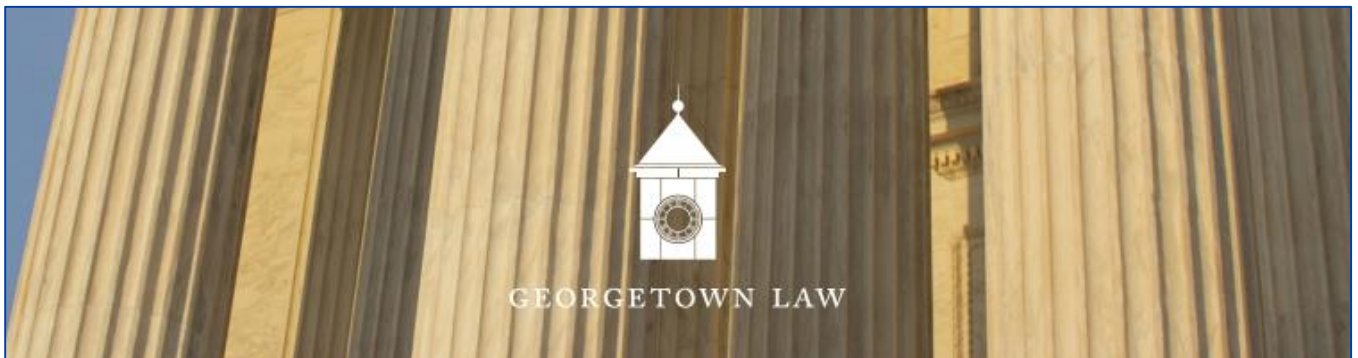




**ANNUAL REPORT 2020**  
**SUPREME COURT INSTITUTE**  
**GEORGETOWN UNIVERSITY LAW CENTER**





## GEORGETOWN LAW

**DATE:** NOVEMBER 30, 2021

**TO:** GEORGETOWN LAW FACULTY AND STAFF

**FROM:** DEBBIE SHRAGER, IRV GORNSTEIN,  
STEVEN GOLDBLATT, SARAH NAIMAN

**RE:** SUPREME COURT INSTITUTE ANNUAL REPORT

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We are pleased to share the Supreme Court Institute’s (SCI) Annual Report for the 2020-2021 academic year, corresponding to the Supreme Court’s October Term (OT) 2020. SCI provided a moot court in all but one case argued during OT 2020. Every moot was conducted remotely. While in-person moots are essential for live oral arguments, this was not a normal year. The telephonic format the Court adopted for the entire Term required us to adapt as well. Fortunately, Zoom allowed us to provide the best possible preparation for telephonic arguments. We could also invite stellar practitioners who live throughout the country to participate.

Many Georgetown Law students had an extraordinary learning experience seeing advocates prepare for arguments in an unprecedented Term. The remote format made it possible to host the two most well-attended moot courts in our history—the largest observed by 471 Georgetown Law students. In total, 1,945 students attended SCI moot courts—also the largest number of total attendees in an academic year—and every first-year student had the opportunity to attend a moot court with their Legal Practice class after a briefing on the case by the SCI Director.



## EXECUTIVE SUMMARY

During the U.S. Supreme Court’s October Term (OT) 2020—corresponding to the 2020-2021 academic year— the Supreme Court Institute (SCI) provided moot courts for advocates in 57 of the 58 cases argued at the Supreme Court, offered our annual press and student term preview programs, and continued to integrate the moot court program into the Law Center curriculum. As in past Terms, the varied affiliations of advocates mooted reflect SCI’s commitment to assist advocates without regard to the party represented or the position advanced.<sup>1</sup>



Responding to the COVID-19 pandemic, the Supreme Court took the unprecedented step of hosting all OT 2020 oral arguments telephonically. To prepare advocates for these arguments, SCI held remote moot courts using Zoom.<sup>2</sup> Advocates practiced their oral arguments while remaining off-video, and then joined the moot “justices” with video on for the feedback portion of the moot.

Mooting virtually eliminated the normal physical space constraints, allowing SCI to host the majority of first-year Legal Practice students at two fall moots. To help limit student live-remote classroom time, SCI Director Debbie Shrager created video briefings to introduce new law students to our program and to prepare them for the substantive issues in the cases being mooted. These videos helped students get the most out of the opportunity to observe our moots. Overall, SCI moot court attendance was exceptionally strong. A total of 1,945 student observers attended SCI moots, averaging 31 students per moot. This high attendance is particularly notable because the Supreme Court had an unusually light Term—hearing arguments in only 58 cases.<sup>3</sup>

To expand our service to the Court and the Georgetown Law community, SCI launched a pilot program to offer moots to both parties, with mutual consent, in select cases. SCI has had a longstanding practice of mooting an amicus appointed by the Court with the petitioning party’s consent. This term, SCI also provided moot courts for both petitioner and respondent in four contested cases.

A list of all SCI moot courts held in OT 2020—arranged by sitting and moot court date, including the name and affiliation of each advocate and the number of student observers—is included at the end of this report. Select facts and figures about SCI moot courts this term appear immediately below. Comparable figures from the past nine Terms, OT 2010 through OT 2019 are also included.

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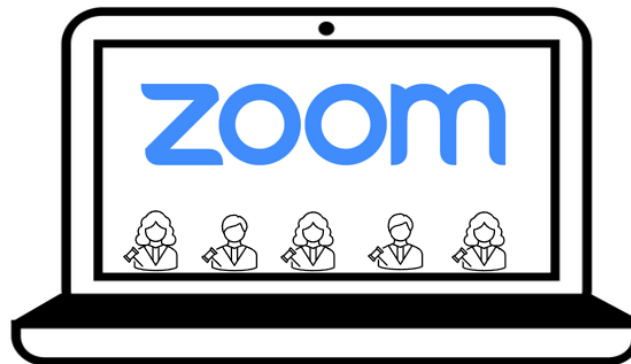
<sup>1</sup> SCI Policies & Procedures effective OT 2019 provide that, in general, whichever side submits the first request to the SCI Director is offered a moot. If both sides request the moot within the first 24 hours following the grant, however, a coin flip decides who will get the moot: heads, the moot goes to petitioner, tails, the moot goes to respondent.

<sup>2</sup> Launched in 2011, Zoom is a cloud-based video communications application that enables virtual video and audio conferencing, webinars, live chats, and screen-sharing.

<sup>3</sup> The Court averaged 70 arguments per Term from 2010 to 2018. Last Term, OT 2019, the Court heard 58 cases for argument, postponing an additional 12 arguments to the current Term.

## REMOTE MOOTING

At the end of OT 2019, SCI faced a new challenge—for the first time in its history, moots were held remotely. When the Court announced that it would schedule telephonic arguments in a special May Sitting, SCI quickly adapted to this new format and held moot courts over Zoom for every case the court heard that sitting. This experience enabled SCI to seamlessly begin moot cases over Zoom at the start of OT 2020.



Zoom and the Zoom logo are trademarks of Zoom Video Communications, Inc.

During OT 2020, SCI staff continued to refine the format for remote moots as we gained additional experience and learned more about the Court’s new argument practices. To ensure the orderly questioning of advocates during telephonic oral arguments, the Court made changes to its typical free-for-all questioning; each Justice had a strictly timed opportunity to ask questions, moderated by the Chief Justice. While SCI moots had always followed the Court’s free-for-all questioning, mirroring the Court’s new approach was not necessarily best for every advocate. And timed moot courts could potentially fail to expose all weaknesses in an advocate’s argument because the moot panel would have a limited opportunity to probe issues.

To respond to these concerns, SCI staff offered advocates a menu of suggested formats and worked with each advocate to ensure that the moot would be most useful for their personal preparation. As the term progressed, SCI moots were most often conducted in a “hybrid” format: a timed two-minute opening followed by one or two rounds of timed questions by each Justice in turn, with any time remaining used for either a traditional free-for-all or justice-by-justice questioning without time limits.

Every OT 2020 moot was conducted with the advocate using audio only for questioning (joining the Zoom meeting by phone or with their computer screen turned off), and the justices visible to each other. For timed questioning, a member of SCI staff displayed a timer using a video virtual background to allow the moot chief and justices to monitor time limits more easily. The time on the clock was set based on the advocate’s allotted time for their argument and staff review of argument recordings to see how the Court was enforcing time limits in practice.

## SCI MOOT COURT STATISTICS



### SUPREME COURT INSTITUTE OCTOBER TERM 2020 MOOTS

Total Number of Moots: 62

Total Number of Argued Cases Mooted: 57 of 58

The SCI mooted counsel in all but one argued cases in OT 2020, providing 62 moot courts for 52 different advocates. Moot court panels comprised 190 individual (unique) “justices” filling 314 seats, averaging a five-member panel for each moot court.

More than half (58%) of the advocates we mooted—30 attorneys—were preparing for their first Supreme Court argument. At the other end of the experience spectrum, we held moot courts for five advocates who formerly served as Solicitor General of the United States: Paul Clement, Neal Katyal, Barbara Underwood, Don Verrilli, and Seth Waxman.

