Blankingship Keith pc

Appellate and Trial Consulting Practice

Blankingship & Keith represents clients in appeals before the Court of Appeals of Virginia, the Supreme Court of Virginia, and the U.S. Court of Appeals for the Fourth Circuit. Based in Fairfax, our appellate attorneys handle appeals across Virginia and also work with trial lawyers before and during trial to identify appellate issues, preserve error, and position cases for possible appeal.

Appeals in Virginia

An appeal is not a second trial. Appellate courts generally review claims of legal error based on the record created below, which means that the issues available on appeal often depend on what happened, and what was properly preserved, in the trial court.

Our appellate attorneys represent both parties seeking to overturn adverse rulings and parties seeking to preserve favorable judgments. We handle appeals involving personal injury, family law, commercial disputes, real estate, land use, and other civil matters.

Our work can include evaluating whether an appeal should be pursued, identifying the strongest appellate issues, preparing briefs, presenting oral argument, and advising clients and trial counsel throughout the appellate process.

Trial Consulting and Preserving Issues for Appeal

Appellate work often begins before the trial ends.

A potentially significant legal issue may never be reviewed on appeal if it was not raised at the right time and in the right way in the trial court. For that reason, our appellate attorneys regularly work with trial counsel before and during trial to identify potential appellate issues and help preserve them for later review.

That work can include developing legal theories, assisting with dispositive and post-trial motions, monitoring trial proceedings, addressing evidentiary and procedural issues, and helping ensure that the record reflects the arguments that may matter on appeal.

In high-stakes litigation, involving appellate counsel before the case reaches the appellate court can help trial lawyers protect favorable rulings and avoid losing potentially important appellate issues.

Working With Trial Counsel

Blankingship & Keith regularly works with other attorneys who want appellate assistance while maintaining their relationship with the client and their role in the underlying case.

Our involvement can be as limited or extensive as the matter requires. We may consult on a discrete legal issue, help develop an argument or motion, assist with preservation during trial, evaluate a possible appeal after judgment, or handle the appellate proceeding itself.

Related Attorneys

- David J. Gogal
- Gifford R. Hampshire
- Juli M. Porto
- John A.C. Keith
- Laurie L. Kirkland
- Robert E. Scully, Jr.
- Sandra L. Havrilak
- Michael W. Robinson

Related Cases

Virginia Appellate Experience

Blankingship & Keith attorneys have handled matters before the Court of Appeals of Virginia, the Supreme Court of Virginia, the Fourth Circuit, and other federal appellate courts.

The firm’s appellate experience spans a broad range of civil matters, including personal injury, family law, commercial litigation, real estate, land use, professional liability, and disputes involving local government.

Representative matters include:

- Schreiber v. Snell, 2026 Va. App. LEXIS 38, Record No. 0632-24-4 (Virginia Court of Appeals 2026)
- Pope v. Pope, 2025 WL 1737866, Record No. 0955-24-4 (Virginia Court of Appeals 2025)
- PAE Nat’l Sec. Sols., LLC v. Constellis, LLC (No. 1598-23-4, 2025 WL 36973, Va. Ct. App. Jan. 7, 2025)
- No. 1598-23-4, 2025 WL 36973, Va. Ct. App. Jan. 7, 2025
- Chung v. Law Firm of Urban & Falk, PLLC, 2024 WL 4594323, Record No. 1665-23-4 (Virginia Court of Appeals 2024)
- Foster v. Foster, 2022 WL 2202988, Record No. 1141-21-2 (Virginia Court of Appeals 2022)
- Elliott v. Elliott, 2022 WL 598336, Record No. 0754-21-4 (Virginia Court of Appeals 2022)

- VTLA Amicus, Doe v. Baker, 299 Va. 628, 857 S.E.2d 573 (Virginia Supreme Court 2021)
- Jung v. Park, 2021 WL 1235422, Record No. 191495 (Virginia Supreme Court 2021)
- Hampton v. Meyer, 299 Va. 121, 847 S.E.2d 287 (Virginia Supreme Court 2020)
- Wilson v. Lee, 2018 WL 633522, Record No. 170347 (Virginia Supreme Court 2018)
- Toraish v. Lee, 293 Va. 262, 797 S.E.2d 760 (Virginia Supreme Court 2017)
- Lee v. Spoden, 776 S.E.2d 798 (Va. 2015)
- Wakole v. Barber, 283 Va. 488, 722 S.E.2d 238 (Virginia Supreme Court 2012)

