



# Practicing Persuasive Written & Oral Advocacy: Case File 4

*David W. Miller, Mary-Beth Moylan, George C. Harris*

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Prepared by the authors of *Persuasive Written and Oral Advocacy*, **Case File IV** offers a complete set of court documents to supplement any persuasive legal writing, pre-trial practice, appellate advocacy, or moot court class. The case files are sophisticated, realistic litigation problems, designed to allow users a great deal of flexibility in their courses. It is carefully designed to help students put into practice the principles advocated throughout the aforementioned text, but can also be used to supplement any appellate advocacy book.

**Case File IV** spotlights a variety of great features, including:

- Pre-trial motions and depositions, trial transcripts, and reaching the judicial opinion
- A basis for written and oral exercises, one or more memoranda and oral arguments before the district court, and briefs and oral arguments before the court of appeals
- A central legal issue around which the text is grounded, specifically the constitutionality of a state statute that forbids the adoption of children by couples of the same sex
- Subordinate issues, including a federal court's "supplemental" jurisdiction over a claim governed entirely by state law, the standards for admissibility of expert testimony based on social science studies of adoptive children, and a state's waiver of immunity from suit under the Eleventh Amendment
- An accompanying Teacher's Manual:
  - describes various assignments that professors might give as an advocacy unit in a larger course, in a short course in appellate advocacy, or in a longer course in pretrial and appellate advocacy
  - contains a "bench memorandum," analyzing the various legal issues for the benefit of those evaluating student work
  - reproduces orders and opinions by the trial court to be released to students at appropriate times during the litigation



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