

Preservation

Preservation for appellate review is based on the concept that timely and specific arguments and objections are crucial to a fair process, since they enable opposing counsel to present counter-arguments, help the trial court to prevent errors from occurring, and allow the court to timely cure errors. See *People v Hawkins*, 11 NY3d 484 (2008); *People v Martin*, 50 NY2d 1029 (1980). The lack of preservation is an invitation to the intermediate appellate court to decline to reach the merits of even fundamental errors. Interest of justice jurisdiction is seldom exercised by the Appellate Division, and many strong issues are lost due to the lack of objections. See CPL 470.15 (3) (c), (6). The Court of Appeals lacks jurisdiction to review virtually all unpreserved issues. See NY Const., Art. VI, § 3; *People v Gray*, 86 NY2d 10, 20 (1995). For all these reasons, effective representation includes protecting your client's issues for appeal.

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