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Appellate Practice in the Digital Age

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1

Appellate Practice in the Digital Age:

**We are in a transitional phase in the law's
adaptation to the digital era.**

2

Appellate Practice in the Digital Age:

1. The digital age has changed legal writing.
2. People have adapted inconsistently.
3. Standards, rules, and practices are undeveloped.

3

*Sandifer v. United States
Steel Corp.,*
678 F.3d 590, 591
(7th Cir. 2012)

“These appeals arise out of a class action The plaintiffs argue that U.S. Steel has violated the [**Fair Labor Standards Act**] by failing to compensate them for the time they spend in putting on and taking off their work clothes in a locker room at the plant (‘clothes-changing time’) and in walking from the locker room to their work stations, and back again at the end of the day (‘travel time’).”



4

Sandifer Issue:

Were workers “changing clothes?”

(if so, they aren’t working)

Plaintiffs (hourly workers at U.S. Steel’s steel works in Gary, Indiana) argued, no, it’s “personal protective equipment.”



5

*Sandifer v. United States
Steel Corp.,
678 F.3d 590, 592
(7th Cir. 2012)*

POSNER, *Circuit Judge*:
“These work clothes are
in the record, and since
a picture is worth a
thousand words, here is
a photograph of a man
modeling the clothes:”



6

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