



Boot Camp

UNT MOOT COURT, 2022-23

The Executives

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Pop Quiz

Good Luck.



Jenny is a 19 y/o
undergraduate in good
academic standing. She is
flatout broke. Is she eligible
to join UNT Moot Court?

Yes!

You do not need to worry about paying any expenses besides the cost of a suit. If you make the team and cannot afford a suit, please reach out to us.

Greg is 26 y/o and double majoring in music education and sociology. He has no experience but is in good academic standing. Is he eligible to join?

Yes!

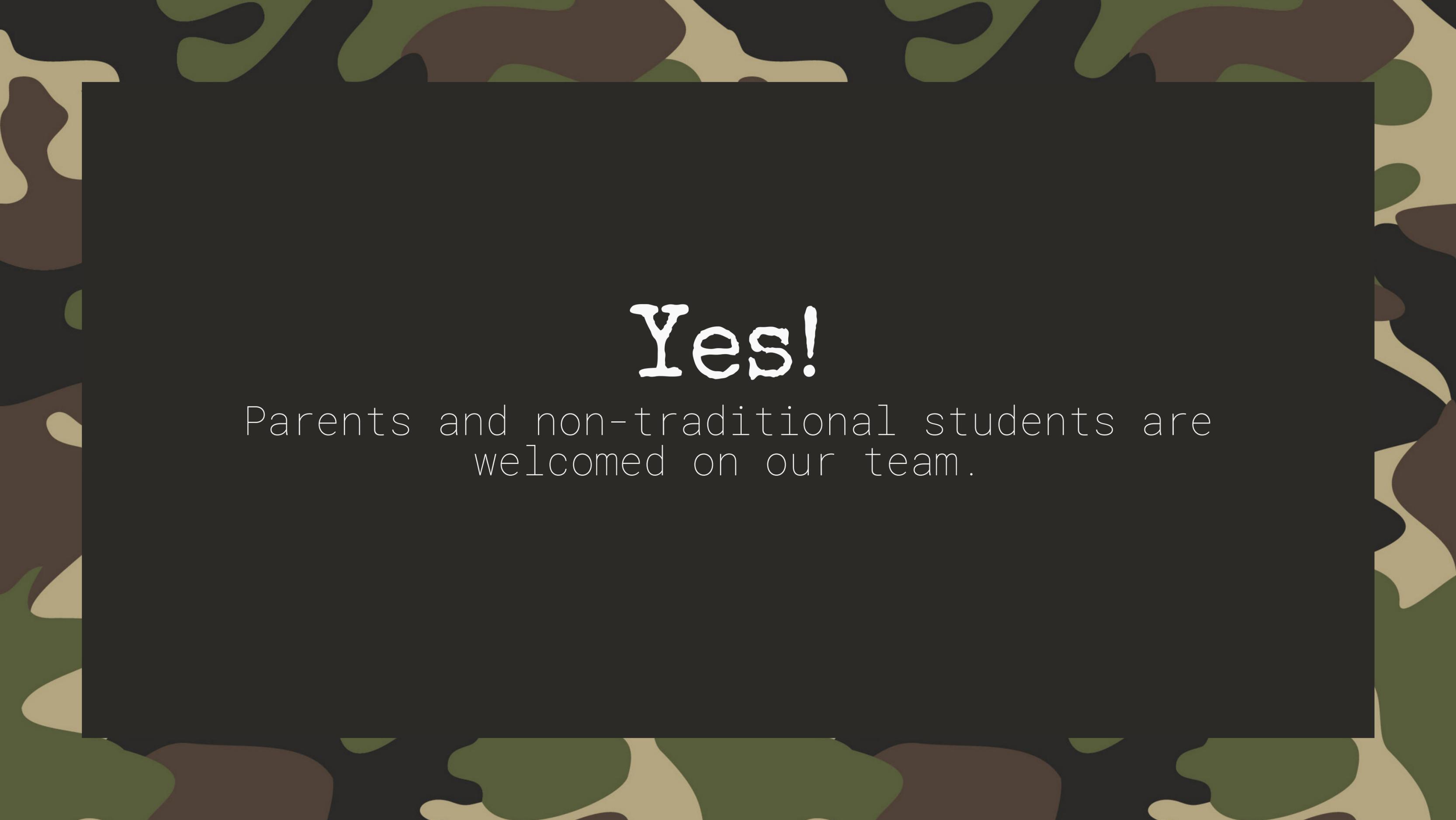
Double-majoring is not the same as receiving a second Bachelor's, so you would be eligible to join. We also welcome those who are inexperienced in legal argumentation and public speaking. We will teach you everything you need to know!

Joaquin came back to school to earn another Bachelor's, this time in history. He is in good academic standing. Is he eligible to join the team?

No :(

You must be an undergraduate student working towards your first Bachelor to be eligible to join the team.

Julia is a political science major and mother to two children. She is in good academic standing. Is she eligible to join?

The image features a dark gray rectangular box centered on a background with a camouflage pattern in shades of green, brown, and tan. Inside the box, the word "Yes!" is written in a white, monospace-style font.

Yes!

Parents and non-traditional students are
welcomed on our team.

T/F

You will be assigned a tryout
slot.

False!

You must sign-up for a tryout slot and fill out a tryout form. The link is on our website.

T/F

During your interview, we will discuss your experience with argumentation.

False!

We will only ask questions to verify your eligibility during your interview. We will also not preclude you from the team because you are inexperienced. We all had to start somewhere!

T/F

You are strongly recommended
to wear a suit to tryouts.

False!

While you will need a suit for competitions, at tryouts and practices, we encourage you to dress in whatever makes you feel comfortable and confident.

T/F

You will give a 9-minute,
uninturrupted argument.

False!

Your argument should be 8 minutes long, and we will ask questions throughout.

T/F

Returning members are
guaranteed a spot on the team.

False!

Returning members must try out like everyone else and are held to the same standard, if not slightly higher.

T/F

Returning members are advised
to sign up for a tryout during
the first week.

True!

Returning members are strongly encouraged to lead by example and sign up for a slot during the first week. This will also give newcomers more time to prepare.



