



PREFACE

When I first taught Appellate Practice, I wanted to offer my students more than the contents of the coursebook I had selected. So I supplemented the syllabus with cases and appellate court procedural rules to illustrate the principles that we were reading about in the coursebook. Specifically, I wanted my students to see the practical perspectives of appellate advocacy, not just the theory and the doctrine. My 20 years working behind the bench had taught me how appellate decisions were made, and that those decisions were comprised of more than the law and the facts.

In addition, I wanted my students to look beyond brief writing and oral advocacy. Yes, the brief and oral argument are the heart and soul of appellate practice, but the rules and procedures also play critical roles in counsel's success on appeal. And I wanted to devote more time to these latter topics than was presented in the coursebook. Throughout my first semester of teaching the course, I found myself focusing on ethical standards — which infuse appellate practice, just like they infuse the practice of law — significantly more often than detailed in the coursebook I had chosen.

When I scoured the market again in search of a new coursebook, I saw that what I needed and wanted for Appellate Practice had not yet been written, so I decided to write it. I imagined a coursebook that would show students the theoretical concepts in action, introducing them to how they will use the doctrine they were learning. Thus, I included in this coursebook excerpts from appellate decisions that concretely apply the concepts that students will need in their legal careers. I envisioned a coursebook that would test students on the material they had read and would augment their reading with the better practices and ethical standards they should know. So this coursebook includes Check Your Proficiency questions after several sections in every chapter and inserts Pro Tips and Ethics Alerts where appropriate. And I imagined a coursebook that would offer students an opportunity to engage with the appellate practices and courts in their jurisdiction, bridging the gap between their law school experience and actual lawyering. Thus, I included a Proficiency in Practice section at the end of every chapter in this coursebook, comprised of a variety of research questions and tasks to introduce students to the real-life situations they might encounter after law school.

This coursebook is the product of that vision.