

A Critique of the Unpublished Per Curiam Opinion - *New Jersey Law Journal*

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Most lawyers who handle appeals are familiar with the experience of pouring one's heart out in a brief, carefully preparing for oral argument, sending a large, but completely justifiable bill to the client, and then losing the case in an unpublished per curiam that reads like the whole thing was trivial.

Of course, sometimes it was trivial. Lawyers become very invested in cases and it is not unusual for even very good ones to have expectations, on occasion, that are unrealistic given any fair assessment of the merits. This is especially likely to happen when counsel on appeal is also the lawyer who lost the case before the trial court. Even when the work was truly excellent it is hard not to feel somehow responsible for a losing effort, and whatever else that does to the lawyer's psyche, the trauma does not exactly support objectivity.

Read the full story [here](#).