

IT'S NOT JUST FOR LAW SCHOOL ANYMORE: MOOT COURT AND THE ENHANCEMENT OF BUSINESS STUDENT SKILLS

by

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Introduction

Comparing the state of legal education at Oxford and Harvard, and focusing specifically on moot court as an aspect of the approach taken by Harvard and other American law schools, Professor A.V. Dicey observed in 1899:

In the Law Schools throughout the Union these Moot Courts exist, and care is taken to train young men in every kind of argument in which, when they begin to practise [sic], they may be called upon to take part.... The truth is that...in the Moot Courts young men gain an amount of practical training which must be invaluable, and the want whereof hampers every English barrister, however able or learned, when, for the first time, he has to address a real jury or argue before a real judge.¹

Of course, moot courts are not altogether alien to the English experience.² In fact, even before the English civil war began in 1642, moots were a regular aspect of training at the English Inns of Court—Middle Temple, Inner Temple, Gray's Inn, and Lincoln's Inn—which were founded by the middle of the 14th Century.³ Student attendance at these early moots was compulsory and their participation often served as their oral examination.⁴ It was from these early English moots that moot courts as part of legal education in the United States descended.

Probably the earliest institution to adopt moot court as an element of legal education in the United States was the Litchfield Law School at Litchfield, Connecticut.⁵ Modeled after the moot at Gray's Inn, students at Litchfield would be assigned a legal question, prepare a statement on it, deliver the statement before one of their instructors, and then be critiqued.⁶ Other American institutions to adopt moots during this early period included William and Mary College,⁷ the University of Virginia,⁸ Harvard University,⁹ and the College of Philadelphia,¹⁰ which later merged with the University of Pennsylvania.¹¹

As law school students and lawyers know, moot court continues to be an important element in American legal education today. While it is not without its detractors,¹² moot court is a staple of the law school curriculum.¹³ Usually embedded in first year legal writing and skills courses, moot court often gives law students their first taste of lawyering; it gives them their "first opportunity to do what lawyers do..."¹⁴ With such extensive exposure at the law school level, it should not be too surprising if a number of lawyers and other academicians who teach at the undergraduate level are attracted to moot court as a pedagogical tool for their courses. Indeed, moot court is not just for law school anymore.

This paper has several objectives. First, it provides an overview of the goals of moot court pedagogy generally and its relationship to business education. Second, it discusses several factors that should be considered in developing and implementing a moot within an undergraduate course or program. Third, it provides an undergraduate student perspective on the moot experience. This student perspective is supplemented by results of a survey taken of students who enrolled in the undergraduate moot court course at Bentley University during a three-year period between 2005 and 2008.

The Goals of Moot Court and Business Education

At base, moot court is an experiential exercise that simulates an appellate court proceeding wherein students advocate a position. In the context of legal education the advocate's position devolves from an often fictitious fact pattern that spawns a question or questions of law the answers to which are developed by researching relevant case precedent. Put more simply, moot court is a "court held (usually in law schools) for the arguing of moot or hypothetical cases."¹⁵

At the heart of the moot is the art of advocacy.¹⁶ The advocate speaks for another in an attempt to persuade listeners of the other's cause.¹⁷ It is through this active process of simulated advocacy that the facts and the law take on a fuller meaning for the student. They become real in a way that cannot be captured simply through the passive process of reading a text or taking an exam.¹⁸ As noted by Graves and Vaughan, "The nature of learning is such that one learns, understands, and remembers far more of what one actively uses or applies than what one passively reads or hears."¹⁹

What is it then that students learn through this active process of moot court? There is no shortage of answers. McDevitt maintains that moot court helps students "to sharpen their writing skills, to polish their oral presentation skills, and to help them think more carefully about the interplay between factual contexts and legal principles."²⁰ Hernandez states that mooting

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The authors wish to thank Jonathan Darrow of Harvard University for his generous assistance in researching aspects of this paper.

aids in the development of professional objectivity, public speaking, brief writing, and resume value.²¹ da Cruz and Kearnes affirm that moot court places student learning at the forefront thereby enhancing student ability to think critically and to refine their rhetorical skills.²² Knerr and Sommerman point to improved oral communication skills, improved legal research and analytical skills, and increased self-confidence.²³ Finally, Carlson and Skaggs note that mooting “stimulates greater student interest in both the topic and the discipline.”²⁴

In 1992, the Task Force on Law Schools and the Profession of the American Bar Association issued a report on legal education. Known as the MacCrate Report, it listed ten skills basic to the legal profession. These included: problem solving, legal analysis, legal research, factual investigation, written and oral communication, client counseling, negotiation, familiarity with litigation and other dispute resolution mechanisms, effective management of a legal practice, and recognition and resolution of ethical dilemmas.²⁵ In considering these basic skills as outlined in the MacCrate Report and comparing them to the student learning that results from moot court exercises, Graves and Vaughan concluded that “[v]irtually all moots would seem to address some of these skills.”²⁶ The assessments of student learning already cited support their conclusion.

For lawyers on undergraduate business faculties it is not surprising, therefore, to see that some of the same skills noted in the MacCrate Report and endemic to mooting are also among the skills necessary to the modern business professional. Writing in their primer on organizational behavior, Bowditch, Buono, and Stewart [hereinafter Bowditch] identify ten of these skills.²⁷ Among them are the ability to excel at written and verbal communication, the ability to think critically and analyze situations, the ability to excel in negotiating and influencing others, and the ability to identify ethical and legal issues.²⁸ These are all skills that are listed in the MacCrate Report. Another skill also in the MacCrate Report, the importance of legal research, which in most instances today is conducted electronically, is matched by Bowditch, who trumpets the importance of information technology skills.

What is even more remarkable than the similarity of skills on both the MacCrate and Bowditch lists is the approach that Bowditch and his colleagues recommend for teaching them. They recommend an experiential approach, an approach where skill development through classroom simulations moves the student to a greater appreciation of “the how to” of business management-- how to problem-solve, how to make decisions, how to communicate effectively, and how to work with others.²⁹ Bowditch is not alone in recognizing the advantages of active learning techniques in undergraduate business education. Noting that businesses often complain about the relevance of today’s business education, McDevitt reports that in response to this criticism, “[r]ather than strictly lecturing, business faculty have their students engage in a plethora of exercises and simulations that reflect the real world of business and help develop the skills that managers in this world require.”³⁰

This experiential approach to management education, which Bowditch identifies as an “emergent” approach,³¹ is not only fully consistent with moot court pedagogy, but also *invites* mooting as an element of education within the undergraduate business curriculum. Lawyers who teach the whole range of law courses within this undergraduate curriculum are in a unique position through their own law school experiences with moot court, not to mention actual courtroom experiences, to adapt and implement moot court pedagogy as an element of their teaching.³² Doing so would add zest and excitement to their courses as well as complementing their colleagues’ efforts in the business disciplines in the teaching of business management skills.