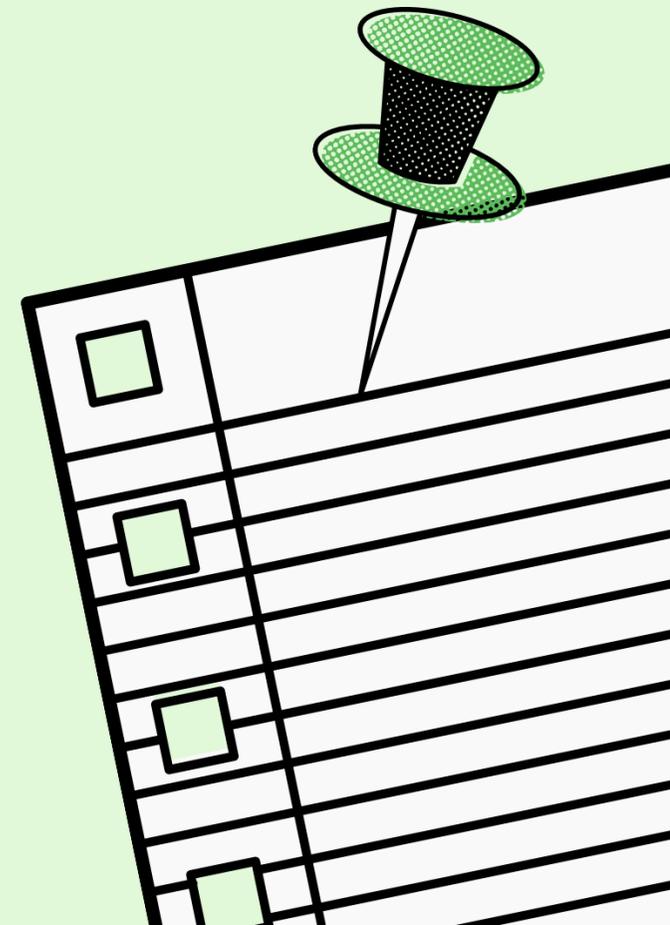
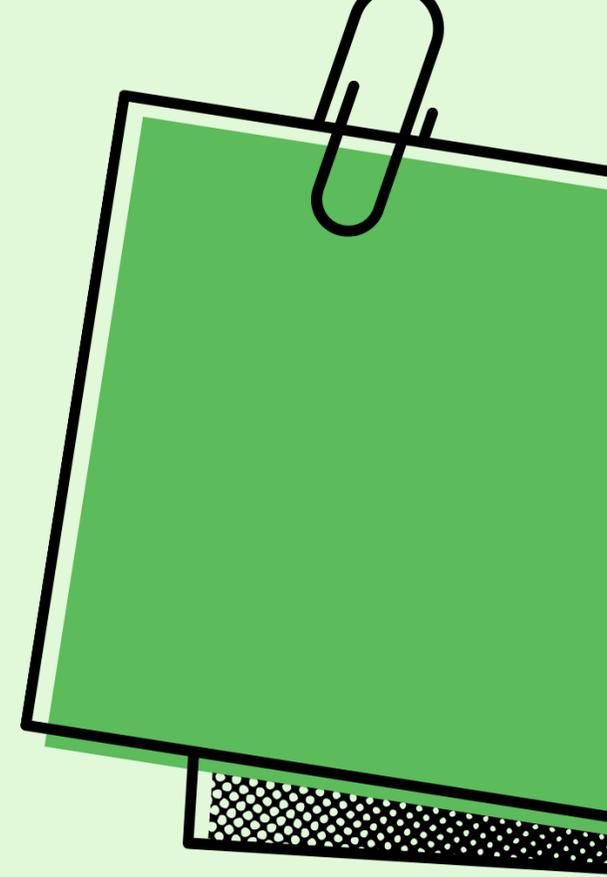
BASIC TRAINING

How to Write an Argument

You can do it!

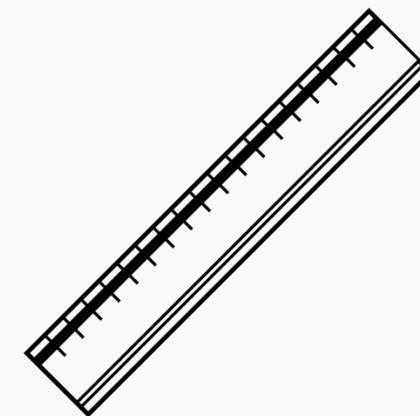
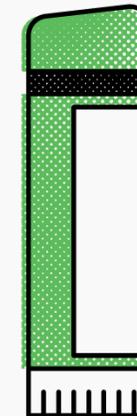
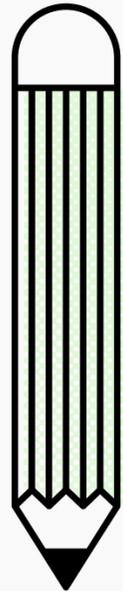
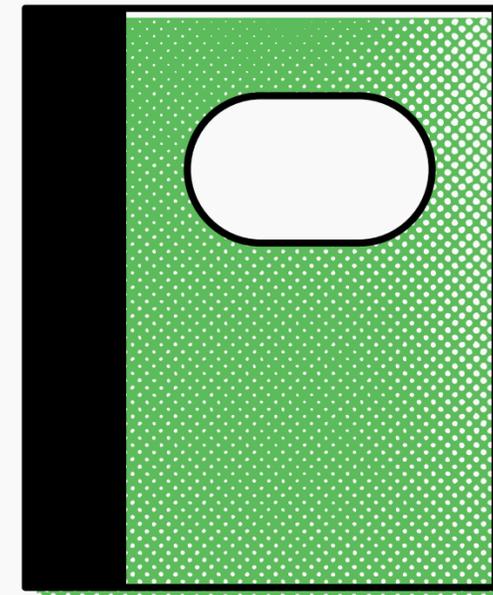
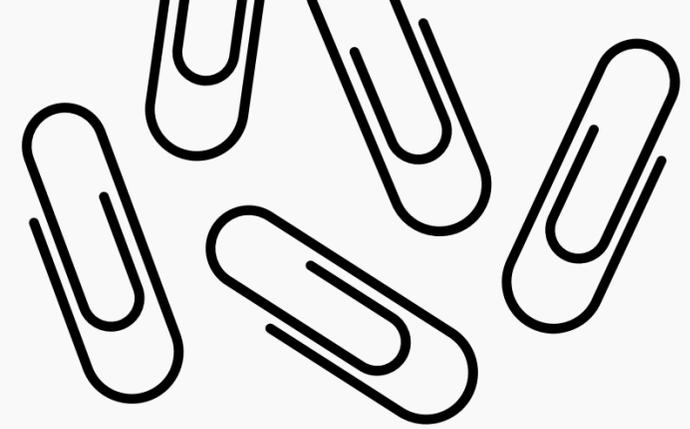
How to Write an Argument

We believe in you!



