

PRESENTED AT

15th Annual Advanced Texas Administrative Law Seminar

September 3-4, 2020

Austin, TX

**Presenting Effective Arguments in Administrative
Proceedings**
Emphasis on Oral Advocacy

Benjamin B. Hallmark

Author Contact Information:

Benjamin B. Hallmark

Thompson & Knight LLP

98 San Jacinto Blvd. Suite 1900

Austin, TX 78701

benjamin.hallmark@tklaw.com

512.404.6707

Presenting Effective Arguments in Administrative Proceedings

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Overview

- Constructing arguments
- Opportunities to present
- Presenting oral arguments and taking questions

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Constructing Your Arguments

- Identify the governing standards
 - Controlling statutes/rules
 - Precedent
 - Policy
- Identify the relevant facts
 - Good and bad
- Develop your theory of the case
 - Why you should win under these standards and facts

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Constructing Your Arguments

- Know your decision-makers
 - Commissioners
 - ✓ *May have specific perspectives/hot button issues*
 - Administrative Law Judges (ALJs)
 - ✓ *May be more concerned with following precedent*

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