Testimonials

Trial Attorney Testimonials

- “Ms. Porto assisted me in the drafting of the Circuit Court order my client was appealing to the Court of Appeals, and she represented him on the appeal. Her knowledge, expertise, and professionalism were invaluable. I highly recommend her!”
- "A well known appellate lawyer, who did not handle family law cases, recommended Juli Porto to represent my client on an appeal by her ex-husband on a spousal support award to my client. My client prevailed on the appeal, and she will be forever grateful, as will I, on the professional and competent manner in which Juli handled the appeal. She quickly isolated the legal issue to be addressed in her well researched brief and well presented oral argument. Juli also developed a good relationship with my client, who I know would have been pleased with Julie's representation regardless of the outcome."
- "I retained Juli Porto to argue an appeal before the Supreme Court of Virginia and I could not have been more pleased with the result. After an adverse ruling in Circuit Court dismissed the case, she was able to argue before the Supreme Court and secure a reversal. I was very impressed with both her written argument and oral argument. I would highly recommend her for any appellate work."

Client Testimonials

- "I cannot thank Juli Porto enough for her expertise, knowledge, support, guidance, professionalism, time and fight for me in my appellate case. Juli absolutely went above and beyond and I am so grateful for her. She will evaluate your case, be upfront and honest regarding your situation, keep you fully informed along the way and take as much time as you need to answer any of your questions or calls. Without any reservation, I highly recommend Juli Porto. If you are in search for an appellate attorney, look no further! Juli Porto is the one you need on your side!"
- “Juli Porto offered wise counsel as we walked through a very challenging time. She was responsive, insightful, and went above and beyond to support the best possible outcome.”

News & Insights

- Thirty-Two Blankingship & Keith Attorneys Recognized in 2027 Best Lawyers and Ones to Watch
- Attorney-Fee Demand Must Identify Its Basis in the Pleading
- Virginia Supreme Court Upholds Three-Year Suspension for Baseless Attacks on Judges
- Supreme Court Clarifies Scope of Trial Court Authority on Remand
- City Immune from Most Claims Over Controlled Burn of Vacant Shopping Center