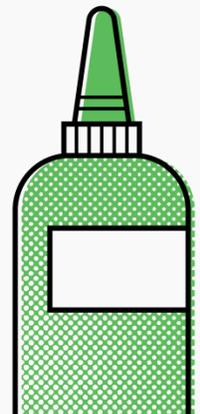
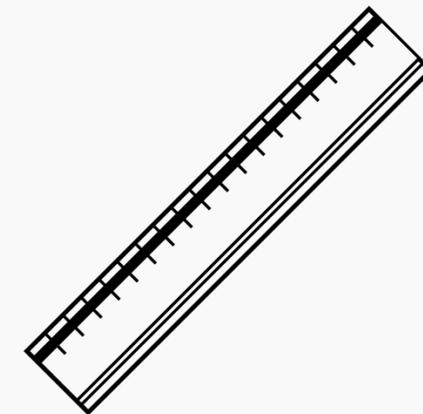
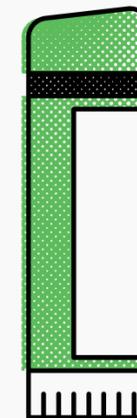
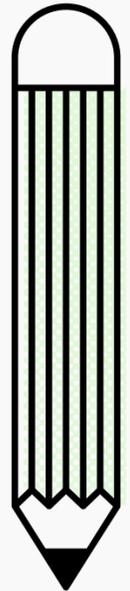
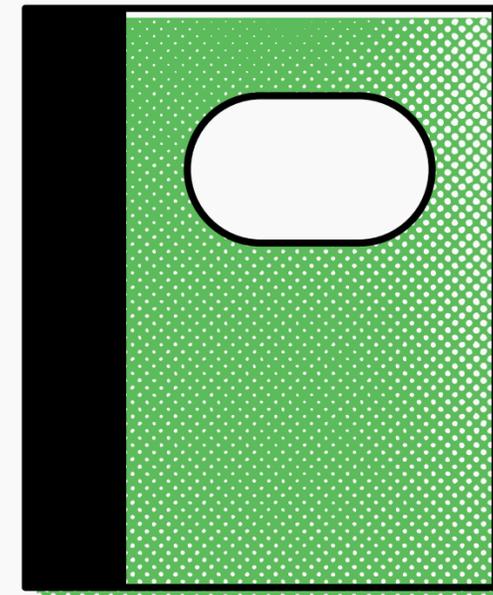
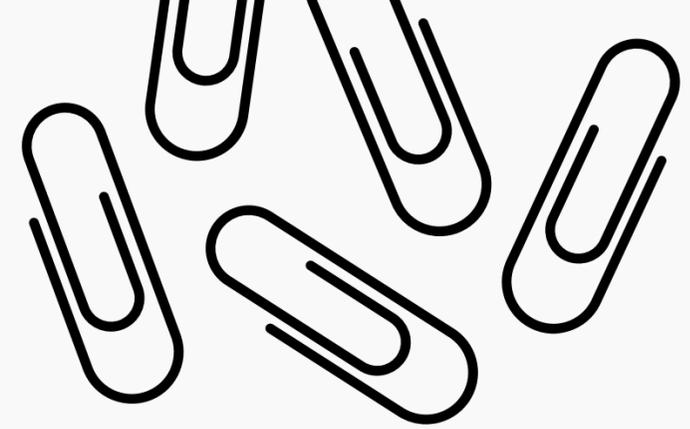
Prewriting

- read the case problem
- decide on an issue (Fourth Amendment or Eighth Amendment)
- decide on a side (Petitioner or Respondent)



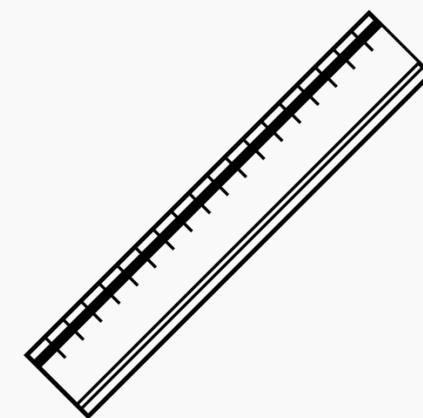
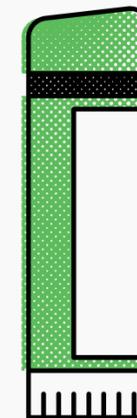
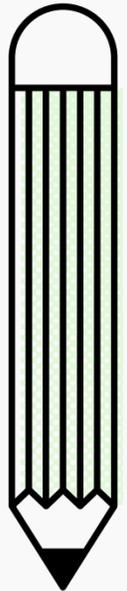
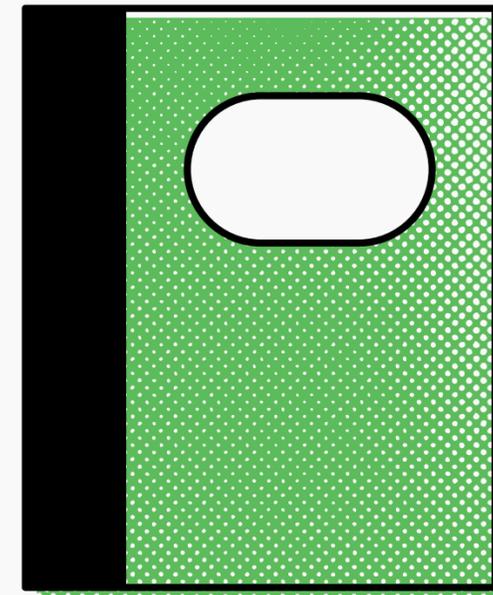
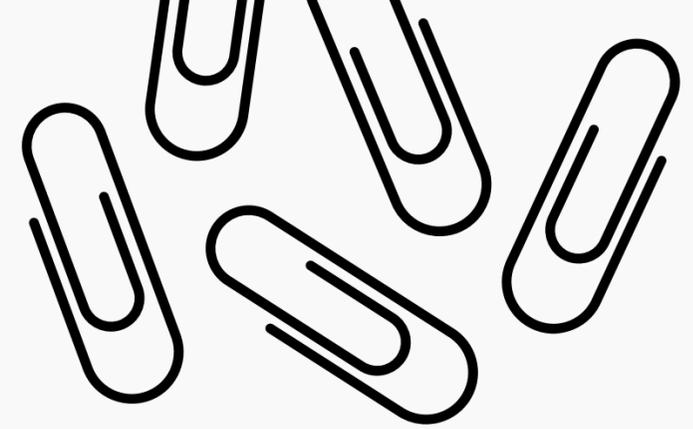
First Issue

- Ask yourself the following questions:
 - What does the petitioner want to argue?
 - What does the respondent want to argue?
- If you are unsure, check out the Beginning Your Argument presentation on our website.