Developing and Implementing Moot Court within an Undergraduate Course or Program

For those interested in utilizing moot court pedagogy on the undergraduate level, several issues arise that relate both to the development of such a program and to its implementation. They are important to consider. Regarding the development of moot court courses two of the central issues to be considered involve the structure of the program. The first of these is whether a moot court is to be incorporated into an already existing substantive course or developed as its own stand-alone offering. The second issue goes to whether the primary focus of the moot is to be educational or competitive. While these are not necessarily exclusive foci, the choice of one or the other will ultimately affect course implementation.

First, should the moot be incorporated into a substantive course or should it stand alone? While either is acceptable, both Gaubatz,³³ and Graves and Vaughan³⁴ choose incorporation and provide examples of how they incorporated a moot court exercise into their substantive courses. The initial experience at Bentley was also to choose this incorporation approach. A moot court exercise was added as an optional element within a section of the legal environment of business course in the mid-1990s. Students from the legal environment class, usually not more than four, who were given the option to participate in the moot, were selected based upon their overall class participation, their expressed interest in law as a subject, and their performance on the mid-term exam and other written assignments. If they accepted the invitation, the moot substituted for their final exam, a very attractive proposition. Also, to assure that these students were held to the remaining material on the syllabus, the case problem developed for moot argument related to issues covered during the second half of the course. The selected students were also required to continue attending class and participate in discussion. The remaining students in the class were required to attend the moot when it occurred.

As this initial experience with moot court at Bentley proved successful, Bentley’s law department took its involvement with mooting one step further and decided in 2000 to create a stand-alone moot court course. Course content for this course

included reading and briefing cases, legal analysis, legal research, discussion of the substantive law relating to the case assigned for argument, oral advocacy, brief writing, case citation format, and courtroom etiquette. The course was initially developed for students in Bentley's honors program, but is now offered in the standard curriculum as well. Also, because of the intense nature of advocacy, both written and oral, Bentley's faculty curriculum committee has identified the course as a "communications intensive" course.³⁵

Teaching moot court as a stand-alone course has a distinct advantage over incorporating a moot into a substantive law course, such as, the legal environment of business or business law. In Bentley's experience the stand-alone approach allows needed time for instructor and students to focus on both legal analysis and written and oral advocacy. Attempting to do so in a course that also has the burden of teaching substantive course material, while not impossible as Gaubatz,³⁶ and Graves and Vaughan³⁷ have shown, can place an undue strain on everyone involved. In addition, the stand-alone moot court course has another advantage. Because the focus of the course is advocacy rather than substantive material, the subject of the case for argument can vary from semester to semester. This ability to vary the case has the advantage of allowing the course to be responsive to current legal, business, political, and social issues before the courts. For students this can be an attractive factor in their course selection.

The second question to be considered in developing a moot court is whether the moot should be educational or competitive.³⁸ The focus of the educational or non-competitive moot is the teaching of advocacy skills and the subject of the argument.³⁹ The end result is a simulated appellate proceeding where students are graded on their written and oral advocacy skills as well on their understanding of the subject of the case. The focus of the competitive moot includes all of the above, but adds the element of winning and losing. A competitive moot pits team against team with the end result that the panel of judges declares a winner. In this scenario the instructor can use the panel's judgment as an element in determining a student's grade for the course and can also provide the winners with added recognition. A drawback to this approach, however, can be its impact on the classroom dynamic and discussion. In a competitive environment where grades are at stake, students often seem less inclined to be forthcoming and open about their research and their findings. This can have the effect of diluting the potential learning that takes place in the classroom.

At Bentley the moot court course developed in 2000 is and remains non-competitive. Interest in the competitive aspects of mooting, however, within Bentley's law department and amongst its students led in 2003 to the development of a second moot court course in the form of a "directed study,"⁴⁰ which does have a competitive orientation. This second course is entitled "Moot Court Team Competition." Enrollment in the course is by invitation only, and only students who have already taken the first moot court course are eligible. This competition course is organized to include an even number of students up to eight. For instance, in 2008-2009, there were four teams of two; in 2009-2010, there will be three teams of two. The goal of the course is to engage students in a moot competition, *but not against each other*. Rather, the focus of the course is to prepare the teams for participation in the annual moot court tournament sponsored by the American Collegiate Moot Court Association (ACMA).⁴¹

ACMA, which has run an annual tournament since 2001, sponsors a series of regional competitions that act as qualifying rounds for its national tournament.⁴² The regionals most often take place in late November with the national tournament held in mid-January. All parts of the country are accessible to one or another of these regional competitions, which provides a convenient opportunity for most undergraduate moot programs to participate.

In addition to development issues that arise when creating a moot court course, there are also issues that arise relating to course implementation. The first of these is preparing the fact pattern that will be the case for argument. The key is to prepare a case that is balanced, that is, one that arguably can allow either side to win. McDevitt advises that the case "be designed so that the issue(s) is truly unresolved and that a judge, in applying the law, could realistically rule for either the petitioner or the respondent."⁴³ This can be a daunting task for the course instructor. da Cruz and Kearnes suggest that one way to approach the task may be to draft a set of facts that are sympathetic and compelling to one side while the state of the law leans in favor of the other side.⁴⁴ A better approach, if an instructor is struggling with developing a balanced fact pattern, is to research cases that are currently before the United States Supreme Court or that are in the Circuits.⁴⁵ Such cases will always present some balance for the parties arguing. For example, there will be a lower court record that sets out the two sides of the issue. An ideal case would be one where the Circuits have rendered conflicting opinions.⁴⁶ Another approach used occasionally at Bentley is to adapt a case from the prior year's ACMA competition, assuming, of course, that the issues in the case were not decided by the Supreme Court in the interim. Even a creative Google search can land an interesting and balanced fact pattern for argument.