The varied affiliations of advocates mooted this term reflect SCI’s continued commitment to assist counsel regardless of the party they represent or the position they advance:

- We assisted **7 advocates** appearing on behalf of a **criminal defendant or habeas petitioner**.
- We provided **7 moot courts to 6 advocates**<sup>4</sup> representing **3 States**: Arizona, Arkansas, and California.
- We mooted advocates affiliated with:
  - **7 nonprofit organizations**: ACLU, Alliance Defending Freedom, Becket Fund for Religious Liberty, Institute for Justice, McArthur Justice Center, Pacific Legal Foundation, and Sierra Club.
  - **5 law schools**: BYU, CUNY, New York University, Stanford, and University of Texas.
  - **29 private law practices**
    - **1** solo practitioner
    - **12** advocates affiliated with **11 small/boutique firms** (fewer than 75 attorneys)
    - **23** advocates affiliated with **17 large firms** (more than 100 attorneys)

Moots held for advocates representing petitioners or appellants (35 moots or 56.5%) outnumbered those for counsel representing respondents or appellees (25 moots or 40.3%). The final

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<sup>4</sup> We provided four moots for the State of California—two for the Solicitor General of California, and two for Deputy Solicitors General of California.

two moots (3.2% of the total) prepared advocates appointed by the Court as *amici curiae* to defend the judgment below.

As in prior Terms, the number and percentage of moots for male advocates (47 men received 51 moots; 81% of all advocates were male) far surpassed those provided to women (11 women received 12 moots; 19% of all advocates were female).<sup>5</sup>

In six cases, we held two separate moots, either for both parties or for one party as well as a Court-appointed amicus:

- *Fulton v. City of Philadelphia*: Neal Katyal and Jeff Fisher (counsel for petitioner & intervenor), Lori Windham (counsel for respondent)
- *Collins v. Yellen*: David Thompson (counsel for petitioner), Aaron Nielson (Court-appointed amicus)
- *Henry Schein v. Archer & White*: Kannon Shanmugam (counsel for petitioner), Dan Geyer (counsel for respondent)
- *Cedar Point Nursery v. Hassid*: Joshua Thomason (counsel for petitioner), Mike Mongan (counsel for respondent)
- *Lange v. California*: Jeff Fisher and Sam Harbourt (counsel for petitioner and the State in support of vacatur), Amanda Rice (Court-appointed amicus)
- *Mahanoy Area School District v. B.L.*: Lisa Blatt (counsel for petitioner), David Cole (counsel for respondent)



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<sup>5</sup> The moot court for *Trump v. New York* had both a female and a male advocate. To calculate gender-related statistics, this moot has been counted twice.

## MOOTS

**Total Moots in OT 2020: 62 moots**

OT 2019:	59 moots
OT 2018:	72 moots
OT 2017:	63 moots
OT 2016:	65 moots
OT 2015:	68 moots
OT 2014:	69 moots
OT 2013:	67 moots
OT 2012:	78 moots
OT 2011:	68 moots
OT 2010:	73 moots

**Arguments Mooted: 98%: 57/58 (2 moots in 6 cases)<sup>6</sup>**

OT 2019:	100%: 57/57 (2 moots in 2 cases)
OT 2018:	99%: 70/71 (2 moots in 2 cases)
OT 2017:	98%: 62/63 (2 moots in 1 case)
OT 2016:	100%: 64/64 (2 moots in 1 case)
OT 2015:	97%: 67/69 (2 moots in 1 case)
OT 2014:	100%: 69/69
OT 2013:	96%: 67/70
OT 2012:	100%: 75/75 (2 moots in 3 cases)
OT 2011:	94%: 65/69
OT 2010:	94%: 73/77

**Number of Justice Seats Filled: 314**

OT 2019:	298
OT 2018:	359
OT 2017:	309
OT 2016:	318
OT 2015:	337
OT 2014:	340
OT 2013:	334
OT 2012:	391
OT 2011:	342
OT 2010:	366

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<sup>6</sup> The Court heard a total of 64 cases—six of which were consolidated for argument with another case. Counsel did not request an SCI moot court in *United States v. Guam*.

**Number of Unique Justices: 190**

OT 2019:	195
OT 2018:	241
OT 2017:	224
OT 2016:	237
OT 2015:	234
OT 2014:	232
OT 2013:	228
OT 2012:	234
OT 2011:	201
OT 2010:	215

Our pool of moot court “Justices” includes members of the practicing Supreme Court Bar—including recent law clerks to Supreme Court Justices—and faculty from Georgetown and other local law schools. Because a Justice’s participation in any specific moot is confidential, their identities are not publicly disclosed.<sup>7</sup>

**GEORGETOWN LAW JUSTICES**

Individual Justices: 23

Most Frequent Justices:

Prof. Steve Goldblatt  
Prof. Irv Gornstein  
Prof. Erica Hashimoto  
Prof. Paul Smith  
Prof. Brian Wolfman

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<sup>7</sup> Moot court photos are included here with permission of the participants.



## ADVOCATES

**Total Unique Advocates Mooted: 68 attorneys<sup>8</sup>**

OT 2019:	53 <sup>9</sup>
OT 2018:	66 <sup>10</sup>
OT 2017:	57 <sup>11</sup>
OT 2016:	50 <sup>12</sup>
OT 2015:	59 <sup>13</sup>
OT 2014:	60 <sup>14</sup>
OT 2013:	54
OT 2012:	63
OT 2011:	61
OT 2010:	68

**First-Time Supreme Court Advocates: 30 attorneys (58%)**

OT 2019:	22 (41.5%)
OT 2018:	34 (51.5%)
OT 2017:	28 (49%)
OT 2016:	17 (34%)
OT 2015:	21 (35.5%)
OT 2014:	32 (53%)

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<sup>8</sup> In seven cases, we mooted two advocates in preparation for divided argument: Neal Katyal and Jeff Fisher, *Fulton v. City of Philadelphia*; Mike Mongan and Don Verrilli, *California v. Texas*; Greg Silbert and Jonathan Freiman, *Hungary v. Simon and Germany v. Philipp*; David Zimmer and Neal Katyal, *Garland v. Dai*; Jeff Fisher and Sam Harcourt, *Lange v. California*; and Mike Carvin and Mark Brnovich, *Brnovich v. DNC*.

<sup>9</sup> In three cases, we mooted two advocates in preparation for divided argument: Michael Mongan and Ted Olson in *Dept. of Homeland Security v. Regents of the University of CA*; Michael Levy and Yaakov Roth in *Kelly v. U.S.*; and Phil Weiser in *Colorado Dept. of State v. Baca* and Noah Purcell in *Chiafalo v. Washington* (*Baca* and *Chiafalo* were originally consolidated for argument, and we provided a single moot for both).

<sup>10</sup> In three cases, we mooted two advocates together in preparation for divided argument: Shay Dvoretzky and David Franklin for *Tennessee Wine & Spirits Retailers Assoc. v. Blair*; Emmet Bondurant and Allison Riggs in *Rucho v. Common Cause*; and Barbara Underwood and Dale Ho in *Department of Commerce v. New York*.

<sup>11</sup> In four cases, we mooted two advocates in preparation for divided argument: Fred Yarger and David Cole for respondents in *Masterpiece Cakeshop v. Colorado Civ. Rts. Comm'n*; Marcus Real and Fred Yarger for appellees in *Texas v. New Mexico and Colorado*; David Franklin and David Frederick for respondents in *Janus v. AFSCME*; and Max Renea Hicks and Allison Riggs for appellees in *Abbott v. Perez*. Separate moots were held in *Lucia v. S.E.C.*, for Mark Perry, counsel for petitioner, and for Anton Metlitsky, counsel for amicus curiae in support of the judgment below.

<sup>12</sup> Two advocates, John Williams and Deanna Rice, were mooted to prepare for divided argument in *Turner v. U.S.* and *Overton v. U.S.* (consolidated for argument). Separate moots were held for Richard Lazarus and Misha Tseytlin, sharing divided argument time on behalf of co-respondents in *Murr v. Wisconsin*.

<sup>13</sup> On three occasions, two advocates were mooted to prepare for divided argument in consolidated cases: Neal Katyal and Jeff Green in *Kansas v. Gleason* and *Kansas v. R. & J. Carr*; Jeff Green and Fred Liu in *Kansas v. R. Carr* and *Kansas v. J. Carr*; and Paul Clement and Noel Francisco in *Zubik v. Burwell* (seven consolidated cases).

<sup>14</sup> In two instances, two advocates were mooted together for a divided argument in consolidated cases: Eric Schnapper and Rick Pildes were mooted together in *Alabama Legislative Black Caucus v. Alabama* and *Alabama Democratic Conference v. Alabama*; and Aaron Lindstrom and William Brownell were mooted together in *Michigan v. EPA* and *Utility Air Regulatory Group v. EPA*.

