



DAYL COFFEE WITH THE FEDERAL COURT

June 12, 2020

Event Details:

Senior Associate Saba Syed moderated the webinar “DAYL Coffee with the Federal Court” for the Dallas Association of Young Lawyers.

Date:

April 28, 2020

Overview:

The judges provided practice pointers to young attorneys with a special focus on the advocacy challenges and opportunities during the pandemic. Below is a summary of the key points, along with a link to the recorded webinar.

- In handling discovery disputes, the judges stressed the importance of conferring with opposing counsel, documenting the specific conferral attempts, researching to make sure you are right on the law and above all else, being reasonable.
- Discovery does not stop as a result of COVID, and the parties should make every effort to keep their cases moving.
- Many courts are using telephone conferences in lieu of in-person hearings. Telephone conferences connect to the federal court system and help the court reporters make a record.

- Advocates should remain professional at all times, regardless of COVID concerns. Every advocate puts their reputation on the line when they go to court or present a brief in writing. The judges remember the attorneys, so it is important to always put your best foot forward.
- On written advocacy, the judges said most issues are resolved on paper. As a result, make sure the writing is well-organized, clear and concise. Use short words and short sentences to make your point. The judges will appreciate the time you took to write clearly. Additionally, written briefs should track the elements of proof to win your case.
- On oral advocacy, the judges stressed the importance of staying calm and answering the question. Expect the unexpected question and answer that question to the best of your ability. Finally, for young advocates to gain advantage in court, the advice is: prepare, prepare, prepare.
- Many judges are working from home, so be mindful of how you organize your briefs and appendices. If possible, hyperlink your brief to different parts of the brief or appendix. When preparing appendices, use tabs to help the judge navigate, and only include necessary pages in the appendix. The judges will appreciate an advocate who thoughtfully prepares an appendix to include only what is needed.
- The judges want to give young advocates courtroom experience. Be sure to let the court know that an oral argument is requested and will be handled by a junior attorney. Notify the court near the top of the motion and do not bury the request near the end where it could be missed. Young advocates should also push for oral advocacy experience, especially because virtual hearings are less cost-prohibitive for the client.

A link to the video can be found [here](#).

Related Practices

Litigation

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