Once the fact pattern for the case is determined, two related issues arise. These are whether the case should be "open" or "closed" and whether students should prepare to argue both "on brief" and "off brief." An open case is one where students are free to use any relevant precedent, statute, or secondary source to prepare and buttress their arguments.⁴⁷ The open approach is one best suited for moot court courses that also teach legal research. The alternative to the open case is the closed case. A closed case is one where students are given a list of the case precedents and statutes that are to be used in argument.⁴⁸ In a closed case students are not allowed to go beyond the given list. Obviously, this approach forecloses the need for research, but by eliminating the research requirement the closed case is very suitable for those substantive courses that incorporate a moot court exercise. Eliminating the need to spend time researching precedent allows students time to focus on

the argument and gives the instructor more time to teach the substantive course material. The practice of ACMA is to conduct all its competitions using the closed case approach.⁴⁹

In addition to deciding whether the case should be open or closed, the moot instructor should also decide whether students will be required to argue only “on brief” or both “on brief” and “off brief.” To argue on brief is to argue one’s side of the case, that is, the side that was researched and prepared by the student in his or her brief. To argue off brief is to argue the opposing side’s case. While a number of law school competitions and ACMA require both on brief and off brief advocacy, and while arguing off brief has its supporters,⁵⁰ it is also not without its critics. Judge Alex Kozinski of the 9th Circuit, for instance, views arguing off brief as “antithetical to normal litigation where a lawyer always argues only for one side of the case.”⁵¹ Kozinski’s criticism, however, seems more relevant and applicable to the law school student than to the undergraduate, who is not in training for a career in litigation. Nonetheless, the on brief-off brief issue is worth weighing when implementing a moot court course.

Besides considering the issues of open case-closed case and on brief-off brief advocacy, there are other components of course implementation to be considered that can contribute significantly to the quality and attractiveness of a moot court course. They include the following:

- Teaching students how to read and how to brief precedent cases. Precedents are key to advocacy. Taking time within the course to teach students how to read a reported case, identify and summarize the relevant facts of a case, find the rule of law within a decision, and understand how a court applies the rule will go a long way in helping students to use precedent effectively in their arguments.
- Instructing students on research techniques. Utilizing relevant precedents in argument implies that students have been able to find them. In courses like Bentley’s that take the open case approach some instruction in the art of legal research is essential. In fact, McDevitt warns that without a research skill base, “the student would find that researching and writing a brief on the legal issue involved in the appellate simulation is extremely difficult, if not impossible.”⁵² Fortunately, the Internet allows students ample opportunities to find relevant precedent. Ideally, however, university libraries subscribe to legal research services, such as WESTLAW and LEXIS. Instruction in these services and in their “natural language” and “key word” search mechanisms can be done relatively easily in the classroom by pulling up the university library website on the classroom computer, locating the library’s research database, and taking students through the necessary steps for effectively using these services. Such classroom instruction should be supplemented with simple research home assignments.
- Requiring students to prepare a written brief of their argument. While moot competitions like those sponsored by ACMA sometimes do not require written briefs, a moot court course should.⁵³ The written brief serves multiple purposes from helping students to refine the logic and flow of their argument before delivering it orally to helping them improve their writing skills, especially the skill of persuasive writing. Ideally, the course should require the submission of a draft brief that the instructor can comment upon and return to the student for the student’s consideration prior to the student’s writing the final brief. Also, requiring a written brief allows for the exchange of briefs between opposing counsel prior to oral argument as happens in actual appellate practice. This foreknowledge of opposing arguments will challenge students to deal with precedents that their own research may not have uncovered and with counter arguments that they may not have contemplated.
- Making use of audio-visual technology during practice and final oral argument sessions. As already noted, moot court is a communications intensive experience, and effective communication is an important skill for business students to master.⁵⁴ A technique that can help students to self-evaluate their communication abilities is video-taping and playing back for them their oral arguments. Students are consumers of multiple types of electronic media. With help from their moot instructor, they will quickly focus on those aspects of their communication style that need improvement, and they will often respond with good result.
- Selecting helpful texts and other resource materials for student use. While the case problem and the precedents are key written materials for students in preparing for argument, the assignment or availability of textbooks or readings on advocacy, legal analysis, legal writing, and legal research will provide them with needed support. When all else fails, students do rely on assigned written materials; they are the student’s “Linus blanket.” A visit to a local law school bookstore can be very helpful in locating readings or texts on these topics.⁵⁵
- Providing students with the opportunity to witness oral advocacy in action. Helping students to see and hear actual oral advocacy is a useful teaching tool for students. It takes the “moot” out of moot court and builds appreciation for the importance of advocacy in real life. In many states the easiest way to provide this opportunity is to access the state supreme court website and search for archived videos of actual appellate hearings.⁵⁶ These can then be played on the classroom screen for analysis and discussion. Ideally, however, where possible, the best experience for students is for them actually to attend oral argument before the state supreme court or an appeals court. These courts often have public relations officers who can arrange for such trips, provide good seating in the courtroom so that students are up close, and even arrange for students to meet one of the judges. The experience can be enhanced by accessing in advance through the clerk’s office or the court’s website the briefs of opposing counsel for the argument that the students will attend, distributing those briefs in class prior to visiting the court, and discussing both the merits of the case and the quality of the written briefs.

With all the pieces in place moot court can be a valuable learning experience for business students. It has significant potential to help students develop and refine those important business skills identified by Bowditch and echoed in the MacCrate Report—written and oral communication, critical analysis, influencing others, sensitivity to legal issues, and research capability. Of course, the proof of accomplishment in any of these areas can best be judged by student response. How do students assess the learning that results from their moot court experience?

What follows is one student's assessment of her moot court experience. The student, Amanda Mongell, is a 2009 graduate of Bentley. During her years at Bentley Amanda enrolled in the moot court course and was later twice selected to participate in moot court team competition. In both instances she competed in the regional tournaments sponsored by ACMA and qualified to advance to national competition. She has been admitted to Northeastern University Law School and begins her studies there in September 2009. While Ms. Mongell might appear as a unique individual whose assessment of moot court may be overly generous in view of her accomplishments and goals, much of her assessment is echoed in results of a survey taken of Bentley students who also enrolled in the moot court course between 2005 and 2008. The results of the survey follow her assessment.

Student Assessment of Moot Court

When as a freshman I read about the moot court class on oral advocacy, I had no idea what to expect. I was simply hoping to gain some exposure to the legal field because I was interested in pursuing a law degree after graduation. Once in the class, I was nervous because the outline of the course material and assignments were unlike anything I had seen before. It was as if I was studying a foreign language. I was relearning how to write, how to speak, and how to do research. These were new expectations.