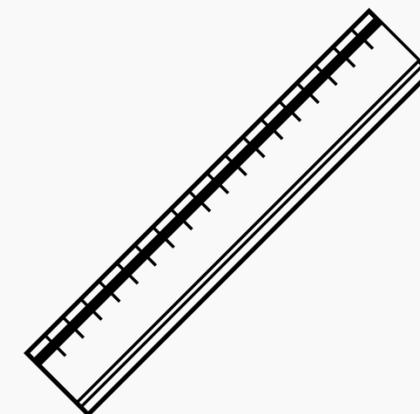
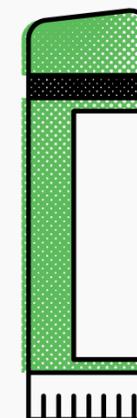
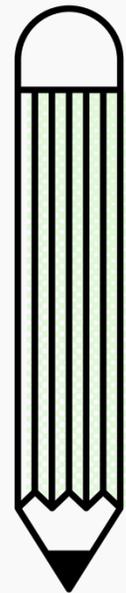
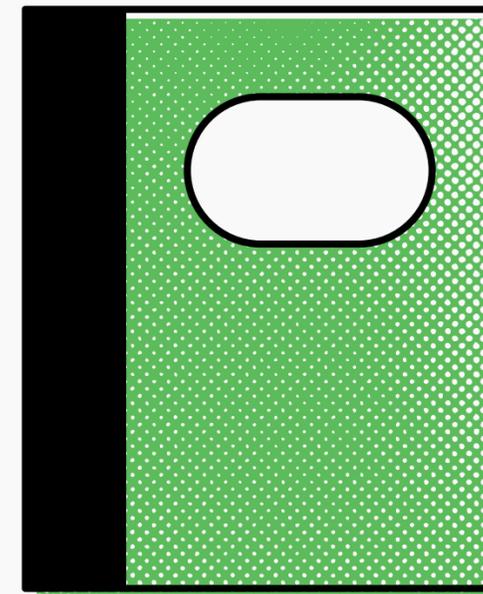
Second Issue

- Ask yourself the following questions:
 - What does the petitioner want to argue?
 - What does the respondent want to argue?
- If you are unsure, check out the [Beginning Your Argument presentation on our website.](#)



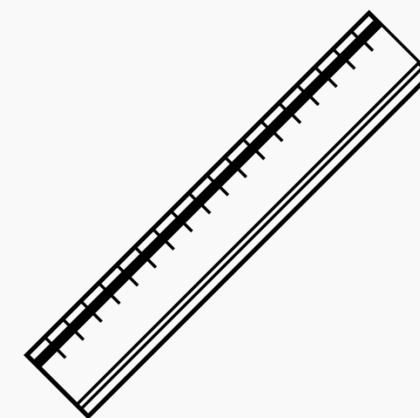
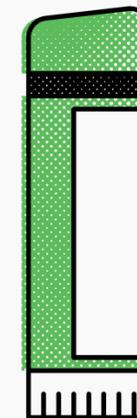
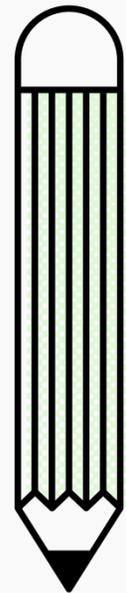
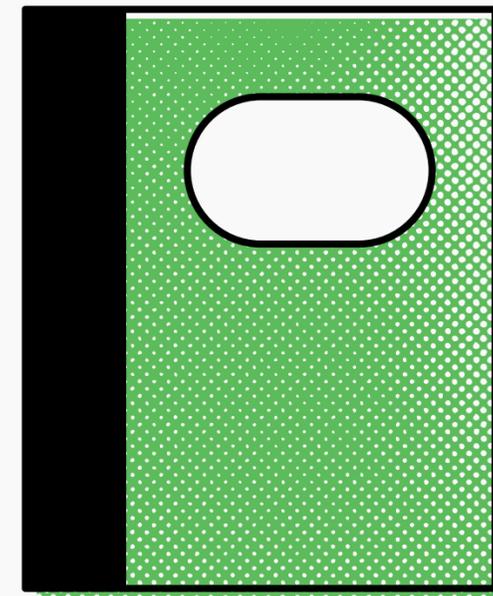
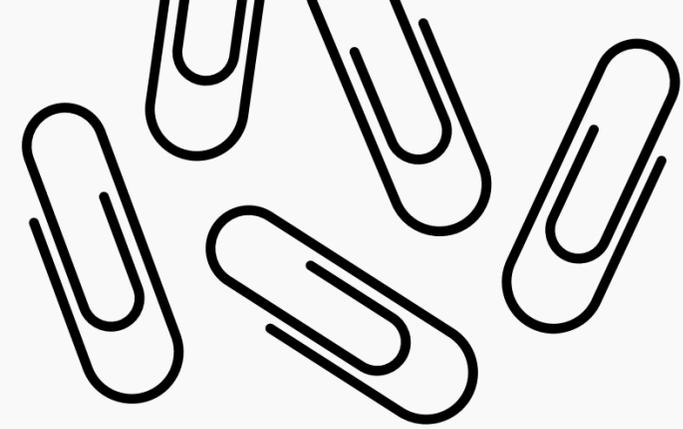
Tackling Case Law

- Case law must be used to back up your argument
- This is a closed-case competition. You may not use any cases besides those listed in the back of the case problem and secondary cites. You may not do outside research.
- You do NOT need to read all the cases before tryouts
 - Read as much as you can
 - Try summaries (case syllabus, Oyez.org)



