



**FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY**

YMCA YOUTH IN GOVERNMENT Student Handbook

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Schedule
Idaho YMCA Youth in Government
Virtual Regional Conference

South West Region: Monday
South East Region: Wednesday
Election Results & Youth Gov 2022 Election: Friday (TBD)

North Central Region: Tuesday
South Central Region: Thursday

1:00 pm	Welcome Regional Student Ambassador	Zoom
1:15-2:00pm	Legislative & Judicial Breakout Rooms	
1:15-1:45pm	Bill Writing Workshop Cheryl Adams - Caldwell High School Regional Advisors	
1:45-2:00pm	Mason's Rules of Order Practice College of Western ID Debate Regional Advisors	Zoom Breakout Rooms
1:15 pm	Mock Supreme Court Case Presentation & Teams Selection College of Western ID Debate Regional Advisors	
<i>10 min break</i>		
2:10-2:40pm	State 2022 & 2023-Elect Campaign Speeches Regional Student Ambassador	
2:40-3:00pm	Elections <i>Regional Advisors lead students</i> <i>When finished, take a break until Guest Speaker begins</i>	Election Runner Online
3:00-3:30pm	Guest Speaker To Be Announced	Zoom

Code of Conduct

The intent of the Idaho YMCA Youth in Government Code of Conduct is to identify personal behavior that is consistent with the purpose and objectives of the Youth in Government Program. The items within this code are designed to protect participants and safeguard the integrity of the program for current and future generations. Participants will be asked to affirm their commitment to uphold this code.

It is understood that Advisors of the Youth in Government schools are responsible for the conduct and welfare of their member's at all local, regional and statewide functions. All advisors may exercise disciplinary authority over any student participant at regional and statewide functions.

The Code:

1. Each participant shall conduct him/herself in an orderly and responsible manner 24 hours a day during all parts of the Idaho YMCA Youth in Government Program. All are to participate in a productive manner on an intellectual, social and emotional level consistent with respect of self and others, the democratic process, and mission of the YMCA.
2. Harassment or intimidation through words, gestures, body language or other menacing behavior will not be tolerated at any YMCA Youth in Government function. No participant shall engage in personal attacks or use profanity or other offensive language.
3. Transportation is the responsibility of the Advisors, parents or legal guardians. Participants may not use personal automobiles without express written permission of their delegation advisor and their parent or legal guardian.
4. Participants are expected to attend all sessions and activities unless specific arrangements are made for exceptional reasons. No participant shall leave without approval of his/her advisor.
5. Each participant is legally and financially liable for removal, defacement, or damage of public or private property. This includes the property of other participants, staff, schools, buildings, the Supreme Court, businesses and lodging facilities.
6. Historic preservation of the buildings we use is of utmost importance. Participants in the Idaho YMCA Youth in Government Program are guests in the buildings, and the continued use of the facilities is contingent upon its proper treatment. Therefore:
 - a) No behavior with the potential to damage the furnishings or equipment of any building is allowed
 - b) Materials and property in each building must not be relocated, removed or tampered with in any manner
 - c) Food and drink may only be consumed in specifically designated areas of the building
 - d) Materials are not to be attached to walls, desks or any other surface of any building except in specifically designated areas
 - e) Participants are to show the utmost respect to all individuals visiting or working at the Capitol Annex
7. All participants during all functions must wear identification badges. No one will be admitted to any function without a name tag.
8. Possession or use of alcoholic beverages, tobacco, controlled substance (i.e. drugs), or weapons is forbidden 24 hours during all parts of the Idaho YMCA Youth in Government Program.
9. Guests or other non-participants are not permitted at any activity without the express consent of the State Program staff. Outside guests at lodging facilities are not permitted without the express consent of the delegation advisor and the participant's parent or legal guardian.
10. Participants shall not leave lodging facilities without permission from their advisors.
11. For reasons of safety and security of individuals and property, participants will not be allowed to be in the motel or lodging areas of other participants at any time during the session without their consent.