Going into my first round of practice oral arguments in class I was very apprehensive. Any preparation I had done for other class presentations could never have prepared me for such an experience. After faltering through my first argument, I was embarrassed. I felt like moot court would be something at which I could never succeed. My persistence, however, took over, and in each successive practice argument I made sure that I was better prepared. Because I was so determined to do well in the course, I was put in a situation where I forced myself to overcome my fears of public speaking. As the course progressed, instead of feeling discouraged after an argument, I would step down from the podium feeling excited; my confidence was growing. At the end of the moot court course I was ready to experience it all again, and I was given the opportunity to do so when I was invited to join the moot court team.

During my first semester on the team in 2007, I was enthusiastic about our case featuring Second Amendment and Commerce Clause questions. I spent hours reading the assigned cases, perfecting my argument, and working out every possible issue that could arise. I felt confident arguing practice sessions in front of my classmates. The regional competition, however, was another story. My apprehension grew. I dreaded moving on to every round and having to stand at the podium again. In the end, however, I was encouraged by my scores and the fact that I was able to qualify for the national competition. This sense of accomplishment increased my confidence about my abilities, and I went on to succeed at the nationals. When I got home from the national competition, I could not wait to compete in moot court again.

My second opportunity to participate on the moot court team came in 2008. As an already experienced mooter, I was able to give pointers and advice to the new students on the team so they would not be as apprehensive as I was the first time. At the regional competition, I was no longer nervous and dreading my turn. The opposite was actually true. I was excited and could not wait to get back to the podium. I wanted to win each round just so that I could advance to the next and argue again.

My determination and persistence to overcome my fear and nerves paid off. My partner and I were one of four teams out of the original 64 that made it to the semi-final round of the 2008 eastern regional competition. We missed the final round by a score of 2388 to 2387, one of the closest margins ever at the competition. While, of course, I was disappointed to miss the opportunity by a point, I was ecstatic because I never dreamed I would make it that far. I had certainly improved upon my results from the previous year. Also, at the subsequent national competition, I achieved a personal best score, which points to the progress I have made since I first walked into the moot court class in 2006.

In all, moot court has helped me to learn effectively how to research evidence and how to develop and organize an argument. These skills translated into my business classes as well. They provided me with some of the essential characteristics for success as a business professional. For example, moot court enhanced my written and verbal communication skills more than any of my other courses. Also, it was one of the only courses that helped me to develop my legal sensibilities, giving me insight into the wider applicability of the law. Few business courses touch on this wider applicability, often focusing simply instead on business regulations.

In addition, moot court challenged me to develop my critical thinking and analysis capabilities beyond what is often expected in business courses. For example, most business classes require the use of standard analysis methods to be used on information that often has a single meaning. Financial data leaves little room for divergent interpretations so analysis of it is likely to yield similar results among students. The law is different, however. Moot court challenged me to pay attention to detail, compare and contrast cases and decisions, and reason through different interpretations of a single issue. There was no exact right or wrong answer so I consistently had to present and defend relevant information about why my interpretation was the correct one.

Further, I learned how to use my words effectively to influence others into seeing my side of an issue. Many laws are vague allowing a degree of flexibility in their interpretation. Once a court decides on a law's interpretation, however, it is important to understand why and how exactly the court decided as it did so that its decision might be used advantageously in future argument. Moot court taught me how to remove my own personal feelings about a court's interpretation of a law, how to be objective. I also learned how to add conviction to my voice and speak in a way that let others know that I believe what I am saying.

Finally, moot court helped me to figure out what type of lawyer I want to be. I know that I do not want to be an appellate lawyer, but I do know that I have the capacity to think like a lawyer. In the end, moot court helped me to become more successful in all my endeavors by teaching me poise, giving me self-confidence, and enhancing my oratory skills. My eyes have been opened to a whole new world that I would never have been exposed to in any of my other courses.

My experience with both the moot court course and moot team competition is not unique. It is clear from the student survey results which follow that moot court has also had a beneficial impact on a number of my fellow students. While the survey results may indicate that not all students benefited in exactly the same way or to the same extent that I did, they do indicate several similarities both in what students felt about moot court and what they took away from it.

Survey Results

The survey was conducted in March and April, 2009. Those surveyed included all 22 current Bentley students who had previously completed the moot court course. Sixteen of those 22 students (73%) responded to the survey producing results that are highly representative of the whole. Students were able to respond anonymously through a survey link that was e-mailed to them. The goal of the survey was to determine how business students reacted to the moot court course and what exactly they were able to take away from it as a learning experience. Complete survey results are in the appendix to this paper.

The profiles of the 16 students responding to the survey show that 14 are business majors (survey question 3) and two are business minors, which is not surprising given that Bentley is a business university. Nine of the respondents are law minors (survey question 4). Also, 13 of the respondents took the course as freshmen or sophomores, three as juniors, and none as seniors (survey question 5). One common reason at Bentley for higher enrollments among underclassmen in elective courses in general is that underclassmen have more flexibility in their schedules to choose electives. Another possible reason taken from the survey results is that students take moot court in order to decide whether or not a legal career is for them. As a freshman or sophomore, choosing a career path and major at the earliest opportunity is important. The moot court course helps students to do this. The survey results showed that six of the 16 students agreed or strongly agreed that the course helped them choose a career path (survey question 16). One student noted:

I enjoyed moot court because I felt that it challenged me at a higher level than most courses offered to undergraduate students at Bentley. I took the course to determine if I would truly enjoy being a lawyer, a career path I was interested in. I strongly disliked speaking in public, which I knew was a skill I would need in law school, so I wanted to take a course that would allow me to determine my abilities in that area. Having taken moot court, I have decided to pursue a degree in law because I felt that the course made it clear in my mind that being a lawyer is the right career for me.

Other survey results include the following:

- Of the 16 students who took the moot court course, eight went on to moot court team competition (survey question 6). This number is not necessarily indicative of how many students wanted to advance, however, because participation is by invitation based on an assessment of a student's ability to succeed at the competitive level. Nevertheless, the result does indicate that the moot court course stimulated student interest in oral advocacy.
- Fifteen of the 16 respondents agreed or strongly agreed that moot court helped them to improve their ability to reason through issues and find solutions (survey question 7). This is an important finding because problem-solving skills are an essential characteristic of a successful business professional.⁵⁷
- Thirteen of the 16 respondents agreed or strongly agreed that moot court improved their ability to see the other side of an issue (survey question 8). This is a skill necessary to problem solving and, thus, also important to a successful business professional.
- All 16 respondents agreed or strongly agreed that moot court helped them to develop their legal research skills (survey question 9).
- Thirteen of the 16 respondents agreed or strongly agreed that moot court improved their ability to write persuasively (survey question 10).
- Fifteen of the 16 students agreed or strongly agreed that moot court helped them improve their ability to speak persuasively (survey question 11).
- Eleven of the 16 respondents agreed or strongly agreed that moot court helped them to improve their level of self-confidence (survey question 12). The other five students neither agreed nor disagreed with the proposition.

