The Little Book on Oral Argument
2nd Edition

By Alan L. Dworsky

• Easy-to-read and concise guide for presenting oral arguments
• Learn how to persuade a court and master the art of improvising and making last-minute judgment calls
• New edition updates language and technical advances from the past two decades
• Perfect for law students and new lawyers!

About The Little Book on Oral Argument, 2nd Edition

The Little Book on Oral Argument, Second Edition is a reader-friendly guide to oral argument for law students and new lawyers, designed to introduce and cover its subject in a simple and entertaining, yet comprehensive, way. It focuses on how to argue a case before an appellate court. Additionally, it contains chapters on such topics as style, substance, structure, questions, and rebuttal to explain effective approaches to this peculiar form of conversation. More profoundly, it delves into the core theme of oral argument—how one interacts with one's audience. Judges can interrupt with questions, cut a person off, or force a lawyer to move on.

Each oral argument is different, requiring one to make moment-to-moment adjustments to fit the situation and the judges. To make these adjustments intelligently, there is a need for more than mechanical rules. There is also a need to understand the psychology of persuasion.

About the Author

Alan Dworsky graduated Magna Cum Laude from the University of Minnesota Law School. While a law student, he received the Sidney J. Kaplan Award for Excellence in Legal Scholarship. He taught legal writing and research at the University of San Diego School of Law as well Hamline University School of Law before becoming the Director of Legal Research and Writing at Hamline University School of Law. He is the author of the best-selling titles Little Book on Oral Argument, Little Book on Legal Writing, and User’s Guide to the Bluebook.
Table of Contents

1 Introduction.............................................................................................................................................................................................1
2 Nervousness...........................................................................................................................................................................................3
3 Preparation............................................................................................................................................................................................9
4 Style........................................................................................................................................................................................................23
5 Delivery...................................................................................................................................................................................................35
6 Substance..............................................................................................................................................................................................45
7 Structure................................................................................................................................................................................................53
8 Questions...............................................................................................................................................................................................61
9 Rebuttal..................................................................................................................................................................................................69
10 Conclusion..........................................................................................................................................................................................75