

AP American Government  
Moot Court Simulation  
Merit Brief Outline

1. Cover Page
  - see template at [mysocialstudiesclass.com](http://mysocialstudiesclass.com)
2. Case Question
  - on its own page (see merit brief in actual case)
3. Case Background
  - The basic facts of the case – this needs to be specific enough to explain why the case is being heard. Accuracy in your reporting of the facts is important so that you don't spend too much time during oral arguments having to explain inconsistencies in the facts of the case.
4. Relevant Laws
  - You need to a thorough explanation of the relevant laws and/or constitutional provisions that are at issue in the case. Make sure you explain how the law and Constitution supports your side.
5. Precedents
  - What are the previous decisions of the Supreme Court that are relevant to this case and how these cases apply and support your side?
6. Argument
  - Relevant facts, statistics, legal interpretation and other things supporting your case.
7. Conclusion
  - A “therefore” statement that leaves the Court with an obvious decision.

I cannot emphasize this enough: grammar, style, prose, organization and all other aspects of good writing are critical in developing your merit brief. A simple mistake on the cover page (i.e. you are the petitioner and you write “Brief for the Respondent” can make for a fatal mistake that can cost you the case before it even begins. A well-written, well-argued, and well-organized merit brief can make your life during oral arguments much easier and put positive thoughts about your side of the case before oral arguments begin.