2020 APPELLATE JUDICIAL SURVEY

UT LAW CLE 30TH ANNUAL CONFERENCE ON STATE AND FEDERAL APPEALS

SCOTT ROTHENBERG
KENT RUTTER
JOANN STOREY

BRIEFS

ISSUES, FORMATTING, GRAPHICS, CITATIONS, EXTENSIONS & APPENDIX

BRIEFING PET PEEVES: 43 COMMENTS

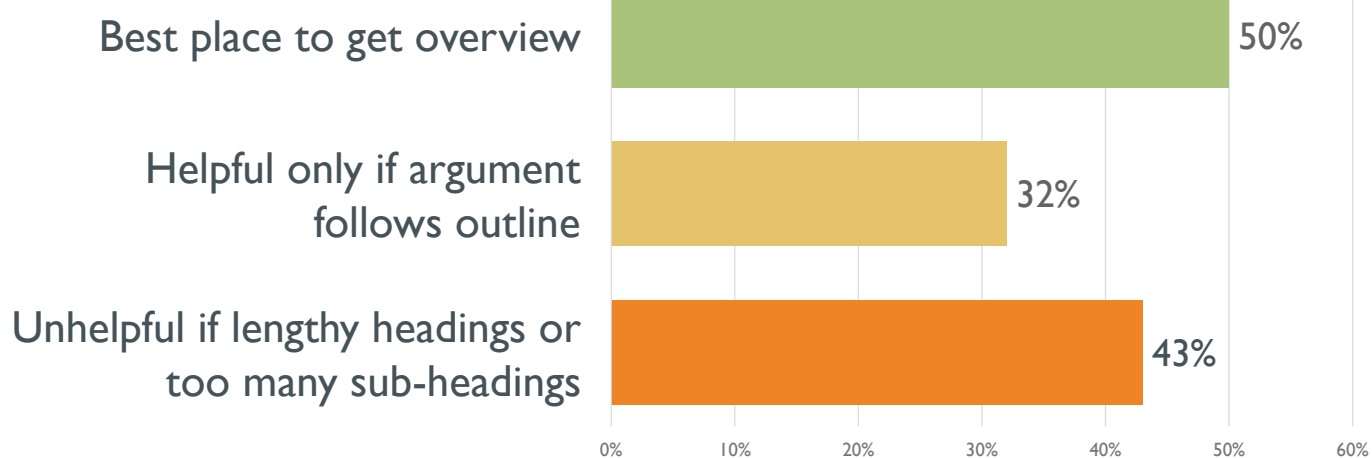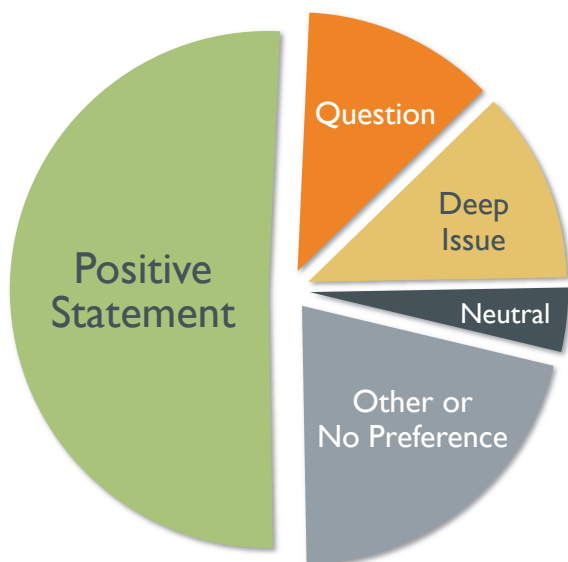|	
Too long/repetitious	17x
Sloppy writing, inadequate analysis	10x
Failure to properly apply standard of review	7x
Lack of organization	6x
Vitriol and emotional "jury arguments"	3x
Reply brief means reply, not repeat	3x

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Best place to get overview	50%
Helpful only if argument follows outline	32%
Unhelpful if lengthy headings or too many sub-headings	43%

0%   10%   20%   30%   40%   50%   60%

PHRASING THE ISSUES

51%	Positive Statement: "The trial court erred by..."
12%	Question: "Did the trial court err by…?"
12%	Deep Issue: "Expert testimony is reliable if…."
4%	Neutral: "Whether the trial court erred by…"

Pie chart labels: Positive Statement, Question, Deep Issue, Neutral, Other or No Preference

GRAPHS, CHARTS, AND PICTURES

When asked about graphs, charts, and pictures, 50% of the justices responded that these items should be used more, 30% responded that they are being used the right amount, 4% responded that they should be used less, and 4% responded that they should not be used at all.

Title search: 2020 Texas Appellate Judicial Survey

Also available as part of the eCourse
[2020 Updates in Texas Appellate Law: Recent Cases and Developments](#)

First appeared as part of the conference materials for the
30th Annual Conference on State and Federal Appeals session
"2020 Texas Appellate Judicial Survey"