

**CARLTON  
FIELDS**

APPELLATE  
EDGE™

## CARLTON FIELDS CAN HELP YOU GAIN AN APPELLATE EDGE™

Oral argument on appeal is the final opportunity to reinforce your themes and communicate why you should win. It also is the best chance to discover and answer the court's questions about the case before a decision is rendered. Often there is limited time to argue your position, and there are no time-outs or "do-overs." This is why it makes sense to practice by making a mock oral argument before a panel of "judges" cold to the case.

Carlton Fields gives clients the ability to conduct mock oral arguments in a traditional setting or online. Our remote offering has been increasingly popular in light of the COVID-19 pandemic. Using technology, we can eliminate travel-related expenses and health risk, making this important service both financially accessible and safe for a broad range of appeals and clients.

Recognizing that no one size fits all appeals, we offer a range of alternatives, each at a fixed fee, to fit the particular appeal and the budget.

### COLD EYES, HOT PANEL

This process allows the client to obtain an efficient and effective real-life mock oral argument using high quality "judges" to assist the advocate in preparing for oral argument, with certainty in the price at the outset. Our years of experience in conducting mock appellate arguments, coupled with our lawyers' own experience in the rough and tumble of oral arguments, makes us effective and efficient in preparing advocates to deliver their best possible appellate argument and the best possible answers to hard questions from a hot panel. Because our judges are not your assigned outside counsel



*Clients and trial counsel may participate and watch online*

on the matter, we are truly objective, and provide a fresh perspective on your evaluation of risk.

### WHEN SHOULD YOU CONDUCT A MOCK APPELLATE ORAL ARGUMENT?

- When a first run results in the need for substantial re-do
- When the appeal is otherwise a close issue and involves a substantial risk of loss
- When the appeal is the first of several anticipated appeals on the same issue, even if the matter is not substantial as a stand-alone case
- When a client needs assistance in evaluating appellate prospects to determine whether to settle or compromise the dispute pending the appeal



For more information about our appellate mock oral argument offerings, contact **Sylvia Walbolt** at [swalbolt@carltonfields.com](mailto:swalbolt@carltonfields.com), 813.229.4255, or any Carlton Fields appellate lawyer.

# CARLTON FIELDS APPELLATE ARGUMENT PREPARATION

Success in an appellate argument is directly linked to preparation. Carlton Fields offers a range of appellate services to help prepare your appellate counsel through mock oral argument.

## Features

- Mock arguments are conducted before a panel of experienced Carlton Fields attorneys.
- Mock argument time can extend for two hours.
  - Advocate will complete an initial uninterrupted argument.
  - Following feedback from judges, advocate will give an argument with questioning from each judge.
  - Judges then will debrief and work collaboratively with the advocate to develop strategies for the argument and handling the toughest questions.
- Judges will replicate a true appellate argument with the intent of helping the advocate prepare for the real experience.
- Clients and trial counsel may participate in person or remotely.
- Mock argument sessions are recorded for advocate to use in further preparation.

	TIER 1	TIER 2	TIER 3	TIER 4
<b>Type of Case</b>	Arguments on common issues, not involving extensive briefing	Arguments involving complex interplay of fact and law	Arguments involving extensive briefing or records, and highly complex or novel arguments	Arguments in “bet the company” or similarly important matters
<b>Staffing</b>	2 judges; one shareholder will preside	3 judges; one shareholder will preside	3 judges; 2 shareholders will preside	3 judges; client selects judges subject to availability
<b>What's Included</b>	One mock oral argument	One mock oral argument	Two mock oral arguments	Unlimited mock oral arguments