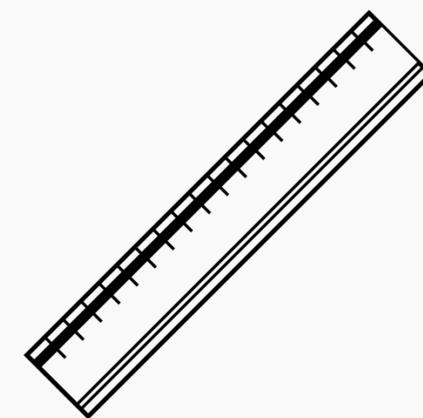
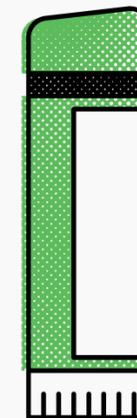
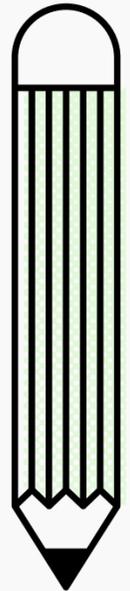
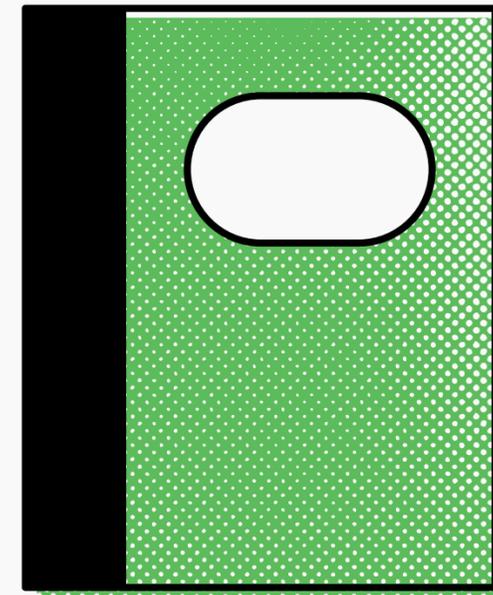
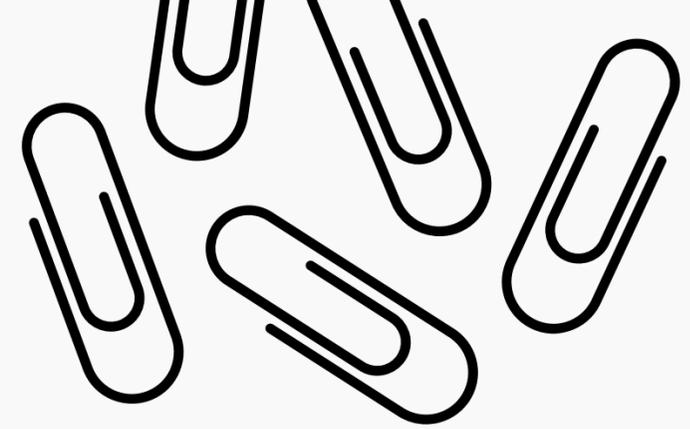
Reversing and Affirming

- Ask yourself the following questions:
 - Would the petitioner want to reverse or affirm?
 - Would the respondent want to reverse or affirm?
- If you are unsure, check out the Beginning Your Argument presentation [on our website](#).



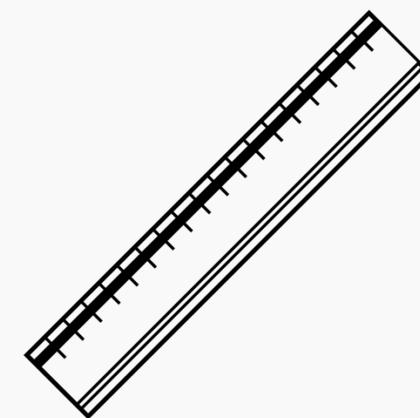
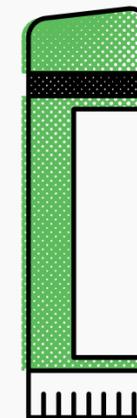
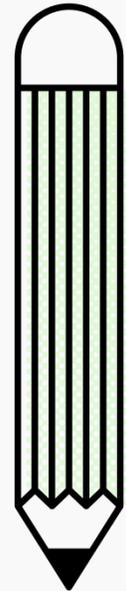
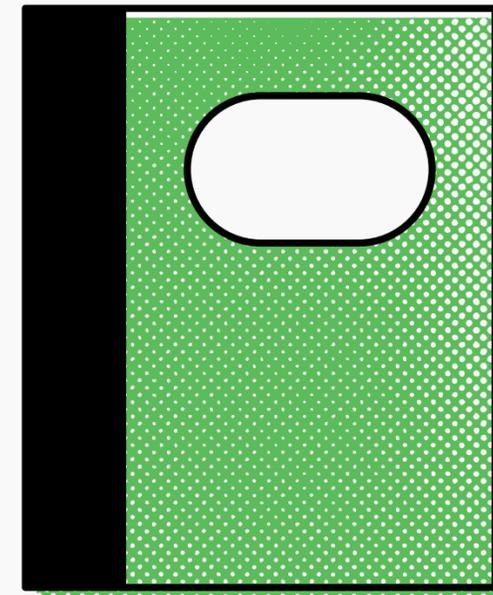
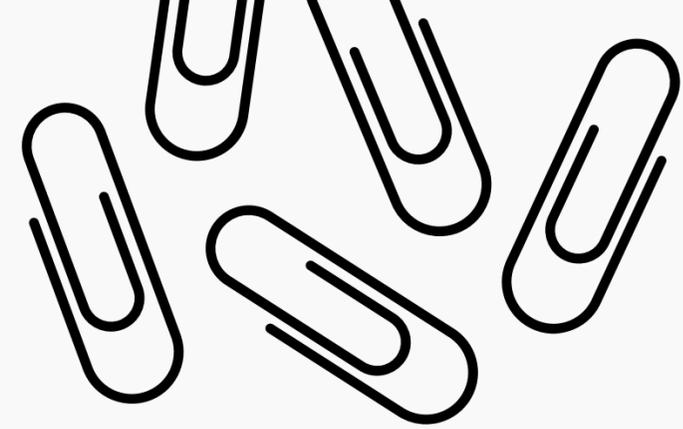
Preview Statement

- "We ask this court to [**reverse/affirm**] the decision of the lower court for the following [**two or three**] reasons. First, ... Second, ... [**Third, ...**]."
- Consider using tests, like a standard of review, for your main points