OT 2013:	25(46%)
OT 2012:	33(52%)
OT 2011:	29(47.5%)
OT 2010:	32(47%)

**Petitioner/Appellant Counsel: 35 Moots (56.5%)**

OT 2019:	39 (66.1%)
OT 2018:	37 (51%)
OT 2017:	41 (65%)
OT 2016:	37 (60%)
OT 2015:	44 (65%)
OT 2014:	43 (62%)
OT 2013:	43 (64%) <sup>15</sup>
OT 2012:	42 (54%)
OT 2011:	37 (54%)
OT 2010:	39 (53.5%)

**Respondent/Appellee Counsel: 25 Moots (40.3%)**

OT 2019:	20 (33.9%)
OT 2018:	33 (46%)
OT 2017:	21 (33%)
OT 2016:	28 (40%)
OT 2015:	22 (32%)
OT 2014:	26 (38%)
OT 2013:	25 (39%)
OT 2012:	32 (41%)
OT 2011:	30 (44%)
OT 2010:	34 (46.5%)

**Court-Appointed Amici: 2 Moots (3.2%)**

OT 2019:	2 (3.4%)
OT 2018:	2 (3%)
OT 2017:	1 (1.5%)
OT 2016:	0 (0%)
OT 2015:	1 (1.5%)
OT 2014:	0 (0%)
OT 2013:	0 (0%)
OT 2012:	4 (5%)

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<sup>15</sup> Combined percentages exceed 100% because we held a single moot for Paul Clement, who argued on behalf of respondents in *Sebelius v. Hobby Lobby Stores*, No. 1354, and on behalf of petitioners in *Conestoga Wood Specialties Corp. v. Sebelius*, No. 13-356 (consolidated for argument); that single moot court is therefore counted twice in calculating the number and percentage of moots for petitioners' counsel and respondents' counsel.

OT 2011: 1 (1.5%)  
OT 2010: 0 (0%)

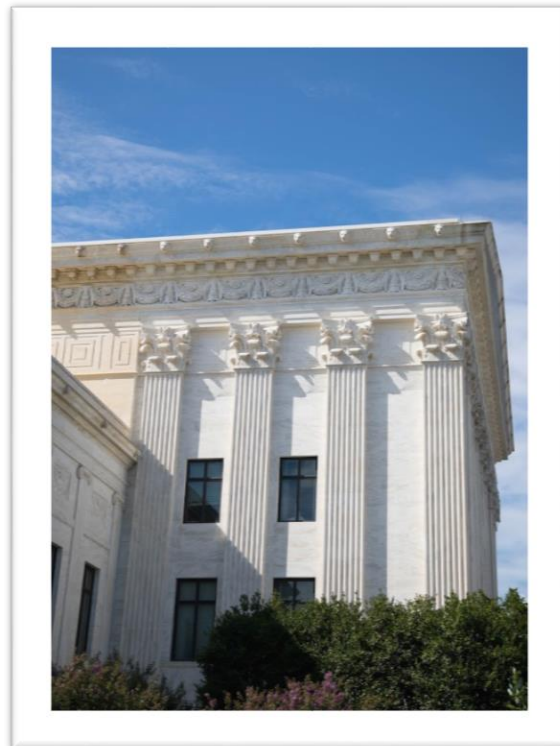
**Advocates With Multiple Moots: 8 (12.9% of moots)**

Kannon Shanmugam (4); Jeffrey Fisher (3); Paul Clement (2); Dan Geyser (2); Sarah Harris (2); Neal Katyal (2); Michael Mongan (2); David Zimmer (2)

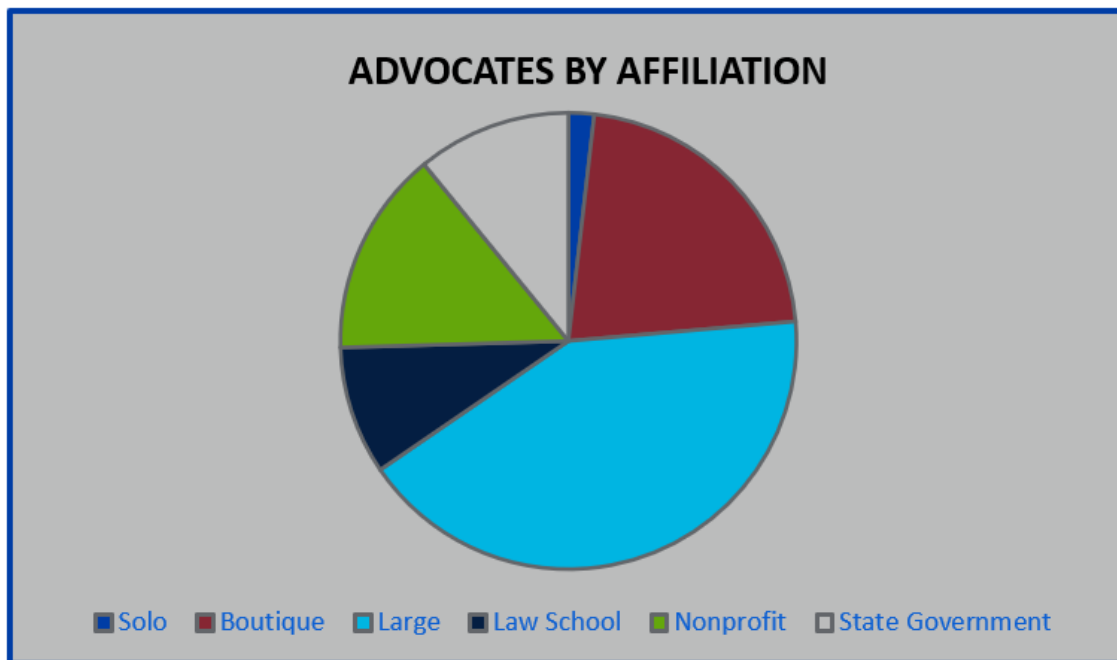
**MOST MOOTED ADVOCATES**

Kannon Shanmugam, Paul Weiss(4)  
Jeffrey Fisher, Stanford Law School(3)

OT 2019: P. Clement (4); L. Blatt (3); B. Burgess (2); T. Crouse (2); P. Hughes (2); R.Martinez (2)  
OT 2018: K. Shanmugam (4); J. Fisher (3); S. Dvoretzky (2); D. Frederick (2); T. Heytens (2)  
OT 2017: P. Clement (4); D. Geyser (3); J. Fisher (2); N. Katyal (2); E. Murphy (2); J. Rosenkranz (2); F. Yarger (2)  
OT 2016: N. Katyal (5); S. Waxman (4); J. Bursch (2); S. Dvoretzky (2); M. Elias (2); J. Fisher (2); C. Landau (2); J. Rosenkranz (2); A. Unikowsky (2)  
OT 2015: P. Clement (4); T. Goldstein (3); P. Smith (3); N. Katyal (2); J. Green (2); D. Frederick (2); C. Landau (2); N. Francisco (2)  
OT 2014: S. Waxman (4); T. Goldstein (3); N. Katyal (2); J. Fisher (2); E. Schnapper (2); J. Elwood (2)  
OT 2013: P. Clement (4); S. Waxman (4); J. Bursch (3); K. Russell (3); J. Fisher (2); N. Katyal (2); E. Schnapper (2)  
OT 2012: J. Fisher (4); P. Clement (3); D. Frederick (3); T. Goldstein (3); J. Bursch (2); G. Garre (2); N. Katyal (2); S. Waxman (2)  
OT 2011: P. Clement (5); J. Neiman (2); S. Waxman (2)  
OT 2010: L. Blatt (2) (incomplete data available)



## ADVOCATES BY AFFILIATION



### **Boutiques (<75 attorneys): 11 firms/12 attorneys/13 moots<sup>16</sup>**

OT 2019:	5 firms/6 attorneys/6 moots
OT 2018:	12 firms/11 attorneys/14 moots
OT 2017:	5 firms/5 attorneys/7 moots
OT 2016:	10 firms/13 attorneys/13 moots
OT 2015:	12 firms/12 attorneys/18 moots
OT 2014:	7 firms/8 attorneys/10 moots
OT 2013:	9 firms/12 attorneys/17 moots
OT 2012:	14 firms/20 moots
OT 2011:	13 firms
OT 2010:	12 firms

<sup>16</sup> Christian Samson & Baskett: Eric Henkel, *United States v. Cooley*  
 Consovoy McCarthy: Cam Norris, *CIC Services v. IRS*; David Thompson, *Collins v. Mnuchin*  
 DeSisto Law: Marc DeSisto, *Caniglia v. Strom*  
 Deutsch Hunt: Ruthanne Deutsch, *FCC v. Prometheus Radio*  
 Goldstein & Russell: Tom Goldstein, *Google v. Oracle*  
 Gupta Wessler: Deepak Gupta, *Ford v. Montana Eighth Dist. Ct.*  
 Harris & Hoffman: Paul Hoffman, *Nestle USA v. Doe I*  
 Manasseh, Gill, Knipe & Bélanger: Andre Bélanger, *Edwards v. Vannoy*  
 MoloLamken: Mike Pattillo, *AMG Capital Mgmt. v. FTC*  
 Montgomery & Andrews: Jeffrey Wechsler, *Texas v. New Mexico*  
 Alexander Dubos & Jefferson: Dan Geysler, *Henry Schein v. Archer & White, City of San Antonio v. Hotels.com*

**Large Firms (>100 attorneys): 17 firms/ 23 attorneys/ 29 moots<sup>17</sup>**

OT 2019:	17 firms/26 attorneys/34 moots
OT 2018:	17 firms/25 attorneys/30 moots
OT 2017:	14 firms/26 attorneys/31 moots
OT 2016:	18 firms/22 attorneys/35 moots
OT 2015:	16 firms/25 attorneys/31 moots
OT 2014:	20 firms/28 attorneys/34 moots
OT 2013:	22 firms/25 attorneys/29 moots
OT 2012:	18 firms/22 moots
OT 2011:	19 firms
OT 2010:	15 firms

