

advocacy
IN
INTERNATIONAL
ARBITRATION

SPRING 2025
GEORGETOWN LAW

Welcome!

Want to learn how to practice?



That's why we teach this course: to help equip you with tools that you can use in the real world (and especially as an advocate in the field of international arbitration).

Below, you'll find an overview of the course, a preview of our lesson plans, and other useful information. If you have any questions, please feel free to [reach out to us](#).

We look forward to working with you this semester.

course overview

Course overview

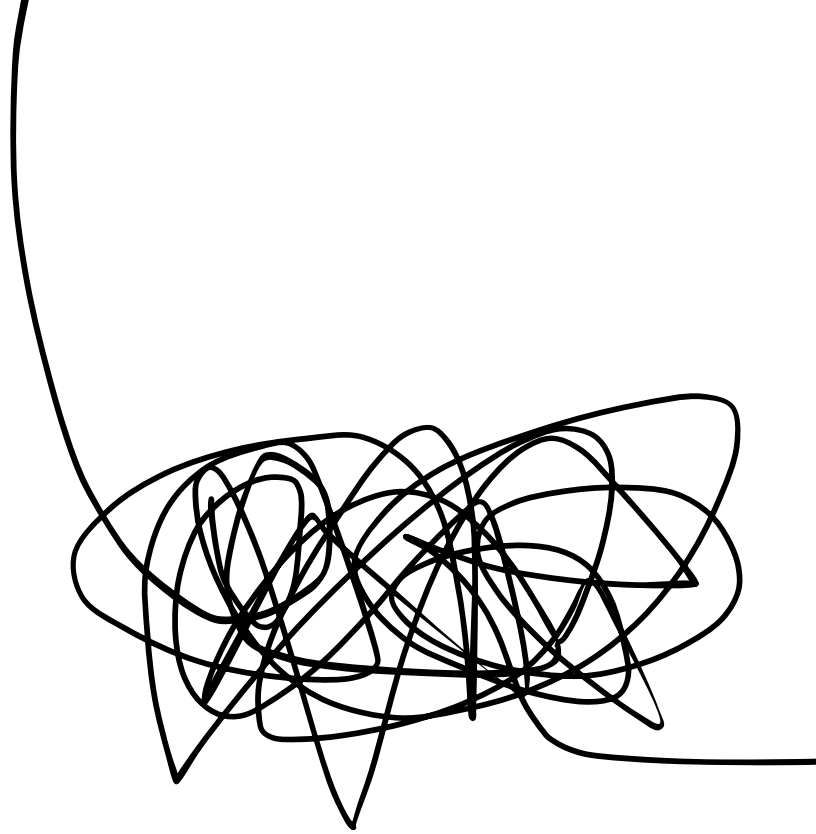


Figure A (Class 1):
The iterative process

Advocacy, as they say, is an art — and in international arbitration, it calls for versatile artists.

In this course, we therefore aim to acquaint you with a mix of scenarios, tools, tasks, and techniques.

ONE OF THE QUESTIONS THAT WE hear often from students is: “What is it really like to practice law in your field?” This semester, we will endeavor to illustrate, by guiding you incrementally through a mock arbitration.

Week by week, the fictional matter will move forward, and (with the help of class sessions that prepare you for the exercise), you will tackle different

(cont'd on next page)

Course overview



aspects and various stages of advocacy — beginning at the “pitch” phase and then progressing toward a hearing.

As a part of this process, you will practice, *inter alia*, reading into a case, evaluating priorities, working for (and with) clients, crafting short written arguments, gathering witness testimony, and delivering oral arguments.

Your grade will be a function of (i) your participation and attentiveness during class this semester (15%), and (ii) your performance across a series of assignments (85%; see below for more details).

A note on course structure

Unlike in some of your classes, where your homework always precedes the relevant teaching session, in this course, it is

different: there are times when your homework will **follow** after our teaching session.

To help you to keep track, in our [lesson plans](#), we have specified for each week when the homework should be done. In due course, we will supply further details — including the precise deadlines — for your graded assignments.

About grading

Speaking of grades: there is no exam in this class.

Instead, throughout the semester, you will handle what essentially is mock casework — ten different micro “**Assignments**” that replicate little pieces of an advocate’s workload.

As in the real world, every Assignment will be graded on factors such as cohesion, clarity, presentation, completeness, timeliness, and (if applicable) persuasiveness. Your scores will be communicated to you privately on an ongoing basis. Each Assignment is worth 20 points.

(cont’d on next page)

Course overview



Typically, we will not grant extensions — and late Assignments will be penalized with a ten-point deduction. However, we will make an exception if the circumstances so merit and you raise them with us promptly.

Laptop policy

Apart from Class 3 (when we will ask you to practice taking

handwritten notes, without the benefit of a keyboard), you are generally welcome to use a laptop during class.

Accommodations

As a reminder, any student in need of an accommodation may reach out to the [Office of Accessibility Services](#). ■

nb: This semester's mock case is a fictional “investor-State” matter.

Learning Outcomes

We have four principal goals in this course:

01

Enhance your general understanding of advocacy

In the real world, “advocacy” is much more than just presenting oral arguments toward the end of a matter. This semester, we will work to acquaint you with a broad range of tasks that you may have IRL.

