
Strategies for Certified Interlocutory Appeals in State Court

Hon. Jane Bland

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2016 UT Conference on State and Federal Appeals

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CPRC 51.014(d)

Appeal of an order that involves a controlling question of law as to which there is a substantial ground for difference of opinion if an immediate appeal from the order may materially advance the ultimate termination of the litigation

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Over the Cliff



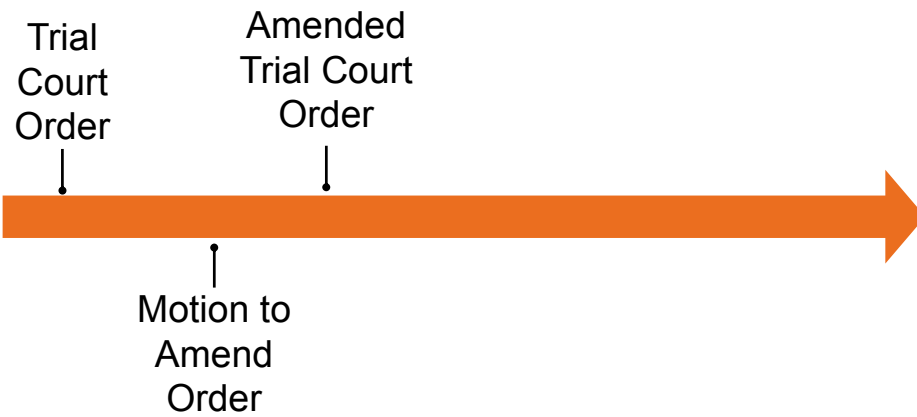
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Procedure

- CPRC 51.014(f)
- TRAP 28.3
- TRCP 168

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Procedure



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Trial Court's Permission

- Must be stated in order being appealed
- Identify the controlling legal question as to which there is a substantial basis for difference of opinion
- Must substantively rule on the controlling issue of law
- State why an immediate appeal may materially advance the termination of the litigation

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"Can You Lead a Horse to Water? Strategies for Certified Appeals in State Court"