Invaluable Insight and Expertise

JAMS offers its clients access to an esteemed group of retired appellate judges, justices and former appellate law practitioners with decades of experience in state and federal courts. Our neutrals draw upon their extensive knowledge of the nuances that distinguish appellate disputes and their deep familiarity with court practices and trends, including applicable standards of review. They bring credibility and skill to the table and provide realistic assessments of risks and potential outcomes for both sides.

Neutral Analysis: Appellate Case Evaluation and Mock Oral Arguments

By the time a dispute involving millions of dollars or an important legal issue reaches an appeals court, stakes are high. Rigorous preparation is crucial. Obtaining objective, confidential case evaluation services during the appellate process can be a game-changer.

How will the appellate court likely view your case and how might the law be applied based on the given facts? Is the review likely to result in a modification or reversal? What are the chances your writ petition will be granted? How might the ruling impact your client’s industry? A JAMS neutral can bring their expertise and insight to bear on such concerns, allowing you to refine your strategy.

Our retired appellate judges and justices have heard thousands of oral arguments, read thousands of appellate briefs and written innumerable opinions. Our attorney neutrals have successfully argued and briefed countless cases on appeal. They know what impresses the court, where the pitfalls lie and how arguments can impact the court’s ultimate decision.

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During mock oral arguments, JAMS neutrals can probe counsel, asking thoughtful questions to help identify the strengths and weaknesses of a presentation. These exercises can serve as a dress rehearsal and result in the kind of candid feedback that only an experienced, disinterested third party can deliver.

**Appellate Mediation**

While mediating a case on appeal may seem counterintuitive, the significant costs and multi-year delays—along with the risk of reversal or remand—can motivate both sides to consider mediation. For the respondent, settlement promises an earlier remuneration and for the appellant, it eliminates the potential expense of post-judgment interest and additional costs. The ability to preserve critical business relationships in commercial disputes or to stop depleting assets in family or probate matters also can provide parties with incentives for early resolution. JAMS neutrals’ exceptional understanding of substantive legal issues allows them to offer creative, practical solutions that facilitate settlement.

*JAMS is the world’s largest private ADR provider. Our panel is comprised of more than 400 retired federal and state, trial and appellate judges and justices and attorney neutrals with proven track records and extensive practice area expertise. With hearing facilities in major cities around the globe, JAMS handles an average of 15,000 cases annually.*

*To learn more about our appellate services, please contact Jessica de Leon at 415.774.2631 or jdeleon@jamsadr.com.*

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