- Supreme Court Restores Murder Conviction, Faulting Court of Appeals' Piecemeal Review of Circumstantial Evidence
- Blankingship & Keith Earns First Chambers USA Ranking for General Commercial Litigation in Virginia
- Supreme Court of Virginia Holds Endangered Species Statute Prohibits Selling, Not Buying, Protected Wildlife
- Supreme Court of Virginia Remands Church Property Case for Evidentiary Hearing on Membership
- Supreme Court of Virginia Affirms 13-Month Suspension for Multiple Ethics Violations
- Supreme Court of Virginia Clarifies Tax Assessment of Natural Gas Reserves
- Split Supreme Court of Virginia Rejects Vote Allowing General Assembly to Redraw Virginia's Congressional Maps
- Blankingship & Keith Attorneys Recognized in 2026 Virginia Super Lawyers and Rising Stars
- The Supreme Court of Virginia Rejects Isolated Evidence Analysis and reinstates DUI Conviction
- Near-Fatal Overdose Supports "Vulnerable Adult" Finding - Leaves Statutory Scope Question Open
- The Supreme Court of Virginia Rejects Challenge to Reduced Attorney Fee Award
- The Supreme Court of Virginia Clarifies Edwards Rule After Right-to-Counsel Invocation
- Virginia Supreme Court Finds Officer's Brief Questioning Did Not Impermissibly Extend Traffic Stop
- The Supreme Court of Virginia Clarifies Circumstantial Evidence and the Reasonable Hypothesis of Innocence
- Virginia Supreme Court Clarifies Scope of Search Warrant Protections Under Code § 19.2-56(B)
- The Supreme Court of Virginian Clarifies Deferential Review of Factfinding on Pleas in Bar
- The Supreme Court of Virginia Clarifies That Encroachments Within an Easement Are Not Per Se Unlawful
- The Supreme Court of Virginia Upholds Probation Cap Compliance
- The Supreme Court of Virginia Defines Scope of Child Abuse Reporter Immunity Code § 63.2-1512
- Supreme Court of Virginia Affirms Discipline for Withholding Exculpatory Evidence
- Supreme Court of Virginia Clarifies "Just Cause" Standard for Adoption Without Birth Parent Consent
- Supreme Court of Virginia Stays TRO Blocking Redistricting Referendum, Signals "Grave Concern" Over Amendment Process
- The Supreme Court of Virginia Sets High Bar for Vacating Arbitration Awards Based on Arbitrator Bias
- The Supreme Court of Virginia Clarifies When Corporate Affiliates May Share in Sovereign Immunity
- The Supreme Court of Virginia Clarifies Sovereign Immunity as Jurisdictional Bar to Overtime Suit
- Virginia Supreme Court Upholds Overhead Construction for Aspen-Golden Transmission Line in Loudoun
- Virginia Supreme Court Upholds Finality of Adoption Order
- The Supreme Court of Virginia Addresses Whether a Demoted Sheriff's Deputy Can Access Internal Affairs Investigation Records Under State Information Laws
- Blankingship & Keith Welcomes Veteran Trial and Appellate Lawyer Michael W. Robinson as Principal
- Supreme Court of Virginia Affirms New Trial Order in $2B Trade Secrets Case
- Virginia Supreme Court Holds Wage Theft Statute Does Not Cover Unpaid Commissions
- Virginia Supreme Court Limits Tolling Under Continuing Treatment Rule
- Virginia Supreme Court Tightens Whistleblower Filing Deadlines
- Virginia Supreme Court Denies Actual Innocence Petition Despite Modern DNA Testing
- Virginia Supreme Court Clarifies Sovereign Immunity for Municipalities and Employees in Ellis v. Jolley
- Supreme Court of Virginia Rules Updated Accrual Statute Is Not Retroactive
- Blankingship & Keith, P.C. Announces 2025 Northern Virginia Magazine Top Attorneys
- Virginia Supreme Court Defines Boundary on Remorse vs. Trial Rights

- Supreme Court of Virginia Clarifies Standards for Judicial Expulsion and Dissolution of LLCs
- Ten Blankingship & Keith Attorneys Recognized Among Arlington Magazine’s 2025 Top Attorneys
- The Supreme Court of Virginia Rejects Summary Contempt for Witness’s Alleged Intoxication in Orndoff Case
- Supreme Court of Virginia Addresses Fourth Amendment Limits on Intrusive Searches Incident to Arrest
- Thirty Blankingship & Keith Attorneys Recognized in the 2026 Editions of Best Lawyers in America® and Best Lawyers: Ones to Watch®
- The Supreme Court of Virginia Addresses the Difference Between Retainers and Advanced Legal Fees
- Virginia Supreme Court Upholds SCC’s Denial of Dulles Greenway Toll Hike
- Blankingship & Keith’s Juli M. Porto Prevails in Virginia Court of Appeals, Secures Complete Appellate Victory in Divorce Case
- Virginia Supreme Court Rules on Use of Unsigned Contract Copies as Evidence
- Virginia Supreme Court Weighs in on Good-Faith Claim-of-Right Defense
- Virginia Supreme Court Rejects Adequate Assurance Doctrine in Contract Disputes
- Virginia Supreme Court Strikes Down 2023 Broadband Expansion Statute
- Twenty-One Blankingship & Keith, P.C. Attorneys Named Virginia Super Lawyers and Rising Stars for 2025
- Supreme Court of Virginia Clarifies: Unpaid Child Support Can Be Pursued as Contractual Claims
- Supreme Court of Virginia Finds Harmless Error Applies to Exclusion of Expert Testimony
- The Supreme Court of Virginia Affirms Warrantless Arrests on Home Curtilage are Constitutional When Officers are Lawfully Present and Have Probable Cause
- Supreme Court of Virginia Weighs in on Interpretation of Virginia Code § 19.2-306.1 Governing Probation Violations
- Virginia Supreme Court Issues Opinion in West Virginia & Appalachian Laborers’ District Council Challenge to Sycamore Cross Solar Project
- Virginia Supreme Court Reverses Murder Convictions Over Excluded Expert Testimony
- Virginia Supreme Court Upholds Amazon Flex Drivers' Employee Status—But on a Technicality
- The Supreme Court of Virginia Reviews a Conviction for Possession of a Controlled Substance.
- Commonwealth v. Cappe: Sufficiency of Evidence and Procedural Default on Evidentiary Error
- The Court of Appeals Addresses the Constitutionality of Virginia Code § 20-124.2(B2)
- The Supreme Court Affirms the Court of Appeals' Opinion that a "Sudden Emergency" Instruction to the Jury Was Appropriate
- The Supreme Court of Virginia Reverses and Remands a Significant Ineffective Assistance of Counsel Case
- Supreme Court Provides Important Guidance on the Proper Standard for Reviewing Plea Withdrawal Denials and Reaffirms the Significant Discretion Given to Trial Courts in These Matters
- The Supreme Court reverses the Court of Appeals’ reversal of a $7,000,000 Verdict
- The Supreme Court of Virginia Rejects Multiple Challenges to a $2 Million Medical Malpractice Verdict.
- The Supreme Court determines the admissibility of an officer’s body-worn camera footage.
- The Supreme Court of Virginia Applies the Fugitive Disentitlement Doctrine
- The Supreme Court of Virginia Reverses the Court of Appeals Sitting en banc Due to Appellant’s Failure to Preserve an Issue for Appeal
- Blankingship & Keith Attorneys Recognized Among Virginia Business Magazine’s Legal Elite
- The Supreme Court of Virginia Issues a Published Order to Explain its Rationale for Dismissing a Petition for Appeal
- The Supreme Court Addresses the Temporal Reach of Virginia’s 2021 Sentencing Reform Legislation and Clarifies When New Statutory Limits on Suspended Sentences Apply to Existing Cases