- Fifteen of the 16 respondents agreed or strongly agreed that the skills they developed in moot court are transferable skills useful in other ways (survey question 13) while 13 of those respondents also agreed or strongly agreed that they actually use those skills in their current endeavors (survey question 14).
- Only four of the respondents agreed or strongly agreed that moot court helped them to improve their leadership capabilities (survey question 15). This is surprising in that, as already indicated, most respondents agreed that moot court improved their abilities to speak and write persuasively, problem-solve, see the other side of an issue, and engage in skills transfer, all important characteristics of leadership.
- Finally, all 16 respondents agreed or strongly agreed that moot court challenged them in a way different from any of their other courses (survey question 18). The result may follow from the fact that moot court encourages students to think differently and utilize new skills such as learning how to conduct legal research, write briefs, and formulate arguments.

On three of the more important survey questions—those relating to oral communication, problem-solving, and the ability to see the other side of an issue—cross tabulation of results indicate both differences and similarities between students who only took the moot court course and those who advanced to moot team competition.

As for the differences, as shown in Figure 1, students who participated in team competition were more likely to indicate that they *strongly* agreed that moot court improved their ability to speak persuasively than those who only took the course.

Figure 1

		Moot court improved my ability to speak persuasively.				
		Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Following the Moot Court course, I participated as a Bentley team member in the regional and/or national competition.	Yes	6	1	0	1	0
	No	3	5	0	0	0
	Total	9	6	0	1	0

On two other important questions, however, cross-tabulated results show similarities in student responses. All students whether they participated in team competition or took only the course felt equally that moot court helped them to improve their ability to reason through issues and find solutions. As shown in Figure 2, eight students who engaged in competition agreed or strongly agreed with the proposition while seven students who took only the course also agreed or strongly agreed.

Figure 2

		Moot court improved my ability to reason through issues and find solutions				
		Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Following the Moot Court course, I participated as a Bentley team member in the regional and/or national competition	Yes	3	5	0	0	0
	No	2	5	1	0	0
	Total	5	10	1	0	0

Further, students whether they advanced to team competition or took only the course equally agreed or strongly agreed that moot court improved their ability to see the other side of the issue. As shown in Figure 3, six team members agreed or strongly agreed with the proposition while seven who did not advance to competition also agreed or strongly agreed.

		Moot court improved my ability to see the other side of an issue				
		Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Figure 3	Following the Moot Court course, I participated as a Bentley team member in the regional and/or national competition	4	2	1	1	0
		2	5	1	0	0
	Total	6	7	2	1	0

As previously noted, these skills contribute to ones critical thinking and analytical capabilities. The survey results seem to demonstrate, therefore, that students do not need to advance to team competition in order to improve these essential skills.

Conclusion

Overall, moot court seems to have significantly benefited Bentley business students whether they enrolled only in the course or advanced to team competition. It improved a range of skills and allowed them to experience something different from any of their other courses. Using the Bowditch list of important skills,⁵⁸ moot court clearly helped students to develop the abilities necessary to be successful business professionals. It improved students' abilities to write and speak, to think critically and analyze to solutions, to persuade and influence others, and to develop technical proficiencies in electronic research. It also improved students' self-confidence and skills transfer. For these reasons and more, moot court has a place in the undergraduate business curriculum. Moot court is not just for law school anymore.

"Footnotes"

¹ A.V. Dicey, *The Teaching of English Law at Harvard*, 13 HARV. L. REV. 422, 435 (1900).

² Steve Sheppard, *An Informal History of How Law Schools Evaluate Students, with a Predicable Emphasis on Law School Final Exams*, 65 U. MO.-KAN. CITY L. REV. 657, 658-659 (1997); John T. Gaubatz, *Of Moots, Legal Process, and Learning to Learn the Law*, 37 U. MIAMI L. REV. 473 (1983). Gaubatz offers a brief, but handy overview of early English legal education including the apprenticeship period of the 13th Century, the Inns of Court beginning in the 14th Century, the and the treatise period, which he identifies as beginning with Blackstone's appointment as lecturer at Oxford in 1753. *Id.* at 476-481.

³ For links to all four Inns of Court and their histories, visit the Lincoln's Inn website, at <http://www.lincolnsinn.org.uk/inns.asp> (last visited May 27, 2009).

⁴ Sheppard, *supra* note 2, at 687. Also, Gaubatz describes these early moots at the English Inns as follows: "The students propounded and then argued cases of varying levels of legal difficulty. Depending upon whether the argument also involved readers or benchers, the exercise was called a moot, a bolt, or putting the case. Because of the formality of reading and argument exercises, legal education in the Inns of Court was more effective than apprenticeship training. The readings provided a systematic exposure to the substance of the law, and the instructional exercises provided systematic training to improve legal analysis and advocacy skills.... The frequency of these exercises and the repetitiousness of their arguments, continued over many years, guaranteed a facility in language and rapid rebuttal that could then have been acquired in no other way." Gaubatz, *supra* note 2, at 478-479.

⁵ The Litchfield Law School, founded in 1784, was the predecessor to Yale Law School. Sheppard, *supra* note 2, at 689.

⁶ Louise Harmon, *Pedagogical Forays: The Lawyer Scribe: The Litchfield Law School, Laptops, and the Metaphysics of Soul-Searching*, 32 LEGAL STUD. F. 837, n.148 (2008).

⁷ Sheppard, *supra* note 2, at 689.

⁸ Mark L. Jones, *Fundamental Dimensions of Law and Legal Education: An Historical Framework – A History of U.S. Legal Education Phase I: From the Founding of the Republic to the 1860s*, 39 J. MARSHALL L. REV. 1041, 1088 (2006).

⁹ *Id.* at 1085.

¹⁰ Sheppard, *supra* note 2, at 689.

¹¹ Jones, *supra* note 8, at 1069.