12. Curfews and additional rules for participants while they occupy lodging facilities will be set and enforced by delegation advisors. Participants are expected to behave at all times in a manner that will not negatively impact or jeopardize the reputation of their school, YMCA or the Idaho YMCA Youth in Government Program.
13. Have fun and enjoy the program!

Consequences:

This code will be enforced with a graduated series of potential consequences for infractions. In ascending order of severity, they include:

- A. Discussion of infraction with adult advisor or staff
- B. Suspension from specific activities
- C. Specialized consequence at discretion of staff or advisor
- D. Loss of position or privileges
- E. Call to parents, legal guardian or school officials
- F. Sent home (at own expense)
- G. Summon Law Enforcement

Dress Code

Personal attire reflects personal attitude and the quality, purpose and dignity of the Idaho YMCA Youth in Government Program. During session, professional attire is required:

Shorts, denim and casual wear (including printed T-shirts) are not permitted. All men/boys must wear collared shirts tucked in, dress trousers, and preferably a suit, sport coat or sweater. Ties are encouraged. All women/girls must wear either a suit, skirt or dress pants with a blouse or other appropriate top, or a dress. No spaghetti straps, no bare bellies or chests, no short skirts or dresses. Everyone is required to wear dress shoes; sneakers, flip-flops, sandals and/or Birkenstocks are unacceptable. Nametags MUST be worn at all times.

We would like to show respect to the State Legislators and follow their rules including a requirement to look professional. If your dress is not appropriate for the State House you will be asked to not participate until you can change into appropriate attire. Please follow this dress code.

YMCA Character Development

Character Development is an important part of what the YMCA is all about. The YMCA Challenge to Youth in Government participants is to accept and demonstrate the positive values of Caring, Honesty, Respect and Responsibility.

Caring

- To care about others
- To be sensitive to the well-being of others
- To help others

Honesty

- To tell the truth
- To act in such a way to be worthy of trust
- To have integrity; making sure your actions match your values

Respect

- To treat others as you would have them treat you
- To value the worth of every person including yourself
- To treat the facilities as if it were your own

Responsibility

- To do what you ought to do
- To be accountable for your behavior and obligations

DUTIES & RESPONSIBILITIES OF YOUTH OFFICERS (*VIRTUAL STATE CONFERENCE*)

YOUTH GOVERNOR

- Prepares original inaugural address to the Opening Session of Youth in Government State Conference.
- Submits address in advance to the YMCA Youth in Government Statewide Committee.
- Studies each bill passed by the Senate and House, respectively.
- Makes the closing address at the State of the Conference, *explaining overview of bills passed in the House & Senate, respectively.*
- Requests information and advice necessary from the responsible advisors and legislators concerning bills.
- Provides leadership for members of both houses and consults with the membership on proposed legislation in the Governor's Zoom Room.
- Performs other duties connected with the Office of Governor, such as press conferences (Press Zoom Room), meeting with legislative committees, officers, and lobbyists.
- May meet briefly with a member of Idaho Governor's staff (TBD)
- May prepare at least one bill to propose to the legislature and work with lobbyist(s) to encourage passage of the bill(s).

LIEUTENANT GOVERNOR

- As President of the Senate, the Lt. Governor presides at the Senate Session; however, the Lt. Governor does not vote except to break a tie.
- **In advance of the state conference, must become thoroughly familiar with parliamentary procedures and Senate procedure.**
- Succeeds to the Governor's office in the event of disability of the Governor.
- Announces the appointment of all committees and chairpersons. Appoints such special committees as may be needed to handle Senate business.
- Signs all Senate bills, resolutions, etc.,

SPEAKER OF THE HOUSE

- Presides at the House Session. Is a full voting member of the House.
- **In advance of state conference, must become thoroughly familiar with parliamentary procedures and House procedures.**
- Announces the appointment of all committees and chairpersons. Appoints such special committees as may be needed to conduct House business.
- Signs all House bills, resolutions, etc.

