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State bar magazine focuses on appellate practice

New Jersey Law Journal

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The August issue of the New Jersey State Bar Association's bimonthly magazine, *New Jersey Lawyer*, considers the topic of appellate practice from a range of perspectives. In all, a baker's dozen of articles are included in the edition, penned by 15 attorneys with experience in the field.

"Early in our careers, we were lucky to serve as Judiciary law clerks in the Appellate Division," write Nancy Del Pizzo and Reka Bala, attorneys who served as special editors for the issue. "Reviewing a breadth of appellate briefs and trial records provided plenty of helpful tips for our current practices. If that experience could be bottled, it would surely be a benefit to our profession. This issue of *New Jersey Lawyer* has captured appellate experience in a different form. These articles provide insights from practitioners on the various themes that emerge in appellate practice."

The issue opens with an article by Kevin J. Duffy and Aziz O. Nekoukar, who share the results of their review of appellate arguments that tend to result in Rule 2:11-3(e)(1)(E) decisions—where the court deems the argument without sufficient merit to warrant discussion. Then, Alan S. Naar and Steven B. Gladis provide seven hot tips for seeking emergent relief in the Appellate Division or Supreme Court, and Carol M. Henderson navigates the emergent process particularly for interlocutory appeals.

Stephen M. Eisdorfer explains how to enforce an appellate decision when a public entity fails to comply, and Clara S. Licata reviews due process constraints on appellate power to remand focusing on Rule 2:11-3(b). Then, Bruce D. Greenberg removes the mystery of when the United States Court of Appeals for the Third Circuit may pose certified questions to the New Jersey Supreme Court, and how the process works.

Amirali Y. Haidri assesses when form trumps substance. The director of the Appellate Division's Central Appellate Research staff, Ellen T. Wry, looks at how to navigate the standards of review on appeal, and Jeffrey S. Mandel provides a practitioner's perspective.

Christina Vassiliou Harvey tackles the standard of review where the appeal concerns the governor's veto of an agency action. Jeffrey Zajac presents a primer on using technology to efficiently prepare the sometimes lengthy appendix of the record. And, Ronald G. Lieberman offers insights on effective oral argument.

The edition closes with a look ahead, as Douglas S. Brierley presents tips for preserving the right to appeal during trial.

The October issue of *New Jersey Lawyer* will focus on environmental law.

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