



2019 VTLA Appellate Practice Webinar:

## Appellate Advocacy 101

September 25

Moderator: Ashley T. Davis, *Allen, Allen, Allen & Allen, Richmond*

### AGENDA

12:00 p.m. **Preservation of Error in the Trial Court/Preserving Issues for Appeal**

Roger T. Creager, *The Creager Law Firm, PLLC, Richmond*

Failure to preserve error in the trial court is fatal to pursuing an appeal. Roger will discuss this critical first step in the appellate process including how to preserve error, and when it is appropriate to file a motion to reconsider.

12:20 p.m. **The Writ Stage**

James “Jay” J. O’Keeffe, *Johnson, Rosen & O’Keeffe, LLC, Roanoke*

Before the Supreme Court of Virginia will grant an appeal, the appellant must file a Petition for Appeal and convince the Court that the issue has merit. Jay will explain how to navigate the second stage of the appellate process – the Petition for Appeal, strategies for crafting assignments of error, which types of cases and issues the Supreme Court are more likely accept, and which types of cases the Court tends to avoid.

12:40 p.m. **Strategies for Writing the Brief**

Roger Creager

A well-written brief is the foundation of a successful appeal. Roger will provide proven strategies for writing briefs and oppositions that are persuasive and effective.

1:05 p.m. **Case Management & Mechanics**

Kyle McNew, *MichieHamlett, Charlottesville*

Handling an appeal can be intimidating. But don’t worry! Kyle will demystify the mechanics of the appeal – timing, deadlines, court rules and requirements, working with a printer, and best practices.

1:35 p.m.     **Oral Argument**  
Jay O’Keeffe

Oral argument is your opportunity to make an impression, advocate for your client, and engage with the justices about the issues in your case. Make the most of it! Jay will guide us through the oral argument – how it works, how to prepare, what to expect, how to structure your argument and respond to questions, what to do and not to do, and when and how the Court will issue its decision.

1:45 p.m.     **Questions and Answers**  
Ashley Davis

1:50 p.m.     **Adjournment**

**CLE Hours = 2.0**