

Don't Forget!

Tips to Add Polish to Every Oral Argument



1. Posture

- ▶ Sit on the edge of your chair
- ▶ Stand up straight
- ▶ Try not to have anything in your hands that would be distracting: put down pens, do not play with your paper
- ▶ Place both feet on the floor
- ▶ Do not place your hands on your face when others argue

2. Speak Slowly

- ▶ Speaking slowly will help others understand you better
- ▶ It will help you form your thoughts more clearly and give you time to prepare a concise sentence
- ▶ Speaking slowly will prevent you from using filler words
- ▶ Filler words: um, uh, or words you used repeatedly



3. Answering Questions

- ▶ Let the arbitrator finish his or her question. Do not cut off the arbitrator
- ▶ If the arbitrator asks you a question about a part of your argument that you are not talking about, immediately answer his question. Do not tell him that you will “talk about it later.”
- ▶ Answer “yes” or “no” if possible, before you explain an answer to the arbitrator’s question.
- ▶ Pause to think if necessary.
- ▶ If you think an arbitrator is wrong, correct him or her gently. “That is an excellent point, Mr. Arbitrator, but the facts of this case show. . .”



4. Work as a Team

- ▶ This will score you additional points!
- ▶ Listen as your co-counsel argues, turn to the record for them
- ▶ Write your co-counsel notes if you remember or want to convey something
- ▶ Keep time for your co-counsel. Slide them notes to alert them to 5, 3, 1, and 0 minutes left in the argument.

5. Requests to the Tribunal

► Clarification of a Question:

- There will be times that you will not understand an arbitrator's question. Don't panic!
- You could rephrase in your own words: "If I understand correctly, you are asking . . ."
- If really lost, you could ask the arbitrator to rephrase altogether.

► More Time:

- Do not assume that the arbitrator will allow you to finish once you have run out of time.
- "If there are no further questions, I see that I am out of time. In conclusion. . ."



6. Interaction with the Other Team

- ▶ Introduce yourself and shake hands with the other team before the argument begins.
- ▶ Try and work out an agreement for the order of presentations.
- ▶ Be polite and respectful, even if the other team is not—do not make faces at the opponent's argument or roll your eyes. Pay attention during the opponent's argument and maintain good posture.



7. Confidence

- ▶ Most of the time, you will know the problem better than the arbitrators do.
- ▶ Questions are not to intimidate you. Just because you get a question does not mean that the arbitrator is right—if they sense that you do not believe your own argument, you will get even more questions!
- ▶ A strong, confident demeanor is key to getting higher scores.

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