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The McNees Appellate & Post-Trial Group



Appellate litigation requires unique skills. Often, issues that were hotly contested at trial may not be relevant on appeal. Experienced appellate counsel can identify and focus on the critical legal and procedural issues that form the proper basis for an appeal. Understanding and capitalizing on this narrowed focus are critical to effective appellate advocacy.

The appeal process is also procedurally unique, with its own set of rules. Failure to preserve appellate issues at the pretrial and trial stages or to understand the often complex appellate rules can result in waiver of an argument, an issue, or even the entire appeal.

McNees Wallace & Nurick's Appellate & Post-Trial Practice attorneys have the knowledge, skills, and experience to navigate the appellate process effectively. We have developed a substantial practice both bringing and defending appeals, as well as representing *amici curiae*. Several members of the group began their legal careers as law clerks to state or federal appellate judges, acquiring valuable insights and experience in the appellate process.

With our principal office in Pennsylvania's capital, we are within walking distance of Pennsylvania's Supreme, Superior, and Commonwealth Courts. McNees's lawyers have represented clients in hundreds of appeals, in every Pennsylvania appellate court, and in the United States Court of Appeals for the Third Circuit, as well as in other state and federal jurisdictions. We also handle appeals from numerous state administrative agencies and specialized matters such as tax and zoning appeals.

McNees Wallace & Nurick's appellate attorneys provide effective representation in all aspects of the appellate process:

- Issue preservation at the trial court level;
- Case analysis and appellate strategy;
- Interlocutory appeals;
- Post-trial motions and other requests for relief from judgment in the trial court;
- Third party intervention at the appellate court level;
- Research and legal analysis of the pertinent issues on appeal;
- Appellate briefs;
- *Amicus* briefs;
- Oral argument;
- Petitions for rehearing or reargument in the appellate court;
- Appellate motions practice;
- Emergency presentations to appellate courts;
- Petitions for allowance of discretionary appeals.

We provide a fresh look at the case on appeal and can appreciate how the appellate judges may view the case. We can work in conjunction with trial counsel from the outset of the case to help assure preservation of issues for a later appeal. Once an appeal is taken, we can consult with trial counsel to assist with briefing and preparing for argument, or we can assume primary responsibility for the written and oral presentation of the case on appeal.

Our appellate experience extends to a wide array of subject areas. For example, group members regularly handle appeals in cases involving land use, utility rates, complex contract disputes, corporate governance, intellectual property, tax issues, estate administration, personal injury, and family law matters.

Members of the Appellate Practice Group are licensed to practice in or have recently appeared in the following courts:

- The Supreme Court of Pennsylvania
- The Commonwealth Court of Pennsylvania
- The Superior Court of Pennsylvania
- The Maryland Court of Appeals
- The District of Columbia Court of Appeals
- The Supreme Court of Ohio
- The U.S. Court of Appeals for the Third Circuit
- The U.S. Court of Appeals for the Fourth Circuit
- The U.S. Court of Appeals for the Ninth Circuit

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