

Preface

A Practical Guide to Appellate Advocacy is now a Connected eBook on CasebookConnect. So whether you're a novice at writing briefs, or an experienced brief-writer, you will find everything you need to know about writing an appellate brief or motion in the textbook and a great deal more resources and sample documents on CasebookConnect.

Additional Resources on CasebookConnect

- *Citation Guidelines and Common Punctuation Issues*
This reference material includes guidance on when to cite and when not to cite, as well as examples of long and short-form case and statutory citations. The punctuation section includes rules on apostrophe use, common homonym mistakes, and common issues with semi-colons and commas.
- *For Reference: Court Rules and Court Website Information*
This section includes links to the rules of the United States Supreme Court, as well as the Federal Rules of Appellate Procedure and some other relevant rules. It also includes links to examples of various kinds of materials available on court websites (such as local rules and standing orders), and gives guidance about how to find those rules for particular courts.
- *Sample Briefs*
This section includes more sample appellate briefs for you to review. Like the examples in the text, they are student written and contain annotations to guide you as to their strengths and weaknesses.

New in the Sixth Edition

- The oral argument guidance has been updated to acknowledge changes in law school and practice brought about by Covid-19. Although the guidance focuses on conducting oral arguments on virtual platforms, the advice is relevant to all online professional interactions.

- The Sixth Edition has been judiciously streamlined, both by general editing and by moving some examples and reference items to the Case Connect Platform.
- Current research shows that we remember information better when we utilize learning-assessment tools, such as questions and quizzes. For this reason, you will find a new *Recall and Review* feature—a set of review questions—at the end of most chapters. I recommend that you try to answer all the questions, then go back into the chapter to check whether your answers were correct. If they were not, then you will know what parts of the chapter you need to review.

A Note about Using the Examples

Before you begin, I'd like to offer a little guidance about the examples in the text and on CasebookConnect. Many people who use texts with examples jump directly to the examples without reading the surrounding text; over the years, I've had dozens of students unknowingly imitate *bad* examples using this method. Accordingly, the bad examples have been clearly labeled “bad example” and are indicated by a downward triangle icon to help you avoid this mistake.

A Note about Proper Brief Writing Style

Your professor may have told you not to imitate judicial writing styles because the needs of judges and clerks (the audience for a brief) differ from the needs of those who are reading judicial decisions. For a brief, your writing style and technique should be consistent with the rules and conventions of the court to which you are writing. Similarly, you should not model your brief-writing style after *my* writing style in the text of this book. I did not write this book in the style of a brief. I followed many conventions that apply to brief writing, but I used a tone and style more akin to one I use when writing comments on students' papers: I use contractions, attempt humor, and include unusual metaphors, many of which could easily hinder the effectiveness of a brief. Only the good examples in this text have been written in a style that is appropriate for writing a brief. You can learn how to write in the style of a brief by imitating these good examples.