SECRETARY OF STATE

- An elected state official. Not a member of the House or the Senate.
- Custodian of all official House and Senate bills. Distributes all bills to proper committee chairpersons and accounts for location of all bills (Digital Record through Google Drive)
- Transmits bills to either House. Maintains a record of disposal. Knows at all times the location of each bill.
- Returns all bills to the Program Secretary at the end of the House and Senate Sessions.
- Keeps an accurate record of the final disposition of all bills.
- May meet briefly with Idaho Secretary of State or a member of his/her staff (TBD)

SECRETARY OF THE SENATE - CHIEF CLERK OF THE HOUSE

- Custodian of all official bills while in their possession (Digital Record through Google Drive)
- Keeps the official House and Senate Journal, records of bills, order of bills, amendments, House and Senate calendars.
- Not official members of their respective Houses.
- Transmits the voting record of all bills, count and report votes, and send them to presiding officers.
- Files all rejected bills, keep track of them and returns them to the Program Secretary at the end of the House and Senate Sessions.

HOUSE AND SENATE FLOOR LEADERS

- Senators and Representatives elected as Floor Leaders or Assistant Floor Leaders.
- Works closely with the Speaker and Lt. Governor to help expedite the legislative process.
- Make key motions, limit debate, adjourn, recess, draft resolutions, etc.
- Works with the Governor to help pass key legislation.

CHIEF JUSTICE AND ASSOCIATE JUSTICES

- The Chief Justice presides during the YMCA Youth Supreme Court. The Court renders both oral and written (*typed*) opinions on cases argued during the mock court session. All Justices have an opportunity to present decisions.
- All justices should be familiar with the Rules of Procedure of the YMCA Youth Supreme Court set out in the Youth Government Student Handbook.
- **All justices need to have read the Supreme Court Handbook and all seven Supreme Court Cases prior to State Session.**

CLERK OF THE SUPREME COURT AND COURT OF APPEALS

- Attends all court sessions. Announces the Court's arrival at the beginning of each session. Times the oral arguments. Custodian of Supreme Court and Court of Appeals opinions.
- The Clerk should be familiar with the Rules of Procedure of the YMCA Youth Supreme Court set out in the Youth in Government Student Handbook.
- Supervises receipt and recording of all court communications and documents; may ascertain the correctness of such documents; supervises the proper distribution of the same to the Justices.
- Answers questions from counsel or judges regarding orders or status of proceedings.

ATTORNEY GENERAL AND ASSISTANTS

- Attorney General assigns Deputies Attorney General to a case.
- The Attorney General and all Deputies should be familiar with the Rules of Procedure of the YMCA Youth Supreme Court set out in the Youth Government Student Handbook.
- Present Amicus Curiae (friend of the court) arguments during the judicial sessions.
- May meet briefly with Idaho Attorney General or a member of his/her staff (TBD)
- **Attorney General and Deputies need to have completed thorough research on their assigned case(s) before State Session to effectively deliver their argument(s).**

CO-COUNSEL

- A copy of the case (factual situation and question presented) will be *emailed* to each delegation prior to the convention.
- **All counsel should be familiar with the Rules of Procedure of the YMCA Youth Supreme Court set out in the Youth in Government Student Handbook.**
- Any number of teams of co-counsel may compete by presenting oral argument during the regional workshop. Top two teams from each region will attend the State Conference and present oral arguments to YMCA Youth Supreme Court.
- All counsel should be well-researched in their case beforehand, practice to stay within their time limit, and be able to present a thoughtful and articulate argument.

EDITOR IN CHIEF

- Elected at the Regional Conference
- Assigns Responsibilities to Press Staff and Reporters.
- Responsible for connecting with Press Staff and Reporters in Press Staff Zoom Room
- Assures that a digital newspaper is published for each day of State Session (Google Slides Template)
- Assures that updates to State Session are regularly posted to Social Media (Facebook, Instagram, etc.)
- Responsible for making sure their staff are able to view all Zoom Sessions.