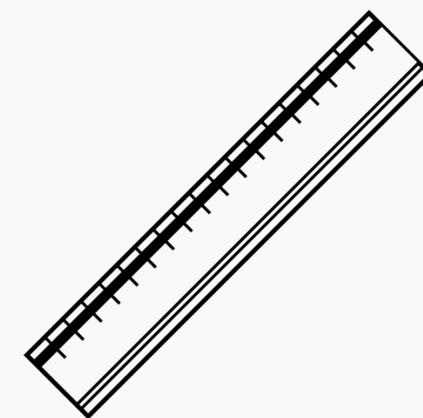
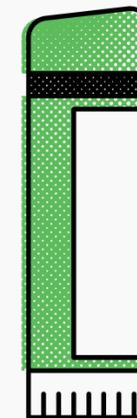
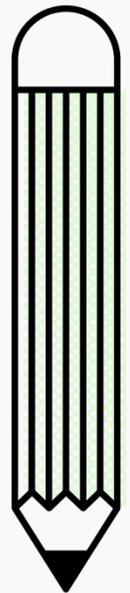
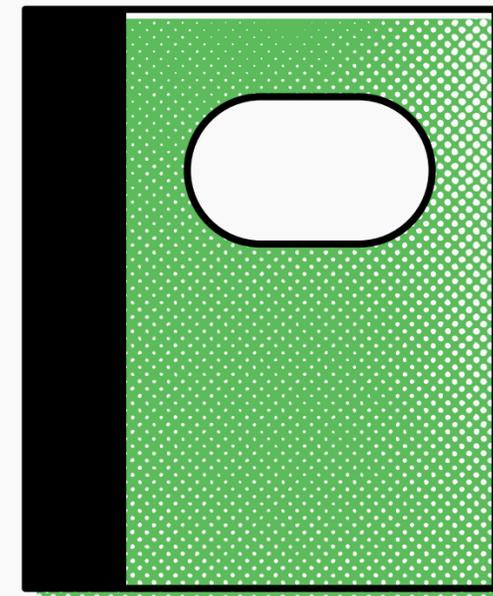
Your Outline

- Justify main points using case law
 - There is no magic number, but aim for a *minimum* of three for each point.
- Your outline is not set in stone. Play around with it!
- Remember IRAC: each point should include Issue, Rule, Argument, Conclusion/Caselaw



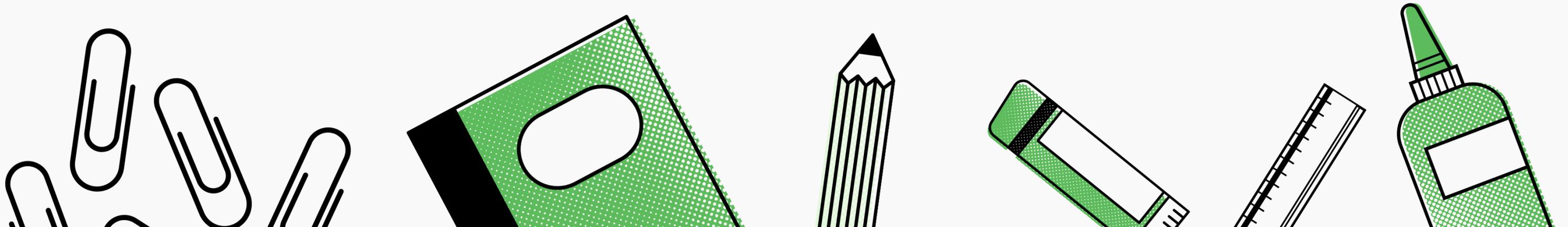
Your Intro

- Follow the template
- Some personalization is okay
- Your intro should be about 1 minute long



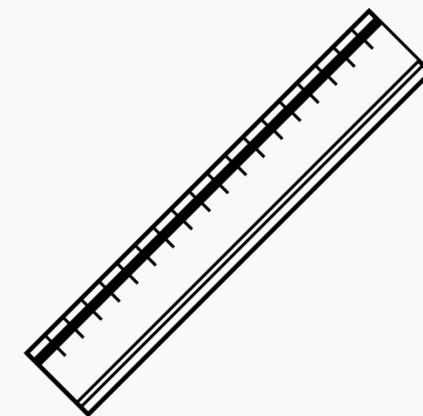
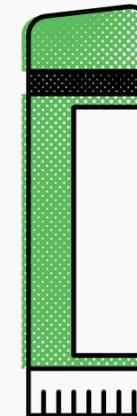
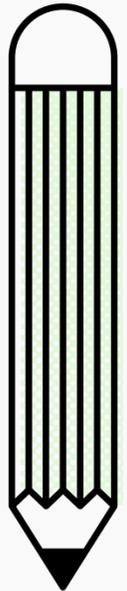
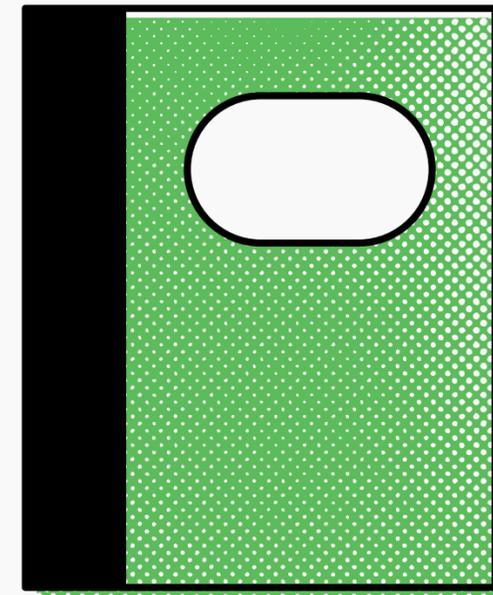
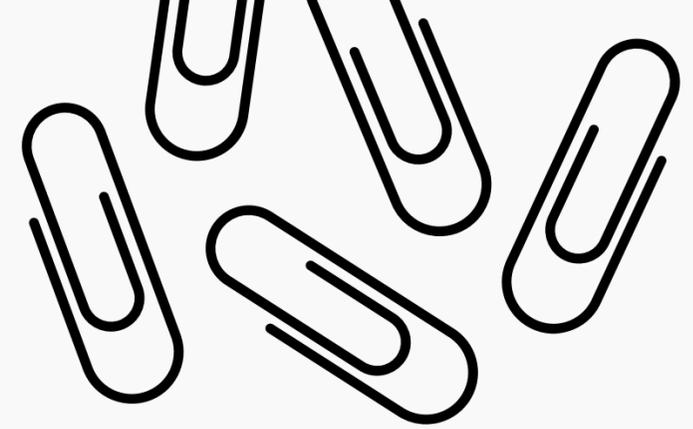
Intro Template