- A Split Supreme Court Reverses an en banc Opinion from the Court of Appeals Concerning the Virginia Computer Crimes Act
- The Supreme Court of Virginia Clarifies Important Issues Regarding the Admissibility of Child Victims' Out-of-Court Statements in Sexual Abuse Cases
- The Supreme Court Clarifies What Constitutes "Ownership" in Authorized Use of Vehicle Cases
- Principal Juli Porto Named Virginia Lawyers Weekly's 2024 Leader of the Year
- The Supreme Court of Virginia Issues a Relatively Short Opinion in an Attorney Disciplinary Action
- Eleven Blankingship & Keith Attorneys Recognized as Top Attorneys in Arlington Magazine's 2024 List
- The Court of Appeals of Virginia Interpreted the Federal CARES Act in Relation to Virginia's Eviction Laws
- The Court of Appeals Releases an Opinion Discussing the Nuances of the Ministerial vs. the Discretionary Act of Driving for Purposes of Applying Sovereign Immunity
- Rule 5A:8(b)(4)(ii) strikes Again
- the Supreme Court Saves a Litigant from Immediate Appellate Death by Reversing a Summary Dismissal from the Court of Appeals
- The Court of Appeals Defines "Just Cause" in the Adoption Context
- The Court of Appeals Describes Limits to the Authority of a Board of Zoning Appeals.
- Three Blankingship & Keith Attorneys Honored by Virginia Lawyers Weekly
- The Court of Appeals considers whether a respondent may file a demurrer to a petition filed pursuant to Code § 15.2-2314
- The Court of Appeals interprets the bad faith disclosure exception to the general rule that prohibits the disclosure of information related to reports of the abuse of children to DSS
- Twenty-Seven Blankingship & Keith Attorneys Shine in the 2025 Edition of Best Lawyers in America
- In a case of first impression, the Court of Appeals addresses whether Code § 8.01-249(6) permits a delayed action for childhood sexual abuse
- In this 61-page opinion, the Court of Appeals reverses the largest damages verdict in Virginia history
- In this week's published civil opinion, the Court of Appeals decides whether a fiduciary can exercise a general power of appointment
- The Court of Appeals explains the proper way to challenge the appointment of an estate administrator
- The Court of Appeals analyzes the scope of employment issue in the context of a sexual battery
- Twenty Blankingship & Keith, P.C. Attorneys Named Virginia Super Lawyers and Rising Stars for 2024
- The Court of Appeals clarifies the adverse witness rule
- Sidar v. Doe, Record No. 0837-23-4 (Va. Ct. App. Apr. 16, 2024)
- Williams v. Boggess, Record No. 0600-23-3 (Va. Ct. App. Apr. 9, 2024)
- Davis v. Wal-Mart Assocs., Inc., Record No. 0503-23-3 (Va. Ct. App. Apr. 2, 2024)
- Pompell v. Commonwealth, Record No. 1246-23-3 (Va. Ct. App. Mar. 26, 2024)
- McNally v. Virginia Dept. of Motor Vehicles, Record No. 0816-23-3 (Va. Ct. App. Mar. 26, 2024)
- Green v. Portfolio Recovery Associates, LLC, Record No. 0144-22-3, Rehearing en banc granted
- Parrish v. Vance, Record No. 1687-22-4 (Va. Ct. App. Mar. 12, 2024)
- Howard v. Harris, Record No. 1499-22-2 (Va. Ct. App. Mar. 5, 2024)
- Shaw-McDonald v. Eye Consultants of N. Va., Record No. 0067-23-4 (Va. Ct. App. Jan. 30, 2024)
- Stanton v. Virginia Beach – Fire Operations, Record No. 0344-23-1 (Va. Ct. App. Jan. 30, 2024)
- Stanton v. Virginia Beach – Fire Operations, Record No. 0344-23-1 (Va. Ct. App. Jan. 30, 2024)
- Boyette v. Sprouse, Record No. 1278-22-2 (Va. Ct. App. Jan. 23, 2024)
- Smith Development, Inc. v. Conway, Record No. 1245-22-4 (Va. Ct. App. Jan. 9, 2024)
- Brown v. Kirkpatrick, Record No. 1100-22-1 (Va. Ct. App. Dec. 19, 2023) (en banc)