¹² For example, Kritchevsky criticizes the quality of judging by moot court panelists. Barbara Kritchevsky, *Judging: The Missing Piece of the Moot Court Puzzle*, 37 U. MEM. L. REV. 45 (2006). Also, in his oft-cited critique of moot court, Judge Kozinski identifies a number of shortcomings that in his view grow from the manner in which moot court is conducted at law schools. The theme of his critique is that the education of future lawyers requires that moot court be a more realistic preparation for oral advocacy. For instance, he notes that in actual advocacy winning and losing is based on the merits, not as in moot court on an evaluation of advocacy skills; that lawyers almost never present their courtroom arguments in teams; and that moot court overemphasizes the importance of oral advocacy at the expense of the written brief, which is the principal tool of the advocate. Alex Kozinski, *In Praise of Moot Court – Not!*, 97 COLUM. L. REV. 178, 181-192 (1997). His criticisms to the extent that they are valid regarding law schools and the training of future lawyers, need not and do not apply to undergraduate education where the goals are broader and the curriculum more eclectic than those of law school. Also, many of his criticisms are rebutted by others. Michael V. Hernandez, “*In Defense of Moot Court: A Response to ‘In Praise of Moot Court—Not!’*,” 17 R. LITIG. 69 (1998); M.A. Stapleton, “*Mootness the Issue in Student Court Contests*,” CHIC. DAILY L. BULL., Feb. 21, 1997, at 3.

¹³ Kritchevsky, *supra* note 12, at 45; Charles R. Knerr & Andrew Sommerman, Undergraduate Moot Court in American Colleges and Universities (Nov. 4, 2004) (unpublished manuscript, at <http://www.firstlight.demon.co.uk/law/mooting/mootpaper.doc>) (last visited May 25, 2009).

¹⁴ Kritchevsky, *supra* note 12, at 47.

¹⁵ BLACK’S LAW DICTIONARY 1008 (6th ed. 1990). In actual litigation, a “case is ‘moot’ when a determination is sought on a matter which, when rendered, cannot have any practical effect on the existing controversy.” *Id.*

¹⁶ Graves & Vaughan, *The Willem C. Vis International Commercial Arbitration Moot: Making the Most of an Extraordinary Educational Opportunity*, 10 VINDOBONA J. INT’L COM. L. & ARB. 173, 190 (2006).

¹⁷ An advocate is “[o]ne who assists, defends, or pleads for another.” Taken from the Latin “advocati,” meaning “patrons, pleaders, speakers.” BLACK’S LAW DICTIONARY 55, *supra* note 15; “one that pleads the cause of another; *specif*: one that pleads the cause of another before a tribunal or judicial court,” MERRIAM-WEBSTER’S COLLEGIATE DICTIONARY 19 (11th ed. 2003).

¹⁸ In reflecting on his own legal education many years ago, John Gaubatz noted that few of his professors attempted to demonstrate the relevance of their classroom material to the real world of legal practice. He went on: “This attitude has always troubled me because students seem to learn and remember what they do in moot court far better than what they do in most classes.” Gaubatz, *supra* note 2, at 487.

¹⁹ Graves & Vaughan, *supra* note 16, at 183.

²⁰ William J. McDevitt, *Active Learning through Appellate Simulation: A Recipe for a Legal Environment of Business Course*, 26:2 J. LEGAL STUD. EDUC. (forthcoming Summer/Fall 2009).

²¹ Hernandez, *supra* note 12, at 74-79.

²² Becky K. da Cruz & John Kearnes, Mooting as Pedagogy (Feb 18, 2006) (unpublished manuscript, at http://www.allacademic.com/meta/p_mla_apa_research_citation/1/0/1/3/6/pages101364/p101364-1.php) (last visited May 25, 2009).

²³ Knerr & Sommerman, *supra* note 13.

²⁴ J. Lon Carlson & Neil T. Skaggs, *Learning by Trial and Error: A Case for Moot Courts*, 31 J. ECON. EDUC. 145 (2000).

²⁵ ABA MacCrate Report (1992), at <http://www.abanet.org/legaled/publications/onlinepubs/maccrate.html#Chapter%20Five> (last visited May 16, 2009).

²⁶ Graves & Vaughan, *supra* note 16, at 176.

²⁷ JAMES L. BOWDITCH ET AL., A PRIMER ON ORGANIZATIONAL BEHAVIOR 2 (2008). The full list includes: 1) strong functional expertise: technical proficiency and cross-functional awareness; 2) ability to work in unstructured, team environment; 3) interpersonal competency and diversity-related skills; 4) excellent negotiating and influencing skills; 5) outstanding information technology skills: PC/computer, Internet, and intranet; 6) global/transnational perspective; 7) exceptional verbal and written communication skills; 8) ethical awareness and legal sensibilities; 9) critical thinking and analysis capabilities; 10) change agent skills and leadership capabilities. *Id.*

²⁸ Thomas DeLong and Ashish Nanda of the Harvard Business School have written a guide for Harvard business students who are preparing for careers in professional service firms. Their guide includes some of the elements on the Bowditch list that coincide with the legal skills noted in the MacCrate Report. The element that most closely parallels Bowditch (ability to excel in negotiating and influencing others) and MacCrate (communication, counseling, negotiation) is “influencing others.” In fact, DeLong and Nanda identify “influence” as the key element. In advising students on the importance of developing an ability to influence, they place it at the top of their list “*reason*—The use of facts and data to support the development of a logical argument.” THOMAS DELONG & ASHISH NANDA, HARV. BUS. SCH., CAREER STRATEGIES AND TACTICS IN PROFESSIONAL SERVICE FIRMS 9 (2002). This goal, the use of facts and data to support logical argument, matches McDevitt’s observation that moot court helps students to think more carefully about the interplay between factual contexts and legal principles (McDevitt, *supra* note 20) and da Cruz and Kearnes’s observation that moot court enhances students’ ability to

think critically and to refine their rhetorical skills (da Cruz & Kearnes, *supra* note 22), reinforcing the point that there is a close relationship between moot court pedagogy and the development of those skills needed by business professionals.

²⁹ BOWDITCH, *supra* note 27, at 1-2.

³⁰ McDevitt, *supra* note 20.

³¹ BOWDITCH, *supra* note 27, at 2.

³² With moot courts already in place in law schools and with the obvious benefits that mooting offers undergraduate education, it is probably not surprising that there is interest in moot court pedagogy even on the secondary level. One social studies educator posits that moot courts, which she considers to include both traditional moots as well as mock trials, offer students an opportunity to learn more broadly about the democratic system. She notes, for example, that moot court can help students to understand the role of the judicial branch, gain a better understanding of the constitution, learn about public policy issues, and gain important standards-based social studies knowledge. Also, like commentators already referenced in this paper she identifies other benefits to student participants—learning to think on their feet, formulating persuasive arguments, and practicing critical analysis. Kathy Bell, *Using Moot Courts in the Classroom*, 66 J. SOC. EDUC. 42, 43 (2002).