- "Chief Justice, Associate Justices, and may it please the Court."
 - REQUIRED
- "My name is ... and I address the **[first/second]** issue representing the **[petitioner, Mr. William DeNolf, Jr. /the respondent, the State of Olympus].**"
 - REQUIRED
- "**[Question before the Court, theory of the case]**"
 - may be personalized
- "We ask this court to **[reverse/affirm]** the decision of the lower court for the following **[two or three]** reasons. First, ... Second, ... **[Third, ...].**"



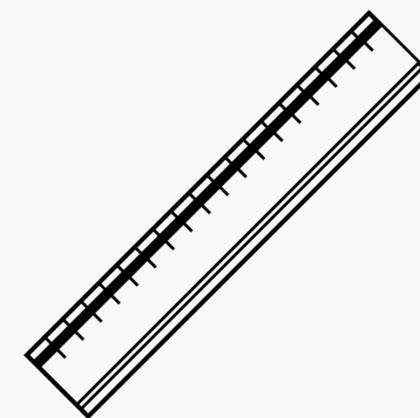
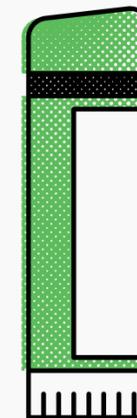
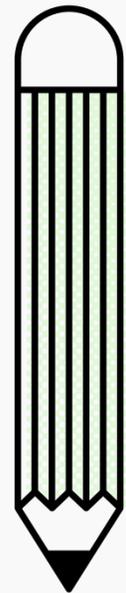
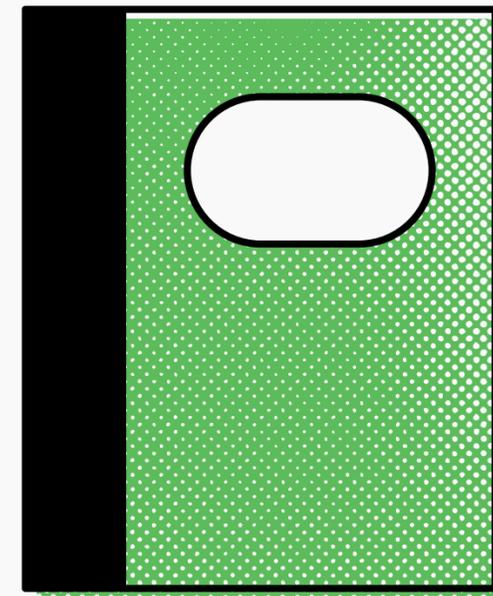
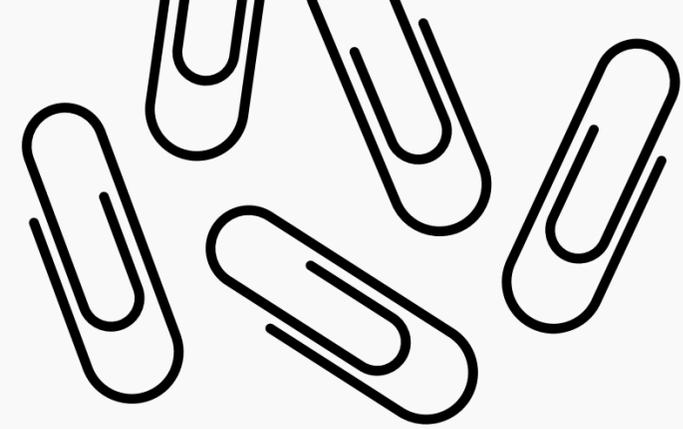
Running

- Aim for 8 minutes
- You may use notes
- You will be asked questions during your time
- Meet with executives!



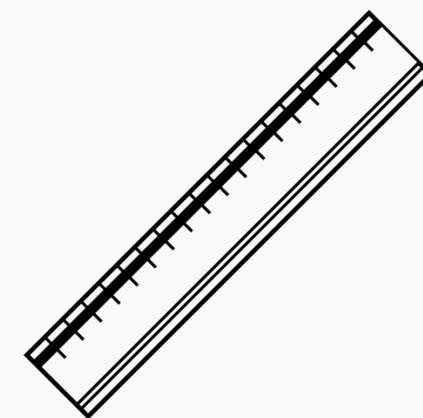
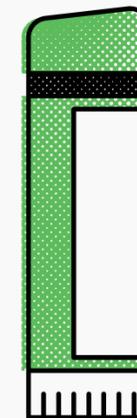
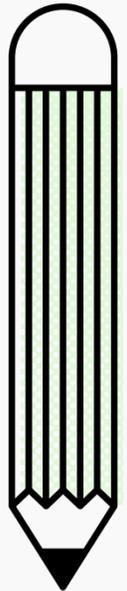
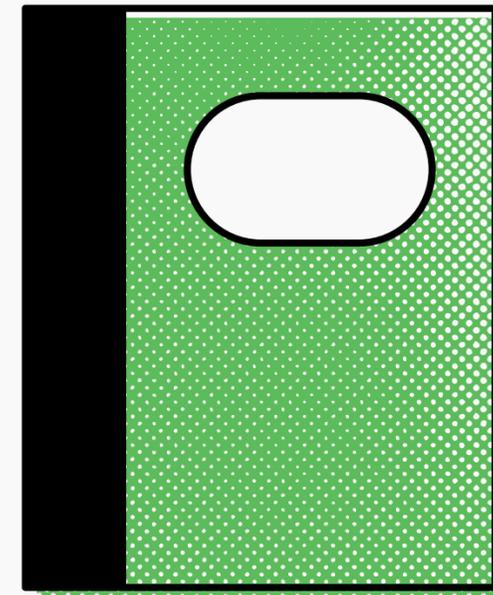
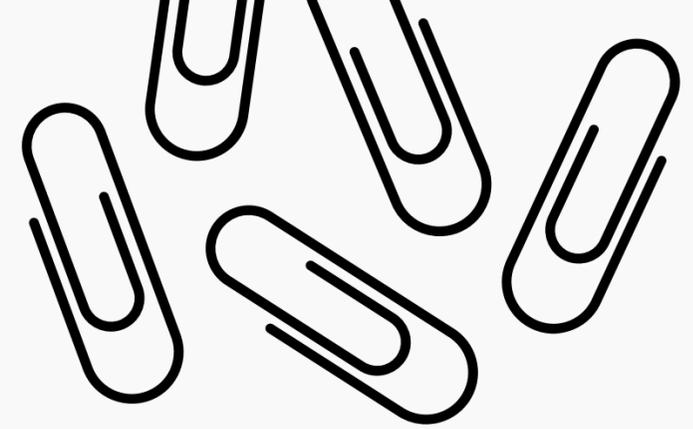
Answering Questions