- Boxley v. Crouse, Record No. 0183-23-3 (Va. Ct. App. Dec. 28, 2023)
- Martin v. Lafountain, Record No. 0971-22-3 (Va. Ct. App. Dec. 12, 2023)
- Appellate Bonds
- Blankingship & Keith Attorneys Shine as "Legal Elite" in Virginia Business Magazine's 2023 Rankings
- Calway v. City of Chesapeake, Record No. 1692-22-1 (Va. Ct. App. Nov. 28, 2023)
- Graydon Manor LLC v. Board of Supervisors of Loudoun County, Record No. 1012-22-4 (Va. Ct. App. Nov. 21, 2023)
- Baez v. Commonwealth, Record No. 0073-23-3 (Va. Ct. App. Nov. 14, 2023)
- Clutteur v. Rosier, Record No. 0104-22-3 (Va. Ct. App. Oct. 31, 2023)
- Neal v. Sec'y of the Dep't of Veterans Affairs, Record No. 1219-22-4 (Va. Ct. App. Oct. 24, 2023)
- Wright v. Graves, Record No. 1079-22-3 (Va. Ct. App. Oct. 17, 2023)
- Thirteen Blankingship & Keith Attorneys Recognized as Top Attorneys by Arlington Magazine
- Anderson v. Clarke, Record No. 230172 (Va. Oct. 12, 2023)
- Minor v. Heishman, Comm. of Accounts, Record No. 0980-22-4 (Va. Ct. App. Oct. 10, 2023)
- Parrish v. Callahan, Record No. 1342-22-3 (Va. Ct. App. Oct. 3, 2023)
- Amazon Logistics, Inc. v. Virginia Employment Comm., Record No. 0310-22-2 (Va. Ct. App. Sept. 26, 2023)
- Stack v. Larsen, Record No. 1301-22-3 (Va. Ct. App. Sept. 26, 2023)
- Blankingship & Keith Appellate Principal Discusses Impact of Reduced Supreme Court Opinions in Virginia Lawyers Weekly
- Be Careful What You Ask For…
- Forbes v. Cantwell, Record No. 0212-22-3 (Va. Ct. App. Sept. 12, 2023)
- City-to-City Auto Sales, LLC v. Harris, Record No. 0728-22-2 (Va. Ct. App. Aug. 29, 2023)
- Salunkhe v. Christopher Customs, LLC, Record No. 1195-22-4 (Va. Ct. App. Aug. 22, 2023)
- Twenty-two Blankingship & Keith Attorneys Shine in the 2024 Edition of Best Lawyers in America
- Navy Fed. Credit Union v. Lentz, Record No. 1115-22-2 (Va. Ct. App. Aug. 15, 2023)
- Choi v. Choi, Record No. 0727-22-4 (Va. Ct. App. Aug. 1, 2023)
- LKQ Corp. v. Morales, Record No. 1173-22-4 (Va. Ct. App. Aug. 1, 2023)
- Miles v. Commonwealth, Record No. 0288-22-2 (Va. Ct. App. July 25, 2023)
- Walker v. Commonwealth, Record No. 0464-22-2 (July 18, 2023)
- Blue Pearl Veterinary Partners, LLC v. Anderson, Record No. 1180-22-1 (Jul. 11, 2023)
- Brown v. Kirkpatrick, Record No. 1100-22-1 (Va. Ct. App. July 5, 2023)
- CSE, Inc. v. Kibby Welding, LLC, Record No. 1438-22-3 (Va. Ct. App. June 13, 2023)
- Commonwealth v. Muwahhid, Record No. 0618-22-2 (Va. Ct. App. June 13, 2023)
- City of Hampton v. Williamson, Record No. 210988 (Va. June 8, 2023)
- King v. Commonwealth, Record No. 0397-22-1 (Va. Ct. App. June 6, 2023)
- Orndoff v. Commonwealth, Record No. 0973-21-4 (Va. Ct. App. June 6, 2023)
- Abouemara v. Commonwealth, Record No. 0284-22-2 (Va. Ct. App. June 6, 2023)
- Maust v. Commonwealth, Record No. 0505-21-4 (Va. Ct. App. May 30, 2023) (en banc)
- Blankingship & Keith Principal Juli M. Porto Honored as a "Go To Lawyer" for Appellate Law by Virginia Lawyers Weekly
- Happe v. Zimmerman, Record No. 0588-22-3 (Va. Ct. App. May 23, 2023)
- When is a Final Order Final?
- Brandon v. Coffey, Record No. 0440-22-2 (Va. Ct. App. May 16, 2023)
- Veldhuis v. Abboushi, Record No. 0776-22-4 (Va. Ct. App. May 9, 2023)