EDITORIAL PRESS STAFF

- Elected by their school delegations.
- Publishes at least two digital newspapers during the session.
- A self-governing group, patterned after the "city room" at regular newspapers.
- Prepares and files with respective wire services and their local papers stories concerning the Youth Legislature (the enactment of legislation, local interest stories, and other matters of interest).
- Assigned by Editor in Chief to cover particular bodies of the Youth Legislature, including committees, and/or Youth Supreme Court.
- Keeps accurate notes on the Youth Government State Session.
- Prepares news and publicity releases for all media prior to State Conference, during the Youth Government sessions, and after the delegation returns home.
- Serve as "self-evaluators" for local groups regarding future program training needs for the following year based on observation of this year's operation.
- Posts updates to State Session are regularly posted to Social Media (Facebook, Instagram, etc.)

PARLIAMENTARIANS

- Parliamentarians must be proficient in parliamentary procedure and must become familiar with Mason's Manual.
- It is the responsibility of the parliamentarian to sit at the side of the Speaker of the House or the Lieutenant Governor, providing any assistance in procedures needed.
- Parliamentarians will be assigned a committee, and are responsible for keeping order and knowing the proper procedures for a successful committee session.

LOBBYIST

- Procure information on pending legislation to aid the Legislature, its committees and officers.
- Must attend committee sessions.
- Must keep track of all legislation and know what action is being considered at any time.
- Perform the following functions:
 - Encourage the introduction of bills favorable to their clients.
 - Research and analyze bills introduced at the Legislature to determine if the bills affect their members or clients.
 - Report their findings to their members
 - Coordinate the efforts of those affected by legislation.
 - Assist in documentation of arguments
 - Contact legislators individually
- In short, lobbyists are much like a lawyer in court. They make certain that their client's case is well presented and receives a fair hearing by the Legislature.
- Lobbyists who have a bill that does not pass are required to stay in their committee and assist in lobbying for other bills.

LEGISLATIVE COMPONENT OF YMCA YOUTH GOVERNMENT

STATE SESSION

HOW DO WE GO ABOUT PREPARING LEGISLATION?

The subject of your legislation should be tentatively decided upon by your group before you attend the Regional Convention. Ideally, a bill should grow out of some need, some problem, and some idea, which has been developed through discussion by your delegation.

Your legislation subjects may be something about law enforcement, state resources, education, transportation – what seems important to you. Talk to community leaders, your teachers, the editor or your local newspaper, members of your city council, and business, labor and agricultural leaders. Talk, observe, ask questions – and do your own thinking.

When you have decided on the subject for your legislation, ask yourself:

- Will it work?
- Can we afford it?
- Who will pay for it?
- Where will the money come from?
- Can it be enforced? Who will enforce it? What will it do to people?
- Will any person or group be adversely affected? How can you convince people that it is worth the adverse effects or why those effects are not important?

Your group should hold at least two full-scale hearings on your bill or legislation to discuss its purpose, content, and implications.

WHAT ARE THE POINTS OF GOOD LEGISLATION? WHAT TYPE OF LEGISLATION CAN BE PREPARED?

A **bill** proposes a new state law or an amendment to repeal an existing law. Any bill dealing with revenue must originate in the House of Representatives.

A **joint resolution** proposes an amendment to the State constitution, to be put to the vote of the people of the state.

A **joint memorial** petitions whoever can effectuate the request of the memorial, such as the Congress of the United States, and deals with affairs outside the jurisdiction of the State Legislature. It is a request to some other group to do something the legislature cannot do.

A **concurrent resolution** deals with subject matter, which would not constitute a law or statute, such as the business and internal affairs or State Legislature.

“Good” legislation will meet these tests:

- It will deal with only one subject.
- It will express the subject accurately in the title of the bill.
- It will conform to the provisions of the Constitutions of the State of Idaho and of the United States of America.
- It will be as brief and simple as is consistent with its purpose.
- It will be capable of being easily applied.
- A bill must contain the following clause: “Be it enacted by the YMCA Youth Legislature of the State of Idaho.”
- Definitions of terms, if required, should be included in an early part of the bill.

