



Virginia Local Government Law

Oral Argument at Virginia Supreme Court

By: Andrew McRoberts. Thursday, April 5th, 2012

On March 2, 2012, I was pleased to give oral argument to the Virginia Supreme Court on behalf of a local government client.

As is typical, I found the Justices to be polite, attentive, intelligent and inquisitive. Not surprisingly, the justices asked good questions which went to the heart of the issues to be decided. I came away with a renewed respect for the Court and our Virginia judicial system. And this was BEFORE I learn what they decide in my client's case!

As it typical, there were a number of spectators in attendance. If you have never observed at oral argument, consider doing so. I have attended many oral arguments in recent years in local government cases, and have learned a bit about how the justices think and act in general, and some of their views on local government issues in particular. I've found this information to be valuable in advising my local government clients.

The Supreme Court room is awesome, in the traditional sense of the word – it inspires awe. If you get there a bit early, you can sit there and have few distractions. The Court does not allow any cell phones, smart phones or other electronic devices. You have time to observe the enormous temple-like columns behind the dais, the veil of velvet hangings in between, the paintings on the walls of former justices with stern faces, the three-story high ceiling, the thick red carpeting, the long pew-like seats for the spectators, the lonely-looking podium for the one making argument. You get to sit, in near total silence. In today's busy, connected society, there are few times available to you to be disconnected. Enjoy it.

A few minutes before the arguments start, the Clerk, in a kind voice, gives a briefing of what to expect and how to make the best impression upon the justices ("Always start with 'May it please the Court, my name is....'"). There are a few hushed conversations here and there, but there is mostly silence, with plenty of time to simply sit, free of electronic distractions and take in the beautiful and imposing room.

Giving oral argument at the Virginia Supreme Court is participating at the highest level of our state government, in the judicial branch. It an important responsibility, not only to your client, but to the Commonwealth of Virginia itself. I have enjoyed my times there. I hope that one day you get a chance to give or attend an oral argument there.

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