



*Thomas Jefferson
School of Law Library*

LEGAL WRITING II

**Online Resource Guide (pp. 2-7)
&
Bibliography of Materials (pp. 8-21)**

January 2004

The entries in this document are based on the course description for Legal Writing II in the syllabus for this course:

Legal Writing I introduced you to the reasoning, research, and writing methods that an attorney uses to make decisions about concrete legal problems. Legal Writing II builds on those methods in the context of persuasive written and oral advocacy. Legal Writing II is designed to teach you methods for researching a client's legal problem, creating and testing arguments, and persuasively communicating those arguments to judges, both in writing and in oral argument.

A digitized version of this document is available in Microsoft Outlook's Public Folders, accessible through your TJSL e-mail account. Within the Public Folders, click on "All Public Folders," then on "Research Guides." Locate your course name and download the attached document to a floppy disk. You can then open and review the document using Word. In addition, two copies of this document are available on Course Reserve at the Circulation Desk during the Spring 2002 term.

**(ORG created by June Mac Leod, Electronic Resources Reference Librarian;
Bib created by Dorothy Hampton, Director of Public Services)**

Appellate Advocacy
Online Resource Guide

INTERNET:

Audio Tapes of Appellate Oral Arguments:

The OYEZ Project, from Northwestern University
<http://oyez.nwu.edu/cases/cases.cgi>

The OYEZ Project contains hundreds of hours of audio taped oral arguments of cases decided in front of the US Supreme Court. Search the Court by case citation, subject or case name.

**Audio of Oral Arguments in the US Supreme Court by Members of the Mayer,
Brown & Platt**

<http://www.appellate.net>

Cases that the lawyers have argued before the US Supreme Court

Florida Supreme Court Oral Arguments – Audio and/or Video, from Gavel to Gavel

<http://wfsu.org/gavel2gavel/>

Audio Taped Oral Arguments (live and archived) of the Washington State Supreme Court

<http://www.tvw.org/media/liveevnts.cfm?CFID=199112&CFTOKEN=12394452>

Oral Arguments from the 8th Circuit

<http://8cc-www.ca8.uscourts.gov/Oral-Arg/scripts/GetOralArg.asp>

from sessions 2000-2002

Legal audio and video broadcasts and archives

<http://www.legalengine.com/audiovideolaw.htm>

**Docket for Oral Argument Schedule through May 2003, featuring Link to Live and Archived Audio
of Arguments**

<http://www.osca.state.mo.us/SUP/index.nsf/fe8feff4659e0b7b8625699f0079eddf/e60546c6fff6de9e8625699f007cb9b1?OpenDocument>

Missouri Supreme Court cases for 2002

DARREL K. HARRIS ORAL ARGUMENTS

<http://www.courts.state.ny.us/ctapps/harris050602.htm>

Oral Arguments on the Internet

http://www-camlaw.rutgers.edu/lrw/oral_args_internet.html

Oral Arguments

<http://www.cs.princeton.edu/courses/archive/spr01/frs136/argument/>

This is the oral argument in Federal Circuit Court for the appeal of Universal Studios (et al.) versus Eric Corley and 2600 Magazine. It took place at Second Circuit Courthouse, 40 Centre Street, New York, on May 1st, 2001 from approximately 11:30 a.m

JONES V. CLINTON ORAL ARGUMENTS AND LEGAL DOCUMENTS ON THE WEB

<http://www.icle.org/sections/labor/adams/art5.htm>

From the Institute of Continuing Legal Education

SUPREME COURT ORAL ARGUMENTS ON THE WEB

<http://www.icle.org/sections/labor/adams/art2.htm>

From the Institute of Continuing Legal Education: a discussion and portal to states' supreme courts oral arguments.

Online Appellate Briefs (The text of actual and sample briefs)

US Supreme Court Briefs (full text), from FindLaw

http://supreme.findlaw.com/supreme_court/briefs/

Appellate Briefs, from Mayer, Brown & Platt (full text)

<http://www.appellate.net/briefs/defaultNew.asp>

U.S. Department of Justice Civil Rights Division Appellate Section BRIEFS (full text)

<http://www.usdoj.gov/crt/app/briefs.htm>

This page provides access to all merits briefs filed in the courts of appeals by the Appellate Section since September 1, 1999, as well as selected briefs filed before that date

The Appellate Briefs Page, from Mayer, Brown & Platt (full text)

<http://www.appellate.net/links/CategoryInfo.asp?c=6321>

Scroll about half way down the page, and you'll find hyperlinks to loads and loads of briefs from advocacy groups, federal agencies, and from others previously mentioned.

