APPELLATE LITIGATION

Apply online at: www.law.georgetown.edu/go/clinic-registration

<table>
<thead>
<tr>
<th>Faculty</th>
<th>Prof. Erica Hashimoto and Fellows</th>
</tr>
</thead>
<tbody>
<tr>
<td>What do students do</td>
<td>Students brief and argue cases before several courts, including federal courts of appeals, represent indigent people before the Board of Immigration Appeals, and file amicus curiae briefs in the U.S. Supreme Court and other courts.</td>
</tr>
<tr>
<td>Semester or year-long</td>
<td>Year-long</td>
</tr>
<tr>
<td>Open to</td>
<td>3Ls and 4Es (four semesters and 48 hours). Please see clinic director for information.</td>
</tr>
<tr>
<td>Prerequisite(s)</td>
<td>All first year courses</td>
</tr>
<tr>
<td>Credits</td>
<td>9 (4 in the fall, 5 in the spring)</td>
</tr>
<tr>
<td>Requires Student Bar Certification</td>
<td>Possibly, depending on cases. Please see clinic director for information.</td>
</tr>
<tr>
<td>How many students</td>
<td>16</td>
</tr>
<tr>
<td>Conflicts</td>
<td>Possible conflicts for students with part-time or full-time jobs with the Federal or D.C. governments.</td>
</tr>
<tr>
<td>Average time commitment</td>
<td>16 hours/week, on average. Work on cases may continue through breaks or exam periods.</td>
</tr>
<tr>
<td>Seminar hours</td>
<td>Wednesdays, 1:20pm-3:20 pm</td>
</tr>
<tr>
<td>Orientation</td>
<td>There will be a one day orientation before classes begin in the Fall.</td>
</tr>
</tbody>
</table>
| Information session(s)       | Open House: Monday, April 3, 4:30pm-6:30pm, McDonough 306  
Info Session: Tuesday, April 4, 5:30pm-6:30pm, McDonough 337 |

THE PROGRAM

Beginning in the Fall Semester of 2017, a group of 16 students will join the Appellate Litigation Program. The group will brief and argue cases before several different courts, including federal courts of appeals, under the supervision of Professor Erica J. Hashimoto and two highly qualified supervising attorneys, both of whom will be earning graduate degrees in advocacy. The Program also represents indigent people before the Board of Immigration Appeals, files amicus curiae briefs in the Supreme Court of the United States and other courts, and files Supreme Court certiorari petitions.

Briefing and arguing appeals requires intensive training in all aspects of appellate practice, including procedure, research, issue formulation, and writing. The training emphasizes improving analytical skills and clarity in both writing and oral advocacy. In general, each student, in conjunction with one of the clinic attorneys, will produce two major documents for filing (e.g., briefs, motions, petitions for writs of certiorari). A small number of clinic students will appear before appellate courts for oral argument, and all students will receive training in oral advocacy during the year. Whenever possible, students interact directly with clients through visits, phone calls, and letters.

The caseload of the clinic is generally composed of civil rights, immigration, habeas corpus, and a variety of other civil cases. A Lexis or Westlaw database search will yield a representative sample of the types of cases that we undertake. Although the breakdown varies from year to year, these cases, regardless of type, often raise important constitutional and statutory questions. In the past, the clinic has argued several cases on the merits in the United States Supreme Court.
OUR COMMITMENT

Professor Hashimoto is an experienced appellate lawyer who has spent the past six years training law students to file high-quality briefs in federal courts of appeals and argue cases before those courts. The two appellate advocacy fellows are lawyers selected on the basis of outstanding academic records, excellent writing skills, clerkship experience, and significant prior appellate litigation experience. They work closely with students in developing their written and oral advocacy skills.

The staff is committed to teaching the finest appellate advocacy. The students learn to analyze a set of facts, develop legal issues, and produce a superb written product. Supervision is often in a 2- or 3-to-1 student/attorney ratio. Using videotape and moot court techniques, we teach each student the art of oral advocacy.

By virtue of its docket of cases from federal circuit courts of appeals and other courts, the clinic gives students first-hand experience with the operation of a small appellate law firm and the administration of justice in both the federal and state courts.