Legislative drafting is a highly technical procedure, and you will be well advised to get the help of a local attorney or a member of the Idaho Legislature. Follow the exact form shown in this handbook.

How a Youth in Government “bill” becomes a “law”

A bill is a proposed law. It can be introduced into the model Legislature only by a member or the model House or senate. A bill does not become a law automatically. There are certain specified procedures

through which the bill must go before it becomes a law. The person introducing the bill is responsible for knowing these steps and “seeing the bill through.”

Briefly, here are the essential steps with which you should be familiar:

DRAFTING OF BILLS

Adequate instructions and samples can be found elsewhere in this handbook. Study these carefully. Draft your bill according to instructions. Keep the bill brief as is consistent with its purpose. Before the YMCA Legislature convenes in the State Capitol, all bills received will have been printed, numbered, assigned to committees, and filed in a Bill Book, a copy of which will be provided each delegate. Study the Bill Book carefully and form your ideas about the merit of the bills it contains. House and Senate bills are grouped separately. Be ready to discuss other bills as well as your own. Preferably, discuss several bills in your school club or group to ascertain your constituents’ views. These bills will also be available early on the YMCA Youth in Government Web Page.

INTRODUCTION OF BILLS

All bills will be numbered by the clerk and assigned to committees that meet on the afternoon of the first day. Every delegate is assigned to a committee, but only Senators and Representatives are voting members.

COMMITTEE CONSIDERATION OF BILLS

Bills are divided among smaller committees that can more carefully study them and report their recommendations to the Legislature. All bills will come out of committee with either a “do pass” or “do not pass” recommendation.

The Legislative committees will have a chairperson and a secretary appointed previously at the opening of the session. Adult supervisors and consultants will be assigned to committees to help answer questions and assist with procedures.

Second reading of Bills

For our purposes, and to conserve time, the Rules Committee does the second reading of bills “reported out” from committee. These committees, composed of all officers and committee chairs, develop and House and Senate calendars based on the do pass bills with recommendations and their priorities.

Third reading of Bills

The House and Senate convene at the time scheduled in the Bill Book to begin debate on bills reported out of the committees for consideration. The presiding officers announce that the House is now ready for the third reading of the bills, and the clerk calls each bill as the respective House considers it.

The sponsor(s) should then stand and be recognized and should address the chair as follows: “Mr./Mrs. (Speaker, or President), I ask for unanimous consent that further reading of this bill be dispensed with.”

If there is an objection, the sponsor may state a motion to dispense with further reading.

The sponsor has the privilege of opening and closing debate on a bill. After the vote on the bill is taken, and if the vote is favorable, the bill is transmitted to the other House for action. Each bill received by one House from the other House shall be treated in the same way as a bill originating into that House.

In order that bills from both Houses may have prompt consideration, the first bill from the opposite House is placed next after the first three bills, which originated in and are before that House. Subsequent bills are alternated on the calendar.

Bills passed by both Houses will be returned to the presiding officer of the House of origin for transmittal to the Youth Governor.

Debate Procedures

Upon rising, each person who wishes to speak will address the chair as “Mr. Speaker” (in the House) or “Mr. President” (in the Senate.) Questions asked of another member must be addressed through the presiding officer. Permission to question another member of the House must first be granted by the presiding officer.

When debate is ended, the chair will recognize the sponsor(s) of the bill under consideration, after which the sponsor(s) may present their closing arguments. The vote will be taken, a majority being necessary to carry. In case of a tie vote in the Senate, the presiding officer shall cast their vote to break the tie. The Speaker always may vote.

A colleague is always referred to as “the Gentleman” or “the Lady” from _____, or “the Senator” or “the Representative” from _____.

Signature of the Governor

All bills must be submitted in proper form. Follow the form shown in the samples in this manual.

SUBMITTING A BILL TO BE INCLUDED IN BILL BOOK

Submit via e-mail.

Give the names of the author(s) or sponsor(s) of the bill i.e. Richard Roe, Idaho Falls Hi-Y Club, Idaho Falls or Jane Doe and Susan Smith, Cambridge High School Student Body.