Details of the Appellate Brief, by Hartley & Hartley

<http://www.hartley.com/appbrief.htm>

Sample appellate brief following trial: modification of attorneys' fee contract, by Hartley & Hartley

<http://www.hartley.com/appfees.htm>

**An Excellent Appeal Brief By Second Year Law Students, Howard University
students Shannon Fortt & Michelle Phillips**

<http://www.law.howard.edu/faculty/pages/berry/goodwork/philfort.htm>

This excellent brief was written for Professor Gregory Berry of the Howard University School of Law by Michelle Phillips and Shannon Fortt during the Fall 1997 term.

Appellant's Brief in US COA for the 5th Circuit v. Castillo

<http://i2i.org/SuptDocs/Waco/wa5thbrf.htm>

AN INTRODUCTION TO *TEXAS V. JOHNSON*

<http://www.law.duke.edu/curriculum/appellateadvocacy/introtex.html>

This web site consists of the briefs and related documents in *Texas v. Johnson*, a case decided by the United States Supreme Court. The purpose of the web site is to help you learn how to draft an appellate brief through studying the briefs and other materials in a real case. We do this by explaining some of the principles and rules involved in brief writing, and showing you some real examples from the Texas v Johnson case.

Fundamental of the Appellate Process: Online Articles & Newsletters

Appellate Counselor Home Page

<http://www.appellate-counselor.com/>

Great site that contains a monthly newsletter (The *Appellate Decisions Noted*, which concentrates on decisions from federal & state courts from California), an actual appellate memos & tips page, a page of forms for civil appeals, as well as links to other Internet resources on the subject.

Freedom of Speech and Appellate Review in Workplace Harassment Cases, by Eugene Volokh

<http://www.law.ucla.edu/faculty/volokh/apprevie.htm>

Online article. Originally published in the *Northwestern Law Review*; cite text as Eugene Volokh, *Freedom of Speech and Appellate Review in Workplace Harassment Cases*, 90 *Nw. U. L. Rev.* 1009 (1996).

A Concise Guide To Writing Better Appellate Briefs

<http://www.bipc.com/articles-a-e/betterbriefs.htm>

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Legal Writing and Research: A Selected Annotated Bibliography -- Works On Brief Writing And Oral Advocacy, from the Legal Information Institute of Cornell University

http://www.lawschool.cornell.edu/lawlibrary/guides/legwritres/legal_writing_and_researchiv.html

Reducing The Costs Of Litigation Appeals, by Kim Tung

<http://www.uchastings.edu/plri/fal95tex/appeal.html>

Writing the Statement of Facts and Statement of the Case

<http://www.appellatelaw.com/g-factscase.htm>

Different lawyers approach this problem in different ways, as the following discussion shows...

Appellate Court Resources

http://www.ualr.edu/~cmbarger/app_res.htm

These links provide appellate lawyers and law students with access to web sites for appellate courts in Arkansas, the United States Court of Appeals for the Eighth Circuit, and the Supreme Court of the United States, as well as to resources on court rules, opinions, and oral arguments.

Appellate Advocacy

<http://law.gsu.edu/jtarrance/APPELLATE%20ADVOCACY.pdf>

A powerpoint presentation from GSU Law School.

APPELLATE ADVOCACY COLLEGE 2000, LECTURE MATERIALS

<http://www.courtinfo.ca.gov/courtadmin/jc/comlists/appcoll.htm>

These materials were prepared in April 2000 for use in the Appellate Advocacy College presented May 15-26, 2000, by the Judicial Council's Appellate Indigent Defense Oversight Advisory Committee and the California Appellate Projects

Resources for Appellate Courts and Appellate Lawyers

<http://www.ualr.edu/%7Eappj/Resources.html>

From the Journal of Appellate Practice and Process

Westlaw Resources:

Database Name:

Identifier:

Coverage:

Case Law, Statutes, Legislation & Administrative Regulations:

Federal & State Case Law			ALLCASES
	1945 –		
Federal Case Law		ALLFEDS	1945 –
U.S. Supreme Court Cases		SCT	
	1945 –		
U.S. Code Annotated (USCA)		USCA	current
U.S. Congressional Testimony		USTESTIMONY	1993 –
Congressional Bills		CONG-BILLTXT	current
Bill Tracking – State & Federal		BILLTRK	current
Code of Federal Regulations (CFR)		CFR	
	current		
Federal Register (FR)		FR	1980 –
Presidential Documents		PRES	1936 –
Individual State Statutes, Annotated		ST-ANN-ALL	current
Federal & State Bills		BILLS	current
State Attorney General Opinions		AG	varies

