

I. SAMPLE BRIEFS, MOTIONS, AND PLEADINGS

Sample briefs, motions, and pleadings are easily found on the web. The real challenge is finding high quality samples that comply with your court rules and that address your legal issues. Sample litigation documents, even if not directly on point, can be useful for their writing style and tone. Samples are also useful for ideas on organization and potential arguments.

Below are some websites (in alphabetical order) where you can find sample appellate briefs, trial briefs, motions, and pleadings. If you cannot find a relevant document, try searching the websites of law libraries, bar associations, and non-profit advocacy groups. Using Google's advance search function (see image below), you can limit a search to specific websites (*e.g.*, "americanbar.org") or specific domains (*e.g.*, ".edu" sites).

Advanced Search

Then narrow your results
by...

language:	<input type="text" value="any language"/>
region:	<input type="text" value="any region"/>
last update:	<input type="text" value="anytime"/>
site or domain:	<input type="text" value=".edu"/>

ABA Brief Bank

http://www.americanbar.org/publications/preview_home.html

The ABA maintains appellate briefs from the 2003-04 Supreme Court term to the present. You cannot keyword search for briefs, but you can browse cases by date. For each case, you can download all merit briefs filed by the petitioner and respondent and many amicus briefs.

Baron & Budd Brief Bank

<http://baronandbudd.com/brief-bank>

This plaintiff's firm specializes in personal injury and products liability claims. Its trial and appellate briefs are posted on its webpage and can be browsed by type of case. As of 2011, the firm no longer updates its brief bank.

Federal Public Defenders

<http://dc.fd.org/briefbank.htm>

<http://dc.fd.org/motions/alaska.htm>

This office has posted motions and briefs that were drafted and filed by federal public defenders from various districts. It organizes the documents by subject matter, so you can easily find a sample motion or brief that covers your issue.

Justia

<http://dockets.justia.com>

Justia is a free alternative to PACER. You can search the dockets of the federal trial courts and then download PDFs of the filed documents. The number of docket entries that can be downloaded is limited, and most of the downloadable documents are court orders.

Tip: After you search the federal dockets (*e.g.*, by court, date, and case type), look for a gavel next to the case names on the search results; the gavel indicates that at least one docket entry for that case can be downloaded.

Kentucky Appellate Briefs

http://chaselaw.nku.edu/new/library/electronic_resources/briefs_search.php

The law library at Northern Kentucky University maintains a database of briefs submitted to the Kentucky Supreme Court (since 1999) and the Kentucky intermediate courts (since 2005). You can browse by date and search by case name, but you cannot search the text of the briefs.

Mayer Brown Briefs

<http://www.appellate.net/cases-experience>

This well-known defense firm has posted its appellate briefs from federal and state courts online. You can browse the briefs by subject matter or jurisdiction. You can search the database by keywords but cannot full-text search the briefs.

RECAP

<http://archive.recapthelaw.org>

This site is an innovative—and free—alternative to the federal courts' official online retrieval system, PACER. For each filed document you download on PACER, you are charged a fee. RECAP, however, makes some of those documents free. RECAP collects documents through its users. Any person accessing PACER with Firefox or Google Chrome can install a browser extension called RECAP. For each document the person purchases from PACER, RECAP will automatically copy it and send it to the RECAP database. The document is then available to the public to download for free.

Not surprisingly, the coverage is unpredictable because RECAP maintains only those documents that another user has downloaded with the RECAP browser extension. But it is still a good source to find briefs, motions, and pleadings that have been filed with a federal district court (and better than Justia). In addition, if you install RECAP on your browser, when you are on the PACER site, RECAP will notify you of any documents available for free at the RECAP archive.

SCOTUSblog

<http://www.scotusblog.com>

This site maintains appellate briefs from the 2007-08 Supreme Court term to the present. Although it covers a limited period, briefs that cover your issue are easier to find on SCOTUSblog than the ABA's website. This blog summarizes the main issues and holdings of most opinions—and does so in Plain English. It also links to the Court's opinions.

Washington State Office of Public Defense

<http://www.opd.wa.gov/index.php/8-app/14-bb-welcome>

The Public Defense Office has collected appellate briefs that were filed in Washington for indigent appeals and authored by public defenders and private attorneys. You can search the brief bank with keywords and Boolean logic.