

# United States Court of Appeals for the Federal Circuit

## ORDER

### Conducting Oral Arguments


On March 16, 2020, the court restricted public access to the Howard T. Markey National Courts Building following declared public health emergencies impacting Washington, D.C. and the National Capital Region. In the intervening months, assigned panels of judges have both conducted court sessions telephonically and, in some cases, dispensed with oral argument pursuant to Federal Rule of Appellate Procedure 34(a)(2)(C) after determining argument would be unnecessary.

Counsel appearing in cases before this court are currently subject to various approaches to, and timeframes for, community recovery and reopening, which may impact their ability to travel for argument. Upon consideration of the Federal Judiciary COVID-19 Recovery Guidelines (April 24, 2020), in the interest of providing greater predictability to counsel appearing before this court, and due to the court's national jurisdiction, I find, on behalf of the court, that the following modifications to court procedures are necessary to continue effective operations.

#### IT IS ORDERED THAT:

- (1) The Administrative Orders entered on March 16, 2020, and March 20, 2020, remain in effect except as modified by this Order.
- (2) All in-person arguments are suspended. The Clerk's Office is directed to continue scheduling cases on the court's calendar in accordance with existing procedures. Cases set for oral argument after the date of this Order will be argued telephonically unless counsel is notified by separate order that oral argument is unnecessary and that a case will be submitted on the briefs

*Administrative Order No. 20-02*

CERTIFIED COPY  
I HEREBY CERTIFY THIS DOCUMENT  
IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE.  
UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT  
PETER R. MARKSTEINER, CLERK OF COURT  
  
By J. Perlow, Deputy Clerk 8:20 am, May 18 2020

without argument. These modifications shall remain in effect until this Order is rescinded.

- (3) The Circuit Executive and Clerk of Court is directed to provide public notice of this Order and to take any necessary and proper actions to implement the provisions of this Order.

FOR THE COURT



/s/ Sharon Prost

Sharon Prost  
Chief Judge

May 18, 2020

Date