

NEWS & INSIGHTS

JEFF DOSS DISCUSSES ROLE OF EMBEDDED APPELLATE COUNSEL ON EMERGING LITIGATION PODCAST

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With the rise of nuclear verdicts in recent years, the role of embedded appellate counsel has become an increasingly important role in the courtroom. Awards are often reduced by the trial judge, but these large verdicts demonstrate that preserving avenues of appeal during trial is more important than ever.

Lightfoot Franklin & White LLC partner **Jeffrey P. Doss** frequently serves as an embedded appellate lawyer, closely monitoring every moment of trial for opportunities to reverse a potential runaway verdict on appeal. In a **recent episode of “Emerging Litigation Podcast”** hosted by Tom Hagy, Doss discussed nuclear verdicts, and how his role as an embedded appellate counsel fits into a trial team during high-stakes litigation.

In the episode, “Appellate Lawyers at Trial: Don’t Wait Until Your Ox is in the Ditch with Jeff Doss,” Doss shared insights on when it makes sense to bring in an embedded appellate lawyer, particularly in high-exposure or high-risk cases. He also elaborated on how early an appellate lawyer should get involved and explored different strategic approaches.

“People have started to realize that appellate counsel can be used effectively before you get in the ditch, to prevent you potentially from getting in it,” Doss said in the episode. “Or at least creating an insurance policy about what to do if things go south. And things do go south. As an appellate attorney, my role is to assist trial counsel in developing a legal strategy well before the jury is ever struck, well before a verdict is ever turned, to assist the client ultimately with protecting itself against a potentially adverse verdict.”

Doss focuses his practice on trial advocacy in white-collar criminal defense and complex civil litigation. In addition to conducting internal investigations for private and public entities, he has defended businesses and individuals in connection with grand jury investigations, administrative enforcement proceedings and criminal prosecutions at the trial and appellate levels.