YOUR COMMITMENT

A nine-credit, year-long clinical program is a significant commitment. It offers students more than just exposure to a branch of law; it is an opportunity to be a lawyer and to work in a partnership under the guidance of experienced lawyers. Students joining the clinic will be required to put in substantial work, including preparing for oral argument, writing briefs, and attending the two-hour weekly seminar. Evening division students who can: 1) attend the scheduled Wednesday afternoon seminar; 2) attend at least two Supreme Court Institute moot courts, which are generally held in the afternoon; and, 3) have sufficient work flexibility to take leave time as needed, particularly the week before a major assignment is due, are encouraged to apply.

Under the supervision of one of the attorneys, you will work in a team or alone on at least two written projects during the year. Your goal will be to produce a written and oral product that meets the highest professional standards.

The weekly seminar emphasizes student participation and covers a broad spectrum of issues confronting appellate litigators, such as brief writing, the nuances of oral argument, appellate jurisdiction and procedure, standards of review, and the meaning of professional responsibility in the appellate context. Case assignments generally are completed by the end of classes in April, although some work during exams may be necessary. In that event, steps are taken to ensure that students have adequate time to complete these assignments and prepare for their exams. Students are also cautioned that work on cases may be necessary during holidays or breaks. We attempt to work around exam and break schedules, but this is not always possible.

Students are also expected to attend at least two Supreme Court Institute moot courts during the year. These moot courts provide an excellent opportunity to watch lawyers working on the preparation for oral argument before the highest court in the land and then have the opportunity to see how well the lawyers were able to anticipate the questions posed at the actual argument. Students meet with Professor Hashimoto after the moot court and the real argument have taken place to discuss the experience.
Overall, you can anticipate a time commitment of roughly sixteen hours per week. That number indicates how total hours worked would average out at the end of the school year. The time actually devoted to the clinic will be concentrated around the time of writing assignments and oral arguments. When briefs are due, substantially more than sixteen hours per week should be expected. Fewer than sixteen hours is the norm when briefs are not due. It is relatively easy to plan around these assignments because you will know about them well in advance.

The clinic will conduct a one day orientation session before classes begin in the Fall.

**SELECTION CRITERIA/APPLICATION PROCESS**

The Appellate Litigation clinic has slots for 16 students. In addition to submitting the general clinic application materials online by **12:00pm (noon) on Monday, April 10, 2017**, we require that applicants submit a writing sample to lawappllit@georgetown.edu or drop it off in McDonough suite 306 by the April 10 deadline. If a student is selected and has not taken Evidence, she/he is encouraged, but not required, to do so while enrolled in the Program.

Students should be aware that some, at least one court before which we practice, requires completion of a certain number of credits. If students have not completed those, they will not be able to sign briefs or do oral argument.

Students who are employed by the federal government or the District of Columbia may have a conflict of interest that will prevent them from enrolling in this clinic. If you have worked for, or plan to work for, the federal government or the District of Columbia, please speak to the Program Director about a possible conflict BEFORE applying for the clinic. Once enrolled in the clinic, students may not undertake government employment or internships during the school year without the approval of the Program Director.

We will conduct an informal group information session to help students determine whether they wish to apply to this clinic. This session is designed to ensure that the students who apply are fully aware of the obligations associated with participation in the clinic. The session will be held on **Tuesday, April 4, from 5:30pm-6:30pm in McDonough 337**. Additionally, we will be holding an Open House in our Program Office (McD 306) on Monday, April 3, from 4:30pm-6:30pm. Interested students are strongly encouraged to attend either the information session or the Open House. If students cannot attend either of the scheduled sessions, they should stop by the Program Office (McD 306) to speak with one of the staff or set up an appointment.

We consider two factors to be important qualifications for admission to the clinic: demonstrated interest/relevant experience (such as previous litigation work, clerkships, research assistantships, moot court, law fellows, etc.) and well-developed writing skills. If our clinic is oversubscribed, we will first admit people who are very strong in both categories. We will fill remaining slots from a pool of applicants who are very strong in at least one category. We will admit people from the latter group at random unless it becomes necessary to make some selections on a non-random basis to ensure that we have a diverse group of clinic students. This reservation is necessary to the clinic pedagogy.

**2017-2018 CLINIC STAFF**

**Professor Erica J. Hashimoto, Director**  
B.A., Harvard University; J.D., Georgetown

Erica J. Hashimoto is a Professor of Law at Georgetown University Law Center where she serves as the Director of the Appellate Litigation Program. She has litigated before the United States Courts of Appeals for the D.C., Eleventh, and Fourth Circuits. Prior to joining the Georgetown faculty, she was the Allen Post Professor of Law at the University of Georgia. While there, she started an appellate
litigation clinic that accepted appointments from federal courts of appeals, and she was named a Josiah Meigs Professor, the university’s highest teaching honor.

