

## Making Practice Oral Arguments Interesting

*Teachable Moments for Teachers ... is a regular feature of Perspectives designed to give teachers an opportunity to describe a special moment of epiphany that changed their approach to presenting a particular topic to their students. It is a companion to the Teachable Moments for Students column that provides quick and accessible answers to questions frequently asked by students and other researchers. Readers are invited to submit their own “teachable moments for teachers” to the editor of the column: Louis J. Sirico Jr., Villanova University School of Law, 299 N. Spring Mill Road, Villanova, PA 19085-1682, phone: (610) 519-7071, fax: (610) 519-6282, e-mail: sirico@law.vill.edu.*

**By Kathleen Miller**

*Kathleen Miller is Assistant Professor of Professional Practice at the Paul M. Hebert Law Center, Louisiana State University, in Baton Rouge.*

“May it please the court. ...” “Humm ... Ah ...” Oral arguments are *scary* and no fun according to the typical first-year student. However, all that can change with a little help from Toastmasters—the largest international public speaking club.

Several years ago, I went to a Toastmasters meeting. What I liked about the club was that everyone seemed to enjoy public speaking. Studies have shown that most people fear public speaking more than death.

One of the requirements of Toastmasters is that everyone is active and involved in the speaking. Another requirement is that each member helps the other members. Specifically, some members are oralists; some are judges; some members are “timers”; some sound the “clicker”; but everyone is involved. (A clicker is a small metal one-inch device that makes a clicking sound.) In addition, members of the group vote by secret ballot for the best oralist; each member also votes for the best judge. Ribbons are awarded for achievement. A Toastmasters meeting is usually one hour.

Toastmasters includes “Table Topics,” or extemporaneous speaking—that is, picking an object from a hat and giving a spur-of-the-moment speech about it. Again, awards are given for the best Table Topic. Members are also assigned topics to research and then make them the subject of speeches.

Before I went to the Toastmasters meeting, I had been thinking about how to make my oral argument classes more interesting, specifically making the practice oral argument classes more fun. When I was listening to the speakers at the Toastmasters meeting, it dawned on me that I could use the group’s techniques in my classes.

So, I began to use Toastmasters’ techniques in my class. In one particular class, each student had to “practice” his or her oral argument for six minutes. I had advised the students to cut the facts and procedural history, and proceed directly to the argument. I also assigned the day that students would make a practice argument.

While a student was giving an argument, designated students acted as judges, and asked the oralist questions. Each student had to come to class prepared with a half a dozen questions.

During the actual arguments, one student was in charge of the horn, or clicker. The clicker sounded when a student said “humm” or “ah” during the argument. Everyone laughed and laughed when the clicker sounded.

By the time the class was finished, about six of the 15 students had argued, and six of the students had served as judges. Of course, the teacher can also critique the students. This exercise can be completed in two classes if all the students argue and receive critiques, or in one class if only some of the students speak.

After each speaker, the entire class critiqued the argument in a “brotherly/sisterly” fashion. When all the students were finished arguing, each student voted by secret ballot to select the best oralist and the best judge. The winners received paper ribbons. Peer review works wonders!

I was surprised how seriously the students participated in the class. After this class, one student was always referred to as “judge.” I heard that the students displayed the paper ribbons on their binders and school carrels. Some even pinned the ribbons to their shirts. A light bulb went off in the students’ heads. They realized oral arguments could actually be fun!

Another Toastmaster idea is to have the students do a Table Topic, or extemporaneous talk before actually doing the practice oral argument. I usually introduce the extemporaneous speaking by having the students pick an object out of a hat, and talk for two minutes. One of the best spur-of-the-moment talks was about an old handle, and how handles help us in our daily lives. Usually, the Table Topics are a lot of fun.

Thus, Toastmasters’ techniques helped the students learn how to work together to benefit each other, how to speak without fear, how to do an oral argument, and how to be good judges.

© 2005 Kathleen Miller

## Another Perspective

“For good teaching rests neither in accumulating a shelfful of knowledge nor in developing a repertoire of skills. In the end, good teaching lies in a willingness to attend and care for what happens in our students, ourselves, and the space between us. Good teaching is a certain kind of stance, I think. It is a stance of receptivity, of attunement, of listening.”

—Laurent A. Daloz, *Effective Teaching and Mentoring*, ch. 9 (1986).