02

Help strengthen your instincts and skills

In addition to concrete advocacy skills (for example, public speaking, word-smithing, and communicating via email), we will also assist you with abstract parts of the craft, such as building and using “[situation awareness](#).”

03

Teach you the basics of investor-State arbitration

Even though our primary focus is advocacy, a core part of our programming deals with investor-State arbitration. (And, as you will see, debating the issues in these cases is a good way to hone instincts for various other practice areas.)

04

Offer a series of meaningful takeaways

Beyond our feedback on Assignments — and the lessons and tips we impart to you during class — at the end of the course, you will also walk away with your own mini portfolio of arbitration work product.

lesson plans

Lesson plans

FYI

As mentioned, this semester, you will have two types of homework: (i) a handful of tasks to be completed before class, and (ii) the ten graded Assignments (which we will circulate during class and you will then complete afterwards — occasionally, in the next class). In this syllabus, the pre-class tasks are labeled “how to prep,” and the post-class Assignments follow the phrase “after class.”

Please note: Class sessions will not be recorded.

01

MON, 13 JANUARY



Let's get started

Class agenda: Introductions + Course Q&A + Discussion: *What is Advocacy?*

How to prep: Watch a comedy special. (Yes, really! Any comedy special.)

02

MON, 27 JANUARY



The art of the email

Class agenda: Today, we simulate the experience of receiving a surprise email. (Spoiler alert: it contains a request for your help with a fictional arbitration.) During class, we will work as a group on two deceptively simple tasks: reading the message and responding.

How to prep: Read [Let's Talk About Writing](#) and [Letter from Law Firm](#) (link now active).

After class: Complete Assignment #1 (“Have time to help with a pitch?”)

Lesson plans

03 MON, 3 FEBRUARY



Law and procedure

Class agenda: This session, which builds on the email exchange from Class 2, is intended to mimic an onboarding meeting. You will receive a “crash course” on investor-State arbitration and will practice taking notes without a computer.

After class: Complete Assignment #2 (“We got the case! Could you help us to develop a work plan?”)

04 MON, 10 FEBRUARY



Time to study and strategize

Class agenda: One of the first steps in a case (and, accordingly, in the work plan that you just helped to develop) is to select arbitrators. But which arbitrators? That’s a question inherently intertwined with case strategy. In this class, we will therefore start strategizing, after studying some new details just supplied by the client.

After class: Read Tokios Tokelés ([decision](#), pp. 1-30 + [dissent](#), pp. 1-19)

Lesson plans

05 THURS, 20 FEBRUARY



Taking inventory

Class agenda: In addition to selecting arbitrators, there are also other work streams to initiate at this stage. The most pressing of them is the process of building, testing, refining, and — ultimately — presenting a case.

But before you can go out and build, you must first have a sense of what tools are available. In this class, we will take inventory, spending time in particular on rhetorical tools.

After class: Complete Assignment #3 (“What are our questions for the client team?”)

06 MON, 24 FEBRUARY



Debating and negotiating

Class agenda: Once the parties have selected their arbitrators, they typically then proceed to converse *inter se*, negotiating the deadlines and attempting to reach an agreement on other practical matters (e.g., logistics for translations). In today’s class, we will canvass those matters during a second installment of our investor-State “crash course.”

After class: Complete Assignment #4 (“Could you help with some prep-work for Procedural Order No. 1?”)

Lesson plans

07 MON, 10 MARCH



Working with witnesses

Class agenda: Today, we skip ahead to a point where your opponent has recently filed a submission and you and your colleagues are working to respond. During class, we will analyze the other side's witness testimony, and explore possible lines of cross-examination.

After class: Complete Assignment #5 ("Let's make sure our witness' testimony is solid")

08 MON, 17 MARCH



Documents!

Class agenda: In this class, the focus again is on evidence. We will offer some tips on how to analyze documents, and discuss useful methods for distilling information.

After class: Complete Assignment #6 ("Diagrams and demonstratives")

Lesson plans

09

MON, 24 MARCH



Le mot juste

Class agenda: Jargon, slang, terms of art, and much more in this class about “phrasing” for an international audience.

After class: Complete Assignment #7 (“Additional doc requests”)

10

MON, 31 MARCH



What happens at a hearing?

Class agenda: A guided tour through hearing prep and hearings (with videos!)

After class: Complete Assignment #8 (“Hearing strategy”)

Lesson plans

11

MON, 7 APRIL



Know your audience

Class agenda: Today, we will have an arbitrator as guest speaker.

After class: Prepare to perform Assignment #9 (“Deliver a part of the opening statement”)

12

MON, 14 APRIL



Standing (or sitting) in the spotlight

Class agenda: Opening statements (Assignment #9).

After class: Complete Assignment #10 (“Self assessment” and “fine-tuning a draft”).

13

MON, 21 APRIL



Breaking bad habits

Class agenda: In our final class session, you will examine what you’ve learned by attempting, intentionally, to engage in bad advocacy. We also will revisit the core themes of the class, and send you off with our final tips for practicing in the real world.

MONDAYS • 5.45-7.45 PM ET



Prof.
Mallory
Silberman

[bio](#) | [email](#)

Prof.
Michael
Rodríguez
Martínez

[bio](#) | [email](#)



OFFICE HOURS

Monday
4.30-5.30pm
+ alternate times
by appointment