Be sure you have given the names of the persons who present your bill together with the organization represented and the town from which they come.

Legal advice should be secured in writing the title, which must be single-spaced and capitalized. It usually begins with the words “providing . . .” “Amending . . .” “Relating to . . .” “Appropriating . . .” etc. The title must state the purpose of the bill and must describe everything that is included within the bill.

Indent and number each section consecutively, capitalizing the words WHEREAS and SECTION. Short sections and paragraphs simplify numbering a bill

Number the lines on each page consecutively, beginning with the first line in section 1 (see samples). Additional pages are numbered, beginning with the number 1 at the top and numbering down each line consecutively.

Bills should not be over two pages in length. Keep it short. It is more important to have the experience of writing a bill, and a lengthy bill may not receive consideration in our short session.

The State Committee may reject any bill that does not meet these requirements. Get help in preparing your bill.

THE JUDICIAL COMPONENT OF YMCA YOUTH GOVERNMENT

The YMCA Youth in Government Youth Supreme Court is conducted at the same time as the legislative sessions. Three statewide officers are elected on a rotation basis each year. These officers are Chief Justice Elect of the Supreme Court, Attorney General, and Clerk of the Supreme Court. One region, on a rotation basis, elects the Attorney General, and all four regions elect an Assistant Attorney General. All four regions elect an Appellate Judge who becomes an Associate Justice of the Supreme Court at the State Session in April. Prospective Appellant and Respondent Co-Counsel teams compete in each region to determine which Appellant and Respondent Co-Counsel teams will participate in the State Session.

DUTIES AND ARGUMENTS

The primary duty of the Attorney General will be to act as counsel for the elected officials and the Legislature. Topical and important legal questions will be framed for argument before the Supreme Court. Each region will be given one of the problems. Plaintiffs' and defendants' counsel will argue their respective positions before the Court during the State Session in April. The Attorney General may argue or assign the Assistant Attorneys General to present argument to the Supreme Court in all of these cases.

ELECTIONS

Each region shall elect:

1. An Associate Justice
2. An Assistant Attorney General
3. Each region shall select one or more:
 - team of counsel for appellant
 - team of counsel for respondent

Groups may send more than one team to competition. A team of judges will select the co-counsel teams to participate in the State Session.

RULES OF PROCEDURE YMCA YOUTH SUPREME COURT STATE OF IDAHO AS AMENDED

Rule 1. Application and Designation of Rules - These rules shall govern the procedure in the YMCA Youth Supreme Court of the State of Idaho. These rules shall be called the Rules of Procedure ("RP").

Rule 2. Definitions - As used in these rules unless the context requires otherwise:

- (a) **Party** shall mean appellant, respondent or Attorney General.
- (b) **Chief Justice** shall mean the Chief Justice of the YMCA Youth Supreme Court.
- (c) **The Court** shall mean the YMCA Youth Supreme Court.

Rule 3. Legal Research - Appellate attorneys should not only rely upon legal authorities, but are encouraged to consider the social and philosophical implications of the case. The legal research should focus on cases issued by the U.S. Supreme Court, Federal Courts, the Idaho Supreme Court and the Idaho Court of Appeals.

Rule 4. Condition of Participation - Each party is expected to rely upon their own resources and the materials obtained by independent resources. Parties may contact faculty members, attorneys, or judges for guidance.

