

# Appellate Practice



## What is Appellate Practice?

Lawyers who specialize in appellate practice write and file legal briefs to appeal unfavorable outcomes from lower courts. Appellate work occurs at the state and federal level for subjects in the criminal and civil spheres. Appellate lawyers must be especially knowledgeable in proper procedure and wary of strict deadlines. The initiation of an appeal can be especially perilous, and the lawyer must provide formal notice and certify issues for appeal in order to secure appropriate appellate jurisdiction or consideration.

Appellate lawyers thoroughly review the lower court's record. Making a good faith argument, in fact and law, appellate attorneys must establish that error occurred in a lower court's proceedings. These attorneys are confined to the trial record. Appeals do not present an opportunity to retry a case before a higher court. After filing an appellate brief, the attorney will usually make oral argument before a panel of judges.

Appellate attorneys must be discerning and detail-oriented to know when an issue has merit for appeal. They should remain abreast of changes in law and legal trends among different jurisdictions so that their arguments remain convincing and original.

## Where Do Appellate Attorneys Work?

### Mid to Large-Sized Firms

Large firms may have practice groups entirely dedicated to appellate advocacy.

### Government

Attorney Generals Offices  
U.S. Attorneys' Offices  
Appellate Defenders' Offices  
State and federal judicial law clerks

### Nonprofits

[ACLU](#)  
[Innocence Network](#),  
[Washington Appellate Project](#).

## What Classes Should I Take?

Administrative Law

Advanced Brief Writing Seminar

Appellate Advocacy

Evidence

Federal Courts

Legal Argument and Appellate Practice

Pre-Trial Litigation Practice

Trial Advocacy

# Appellate Practice Resources



## Resume Boosters for Appellate Practice

Clerk for an appellate judge at the state or federal level

Participate in the in-school competitions, including the 1L Competition and the Advanced Competition

Join Moot Court

Take advanced legal writing seminars

## Professional Associations

### American Bar Association

All University of Memphis law students have free membership to the [American Bar Association](#). Their website provides routinely updated information and interest-specific career advice. Join different sections to find out what they offer. Check out [The Appellate Practice Committee](#) and [The Council of Appellate Lawyers \(CAL\)](#).

## Appellate Litigation Links

### [Public Access to Court Electronic Records \(PACER\)](#)

PACER is a service of the federal judiciary. Its mission is to provide the public with broadest possible access to court records and to foster greater public understanding of the court system.

### [Oyez \(pronounced OH-yay\)](#)

Oyez offers transcript-synchronized and searchable audio, plain-English case summaries, illustrated decision information, and full-text Supreme Court opinions. Oyez also provides detailed information on every justice throughout the Court's history and offers a panoramic tour of the Supreme Court building.

### [Tennessee Court Talk](#)

Tennessee Court Talk is an educational podcast from the Tennessee Supreme Court and the Administrative Office of the Courts, bringing together law experts to discuss topics affecting judges, attorneys, law students, and the people of Tennessee.

### [Sixth Circuit Appellate Blog](#)

The Sixth Circuit Appellate Blog fosters discussion on news about and opinions issued by the United States Court of Appeals for the Sixth Circuit, with an emphasis on civil and regulatory cases affecting business interests.