**Solo Practitioners: 1 attorney/1 moot<sup>18</sup>**

OT 2019:	1 attorney/1 moot
OT 2018:	4 attorneys/4 moots
OT 2017:	3 attorneys/3 moots
OT 2016:	3 attorneys/4 moots
OT 2015:	4 attorneys
OT 2014:	0 attorneys
OT 2013:	2 attorneys
OT 2012:	5 attorneys
OT 2011:	1 attorney
OT 2010:	5 attorneys

**MOST MOOTED FIRMS**

Paul Weiss (4)  
Williams & Connolly (4)  
Kirkland & Ellis (3)

<sup>17</sup> Arnold & Porter: Matt Wolf, *Minerva Surgical v. Hologic*  
Gibson Dunn: Mark Perry, *United States v. Arthrex*  
Goodwin Proctor: David Zimmer, *Niz-Chavez v. Garland, Garland v. Dai*  
Hogan Lovells: Neal Katyal, *Fulton v. City of Philadelphia, Garland v. Alcaraz-Enriquez*  
Jones Day: Amanda Rice, *Lange v. California*; Michael Carvin, *Arizona Republican Party v. Democratic National Committee*  
Kirkland & Ellis: Craig Primis, *Florida v. Georgia*; Paul Clement, *Alaska Native Village Corporation Association v. Confederated Tribes of the Chehalis Reservation, PennEast Pipeline Co. v. New Jersey*  
McDermott Will & Emory: Paul Hughes, *Pham v. Chavez*  
Munger, Tolles & Olson: Donald Verrilli, *Texas v. California*  
O'Melveny: Brad Garcia, *United States v. Palomar-Santiago*  
Orrick: Brian Goldman, *Pereida v. Wilkinson*; Kelsi Corkran, *Torres v. Madrid*  
Paul Weiss: Kannon Shanmugam, *Borden v. United States, Henry Schein v. Archer & White, BP v. Mayor & City Council of Baltimore, Goldman Sachs v. AR Teacher Retirement Sys.*  
Pillsbury: Matthew Morrison, *HollyFrontier Cheyenne Refining v. Renewable Fuels Ass'n*  
Williams & Connolly: Lisa Blatt, *Mahanoy Area School Dist. v. B.L.*; Sarah Harris, *Salinas v. U.S. R.R. Retirement Board, Carr v. Saul*; Amy Saharia, *Sanchez v. Mayorkas*  
Weil Gotshal: Greg Silbert, *Hungary v. Simon*  
Wiggin & Dana: Jonathan Freiman, *Germany v. Philipp*  
WilmerHale: Craig Goldblatt, *City of Chicago v. Fulton*; Seth Waxman, *NCAA v. Alston*  
Wilson Sonsini Goodrich & Rosati: Michael McConnell, *Carney v. Adams*

<sup>18</sup> Brian Garner: *Facebook v. Duguid*

**State/City/Foreign Governments: 4 States (7 moots)<sup>19</sup>**

OT 2019:	6 States, 1 County, 1 City (10 Moots) <sup>20</sup>
OT 2018:	8 States/1 Township (11 Moots) <sup>21</sup>
OT 2017:	10 States/1 Municipality (14 Moots) <sup>22</sup>
OT 2016:	3 States/4 Municipalities/1 Country (8 moots) <sup>23</sup>
OT 2015:	8 States/1 Commonwealth (10 moots) <sup>24</sup>
OT 2014:	10 States/1 City (11 moots) <sup>25</sup>
OT 2013:	4 States/1 City (7 moots) <sup>26</sup>
OT 2012:	6 States/2 Cities (10 moots) <sup>27</sup>
OT 2011:	7 States (8 moots) <sup>28</sup>
OT 2010:	7 States (8 moots) <sup>29</sup>

**Non-Profit Organizations: 7 organizations/8 attorneys/8 moots<sup>30</sup>**

OT 2019:	5 organizations/5 attorneys/5 moots
OT 2018:	6 organizations/7 attorneys/7 moots
OT 2017:	4 organizations/6 attorneys/6 moots
OT 2016:	3 organizations/3 attorneys/3 moots
OT 2015:	2 organizations/2 attorneys/2 moots
OT 2014:	2 organizations/2 moots
OT 2013:	4 organizations/4 moots
OT 2012:	4 organizations/6 moots
OT 2011:	4 organizations
OT 2010:	4 organizations

<sup>19</sup> Arizona: Mark Brnovich, *Brnovich v. Democratic National Committee*

Arkansas: Nicholas Bronni, *Rutledge v. Pharm. Care Mgmt. Ass'n*

California: Michael Mongan, *California v. Texas*, *Cedar Point Nursery v. Hassid*; Sam Harcourt, *Lange v. California*; Aimee

Feinberg, *Americans for Prosperity Foundation v. Bonta*

New York: Barbara Underwood, *Trump v. New York*

<sup>20</sup> CA; CO; KA (2x); LA; NY City; NY County; OK; WA

<sup>21</sup> AK; AL; CA; IL; MO; NC; NY; VA (2x); Scott, PA (2x)

<sup>22</sup> CO, DC GA, HI, IL LA, NJ, OH SD, WA WI

<sup>23</sup> MA; AL; WI; St. Croix, WI; Joliet, IL; Napoleon, MI; Douglas County, CO; Venezuela

<sup>24</sup> LA; FL; GA; VT; UT; OH; MT; MD; P.R.

<sup>25</sup> NC; AR; NE; MD; AL; CO; ID; CA; MI; OK; S.F.

<sup>26</sup> AR-city; IL; MA; MI-3; OH

<sup>27</sup> AR; FL; MD; MI; OH; TX; Arl., TX; L.A., CA<sup>[SEP]</sup>

<sup>28</sup> CA; AZ; AL (2x); MI; NH; IL; AR<sup>[SEP]</sup>

<sup>29</sup> AL; CA; NY; OH; OR (2x); SC; WY

<sup>30</sup> ACLU (Dale Ho, *Trump v. New York*; David Cole, *Mahoney Area School Dist. v. B.L.*); Alliance Defending Freedom (Kristen Waggoner, *Usuegbunam v. Preczewski*); Becket Fund for Religious Liberty (Lori Windham, *Fulton v. City of Philadelphia*); Institute for Justice (Patrick Jaicomo, *Brownback v. King*); McArthur Justice Center (David Shapiro, *Jones v. Mississippi*); Pacific Legal Foundation: Joshua Thompson, *Cedar Point Nursery v. Hassid*); Sierra Club (Sanjay Narayan, *U.S. Fish & Wildlife Serv. V. Sierra Club*)

**Former U.S. Solicitors General: 5 Attorneys (7 moots)**

*Paul Clement (2), Neal Katyal (2), Barbara Underwood, Don Verrilli, Seth Waxman*

OT 2019:	4: Clement (4 moots), Katyal, Olson, Verrilli
OT 2018:	5: Clement, Gershengorn, Katyal, Waxman, and Underwood
OT 2017:	3: Clement (4 moots), Katyal (2 moots), and Olson
OT 2016:	2: Katyal (5 moots) and Waxman (4 moots)
OT 2015:	2: Clement (4 moots) and Katyal (2 moots)
OT 2014:	2: Katyal and Waxman
OT 2013:	4: Clement, Garre, Katyal, and Waxman
OT 2012:	4: Clement, Garre, Katyal, and Waxman
OT 2011:	3: Clement, Dellinger, and Waxman
OT 2010:	2: Clement and Waxman

**Criminal/Habeas: 7 attorneys/9 moots<sup>31</sup>**

OT 2019:	9 attorneys/8 moots
OT 2018:	15 attorneys/15 moots
OT 2017:	14 attorneys/15 moots
OT 2016:	17 attorneys/16 moots
OT 2015:	17 attorneys/16 moots
OT 2014:	10 attorneys/11 moots
OT 2013:	15 attorneys/16 moots
OT 2012:	18 attorneys/19 moots
OT 2011:	7 attorneys
OT 2010:	10 attorneys

**Law Professors: 5 attorneys/5 schools/7 moots<sup>32</sup>**

OT 2019:	3 attorneys/2 schools/3 moots
OT 2018:	3 attorneys/3 schools/5 moots
OT 2016:	4 attorneys/3 schools/5 moots
OT 2015:	3 attorneys/2 schools/3 moots
OT 2014:	6 attorneys/6 schools/8 moots
OT 2013:	6 attorneys/5 schools/8 moots
OT 2012:	7 attorneys/6 schools/10 moots
OT 2011:	6 attorneys
OT 2010:	8 attorneys