Rule 5. Oral Argument

- (a) **Time:** Each party shall give oral argument in the case on the date scheduled by the Court. Oral argument time shall be allocated and shall proceed as follows:
- (i) Appellant's Statement - 15 minutes, *minus* any time reserved for rebuttal.
 - (ii) Respondent's Statement - 15 minutes.
 - (iii) Attorney General's Amicus Curiae Statement - 10 minutes.
 - (iv) Appellant's Rebuttal Statement - up to 5 minutes.
- (b) **Division of Argument Time:** Co-counsels may divide the time between them in any manner they choose for oral argument. The Attorney General and the Assistant Attorney General may also divide the time between themselves. The appellate attorneys must submit to the Clerk of the Court a schedule of how argument time is to be divided 10 minutes prior to Oral Argument. The schedule of argument will outline which counsel will be arguing and the time allotted for the argument.
- (c) **Scope of Rebuttal:** During rebuttal, the appellant shall not raise any new issues. The appellant shall be limited to responding to the arguments raised by the respondent and the Attorney General during their oral arguments.
- (d) **Attorney General:** The Attorney General shall appear in person and/or through an Assistant Attorney General.
- (e) **Schedule of Argument:** The parties will be notified prior to arrival in Boise of the scheduled argument time.

Rule 6. Protocol of Court

(a) **Court sessions:** The YMCA Youth Supreme Court shall conduct each court session as follows:

- (i) Clerk of the Court shall state upon signal from Justices, "All rise for the Court." All persons seated in the courtroom shall stand. Justices shall enter courtroom and shall take their seats on the bench.
- (ii) Clerk of the Court shall then state "Hear Ye, Hear Ye, Hear Ye, The Honorable YMCA Youth Supreme Court of the State of Idaho is now in session. You may be seated." Everyone shall then take their seats.
- (iii) The Chief Justice shall then call the session to order by stating, "This is the time set for the hearing of _____ versus _____, case number _____. Mr./Ms. _____ you represent appellant? Mr./Ms. _____ you represent respondent? Appellant you may proceed." Upon which the first co-counsel for appellant shall approach the podium and begin oral argument. When the appellant's co-counsel have completed their opening arguments, the Chief Justice shall then ask the respondent's co-counsel to present their argument, and after them, the Attorney General. The appellant's co-counsel will then be allowed to present their rebuttal argument.
- (iv) After oral argument is completed, the Chief Justice shall state, "The case will be taken under advisement. The Court will recess and an opinion will be rendered Friday morning." The Justices shall leave the courtroom.
- (v) After the recess, the Clerk of the Court shall state upon signal from Justices, "All rise for the Court" and proceed with the next case. All persons seated in the courtroom shall stand. Justices shall enter courtroom and shall take their seats on the bench.

(b) Rendering the Opinion:

- (i) Clerk of the Court shall then state "Hear Ye, Hear Ye, Hear Ye, The Honorable YMCA Youth Supreme Court of the State of Idaho is now in session. You may be seated." Everyone shall then take their seats.
- (ii) The Chief Justice shall then call the session to order by stating, "This is the time set for the rendering of decisions." The Court will then render its decisions.

- (iii) The Chief Justice shall then call the first case by saying, "In the case of _____ versus _____, case number _____" the decision of the Court is for the (appellant or respondent). Justice _____ will read the opinion of the Court."
- (iv) The assigned Justice will then render the majority opinion.
- (v) If there is a dissent, the Chief Justice will say "Justice _____ will now read the dissenting opinion in which _____ justices joined."
- (vi) After the last item of business has been completed, the Chief Justice shall state, "The Court is adjourned." The Court will then rise and all others will rise. The Justices shall leave the courtroom, after which the audience is free to leave.

Rule 7. Judicial Decisions - General provisions. The Court will render all of its decisions on Friday morning.

- (a) **Court Conferences:** The Chief Justice may schedule Court conferences as necessary for the benefit of the Court. The Chief Justice shall chair the conferences. Only Justices shall be allowed in a conference. The purpose of the conference is to discuss the oral argument and reach a decision in the case.
- (b) **Voting:** Each Justice shall have one vote. A Justice may either concur or dissent. In case a Justice is unable to participate in hearing a case and a tie decision results, the decision of the lower court shall be deemed affirmed.
- (c) **Oral Decisions:** The Court shall render an oral decision. Upon receiving the votes from the Justices, the Court shall convene in session to render the oral opinion. The Court shall choose one justice to deliver the opinion. Any dissenting Justices shall be allowed to render their oral dissent. The dissenting Justices may choose one Justice to deliver the dissenting opinion.