- Williams v. Legere, Record No. 1225-22-1 (Va. Ct. App. May 2, 2023)
- Blankingship & Keith, P.C. Attorneys Named Virginia Super Lawyers and Rising Stars for 2023
- Holman v. Commonwealth, Record No. 0629-22-2 (Va. Ct. App. Apr. 18, 2023)
- Ranger v. Hyundai Motor America, Record 220058 (Va. Apr. 6, 2023)
- Bland-Henderson v. Commonwealth, Record No. 1359-21-2 (Va. Ct. App. Apr. 11, 2023)
- Jalloh v. S.W. Rodgers, Record No. 0920-22-4 (Va. Ct. App. April 4, 2023)
- Yourko v. Yourko, Record No. 22039 (Va. Mar. 30, 2023)
- Evans v. Truist Bank f/k/a Branch Banking & Trust Co., Record No. 0631-22-3 (Va. Ct. App. Mar. 28, 2023)
- What To Do When Things Go Wrong: You Missed The Deadline To File Your Notice of Appeal
- Virginia Department of Corrections v. Bishop, Record No. 0987-21-3, 75 Va. App. 1 (May, 24 2022)
- Khine v. Commonwealth, Record No. 0900-21-1, 75 Va. App. 435 (September 13, 2022)
- Jacks v. Commonwealth, Record No. 0833-20-3, 74 Va. App. 783 (May 17, 2022) (en banc)
- Beginning Your Appeal in the Court of Appeals
- Appellate Principal Juli Porto Quoted in Law360 Article
- 20 Blankingship & Keith Attorneys Named “Legal Elite” by Virginia Business Magazine
- Thirteen Blankingship & Keith Attorneys Named 2022 Top Attorneys by Arlington Magazine
- County of Henrico v. O’Neil, Record No. 0932-21-2, 75 Va. App. 312 (August 2, 2022)
- Ellis v. Commonwealth, Record No. 0818-21-1, 75 Va. App. 162 (July 19, 2022)