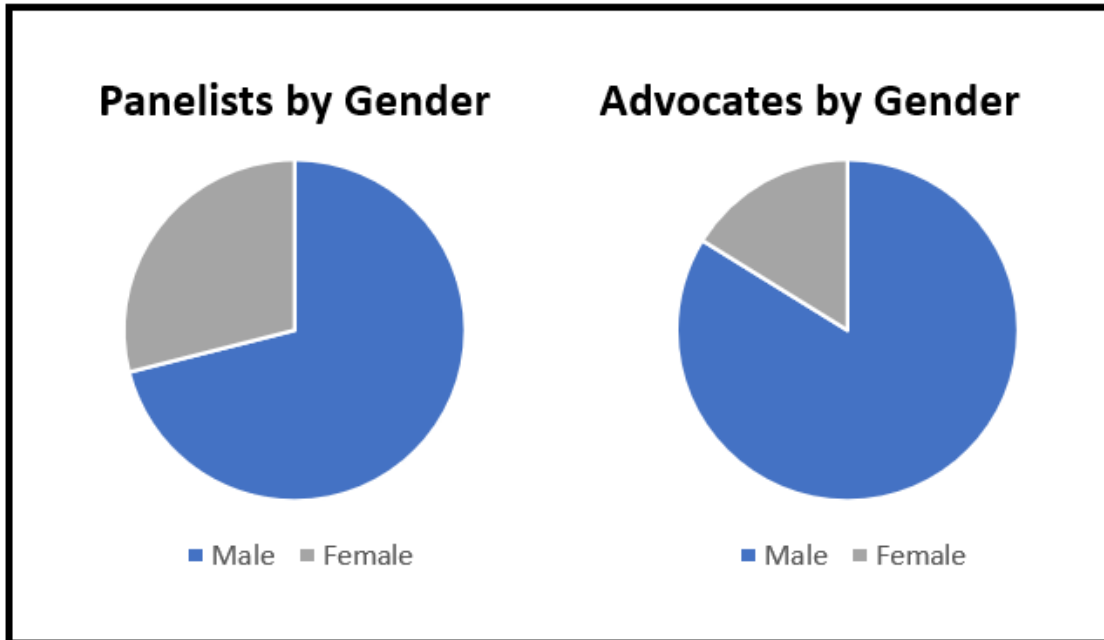
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<sup>31</sup> Andy Adler, *Terry v. United States*; Andre Berlinger, *Edwards v. Vannoy*; Jeff Fisher, *Van Buren v. United States*, *Lange v. California*, and *United States v. Gary*; Allison Guagliardo, *Greer v. United States*; Eric Henkel, *United States v. Cooley*; Kelsi Corkran, *Torres v. Madrid*; Kannon Shanmugam, *Borden v. United States*

<sup>32</sup> BYU Law: Aaron Nielson, *Collins v. Mnuchin*; CUNY: Ramzi Kassem, *Tanzin v. Tanvir*; New York University: Sam Issacharoff, *Transunion v. Ramirez*; Stanford: Jeff Fisher, *Fulton v. City of Philadelphia*, *Van Buren v. United States*, *Lange v. California*, *United States v. Gary*; University of Texas: Steve Vladeck, *United States v. Briggs*

## PARTICIPANTS BY GENDER<sup>33</sup>

The Supreme Court Bar continues to have little diversity; a small minority of advocates are women and/or people of color. This lack of diversity is reflected in the advocates who participate in SCI moot courts. To combat this trend, this year SCI included female participants in 99% of its moot court panels.



### Unique Female Justices

OT 2020: 55 (29%)

OT 2019: 61 (31%)

### Panels with a Female Justice

OT 2020: 61 (98.4%)

OT 2019: 58 (98.3%)

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<sup>33</sup> SCI does not ask advocates or panelists to disclose personal information, including gender identity. We apologize for any error made here.



**Female Advocates:**

**11 attorneys/12 moots<sup>34</sup>**

**19% of moots were for a female advocate**

OT 2019: 5 attorneys/7 moots (11.4%)

OT 2018: 15 attorneys/16 moots (23%)

OT 2017: 9 attorneys/9 moots (16%)

OT 2016: 9 attorneys/10 moots (18%)

OT 2015: 5 attorneys/5 moots (8%)

OT 2014: 10 attorneys/12 moots (17%)

OT 2013: 5 attorneys/5 moots (9%)

OT 2012: 12 attorneys/11 moots (19%)

OT 2011: 8 attorneys/9 moots (13%)

OT 2010: 7 attorneys/8 moots (9%)

**Male Advocates:**

**47 attorneys/51 moots<sup>35</sup>**

**81% of moots were for a male advocate**

OT 2019: 48 attorneys/52 moots (88.1%)

OT 2018: 51 attorneys/59 moots (77%)

OT 2017: 48 attorneys/58 moots (84%)

OT 2016: 43 attorneys/55 moots (82%)

OT 2015: 54 attorneys/63 moots (92%)

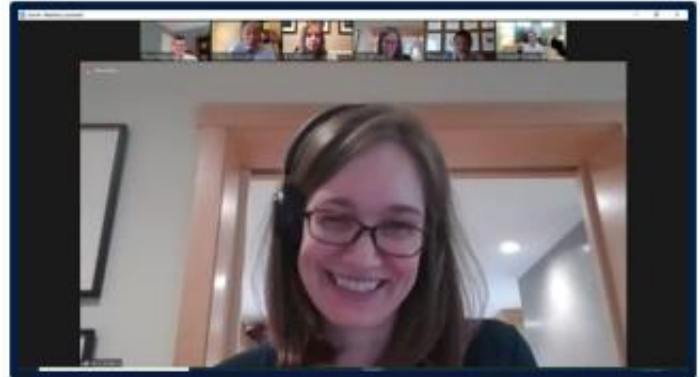
OT 2014: 50 attorneys/57 moots (83%)

OT 2013: 49 attorneys/63 moots (91%)

OT 2012: 51 attorneys/67 moots (81%)

OT 2011: 53 attorneys/59 moots (87%)

OT 2010: 66 attorneys/65 moots (91%)



**SCI Moot Court for Amy Saharia  
Counsel for Petitioner, Sanchez v. Mayorkas**

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<sup>34</sup> Female attorneys with multiple moots: Sarah Harris (2).

<sup>35</sup> Male attorneys with multiple moots: Kannon Shanmugam (4); Jeffrey Fisher (3); Paul Clement (2); Dan Geysler (2); Neal Katyal (2); Michael Mongan (2); David Zimmer (2).

## ATTENDANCE AT SCI MOOT COURTS

Attendance at SCI moot courts by Georgetown Law students and faculty was robust. A total of 1,945 student observers attended this Term’s moot courts. The Term’s first sitting included two cases especially well-suited for first year students: *Ford v. Montana Eighth District Court* (personal jurisdiction) and *Torres v. Madrid* (Fourth Amendment). Our moot court for respondents’ counsel in *Ford* had the largest audience in SCI moot history!<sup>36</sup> The SCI held a remote moot attended by 471 students and several GULC faculty members—numbers made possible hosting the moot in a Zoom webinar. The moot for respondent in *Torres*—attended by 372 students—was the second most well-attended moot both this Term and in the history of the program. Other popular moots were *Lange v. California* (261 observers); *Fulton v. City of Philadelphia* (111 observers attended either petitioner’s or respondent’s moot); *NCAA v. Alston* (78 observers); and *Mahanoy Area School District v. B.L.* (60 observers).

### OBSERVERS 1945 – 31 average per moot

OT 2019: 1114 – average 19 per moot  
OT 2018: 1360 – average 19 per moot  
OT 2017: 1421 – average 22.5 per moot  
OT 2016: 1114 – average 17 per moot  
OT 2015: 1330 – average 20 per moot  
OT 2014: 1580 – average 23 per moot  
OT 2013: 1485 – average 22 per moot  
OT 2012: 1895 – average 24 per moot  
OT 2011: 1378 – average 20 per moot  
OT 2010: 1173 – average 16 per moot

### Best Attended Moot Court: *Ford Motor Company v. Montana Eighth Judicial District Court*, 471 Observers

OT 2019: *Bostock v. Clayton County, GA* 334  
OT 2018: *Mitchell v. Wisconsin* 223  
OT 2017: *Masterpiece Cakeshop v. Colorado Civil Rights Commission*: 289  
OT 2016: *Pena-Rodriguez v. Colorado*: 250  
OT 2015: *Utah v. Strieff*: 251  
OT 2014: *Obergefell v. Hodges*: 199  
OT 2013: *Walden v. Fiore*: 208  
OT 2012: *Maryland v. King*: 370  
OT 2011: *Zivotofsky v. Clinton*: 136  
OT 2010: *Wal-Mart v. Dukes*: 107

<sup>36</sup> Before this Term, the most-attended moot was held in 2012—370 observers attended the moot court for *Maryland v. King*. The issue in that case was whether the Fourth Amendment allows states to collect and analyze DNA from people arrested for, but not convicted of, serious crimes.

## CONTINUED PARTNERSHIPS WITH GEORGETOWN LAW FACULTY

The SCI continued its collaboration with the Law Center’s Legal Practice faculty to offer all first-year J.D. students the opportunity to observe Supreme Court advocates prepare for oral argument. Without in-person space limitations, we were able to host most first-year students at two fall moot courts.

Especially for new law students, it is essential to provide a briefing before a moot to allow them to benefit fully from the experience and enjoy it! When classes were held in person, SCI Director Debbie Shrager visited each Legal Practice section to provide a briefing. This year, to support the faculty’s effort to offer students asynchronous learning opportunities, she created video briefings for these cases and an additional video introducing students to the SCI Moot Court Program. The case briefing videos covered the factual and legal context of the assigned case, the arguments advanced by the parties, and the professional background of the advocate and moot court justices. To further prepare students for the moot courts, professors were given select portions of the parties’ briefs to use as reading assignments.



