Handling Appeals in Arkansas

2015 Edition

Review by Cathy Underwood

Handling Appeals in Arkansas remains a practical guide for the novice and the experienced practitioner alike. Here you will find ready answers to procedural questions, guidance where further research is needed, and a feel for the lay of the appellate landscape. This manual covers all the major steps in a civil or criminal appeal and includes citations to the governing rules and case law, together with practical advice. The appendices contain useful forms, model briefs, and other resources. (From the Introduction)

It has been my privilege to work on Arkansas Bar Association handbooks for over 30 years. During the course of that time I have worked with some extraordinary lawyers. But there are none more professional, dedicated and excited about their work than the lawyers who wrote Handling Appeals in Arkansas. They set the bar, so to speak, for ArkBar Handbooks.

This book was first published in 1997 under the direction of Price Marshall and Leon Holmes. Every year since then, it has been reviewed and supplemented; each year the committee produced a cumulative annual supplement that replaced the previous year’s supplement. It was revised significantly in 2007 under the leadership of Judge Price Marshall and Rob Shafer, and the cumulative supplements began anew. Now, in 2015, under the direction of Judge Brandon James Harrison and Brett Watson, we have a new edition that not only provides excellent advice for attorneys pursuing appeals, but also incorporates some cutting-edge technology—something no other handbook committee has done.

If you purchase the electronic version of this book, you can take advantage of this technology. Exhibit 1 shows you how it works. Scan the table of contents and find the chapter you want. Click on that chapter heading in the table of contents and it links directly to the chapter. While reading the chapter, if you find a case you are interested in, you can click on the name of that case and it links directly to the case itself. All cases are included on the same electronic medium as the handbook, so there is no need to be linked to a legal research database; it’s all at your fingertips.

If you choose the hard copy format instead of the electronic, it comes in a 3-ring binder, so you can insert the yearly cumulative supplements at the back with ease. Both versions are available on the ArkBar website: https://www.arkbar.com/pages/practice_handbooks.aspx.

Cathy Underwood is an attorney/legal editor in Little Rock, Arkansas, and is the lead instructor in the paralegal program at Pulaski Technical College.
Our sincere thanks to the many contributors who made *Handling Appeals in Arkansas*, 2015 edition, an excellent resource for Arkansas attorneys:

Jess Askew III  
Martha Tucker Ayres  
James C. Baker  
Coleen M. Barger  
Brian G. Brooks  
Julia L. Busfield  
George Carder  
E.B. (Chip) Chiles IV  
Keith Chrestman  
Andrew H. Dallas  
Max Deitchler  
Joseph R. Falasco  
Grant E. Fortson  
Julie DeWoody Greathouse  
Christian Harris  
Judge Brandon James Harrison  
Kathryn Henry

Leah Lanford  
R. Christopher Lawson  
Tory H. Lewis  
Judge D. P. Marshall Jr.  
Tabitha McNulty  
Rodney P. Moore  
Troy A. Price  
David R. Raupp  
Roger D. Rowe  
Robert S. Shafer  
John P. (Jack) Talbot  
Tasha Taylor  
Kelly S. Terry  
Brett D. Watson  
Thomas H. Wyatt  
Heather Goodson Zachary

---

standard of review “will one day be the lens through which [the] client’s court will be examined.” R. Christopher Lawson, *Saving the Appellate Civil Trial Strategy and Standards of Review in the Eighth Circuit*, 69, 561-562 (2002). For appellate lawyers, the standard of review blueprints for success on appeal, and the tool that shapes every case.


In some cases, lawyers offer competing standards on a particular issue. E.g., *Advoc v. Sauk*, 353 Ark. 29, 42-43, 111 S.W.3d 346, 353 (2003) appellate court held may view the dispute differently than court and challenge the parties don’t press. *Morgan v. Chandler*, 351 Ark. 433, 43 S.W.3d 224, 227 (2006). The point is not to treat Rule 8.6(a)(7’s) require mechanically, or you’ll lose a chance to advocate well. And make sure record on appeal includes all the information you need to fully prove your position.

Exhibit I—demonstrates the new electronic features of hyperlinked cases. You can easily link to the chapter from the Table of Contents and then link from the case citation in the chapter to the actual case.

---

Create Your Power Practice with ArkBar Practice Handbooks

- Arkansas Bankruptcy Handbook
- Arkansas Debtor/Creditor Handbook
- Arkansas Domestic Relations Handbook
- Arkansas Probate Handbook
- Arkansas Elder Law Handbook
- Business Associations Handbook
- Handling Appeals in Arkansas

- Revocable Trust Handbook for Arkansas Practitioners
- Standards for Examination of Real Estate Titles in Arkansas
- Statute of Limitations
- Workers’ Compensation Desk Book

Order Online at arkbar.com/pages/practice_handbooks.aspx