

# THE JOURNAL OF APPELLATE PRACTICE AND PROCESS

## FOREWORD

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### WHO WE ARE

As we began to prepare this issue for publication, lawyers in Pakistan were demanding the reinstatement of that country's chief justice and the restoration of its constitution. Their demonstrations reminded me, as I suppose they reminded you, that courts and lawyers can be a bulwark against tyranny and oppression.

But I had been reflecting on the lawyer's role in civic life even before hearing the news from Pakistan, for I recently made my first visit to the National Constitution Center. Standing in its Signers' Hall moved me to recall that the United States itself owes much to the lawyers among its founders. Then, as now, lawyers were likely to be prosperous men with a stake in the status quo, and yet those lawyers risked everything to join—indeed, to instigate—a rebellion that they believed was freedom's cause. Then they persuaded their countrymen to join them in building a nation.

Those first American lawyers understood what we sometimes forget: that a call to the law is also a call to lead. And although the work that they began is now two centuries old, the call that inspired them to lead this grand endeavor has not aged at all.

### IN THIS ISSUE

Although we often run special sections and sometimes

addresses an assortment of topics. We have an update on the important program that encourages federal courts to let Congress know when technical errors make statutes difficult to interpret. And we have updates, too, on the new appellate procedures available in both bankruptcy and class-action litigation. We have a judge's-eye view of the broadcasting-oral-argument landscape and a former clerk's thoughts on the importance of oral argument. We have an article about the Supreme Court's decision in *Lopez v. Gonzales* and one about the Supreme Court bar. We have in addition a review of the newest version of a classic text on appellate courts; an article presenting the results of a state-court survey; and a proposal for getting along under FRAP 32.1. I trust that each of you will find in this variety one or two entries that capture your attention.

#### LOOKING AHEAD

About a year from now, we expect to publish the first issue of our Volume 10, in which we plan to review our first decade. Should any of you be inclined to suggest a way in which we might enrich that anniversary issue, we will be happy to hear from you.

NBM

Little Rock

November 30, 2007