

First Impressions – The Newest Members  
of the Sixth Circuit Bench Discuss  
Effective Sixth Circuit Advocacy

Honorable Eugene E. Siler, Jr.  
London, Kentucky  
Presiding

Sheryl G. Snyder  
Louisville, Kentucky  
Moderator

Panelists (in order of seniority):

Honorable Julia Smith Gibbons  
Memphis, Tennessee

Honorable John M. Rogers  
Lexington, Kentucky

Honorable Jeffrey S. Sutton  
Columbus, Ohio

Honorable Deborah L. Cook  
Akron, Ohio

(biographies of Judges in Conference materials)

Selected Bibliography  
for appellate advocates

**Books:**

Ruggero J. Aldisert, WINNING ON APPEAL: BETTER BRIEFS AND ORAL ARGUMENT (Nat'l Inst. for Tr. Advoc. 2003)

APPELLATE PRACTICE MANUAL (ABA 1992)

Frank M. Coffin, ON APPEAL – COURTS, LAWYERING, AND JUDGING (Robert S. Means Co. 1994)

David C. Frederick, SUPREME COURT AND APPELLATE ADVOCACY: MASTERING ORAL ARGUMENT (West 2004)

Bryan Garner, THE WINNING BRIEF (Oxford U. Press 1999)

Robert J. Martineau, FUNDAMENTALS OF MODERN APPELLATE ADVOCACY (Bancroft-Whitney 1983)

Robert L. Stern, *APPELLATE PRACTICE IN THE UNITED STATES* (BNA 1989)

Michael E. Tigar and Jane B. Tigar, *FEDERAL APPEALS: JURISDICTION AND PRACTICE* (3d ed. West 1999)

Frederick Bernays Wiener, *EFFECTIVE APPELLATE ADVOCACY* (Lutz & Pannill rev. ed. ABA 2004)

**Articles:**

Benson and Kessler, *Legalese v. Plain English: An Empirical Study of Persuasion & Credibility in Appellate Brief Writing*, 20 *Loyola of Los Angeles Law Review* 301-22 (Jan. 1987)

Myron H. Bright, *The Power of the Spoken Word; In Defense of Oral Argument*, 72 *Iowa L. Rev.* 35 (1986)

John W. Davis, *The Argument of an Appeal*, 20 *A.B.A. J.* 895 (1940)

Godbold, *Twenty Pages and Twenty Minutes-Effective Advocacy on Appeal*, 30 *Sw. L.J.* 801 (1976)

Robert H. Jackson, *Advocacy Before the United States Supreme Court*, 37 *Cornell L.Q.* 1 (1951), reprinted at 5 *J. App. Prac. & Process* 219 (2003)

Stanley Mosk, *In Defense of Oral Argument*, 1 *J. App. Prac. & Process* 25 (1999)

Pierce, *Appellate Advocacy, Some Reflections from the Bench*, 61 *Fordham L. Rev.* 829, 835 (1993)

William H. Rehnquist, *Oral Advocacy: A Disappearing Art*, 35 *Mercer L. Rev.* 1021 (1984)

Spears, *Presenting an Effective Appeal, What Appellate Judges Expect*, 21 *Trial* 95 – 98 (Nov. 1985)

Tate, *The Art of Brief Writing: What a Judge Wants to Read*, 4 *Litigation* 11 (1978)

Wasby, *The Functions and Importance of Appellate Oral Argument: Some Views of Lawyers and Federal Judges*, 65 *Judicature* 340-53 (February 1982);

Planning Committee

Kathleen McCree Lewis, Chair  
Dykema Gossett PLLC, Detroit

Irene C. Keyse-Walker  
Tucker, Ellis & West LLP, Cleveland

Kathleen Moro Nesi  
Assistant U.S. Attorney, Detroit

Sheryl G. Snyder  
Frost Brown Todd LLC, Louisville