- Address the questions as soon as they are asked
- Frontload with a quick answer, usually a yes or no
- Why? Elaborate some.
- Why? Use case law.
- Transition back into your argument
 - No more than 30 seconds per question



Visualize It

2022 National Tournament Final Round



Kahoot

Second Issue, Case Problem

Issue 2

2) Whether the sentence of life in prison with the possibility of parole only after the first 50 years for a non-homicide offense imposed on petitioner violates the eighth amendment of the United States Constitution



Case Law

Second Issue

Solem vs. Helm (1983)

- FA: In 1979 Jerry Helm wrote a "no account" check which was a felony. The normal max sentence for such an offence would be 5 years in prison. In this case however Helm was sentenced to life without parole as this was his 7th felony, all of which were nonviolent.
- IS: Did Helm's sentence of life without parole violate the Eighth Amendment?

Yes, it did.

- H0: In a 5-4 decision the Supreme Court determined that because Helm's offenses were not violent the sentence was cruel and unusual.

Harmelin vs Michigan (1991)

- FA: Ronald Harmelin, who had no prior felonies, was convicted for possessing over 650 grams of cocaine. For this he was convicted of life without parole. Harmelin argued that his punishment did not match his crime and therefore constituted a cruel and unusual punishment.
- IS: Was the mandated sentence a cruel and unusual punishment in violation of the Eighth Amendment?

No, it was not.

- H0: In a 5-4 decision the Supreme Court sided with the lower courts in saying that though the sentence may have been cruel it was not constitutionally unusual.

Ewing vs. California (2003)

- FA: Gary Ewing was out on parole following a sentence resulting from 3 burglaries. He was arrested for stealing around \$1,000 dollars worth of property and due to California's 3 strike policy he received a sentence of 25 to life.
- IS: Did the sentence which was given in accordance with California law violate the Eighth Amendment?

No, it did not.

- H0: In a 5-4 plurality opinion the Supreme Court sided with California. They deferred power to state legislatures affirming their authority to mandate sentences.

Roper vs. Simmons (2005)

- FA: At the age of 17 Christopher Simmons was sentenced to death. The Missouri Supreme Court temporarily stayed his execution but later affirmed it as they deemed it Constitutional
- IS: Is the execution of a minor a cruel and unusual punishment?

Yes, it is.

- H0: The Supreme Court determined in a 5-4 decision that executing a minor would qualify as cruel and unusual as it is generally considered indecent by society.

Graham vs. Florida (2010)

- FA: As a minor, Terrance Graham was convicted of armed burglary and attempted armed robbery. After serving a one year sentence Graham was convicted of armed home robbery and sentenced to life without parole. Graham contended that such a sentence violated his Eighth Amendment rights.
- IS: Does a sentence of life without parole on a minor which resulted from a non-homicidal offense violate the Eighth Amendment?

Yes, it does.

- H0: In a 6-3 decision the Supreme Court determined that the Eighth Amendment prohibits juveniles from receiving a life without parole sentence for a non-homicidal offense.

Miller vs. Alabama (2012)

- FA: In the state of Arkansas, 14 year old petitioner Jackson, alongside two other boys, robbed a store. He was tried and convicted as an adult on capital felony murder and aggravated robbery. In the state of Alabama, 14 year old petitioner Miller, with Miller's friend, assaulted Miller's neighbor and set his trailer on fire. Miller was charged with murder in the course of arson.
- IS: Does the imposition of a life-without-parole sentence on a fourteen-year-old child violate the Eighth and Fourteenth Amendments' prohibition against cruel and unusual punishment?

Yes, it does.

- H0: In a 5-4 decision, the Court ruled that a mandatory sentencing scheme that sentences a juvenile homicide offender to life in prison without parole violates the Eighth Amendment's prohibition against cruel and unusual punishment.

Jones vs. Mississippi (2021)

- FA: In the State of Mississippi, petitioner Brett Jones was found guilty of murdering his step father. Due to a legislative statute in Mississippi, the petitioner was mandatorily sentenced to life in prison
- IS: Does the Eighth Amendment require a sentencing authority to find that a juvenile is permanently incorrigible before it may impose a sentence of life without the possibility of parole?

No, it does not.

- H0: In a 6-3 decision, the Court ruled that a sentencing authority does NOT need to find a juvenile permanently incorrigible to impose a sentence of life in prison without the possibility of parole.

People vs. Caballero (2012) Cal.

- FA: In the state of California, Rodrigo Caballero attempted to kill three members of a rival gang. For the combination of offenses, the petitioner was sentenced to 110 years in prison. Petitioner appealed, citing *Graham v. Florida*
- IS: Does sentencing a juvenile offender for a non-homicide offense to a term of years with a parole eligibility date that falls outside the juvenile offender's natural life expectancy constitutes cruel and unusual punishment in violation of the Eighth Amendment?

Yes, it does.

- H0: In a 7-0 decision, the California Supreme Court ruled that sentencing a juvenile for a non homicide offense to a term of years with a parole eligibility date that falls outside his natural life expectancy constitutes cruel and unusual punishment in violation of the Eighth Amendment.

State vs. Sweet (2016) N.W. 2d

- FA: In the state of Iowa, petitioner Isaiah Sweet was sentenced to life in prison without the possibility of parole for the first degree murders of his grandparents. Sweet appealed with the argument that under Miller, Iowa should adopt a categorical rule banning juvenile life in prison without parole
- IS: Under the holdings in Roper, Miller, and Graham, is a juvenile life without parole sentence constitutionally impermissible?

Yes, it is.

- H0: In a 4-3 decision, the court held that a sentence of life without the possibility of parole for a juvenile offender violated article I, section 17 of the Iowa Constitution and reversed and remanded for resentencing.



Questions?

Email AlaiaSnell@my.unt.edu