will be judged by a panel of three judges, usually made up of a mixture of practicing attorneys, professors and judges who have had moot court, trial and appellate experience.
- 3.2. Your argument should be stapled into a manila folder. It is NOT a crutch and DO NOT READ FROM IT VERBATIM. Use it for reference and to keep your place in your argument. Your folder should contain relevant facts, summaries of legal authorities or concepts, and other pertinent information.

then grant you additional time to say to which Court you wish to go.

3.8. Pay respect to the Court. Be deferential, yet assert your client's position. Never interrupt a judge. Let him/her get the question out before you answer.

- 4.6. The Prayer! Tell the Court in one sentence what you want them to do for your client. "We respectfully request that this Court reverse/affirm the lower/trial court's decision." After your prayer, close your folder and sit down.
- 4.7. For rebuttal, do not be verbose. Only one appellant gives a rebuttal. Your rebuttal should include one or two strong points. Listen to the Respondent's argument closely to pick up on what the judges are questioning him/her about. If