

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.

Attorneys 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:

- 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. You should save time for a rebuttal.