News, Newspapers & Newsletters:

All News Files Plus All Wires		ALLNEWSPLUS	varies
All Newspapers		NP	varies

Journals, Law Reviews, Practice Guides, Other Secondary Sources:

All Journals & Law Reviews	JLR	varies
American Journal of Trial Advocacy 1982	AMJTA	select, current,
1993		
American Jurisprudence, 2d (AmJur)	AMJUR	current
American Law Reports (ALR)	ALR	current
Federal Lawyer from 1983	FEDRLAW	select,
Federal Litigator 1994	FEDLIT	
The Rutter Group – The California Practice Guide: Civil Appeals & Writs	TRG-CACIVAPP	current
The Rutter Group – The California Practice Guide: Federal Civil Procedure Before Trial	TRG-CAFEDCIVP	current
The Rutter Group – The California Practice Guide: 9 th Circuit Civil Appellate Practice	TRG-CA9CIR	current
The Rutter Group – The California Practice Guide: current	TRG-TXFCIVP	
Federal Civil Procedure Before Trial, 5 th Circuit		
<i>Witkin's California Treatise: California Procedure</i>	<i>WITPROC</i>	<i>current</i>

Federal Documents Clearing House – Congressional Testimony CNGTST	LEGIS	
Major Newspapers Group File MAJPAP	NEWS	
Transcripts Group File SCRIPT	NEWS	
UPI	NEWS	UPI
US News Group File	NEWS	US
Wire Services Group File WIRES		NEWS

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January 2003**

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Washington, D.C. : Bureau of National Affairs, [1933-

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United States. Supreme Court -- Periodicals.

United States -- Constitutional law -- Cases.

Appellate procedure -- United States -- Cases.

Court rules -- United States.

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A PRACTICAL GUIDE TO APPELLATE ADVOCACY / MARY BETH BEAZLEY.

New York : Aspen Law & Business, 2002.

Briefs -- United States.

Appellate procedure -- United States.

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EFFECTIVE APPELLATE ADVOCACY : BRIEF WRITING AND ORAL ARGUMENT /
BY CAROLE C. BERRY.

St. Paul, Minn. : West Group, 1998.

Briefs -- United States -- Cases.

Oral pleading -- United States -- Cases.

Appellate procedure -- United States -- Cases.

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St. Paul, Minn. : West Group, 1999.
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Oral pleading -- United States -- Cases.
Appellate procedure -- United States -- Cases.

KF251 .C53 2000.
THE QUESTION PRESENTED : MODEL APPELLATE BRIEFS / MARIA L. CIAMPI,
WILLIAM H. MANZ.
Cincinnati, Ohio : Anderson Pub. Co., c2000.
Briefs -- United States.
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COURTS / MICHAEL R. FONTHAM, MICHAEL VITIELLO, DAVID W. MILLER.
New York : Aspen Law & Business, 2002.
Briefs -- United States.
Oral pleading -- United States.
Trial practice -- United States.
Appellate procedure -- United States.

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HANDBOOK OF APPELLATE ADVOCACY / PREPARED BY UCLA MOOT COURT
HONORS PROGRAM FRANK R. ACUNA ... [ET AL.], 2nd ed.
St. Paul, Minn. : West Pub. Co., 1986.
Briefs -- United States.
Oral pleading -- United States.
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EVALUATION IN THE KENTUCKY COURT OF APPEALS : A TECHNICAL
ASSISTANCE REPORT / JAMES R. MAHER.
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Appellate procedure -- United States.
Judicial process -- United States.

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New York : Garland Pub., 2001.

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St. Paul, Minn. : West Publishing Co.,

Court rules -- United States.

Civil procedure -- United States.

Appellate procedure -- United States.

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Court rules -- United States.

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BANKRUPTCY, CIVIL, AND CRIMINAL PROCEDURE / COMMITTEE ON RULES OF PRACTICE AND PROCEDURE OF THE JUDICIAL CONFERENCE OF THE UNITED STATES.

[Washington, D.C.] : The Committee, [2000].

Court rules -- United States.

Procedure (Law) -- United States.

Appellate procedure -- United States.

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Notre Dame, Ind. : National Institute for Trial Advocacy, c2000.

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San Francisco : Bancroft-Whitney, 1912.

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Washington, D.C. : Federal Judicial Center, 1990.

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