Six Legal Practice professors—Professors Erin Carroll, Jessica Wherry, Tiffany Jeffers, Fran DeLaurentis, Jeffrey Shulman, and Sonya Bonneau—had their students attend the moot court for respondents’ counsel in *Ford v. Montana Eighth Judicial District Court*, held in October. The issue in *Ford* was whether state courts may exercise specific personal jurisdiction over a non-resident defendant in product-liability cases when the defendant has activities in the forum states, but those forum contacts did not cause the plaintiff’s injuries. The *Ford* plaintiffs were injured by car accidents in the

forum states, also their states of residence, but the vehicles involved in the accidents were manufactured and sold elsewhere. Students observed Georgetown Law graduate Deepak Gupta, representing the plaintiffs, answer questions from a panel including Georgetown Law Professors Kevin Arlyck, Irv Gornstein, and David Vladeck. Civil Procedure students taught by Professor Vladeck and Professors Maria Glover and David Hyman, as well as Professor Gornstein’s Federal Practice Seminar students, also attended this moot.

Legal Practice Professors Michael Cedrone, Eun He Hon, Jonah Perlin, Diana Donahoe, Sherri Keene, Jeffrey Shulman, and Sonya Bonneau<sup>37</sup> had their classes attend the October moot court for petitioner’s counsel in *Torres v. Madrid*. That case involved the shooting of Roxanne Torres by police officers while she was in a car. Torres was injured but still able to drive away and temporarily elude capture. The issue in the case was whether a Fourth Amendment seizure occurs when the police apply

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<sup>37</sup> Professors Shulman and Bonneau taught the evening students, who were given the option of attending either the *Ford* or the *Torres* moot court.

physical force, but this does not detain the suspect. Students observed Kelsi Corkran (who recently joined Georgetown’s Institute for Constitutional Advocacy and Protection), representing Ms. Torres, respond to questions from a panel including Professors Gornstein, Cliff Sloan, and Mary McCord. Also attending this moot were Criminal Justice classes taught by Professor Sloan, and Professors Roger Fairfax and Julie O’Sullivan, as well as Professor Sue Bloch’s Constitutional Law class and Supreme Court Seminar students.

Our moot in another Fourth Amendment case—for petitioner’s counsel (and counsel for California in support of vacatur) in *Lange v. California*—was attended by several classes. Legal Practice Professor Julie Ross’ students attended this moot court, along with students in Professor Michael Dreeben’s Supreme Court Today Seminar, Professor Christy Lopez’s and Professor Gornstein’s Criminal Justice classes, and Professor Allegra McLeod’s Democracy & Coercion class. Director Shrager visited Professor McLeod’s class, which included Professor Ross’ students, to brief students before the moot court. The issue in *Lange* was whether a police officer’s pursuit of a suspected misdemeanor categorically qualifies as an “exigent circumstance” permitting police to enter the suspect’s home without a warrant. Professors Dreeben, Gornstein, and Sloan participated on this moot court panel.



*SCI Moot Court for Lange v. California: From top left: Tiffany Wright and Sam Harcourt, Deputy Solicitor General of California; Second row from left: Prof. Michael Dreeben, Amir Ali, and Prof. Cliff Sloan; From bottom left: Jeff Fisher, Counsel for Petitioner and Prof. Irv Gornstein,*

Other SCI moot courts were integrated into the curriculum of several courses offered during the 2020-21 academic year. The moot court for petitioner’s counsel in *Google v. Oracle*—a high-profile copyright case concerning Google’s development of its Android Operating System—was attended by 113 students, including Professor Jennifer Sturiale’s Tech Scholars and Professor Julie Cohen’s copyright students. Professor Cohen and Professor Mark Perry participated as Justices. Students in Professor David Simmons’ Employment Discrimination Seminar and Professor Bloch’s Supreme Court Seminar attended the moot courts for petitioner and respondent, respectively, in *Fulton v. City of Philadelphia*. At issue in *Fulton* was whether Philadelphia’s refusal to contract with Catholic Social

Services to provide foster care services, unless CSS agreed to certify same-sex couples as foster parents, violated the First Amendment's free exercise clause.

Each spring, Professor Don Ayer includes several moots as part of his Supreme Court Litigation Seminar and participates on the panel for each moot. This year his students attended the moot courts for *United States v. Arthrex* and two very closely-watched cases: *Mahanoy Area School District v. B.L.* and *NCAA v. Alston*. The issue in *Mahanoy* was whether public school officials may regulate speech that occurs off campus. The issue in *NCAA* was whether the National Collegiate Athletic Association's eligibility rules regarding compensation of student-athletes violate federal antitrust law. Professor Brad Snyder's Sports Law students also attended the *NCAA* Moot.



Clockwise, Former SCI Director Dori Bernstein, SCI Director Debbie Shrager, SCI Faculty Director Steve Goldblatt, and SCI Executive Director Irv Gornstein

Other professors who served on moot court panels also brought their students to observe the moots. Professor Arlyck's Federal Courts & the World seminar attended *Nestle USA v. Doe I* (whether an aiding and abetting claim against a domestic corporation brought under the Alien Tort Statute may overcome the extraterritoriality bar where the claim is based on allegations of general corporate activity in the United States). Professor Brian Wolfman's Appellate Immersion Clinic attended two moots: *Salinas v. U.S. Railroad Retirement Board* (whether the Board's denial of a request to reopen a prior benefits determination is a "final decision" subject to judicial review), and *City of San Antonio v. Hotels.com* (whether district courts lack discretion to deny or reduce appellate costs deemed taxable in district court under the Federal Rules of Appellate Procedure). Professor Hope Babcock's Natural Resources Law students watched the moot in *Texas v. New Mexico* (a dispute about use of the Pecos River). Professor McCord's Constitutional Impact Litigation Practicum observed the moot for *Jones v. Mississippi* (whether the Eighth Amendment requires the sentencing authority to make a finding that a

juvenile is permanently incorrigible before imposing a sentence of life without parole).<sup>38</sup>

The SCI Judicial Clerkship practicum, taught by adjunct professor Daniel Woofter, offered eight J.D. students the opportunity to serve as “law clerks” to professors who volunteered to serve as Justices on an SCI moot panel. Each student clerk read the lower court opinions and all briefs in the assigned case; led a class discussion of the case; wrote a bench memo synthesizing the critical facts, pertinent legal framework, contentions of the parties and *amici curiae*, and pivotal Supreme Court authority; met with his or her assigned Justice to discuss the case in preparation for the moot court; observed the moot court and oral argument; and prepared a post-argument analysis comparing the moot court to the oral argument. Volunteer professors and practitioners for this year’s practicum were: Professors Erica Hashimoto, Glover, Gottesman, Gornstein, Lopez, and Wolfman, as well as former SCI Director Dori Bernstein, and Ruthanne Deutsch of Deutsch Hunt PLLC.



*GULC faculty participating in SCI Moot Courts*

*From top left: Professors Brian Wolfman, Dave Vladeck, Julie Cohen, and Shon Hopwood;  
Second row from left: Professors Steve Goldblatt, Kevin Arlyck, Michael Dreeben, and Cliff Sloan;  
From bottom left: Professors Mark Perry, Christy Lopez, Irv Gornstein, and Glen Nager*

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<sup>38</sup>Professor Hashimoto, who served on several OT 2020 moot court panels, also required her Appellate Advocacy Clinic students to attend at least one moot of their choice. Professor McLeod, who regularly serves on our panels but was unavailable to do so this year, had her Borders & Banishment students attend the *Pereida v. Barr* moot (whether a criminal conviction bars a noncitizen from applying for relief from removal when the record of conviction is merely ambiguous as to whether it corresponds to an offense listed in the Immigration and Nationality Act).

## OTHER MOOT COURT OBSERVERS

On occasion, SCI permits undergraduate students and students enrolled at other law schools to observe moot courts, with their professors, by prior arrangement.<sup>39</sup> The remote format offered two of our out-of-town advocates the opportunity to have their students observe their SCI moot court. Jeff Fisher, Director of the Stanford Supreme Court Litigation Clinic, invited his clinic students to watch his moot court for *Lange v. California*. David Shapiro's Northwestern Law clinic students observed his moot court for *Jones v. Mississippi*.

In addition, we received a request from Chief Justice John Roberts' Deputy Counselor, Michael Shenkman, who also serves as the Administrative Director of the Supreme Court Fellows program, to invite some Court-affiliated guests to attend two SCI moot courts. With the consent of the advocates, we hosted four Supreme Court Fellows and two Court staff members, without responsibilities related to cases or argument.

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<sup>39</sup> SCI moots are generally open only to students currently enrolled at Georgetown Law.

## COMMENTS AND THANK YOU'S

*"That was the most constructive moot I've ever experienced, by a mile."*

***"Remarkable Moot"***     *"The Institute's support has been invaluable."*

*"I don't think I really received any questions for which you hadn't prepared me."*

*Pleasure working with You"*

***"No one does it better."***

*"The practice and the feedback were tremendously valuable."*

"Just wanted to thank you all for the terrific help with this moot court. It was extremely helpful, and I don't think I really received any questions for which you hadn't prepared me."

**Craig Goldblatt, WilmerHale**

"Just wanted to thank . . . everyone at Georgetown who makes SCI possible. . . . The practice and the feedback were tremendously valuable. . . . [The] argument will be much improved thanks to your help."