³³ Gaubatz, *supra* note 2, at 488-489.

³⁴ Graves & Vaughan, *supra* note 16, at 181-187.

³⁵ Bentley requires all students to take at least one course designated as “communications intensive” to satisfy their graduation requirements. The following criteria are required for a course to be so designated: 1) the course must include regularly assigned written and/or oral communication components; 2) the communication components normally should constitute at least one-third of the course grade; 3) the course must include instruction in, as well as evaluation of, communication components; and 4) classroom instruction and feedback should focus on issues of effective communication skills appropriate to the field being studied. These criteria and other information regarding Bentley’s communications requirement are at <http://www.bentley.edu/teaching-learning/cac.cfm> (last visited May 26, 2009).

³⁶ Gaubatz, *supra* note 2, at 488-489.

³⁷ Graves & Vaughan, *supra* note 16, at 181-187.

³⁸ As noted by Graves and Vaughan, the goals of educational moots and competitive moots are not mutually exclusive. The goals of both “are entirely complementary.” Graves & Vaughan, *supra* note 16, at 178. Stapleton concurs that “the goal of moot court competitions is to provide an educational experience.” Stapleton, *supra* note 12, at 3.

³⁹ Graves and Vaughan describe the non-competitive moot as follows: “...students present their arguments in the normal fashion, and are provided with a critique after each round, but no winner is ever declared. The non-competitive moot essentially provides a forum for participating in a mock oral argument with another team in front of an arbitral panel, receiving constructive feedback, improving one’s arguments, and learning to be a better overall advocate.” Graves & Vaughan, *supra* note 16, at 197.

⁴⁰ The generic directed study course description on the Bentley Department of Law, Taxation, and Financial Planning website reads as follows: “LA401 Directed Study: Under the guidance of a faculty member, a student may conduct in-depth study of a topic in the law. Students may explore an issue of personal interest or do an analysis of a specialized area. To apply, submit a directed study proposal in writing to an appropriate faculty member. You may apply directed study course credits only as electives.” The description is at <http://www.bentley.edu/law/highlights.cfm#directedstudy> (last visited May 16, 2009).

⁴¹ For more information about the American Collegiate Moot Court Association and its tournaments, visit the ACMA website at <http://falcon.fsc.edu/mootcourt/> (last visited May 16, 2009).

⁴² Knerr & Sommerman, *supra* note 13.

⁴³ McDevitt, *supra* note 20.

⁴⁴ da Cruz & Kearnes, *supra* note 22.

⁴⁵ The American Bar Association previews cases before the United States Supreme Court on its website. The preview provides a listing of cases by month and term. The listing includes the names of each case to be heard, the questions presented by the case, and copies of briefs submitted by counsel. The website is at <http://www.abanet.org/publiced/preview/briefs/home.html>. Also, the First Amendment Center previews first amendment cases before the Supreme Court on its website, at <http://www.firstamendmentcenter.org/faclibrary/index.aspx> (last visited May 26, 2009).

⁴⁶ For example, the Circuits have issued conflicting opinions in pledge of allegiance cases involving the question of whether requiring school teachers to lead the pledge to the flag violates the Establishment Clause of the First Amendment. *Sherman v. Community Consolidated School District*, 980 F.2d 437 (7th Cir. 1992); *Newdow v. United States Congress*, 328 F.3d 466 (9th Cir. 2002). The United States Supreme Court denied *certiorari* in *Sherman v. Community Consolidated School District*, 511 U.S. 1110 (1994) and in *Newdow v. United States Congress*, 540 U.S. 962 (2003). The denial of *certiorari* leaves open the question, making for an interesting moot exercise.

⁴⁷ da Cruz & Kearnes, *supra* note 22.

⁴⁸ *Id.* The advantage of the closed case approach is that it saves students time in preparing for the moot and might best be applied in substantive courses that incorporate a moot exercise. The advantage of the open case approach is that it stresses research skills. *Id.*

⁴⁹ ACMA’s closed case for 2009-2010 is posted on its website, at <http://falcon.fsc.edu/mootcourt/> (last visited May 25, 2009).

⁵⁰ Hernandez asserts that arguing off brief is a “legitimate teaching tool” that requires students to anticipate points of weakness in their own argument and to take steps to preempt the force of the opposing argument. Hernandez, *supra* note 12, at 74.

⁵¹ Kozinski, *supra* note 12, at 185. Kozinski sees the practice of arguing off brief as having a subtle, but very significant effect on student learning. He notes: “A moot court advocate thus typically approaches each round with an unhealthy distance from the side she happens to be representing because in a future round success will turn on the very arguments she is now making. The bond between lawyer and client, which is the essence of first-rate advocacy, is lost.” *Id.* at 186.

⁵² McDevitt, *supra* note 20.

⁵³ An important element of the moot court experience is the written brief or memorandum. Writing a brief after having researched a variety of materials helps students to synthesize their thoughts and develop a cohesive line of argument. At base, it helps students to think things through. Hernandez notes that brief writing helps students to develop their persuasive writing skills as well as contributing to a sound analysis of the case to be argued. Hernandez, *supra* note 12, at 71-72. Carlson and Skaggs point out that brief writing teaches students to think critically about the implications of the materials generated by their research and serves as the basis of their oral argument. Carlson & Skaggs, *supra* note 24, at 150. Finally, McDevitt believes that the written brief is a vehicle to assist students in developing well organized and compelling arguments. McDevitt, *supra* note 20.

⁵⁴ BOWDITCH, *supra* note 27, at 2.

⁵⁵ Texts like the following, which are used in the Bentley moot court course, can provide students with useful guidance in researching, analyzing, and arguing cases: DAVID. S. ROMANTZ & KATHLEEN ELLIOTT VINSON, LEGAL ANALYSIS: THE FUNDAMENTAL SKILL (1998); ALAN L. DWORSKY, THE LITTLE BOOK ON LEGAL WRITING (1992); ALAN L. DWORSKY, THE LITTLE BOOK ON ORAL ARGUMENT (1991); THE USER’S GUIDE TO THE BLUEBOOK, ALAN L. DWORSKY (2006).

⁵⁶ For example, the Massachusetts Supreme Judicial Court website provides an archive of webcasts of past oral arguments of cases before the court. These webcasts are accessible at <http://www.suffolk.edu/sjc/archive/index.html> (last visited May 25, 2009).

⁵⁷ BOWDITCH, *supra* note 27, at 2.

