

THE JOURNAL OF APPELLATE PRACTICE AND PROCESS

FOREWORD

JINX

While driving my kids to school a few weeks ago, my second grader tried to “jinx” me. For those unfamiliar with being “jinxed,” it occurs when one person says “jinx” to another after they say the same word at the same time. Once the person is “jinxed,” they cannot speak until someone says their name.

Unfortunately for my son, I told him that mommy was unjinxable.¹ To my surprise, he accepted my unjinxable status and then proceeded to tell me about how serious the game of jinx was taken in the 1980s. The irony of my son, born in 2018, telling me how the game of jinx was played in my childhood, was not lost on me. But I blamed the entire situation on the children’s show *Bluey*, which features an episode set in the 1980s, involving the game of jinx.²

At this point you may be thinking, “What does any of this have to do with this issue of *The Journal of Appellate Practice and Process*.” Good question.

As readers of this *Journal’s* Foreword know, I like to find a theme that pulls the issue together. Finding a

1. I might need to submit “unjinxable” to a dictionary for formal word status.

2. BLUEY: *Fairytale* (Disney+, released Dec. 16, 2021). I highly recommend watching the show *Bluey*. It is hilarious.

theme for the current issue has been challenging, partially because my young children (and their constant jinxing) and my job are keeping me extra busy. However, as I was working on the issue, I started thinking about how much our society and the practice of law has changed since those serious jinxing days of the 1980s. The articles in this issue reflect on and address, to varying degrees, changes to the practice of law. Yes, I know that I wrote about change in the last foreword, but I think that we can all agree change is rampant right now.

First, Judge Stephen Louis A. Dillard of the Georgia Court of Appeals discusses how the public's perception of judges has changed in recent years, with the public demanding more accessibility and transparency from judges, especially elected state court judges. He argues that judges and courts should be more transparent with the public through the use of social media platforms. After addressing key concerns that judges might have regarding social media use, he uses his fifteen years of experience as a judge on social media to share tips and examples of best practices. Yes, there are tweets in the article!

Second, Gurney F. Pearsall III looks at how lawyers can use logic to form stronger legal arguments. As Mr. Pearsall observes, formal logic used to be a key part of higher education, but that is no longer the case. Thus, lawyers are not as well versed in formal logic and can easily make logical errors. Mr. Pearsall provides readers with an introduction to Aristotle's framework for reasoning and explains key formal and informal logical rules and fallacies.

Our third article looks at the changing role of the Solicitor General of the United States. Radhika Kattula takes a careful look at the position of Solicitor General and argues that while the Solicitor General is an executive officer, the Solicitor General has obligations to all three branches of government and, in fact, the Solicitor General has not acted historically as a traditional executive officer. Kattula then explores how

the role has changed in recent presidential administrations to be more partisan in nature and the impact of those changes.

Finally, Professor Christina M. Frohock reviews Professor Jill Barton's book *The Supreme Guide to Writing*, which outlines the Justices writing preferences on matters of grammar and style. Although Professor Frohock does not expressly address how those preferences have changed over time,³ you can certainly tell the Justices have adopted more modern writing styles (like ending a sentence with a preposition) and eschewed others (like using emojis in writing). Professor Frohock's vibrant writing style brings Professor Barton's book alive.

From social media, to changes in the use of logic, to how we write and how government lawyers do their jobs, we have come a long way in the practice of law. How much will change in the next 40 years? Certainly, a lot. One thing that I hope will not change is that this Journal will serve as a forum to discuss and debate these changes.

TLD
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3. I haven't read Professor Barton's book yet, so I am not sure if the book addresses these types of shifts.