OLI
We raise the Bar

Oregon Law Institute
of Lewis & Clark Law School

Appellate Tips for Litigators

Planning Trials for Success on Appeal



Litigators will benefit from attending this CLE to learn how to effectively set a case up for appeal. The program will address the entire life of a case—from intake to the Oregon Supreme Court. Seasoned practitioners and appellate judges will provide helpful tips and traps to avoid on important procedural and substantive issues, with an eye toward succeeding on appeal.

Friday, October 26, 2012

Oregon Convention Center
777 NE Martin Luther King Jr. Blvd.
Portland, Oregon

6.5 General MCLE Credits



Appellate Tips for Litigators

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SCHEDULE

8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS

8:25 WELCOME AND INTRODUCTORY REMARKS

8:30–10:00 **Intake and Pretrial Issues**

- Recognizing potential appellate issues from the outset (invoking or challenging existing law and/or conventional wisdom, staying current on the pertinent law and trends)
- Statute of limitations issues
- Recognizing pleading and discovery issues that could end up on appeal
- Pretrial motions and when to consider mandamus
  - *John M. Coletti*
  - *James E. Mountain, Jr.*
  - *Jane Paulson*
  - *Janet M. Schroer*

10:00–10:15 BREAK

10:15–12:00 **Trial and Post-Trial Issues**

- Considering criminal/civil and state/federal procedural distinctions
- Preserving issues for appeal by making a record at trial (including special verdict forms and jury instruction requests, objections, and exceptions)
- Filing post-trial motions (new trial, jnov, judgments, sentencing orders)
  - *Janet Lee Hoffman*
  - *Wendy M. Margolis*
  - *Hon. Martha L. Walters*

12:00–1:15 LUNCH (on your own)

1:15–2:00 **Now What? Deciding Whether and What to Appeal; Perfecting Your Appeal**

- Advising the client regarding appealable issues and reasonable expectations for appeal
- Moving for stays and filing bonds
- Perfecting the appeal
  - *Meagan A. Flynn*
  - *Jona Maukonen*

SCHEDULE (cont.)

2:00–3:00 **What *Not* to Do in Presenting Your Case to the Court of Appeals**

- Avoiding mistakes in briefing: this isn't law school
- Avoiding mistakes at oral argument: this is a conversation
  - *– Joshua B. Crowther*
  - *– Hon. Erika L. Hadlock*
  - *– Anna Joyce*

3:00–3:15 BREAK

3:15–4:15 **What's Next? From the Court of Appeals to the Supreme Court**

- Requesting reconsideration in the Court of Appeals
- Advising your client about Supreme Court review
- Formulating petitions for review
- Knowing what happens to petitions behind the curtain
- Specific tips for Supreme Court briefing and argument
  - *– Cody Hoesly*
  - *– Hon. Rives Kistler*
  - *– Sara Kobak*

4:15 p.m. ADJOURN

FACULTY

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Program Co-Planner
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Oregon Supreme Court

Live Presentation

Portland – Ocober 26, 2012
Oregon Convention Center
777 NE MLK Jr. Blvd.

MCLE Credit

Appellate Tips for Litigators: Planning Trials for Success on Appeal will receive **6.5** General MCLE credits.

Program Products

Even if you cannot attend, you can still get the program on CDs or DVDs. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase OLI program products at 50% off the full retail price.

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Please register at least one week prior to the replay date.

Bend – 11/9/12
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Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 11/2/12
Replay 8:30 a.m.
Harrang Long Gary & Rudnick PC
360 East 10th Avenue, Ste. 300

Portland – 11/14/12
Replay 9:00 a.m.
Oregon Law Institute
Gus J. Solomon Courthouse
620 SW Main Street, Ste. 706

QUESTIONS? Call (503) 768-6580 or (800) 222-8213.
Check out our website at www.lclark.edu/org/oli
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REGISTRATION / ORDER FORM

APPELLATE TIPS FOR LITIGATORS:

Planning Trials for Success on Appeal

Friday, October 26, 2012

Name _____ OSB No. or Profession _____

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Please "✓" appropriate box below:

❑ Live presentation

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TUITION *Prices apply to live and video replays.*

❑ $189 Early registration *(received by October 22, 2012)*

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COURSE MATERIALS *Included with registration. Please select one:*

❑ Electronic course book *(a link to a PDF of the materials will be emailed no later than 48 hours prior to the seminar date)*

❑ Print version

LIVE WEBCAST REGISTRATION

This program will be broadcast LIVE over the internet on Friday, October 26, 2012, starting at 8:30 a.m. Pacific Time. You may access this event from anywhere with an established internet connection. The webcast will include video and audio of the speakers and seminar handout materials — all on your computer! To register for the live webcast, please click **here** or go to our website at http://go.lclark.edu/oli and click on "Webcasts."

PRODUCT ORDER *I am unable to attend. Please send me:*

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CONFIRMATION: Confirmation will be sent via e-mail.

CANCELLATION POLICY: Tuition minus a $20 handling charge will be refunded if the cancellation request is *written and received* by Monday, October 22, 2012.

NEED ASSISTANCE: If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

TUITION ASSISTANCE: A limited number of scholarships are available based on financial need. Contact OLI.

QUESTIONS? Call (503) 768-6580 or (800) 222-8213. Check out our website at http://go.lclark.edu/oli or e-mail us at oli@lclark.edu.