



Masters in Appellate Advocacy

Sponsored by the Appellate Law Section & FBA Alaska Chapter

Monday, June 25, 2012
11:30 a.m. - 4:30 p.m.
Hotel Captain Cook
\$119 Registration Fee - Includes Lunch



CLE # 2012-016
4.0 General CLE Credits
Also available via webcast

Presented by:

Carter G. Phillips, veteran of 75 US Supreme Court arguments 90 Circuit Court arguments.

Mr. Phillips is considered the dean of the Supreme Court bar, and he has accumulated the most Supreme Court appearances of anyone in private practice today. Mr. Phillips has also argued more than 90 cases in the federal courts of appeals and more than a dozen in other appellate courts. Mr. Phillips argued five cases during the Supreme Court's last Term and he is scheduled to argue five cases this Term as well.

Mr. Phillips is the Managing Partner of the Washington, D.C. office of Sidley Austin LLP, and is a member of the firm's Management Committee. He served as a law clerk to Judge Robert Sprecher on the United States Court of Appeals for the Seventh Circuit and to the late Chief Justice Warren E. Burger. Prior to joining the firm, Mr. Phillips served as Assistant to the Solicitor General of the United States, where he argued nine Supreme Court cases on behalf of the federal government.

11:00 a.m. Registration begins

11:30 a.m. Lunch begins

11:45 a.m. Stories from the Front: Reflections on 30 years of advocacy before the U.S. Supreme Court

12:45 p.m. Break

Agenda continued on back...

Mail: P.O. Box 100279, Anchorage, AK 99510-0279

Fax: 907-272-2932

or register at www.alaskabar.org

Appellate Advocacy...		CLE # 2012-016	Early Bird Registration: \$119	At the Door: \$144
AK Bar Member #: _____			<input type="checkbox"/> Check enclosed	<input type="checkbox"/> Visa
<input type="checkbox"/> Non Bar Member				<input type="checkbox"/> Mastercard
Name: _____			Acct #: _____	
Firm: _____			Exp. Date: _____	
Address: _____			Name on card: _____	
City/State: _____ Zip: _____			Signature: _____	
Email: _____			Billing Zip Code: _____	
Phone: _____			Total Enclosed: \$ _____	

1:00 p.m. Briefwriting

How to write an effective brief in the Supreme Court and other appellate courts, and how brief writing differs across the courts.

We will examine each of the elements of a brief and where to spend more time and where to spend less time. Some of the issues include: Which is more important: the questions presented or the table of contents? When is a neutral recitation of the facts too neutral? What can be easier than a summary of argument – take the topic sentence of each paragraph of the argument and voila you are done, right? Best way to end the brief is to close with a great rhetorical flourish, right? Are page limits a floor or a ceiling?

Top-side, bottom-side and reply briefs – a review of their distinct functions.
The role of amicus briefs – friends of the court, friends of the parties or no friend at all.
Division of labor with co-counsel – can't we just get along?

2:00 p.m. Break

2:15 p.m. Oral Argument

How do you prepare? Should you have a moot court? Should you have more than one moot court? What should you take to the podium?
Are questions from the bench an obstacle or opportunity for effective advocacy?
What are the biggest mistakes lawyers make during oral argument?
Divided argument – when to do it, why to do it?
Arguing bottom side and rebuttal – any special tricks?

3:15 p.m. Break

3:30 p.m. Supreme Court Review

The Supreme Court is deciding a number of blockbuster cases this Term, including the constitutionality of Obamacare, the legality of Arizona's immigration laws, whether the Federal Communications Commission can regulate dirty words and partial nudity on broadcast television, and what subject matter limits apply to patents to name a few. Also, new Term the Court will revisit affirmative action.

Some of the important cases will be decided and we will discuss them and their implications. Others will still be pending and we can examine the argument, both written and oral, and offer some predictions.

4:30 p.m. Adjourn

fine print

MCLE CALIFORNIA INFORMATION: The Alaska Bar Association is an approved California MCLE provider. The Alaska Bar Association certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education.

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