# Preparing for and Giving an Effective Oral Argument

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# Traits of Outstanding Oral Advocates

1. They take few materials to podium.
2. They deliver a compelling 90-second introduction.
3. They answer questions directly and concisely.
4. They speak in short sentences, using impenetrable language.
5. They are conversational.
6. They know the record and the law.
7. They listen carefully.
8. They manage their time effectively.
9. They establish impeccable credibility.
10. They stop talking when the red light comes on.

# Preparation

Goal of Preparation: becoming "conversational."

- Timeline
- Mock Arguments
- Answering Questions
- Introduction and Closing
- Establishing credibility
- Tips for Respondents
- Delivery



# A Timeline for Oral Argument Preparation

- 30-45 days out: gather materials and ask team to identify the "hard" questions.
- Two weeks out: mock argument
- Last 3 days:
  - Themes
  - Soundbites
  - "Must Say" points

# Mock Arguments

- Informal:  Brainstorming session
- Formal:  Duplicate the courtroom
- Hybrid: Combination
  - No opposing counsel
  - Unlimited time for questions



# Characteristics of a Helpful Mock Argument

- Helpful:
  - Panel provides fresh perspective
  - Identify weaknesses
  - Test key themes
  - Develop and practice answering hypotheticals
- Unhelpful:
  - Gotcha questions

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