ORAL ARGUMENT

Oral argument gives the appellate attorneys the opportunity to present arguments supporting their client's position in the case. The term oral argument is misleading, argument usually denotes hostility. Actually, the

argument should be more of a conversation in which you explain why the court should rule in your client's favor. You should remember that you are an advocate for your client not a warrior.

The following guidelines will help in preparing for oral argument.

- A. **Respect the Court.** You must have respect for the court and the Justices. When addressing the court, do not think of the justices as enemies, but as friends who are seeking advice.
- B. **Personal Manner.** As an appellate attorney you should be respectful and friendly. You must be confident in your knowledge and skill, but remember to refrain from acting hostile or over-zealous. The goal is to help the court understand the problem and offer a logical solution. Remember to speak boldly, in a voice loud enough to be heard, but not boisterous and overbearing. Try to avoid acting nervous or speaking in a monotone. Use hand gestures to emphasize, too many can be extremely distracting.
- C. **C. Manner and Appearance.** You should dress appropriately. As an appellate attorney, you should dress professionally and not as you would for going to school. You should not dress in a bizarre or offensive manner, this includes hairstyle. You should be groomed neatly and refrain from wearing anything (such as jewelry) that detracts from this appearance.
- D. You should be careful of distracting mannerisms. Be careful not to pace, put hands in pockets, cover the mouth while speaking, or drum the fingers nervously against the table. Avoid using the terms er, ah, well, etc... when pausing to think. These habits detract from the oral presentation.
- E. Remember to be polite, but not submissive. Be diplomatic.
- F. **D. Mode of Address.** You should speak respectfully of the justices, opposing counsel and the Attorney General. Justices should be addressed as "Your Honor," "Judge," or "Mr. Chief Justice."

- G. Questions should be answered as “Yes, your Honor” or “No, your Honor.” Never address a justice by Mr. or Ms. You speak respectfully of opposing counsel and should address the opposing counsel as “my Colleagues,” “opposing Counsel,” or by “Mr. _____” or Ms. _____.” Never speak disrespectfully or sarcastically of opposing counsel. Address your own co-counsel by name or as “my associate.”
- H. To begin oral argument, counsel should follow the following outline:
1. Walk slowly to the podium and wait for signal to begin.
 2. Address the Court by saying “May it please the Court.”
 3. Address the members of the court: i.e., Mr. Chief Justice, Associate Justices, opposing counsel, and the Attorney General.
 4. Introduce yourself and your co-counsel. If you are dividing your argument between the two counsels, inform the court of the division. Let the court know who will be speaking for how long and on what issues. Then begin your argument.

REMEMBER THE FOLLOWING ESSENTIALS TO ORAL ARGUMENT:

1. Be thoroughly prepared. Know the important facts and your argument by heart. Although notes are necessary for organization, don't rely totally on notes or canned statements. Don't forget to “look up”, “speak up” and “be natural.”
2. Opening statement should be clear and concise. State necessary facts and state the issues.
3. Inform the court of what you want them to do.
4. The argument should be specific and concrete. Be forceful in your presentation. Focus on the issues upon which the appeal turns. Don't be afraid to admit the weaknesses of your position, but don't concede your case away.
5. The Justices often ask questions during oral argument to explore the case. The questions usually explore the issues and authorities that apply to the case. Make sure you listen to the questions and carefully answer them, if you don't understand what the Justice is asking, ask them to repeat or rephrase the question. This is the perfect time to emphasize your best arguments and clarify any misconceptions that the Justices may have.
6. Rebuttal is used to clarify points, reinforce your argument and to respond to the argument of opposing counsel. To be effective, rebuttal is to serve a purpose. Don't just argue because you have the time and please make sure you use it towards making specific points.
7. Closing statement should be sharp and emphatic. State the law on your side and remember, **TELL THE COURT WHAT YOU WANT THEM TO DO.** Tell them you want them to affirm or reverse, why and with what law. Don't expect the court to know what you want, be specific in your request.

Following these guidelines should help you be successful in your presentation. Good Luck!