**Brian Goldman, Orrick**

"It was a true pleasure working with you and the Institute's support has been invaluable—both the moot and informal guidance along the way drawing on the unique expertise of the folks at or affiliated with the Institute."

**Ramzi Kassem, CUNY School of Law**

"[T]hank you ... for the wonderful moot . . . . It was outstanding preparation for the actual argument, where the questions were largely along the lines we anticipated."

"I'm very grateful for the remarkable moot (even by Georgetown's high standards!)."



“Thanks again . . . for, as always, a wonderful (and wonderfully smoothly run) moot!”

“Thanks as always for a fantastic moot. No one does it better.”

**Kannon Shanmugam, Paul Weiss**

“I cannot express how critical the SCI moot was to helping me prepare.”

**Michael Pattillo, MoloLamken**

“[T]he moot . . . was incredibly helpful, and I can’t tell you how grateful I am.”

**Dale Ho, ACLU**

“The argument was this morning, and there were no questions that differed in any meaningful way from the moot.”

**David Zimmer**

“Thanks again for arranging today’s moot. That was the most constructive moot I’ve ever experienced, by a mile.”

**Sanjay Narayan, Sierra Club**

“Thank you for setting up the moot and for such a great panel. . . . It was very helpful to me . . . especially given the new format. It will help me hone a lot of my responses.”

**Paul Hoffman, Schonbrun Seplow Harris Hoffman & Zeldes**

“The moot was HUGELY helpful, and being prepared for the worst really helped me do my best.”

**Ruthanne Deutsch, Deutsch Hunt**

“I think a lot of folks would agree with me that the Georgetown program is a national treasure.”

**Kent Richland, Greines, Martin, Stein & Richland**

## SCI PROGRAMMING



*Supreme Court Institute's Press Preview, September 22, 2020 – From left to right:  
Top row, SCI Executive Director Irv Gornstein, Paul Clement, Prof. Paul Smith;  
Second row, Roman Martinez, Don Verrilli, Prof. Marty Lederman; Bottom row, Nicole Saharsky*

SCI sponsored its two annual “Term Preview” events as Zoom webinars. Unfortunately, our annual End-of-Term reception was cancelled for the second year in a row because of pandemic restrictions. This event is normally held to mark the completion of Supreme Court arguments for the current Term. It is also a way to thank those who volunteered as moot court justices and participated in other SCI programs, and to recognize an honoree who has contributed significantly to the work of the Supreme Court. Hundreds of attorneys, including several Supreme Court Justices, typically attend. We look forward to hosting this event when we may resume large in-person gatherings.

### **Student Term Preview, September 16, 2020**

This year’s panel discussion of highlights to expect in the Supreme Court’s 2020 Term was moderated by SCI Executive Director Irv Gornstein; panelists were Professors Mike Gottesman, Erica Hashimoto, Marty Lederman, Christy Lopez, and Julie O’Sullivan. This annual event, co-sponsored with the Georgetown Law chapters of the American Constitution Society and The Federalist Society, normally includes a pizza lunch, and aims to generate interest among students in the SCI moot court program.

### **SCI Press Preview, September 22, 2020**

The SCI held its annual press briefing covering some of the most significant cases to be considered in the Supreme Court’s 2020 Term. The panel was moderated by SCI Executive Director Irv Gornstein, and panelists included Paul Clement (Kirkland & Ellis), Professor Marty Lederman, Roman Martinez (Latham & Watkins), Nicole Saharsky (Mayer Brown), Professor Paul Smith, and Don Verrilli (Munger, Tolles &

Olson). The discussion included a question-and-answer session with members of the Supreme Court press corps. The SCI Supreme Court Preview Report for OT 2020, summarizing all the merits cases pending before the start of term, was distributed to attendees. Current and past issues of this report [are posted on the SCI website](#). A video of the press briefing is also available on the [website](#) and has had hundreds of viewers.



*Student Term Preview participants – From left to right:  
Top row, Professors Julie O’Sullivan, Irv Gornstein, and Erica Hashimoto;  
Second row, Professors Marty Lederman, Mike Gottesman, and Christy Lopez*



*Please address inquiries about this report to SCI Director Debbie Shrager, [des113@georgetown.edu](mailto:des113@georgetown.edu).*

*Supreme Court and SCI Moot Courtroom photos by Brent Futrell,  
Director of Design, Office of Communications, Georgetown Law.*

## OT 2020 SCI MOOT COURTS<sup>40</sup>

### OCTOBER SITTING

***Carney v. Adams***, No. 19-309, 9/30/20  
Advocate: Michael McConnell, Wilson Sonsini  
Goodrich & Rosati  
Student Observers: 39  
Class: Supreme Court Seminar (Bloch)

***Texas v. New Mexico***, No. 22065, 10/1/20  
Advocate: Jeffrey Wechsler, Montgomery &  
Andrews  
Student Observers: 3  
Class: Natural Resources Law (Babcock)

***Tanzin v. Tanvir***, No. 19-71, 9/30/20  
Advocate: Ramzi Kassem, CUNY  
Student Observers: 10  
Class:

***Rutledge v. Pharm. Care Mgmt. Ass'n***, No. 18-  
540, 10/1/20  
Advocate: Nicholas Bronni, Arkansas SG  
Student Observers: 10  
Class:

***Google v. Oracle***, No. 18-956, 10/2/20  
Advocate: Tom Goldstein, Goldstein & Russell  
Student Observers: 113  
Class: Tech Law Scholars (Sturiale); Copyright  
(Cohen)

***Ford v. MT Eighth Judicial Dist. Ct.***, No. 19-368,  
10/2/20

Advocate: Deepak Gupta, Gupta Wessler  
Student Observers: 471  
Class: Legal Practice (Carroll, Wherry, Jeffers,  
DeLaurentis, Shulman, Bonneau); Civil  
Procedure (Vladeck, Hyman, Glover); Federal  
Practice Seminar (Gornstein)

***City of Chicago v. Fulton***, No. 19-357, 10/8/20  
Advocate: Craig Goldblatt, WilmerHale  
Student Observers: 5  
Class:

***Pereida v. Wilkinson***, No. 19-438, 10/8/20  
Advocate: Brian Goldman, Orrick  
Student Observers: 13  
Class: Borders & Banishment (McLeod)

***Torres v. Madrid***, No. 19-292, 10/8/20  
Advocate: Kelsi Corkran, Orrick  
Student Observers: 372  
Class: Legal Practice (Cedrone, Han, Perlin,  
Donahoe, Keene, Shulman, Bonneau, Wherry);  
Constitutional Law I (Bloch), Supreme Court  
Seminar (Bloch); Criminal Justice (Fairfax,  
O'Sullivan, Sloan)

***United States v. Briggs***, No. 19-108, 10/9/20  
Advocate: Steve Vladeck, University of Texas  
Student Observers: 10  
Class:

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<sup>40</sup> Party mooted is in blue, first-time SCOTUS advocates in green; red advocates are women.

## NOVEMBER SITTING

**Salinas v. US R.R. Retirement Bd.**, No. 19-199, 10/28/20

Advocate: Sarah Harris, Williams & Connolly

Student Observers: 10

Class: Appellate Immersion Clinic and Workshop (Wolfman)

**Jones v. Mississippi**, No. 18-1259, 10/28/20

Advocate: David Shapiro, McArthur Justice Center

Student Observers: 19

Class: Constitutional Impact Litigation Practicum (McCord)

**U.S. Fish & Wildlife Serv. v. Sierra Club**, No. 19-547, 10/29/20

Advocate: Sanjay Narayan, Sierra Club

Student Observers: 2

Class:

**Fulton v. City of Philadelphia**, No. 19-123, 10/29/20

Advocate: Lori Windham, Becket Fund

Student Observers: 38

Class: Employment Discrimination (Simmons); Religion in Law (Lederman)

**Borden v. United States**, No. 19-5410, 10/30/20

Advocate: Kannon Shanmugam, Paul Weiss

Student Observers: 9

Class:

**Fulton v. Philadelphia**, No. 19-123, 10/30/20

Advocates: Neal Katyal, Hogan Lovells (Respondent) & Jeff Fisher, Stanford (Intervenor)

Student Observers: 73

Class: Supreme Court Seminar (Bloch)

**California v. Texas**, No. 19-840, 11/2/20

Advocate: Mike Mongan, California SG; Don Verrilli, Munger Tolles & Olson

Student Observers: 31

Class:

**Niz-Chavez v. Garland**, No. 19-863, 11/4/20

Advocate: David Zimmer, Goodwin Proctor

Student Observers: 18

Class:

**Brownback v. King**, No. 19-546, 11/5/20

Advocate: Patrick Jaicomo, Institute for Justice

Student Observers: 4

Class:

## DECEMBER SITTING

***CIC Services v. IRS***, No. 19-930, 11/23/20  
Advocate: **Cam Norris**, Consovoy McCarthy  
Student Observers: 1  
Class:

***Van Buren v. United States***, No. 19-783,  
11/23/20  
Advocate: Jeff Fisher, Stanford  
Student Observers: 2  
Class:

***Edwards v. Vannoy***, No. 19-5807, 11/24/20  
Advocate: **Andre Bélanger**, Manasseh, Gill,  
Knipe, & Bélanger  
Student Observers: 3  
Class:

***Nestle USA v. Doe I***, No. 19-416, 11/24/20  
Advocate: Paul Hoffman, Harris & Hoffman  
Student Observers: 29  
Class: Federal Courts & the World (Arlyck)

***Trump v. New York***, No. 20-366, 11/25/20  
Advocates: **Dale Ho**, ACLU & **Barbara  
Underwood**, New York SG  
Student Observers: 1  
Class:

***Facebook v. Duguid***, No. 19-511, 12/2/20  
Advocate: **Bryan Garner**, Garner & Garner  
Student Observers: 1  
Class:

***Hungary v. Simon***, No. 18-1447  
***Germany v. Philipp***, No. 19-351, 12/3/20  
Advocates: **Greg Silbert**, Weil Gotshal  
(Hungary), **Jonathan Freiman**, Wiggin & Dana  
(Germany)  
Student Observers: 7  
Class:

***Collins v. Yellen***, No. 19-422, 12/3/20  
Advocate: Ct. Appt. Amicus **Aaron Nielson**, BYU  
Law  
Student Observers: 0  
Class:

***Henry Schein v. Archer & White***, No. 19-963,  
12/4/20  
Advocate: Kannon Shanmugam, Paul Weiss  
Student Observers: 2  
Class:

***Collins v. Yellen***, No. 19-422, 12/4/20  
Advocate: **David Thompson**, Cooper Kirk  
Student Observers: 2  
Class:

***Henry Schein v. Archer & White***, No. 19-963,  
12/4/20  
Advocate: Dan Geyser, Alexander Dubose &  
Jefferson  
Student Observers: 9  
Class:

## JANUARY SITTING

***Uzuebum v. Preczewski***, No. 19-968, 1/7/21

Advocate: **Kristen Waggoner**, Alliance Defending Freedom

Student Observers: 5

Class:

***Pham v. Chavez***, No. 19-897, 1/8/21

Advocate: Paul Hughes, McDermott Will & Emery

Student Observers: 0

Class:

***AMG Capital Management v. FTC***, No. 19-508, 1/8/21

Advocate: **Mike Pattillo**, MoloLamken

Student Observers: 5

Class:

***FCC v. Prometheus Radio***, No. 19-1231, 1/14/21

Advocate: **Ruthanne Deutsch**, Deutsch Hunt

Student Observers: 0

Class:

***BP v. Mayor & City Council of Baltimore***, No. 19-1241, 1/15/21

Advocate: Kannon Shanmugam, Paul Weiss

Student Observers: 0

Class:

## FEBRUARY SITTING

**Florida v. Georgia**, No. 220142, 2/18/21

Advocate: Craig Primis, Kirkland & Ellis

Student Observers: 2

Class:

**Garland v. Dai**, No. 19-1155, 2/18/21

Advocates: David Zimmer, Goodwin Procter;

Neal Katyal, Hogan Lovells

Student Observers: 10

Class:

**Lange v. California**, No. 20-18, 2/19/21

Advocate: Ct. Appt. Amicus Amanda Rice, Jones Day

Student Observers: 28

Class:

**Lange v. California**, No. 20-18, 2/19/21

Advocate: Jeff Fisher, Stanford; Sam Harbourt, California DSG (in support of vacatur)

Student Observers: 261

Class: Supreme Court Today Seminar (Dreeben); Criminal Justice (Lopez); Democracy & Coercion (McLeod); Legal Practice (Ross)

**Carr v. Saul**, No. 19-1442, 2/25/21

Advocate: Sarah Harris, Williams & Connolly

Student Observers: 3

Class:

**United States v. Arthrex**, No. 19-1434, 2/26/21

Advocate: Mark Perry, Gibson Dunn

Student Observers: 0

Class:

**Brnovich v. DNC**, No. 19-1257, 2/26/21

Advocate: Mark Brnovich, Arizona AG; Mike Carvin, Jones Day

Student Observers: 29

Class:



## MARCH SITTING

***Cedar Point Nursery v. Hassid***, No. 20-107, 3/17/21

Advocate: **Joshua Thompson**, Pacific Legal Foundation

Student Observers: 4

Class:

***Cedar Point Nursery v. Hassid***, No. 20-107, 3/17/21

Advocate: Mike Mongan, California SG

Student Observers: 15

Class:

***United States v. Cooley***, 19-1414, 3/18/21

Advocate: **Eric Henkel**, Christian, Samson & Baskett

Student Observers: 7

Class:

***Caniglia v. Strom***, No. 20-157, 3/19/21

Advocate: **Marc DeSisto**, DeSisto Law

Student Observers: 18

Class:

***Goldman Sachs v. AR Teacher Retirement Sys.***, No. 20-222, 3/25/21

Advocate: Kannon Shanmugam, Paul Weiss

Student Observers: 4

Class:

***Transunion v. Ramirez***, No. 20-297, 3/26/21

Advocate: Sam Issacharoff, NYU

Student Observers: 4

Class:

***NCAA v. Alston***, No. 20-512, 3/26/21

Advocate: Seth Waxman, WilmerHale

Student Observers: 78

Class: SCOTUS Seminar, Snyder Sports Law Seminar

## APRIL SITTING

**Sanchez v. Mayorkas**, No. 20-315, 3/13/21  
Advocate: Amy Saharia, Williams & Connolly  
Student Observers: 2  
Class:

**United States v. Gary**, No. 20-444, 3/14/21  
Advocate: Jeff Fisher, Stanford  
Student Observers: 12  
Class:

**Greer v. United States**, No. 19-8709, 3/14/21  
Advocate: Allison Guagliardo, Fed. Public Def.  
Student Observers: 14  
Class:

**Minerva Surgical v. Hologic**, No. 20-440,  
4/15/21  
Advocate: Matt Wolf, Arnold & Porter  
Student Observers: 2  
Class:

**Yellen v. Confederated Tribes of Chehalis Res.**,  
No. 20-543, 4/16/21  
Advocate: Paul Clement, Kirkland & Ellis  
Student Observers: 6  
Class:

**San Antonio v. Hotels.com**, No. 20-334,  
4/16/21  
Advocate: Dan Geyser, Alexander Dubose  
Student Observers: 9  
Class: Appellate Lit. Immersion Clinic  
(Wolfman)

**Mahanoy Area School Dist. v. B.L.**, No. 20-255,  
4/21/21  
Advocate: Lisa Blatt, Williams & Connolly  
Student Observers: 22  
Class: -

**Hollyfrontier Cheyenne Refining v. Renewable  
Fuels Ass'n**, No. 20-472, 4/21/2021  
Advocate: Matthew Morrison, Pillsbury  
Student Observers: 0  
Class:

**Americans for Prosperity Foundation v. Bonta**,  
No. 19-251, 4/21/21  
Advocate: Aimee Feinberg, California ASG  
Student Observers: 1  
Class:

**United States v. Palomar-Santiago**, No. 20-  
437, 4/22/21  
Advocate: Brad Garcia, O'Melveny & Meyers  
Student Observers: 3  
Class:

**Mahanoy Area School Dist. v. B.L.**, No. 20-255,  
4/23/21  
Advocate: David Cole, ACLU  
Student Observers: 60  
Class: Supreme Court Today (Dreeben)

**PennEast Pipeline Co. v. New Jersey**, No. 19-  
1039, 4/26/21  
Advocate: Paul Clement, Kirkland & Ellis  
Student Observers: 1  
Class:

## MAY SITTING<sup>41</sup>

*Terry v. United States*, No. 20-5904, 4/28/21

Advocate: [Andrew Adler](#), Fed. Public Def.

Student Observers: 2

Class:

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<sup>41</sup> The Supreme Court scheduled a May sitting for a single argument after the United States decided not to defend the decision below. The delay allowed the newly-appointed Amicus Curiae to prepare for oral argument.

# SUPREME COURT INSTITUTE GEORGETOWN UNIVERSITY LAW CENTER

Founded in 1999, the Supreme Court Institute offers its moot courts as a public service, at no charge and irrespective of the positions taken by counsel, reflecting a core commitment to the quality of Supreme Court advocacy in all cases.

Other SCI activities include annual Supreme Court Term briefings for the press and students, mock moot courts of significant cases on the Court's docket, scholarly conferences, panel discussions of oral arguments, and presentations on recent publications related to the Court or Supreme Court practice.

Many of our programs, including most moot courts, are open to students and provide a unique opportunity to explore the nuances of Supreme Court advocacy and the decision-making process. Every student enrolled in the J.D. program at Georgetown attends a moot court as part of the first-year Legal Research and Writing curriculum.

Faculty members are welcome to coordinate with SCI to include moot courts as part of course curricula, and students enrolled in seminars on Supreme Court advocacy attend several moots during these semester-long courses. Our other programs and activities provide practicing lawyers and academics with opportunities to exchange ideas about the Court and support each other in their work.



The graphic features four headshots of staff members in a row, each with a caption below it. From left to right: Steve Goldblatt (Faculty Director), Ivy Gornstein (Executive Director), Debbie Strager (Director), and Sarah Halman (Assistant Director). Below the headshots is the Supreme Court Institute logo and contact information.

Steve Goldblatt  
Faculty Director

Ivy Gornstein  
Executive Director

Debbie Strager  
Director

Sarah Halman  
Assistant Director

 Supreme Court Institute  
Georgetown University Law Center  
600 New Jersey Ave, NW  
Washington DC 20001