Prior to teaching at the University of Georgia, Professor Hashimoto was an assistant federal public defender in Washington, D.C. She also clerked for the Honorable David S. Tatel of the United States Court of Appeals for the D.C. Circuit and for the Honorable Paul L. Friedman of the United States District Court for the District of Columbia.

Adjunct Professor Roy T. Englert, Jr.
B.A., Princeton; J.D., Harvard

Professor Englert began working with the clinic eleven years ago on SEC v. Zandford, 122 S. Ct. 1899 (2002). The next year he was appointed as an adjunct professor and consults with clinic students on cases, participating in seminar instruction, and providing career counseling. He is the founding partner of Robbins, Russell, Englert, Orseck & Untereiner LLP. Professor Englert was formerly a partner at Mayer, Brown & Platt in Washington, D.C., an Assistant to the Solicitor General at the United States Department of Justice, and an associate at Wilmer, Cutler & Pickering in Washington, D.C. He was also a Court Law Clerk for the United States Court of Appeals for the District of Columbia Circuit.

Throughout his career, Professor Englert's principal focus has been appellate litigation and antitrust law. His appellate experience includes arguing 12 cases in the Supreme Court of the United States, winning 10, losing 1, and achieving a split decision in 1. He has also briefed many other Supreme Court cases, and briefed and argued many cases in other state and federal appellate courts. His appellate cases have spanned virtually all fields of law, including antitrust, bankruptcy, employment discrimination, federal jurisdiction, administrative law, RICO, and punitive damages. Professor Englert's antitrust experience includes representing clients at trial and on appeal, negotiating with federal antitrust agencies, and providing antitrust counseling. He has also worked on competition issues in large railroad mergers before the Surface Transportation Board and its predecessor. His professional affiliations include membership in the ABA Section of Antitrust Law, the Supreme Court Historical Society, the Outside Advisory Board of the Georgetown Supreme Court Institute, and the Constitutional & Administrative Law Advisory Committee of the National Chamber Litigation Center.

Amit Vora
Second Year Fellow as of Fall 2017

Amit received his J.D. from Harvard Law School in 2010. Since graduation, he has devoted his practice to the craft of appellate advocacy and brief writing. Before joining the clinic, Amit was a senior associate at Covington & Burling LLP, where he was a member of the firm’s Appellate and Supreme Court Practice Group and filed numerous briefs in the U.S. Supreme Court and federal appellate courts across the country, including pro bono briefs supporting gun-control measures. He also developed an expertise in litigation concerning Daubert and scientific expert evidence. He was previously a litigation associate at Davis Polk & Wardwell LLP, where he litigated pro bono criminal appeals for the Appeals Bureau of the Brooklyn District Attorney’s Office, and he clerked for the Honorable Edward C. Prado of the U.S. Court of Appeals for the Fifth Circuit.

During law school, Amit was Executive Editor of the Harvard Negotiation Law Review, received the Dean’s Scholar Prize in Advanced Constitutional Law, and received the Best Brief Award in the First-Year Ames Moot Court Competition. He was also a research assistant for Professor Jon Hanson, which enabled him to apply his scientific background and explore the extent to which empirically-invalid assumptions about human nature animate our legal institutions and theories. Before law school, he was an analyst at Kobre & Kim LLP, a litigation boutique. In 2005, he received his B.A. cum laude from Yale College, where he majored in cognitive science with distinction.

Amit is admitted to the bars of New York, the District of Columbia, and the U.S. Supreme Court, as well as the Second, Fourth, Fifth, Sixth, Eleventh, and D.C. Circuits.
The other fellowship position will be filled by Summer 2017.

2016-17 APPELLATE LITIGATION STUDENTS:

1. Sarah Balkissoon
2. Ben Barokh
3. Barr Benyamin
4. Caitlin Callahan
5. Stephan Dalal
6. Donna Farag
7. Justin Greer
8. Zaneta Kim
9. Justin Kirschner
10. Branden Lewiston
11. Cole Mayhew
12. Hillary Neger
13. Jen Rathmell
15. Jeff Thalhofer
16. Garrett West