⁵⁸ *Id.*

“Appendix”

1. I am a:

#	Answer	Response	%
1	Current Bentley student	16	100%
2	Bentley Alum	0	0%
	Total	16	100%

2. If a current Bentley student, skip to question 3.

3. At Bentley my major is:

Text Response
Accounting (1 response)
Behavioral Sciences (1 response)
Corporate Finance & Accounting (2 responses)
Economics-Finance (3 responses)
Finance (6 responses)
International Studies Marketing (1 response)
Management (1 response)
Marketing (1 response)

4. At Bentley my minor (if applicable) is:

Business and Spanish (1 response)
Information Technology and Spanish (1 response)
Law (7 responses)
Law and Business Studies (1 response)
Law and Natural Science (1 response)
Management (1 response)

5. I took the moot court course as a:

#	Answer	Response	%
1	freshman	7	44%
2	sophomore	6	38%
3	junior	3	19%
4	senior	0	0%
	Total	16	100%

6. Following the moot court course, I participated as a Bentley team member in the moot team competition.

#	Answer	Response	%
1	Yes	8	50%
2	No	8	50%
	Total	16	100%

Reflecting on your overall moot court experience, whether you only took the course or also participated in the competition, respond to the following statements:

7. Moot court improved my ability to reason through issues and find solutions.

#	Answer	Response	%
1	Strongly Agree	5	31%
2	Agree	10	63%
3	Neither Agree nor Disagree	1	6%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	16	100%

8. Moot court improved my ability to see the other side of an issue.

#	Answer	Response	%
1	Strongly Agree	6	38%
2	Agree	7	44%
3	Neither Agree nor Disagree	2	13%
4	Disagree	1	6%
5	Strongly Disagree	0	0%
	Total	16	100%

9. Moot court improved my ability to conduct legal research.

#	Answer	Response	%
1	Strongly Agree	11	69%
2	Agree	5	31%
3	Neither Agree nor Disagree	0	0%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	16	100%

10. Moot court improved my ability to write persuasively.

1	Strongly Agree	3	19%
2	Agree	10	63%
3	Neither Agree nor Disagree	3	19%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	16	100%

11. Moot court improved my ability to speak persuasively.

#	Answer	Response	%
1	Strongly Agree	9	56%
2	Agree	6	38%
3	Neither Agree nor Disagree	0	0%
4	Disagree	1	6%
5	Strongly Disagree	0	0%
	Total	16	100%

12. Moot court improved my self-confidence.

#	Answer	Response	%
1	Strongly Agree	3	19%
2	Agree	8	50%
3	Neither Agree nor Disagree	5	31%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	16	100%

13. The skills I developed in moot court are transferable skills useful in other ways.

#	Answer	Response	%
1	Strongly Agree	8	50%
2	Agree	7	44%
3	Neither Agree nor Disagree	1	6%
4	Disagree	0	0%

5	Strongly Disagree		0	0%
	Total		16	100%

14. I use the skills that I learned in moot court in my current endeavors.

#	Answer		Response	%
1	Strongly Agree		5	31%
2	Agree		8	50%
3	Neither Agree nor Disagree		2	13%
4	Disagree		1	6%
5	Strongly Disagree		0	0%
	Total		16	100%

15. Moot court improved my leadership capabilities.

#	Answer		Response	%
1	Strongly Agree		2	13%
2	Agree		2	13%
3	Neither Agree nor Disagree		10	63%
4	Disagree		2	13%
5	Strongly Disagree		0	0%
	Total		16	100%

16. My moot court experience helped me to decide on a career path.

#	Answer		Response	%
1	Strongly Agree		3	19%
2	Agree		3	19%
3	Neither Agree nor Disagree		5	31%
4	Disagree		4	25%

5	Strongly Disagree		1	6%
	Total		16	100%

17. Of the courses that I took at Bentley, I would rank moot court amongst the top three for improving my ability in the following categories (identify all that apply):

#	Answer		Response	%
1	finding solutions to problems		6	38%
2	understanding both sides of an issue		12	75%
3	improving my research capabilities		13	81%
4	improving my writing ability		7	44%
5	improving my ability to speak in public		15	94%
6	improving my level of self-confidence		6	38%
7	providing me with a skill-set that I actually use in my current endeavors		7	44%
8	improving my leadership capabilities		3	19%

18. My moot court course challenged me in a way different from other courses I took :

#	Answer		Response	%
1	Strongly Agree		13	81%
2	Agree		3	19%
3	Neither Agree nor Disagree		0	0%
4	Disagree		0	0%
5	Strongly Disagree		0	0%

19. Please provide any additional observations as to whether and/or how your moot court experience (the course or team competition) contributed to your personal and/or professional development.

Text Response
Helped me learn that practice makes perfect.
Moot court is an excellent course. I'd recommend to each and every student at Bentley.

It's a great starter course for anyone who wants to learn about becoming a lawyer. On top of that though, it's a unique class in that you're oftentimes spending a lot of time doing research, but spending just as much time preparing and actually debating and arguing the issues

The class helped me to learn more about the legal world and what it takes to go into law. I wasn't sure if I wanted to go into law or not before I took the class and this class helped me to decide that I don't want to pursue law. It also helped me to speak in public and gain confidence

It was a very tough class that challenged me in many ways other classes didn't. Through research and the presentations, it was a very tough yet useful class.

The course was initially very helpful for me, but I have not taken a similar course for a while now and feel I have lost some of the skills I learned from the course, as it was only a semester long. While [the moot court course] helped me develop transferable skills, not using them frequently has led to a reversion back to my old ways in some areas.

I enjoyed moot court because I felt that it challenged me at a higher level than most courses offered to undergraduate students at Bentley. I took the course to determine if I would truly enjoy being a lawyer, a career path I was interested in. I strongly disliked speaking in public, which I knew was a skill I would need in law school, so I wanted to take a course that would allow me to determine my abilities in that area. Having taken moot court, I have decided to pursue a degree in law because I felt that the course made it clear in my mind that being a lawyer is the right career for me.

This class is the greatest class Bentley has to offer for law minors. It was challenging and rewarding. Professor Salimbene is a great professor who really pushed us to improve on all the skill sets mentioned above. This class must be offered every year, no doubt.

I was greatly challenged and stressed and made uncomfortable in every way, but in the end I think the sense of accomplishment encouraged me to work through challenges and failures. I also learned to argue without being argumentative, to do so educatedly and tactfully, while still being passionate - probably one of the more useful skills from Bentley that applies in the business world, even if I sometimes forget what I learned!