



**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**
717 MADISON PLACE, N.W.
WASHINGTON, D.C. 20439

PETER R. MARKSTEINER
CLERK OF COURT

CLERK'S OFFICE
202-275-8000

February 4, 2022

Instructions for Arguing Counsel Participating in Remote Arguments

1. Counsel Orientation and Equipment Test

The Clerk's Office will schedule an orientation and equipment test with arguing counsel at least one week before the argument. Arguing counsel must participate in this orientation and equipment test to participate remotely in the scheduled argument. The Clerk's Office has the discretion to disallow videoconference appearance if court staff cannot confirm ahead of time that counsel is sufficiently able to appear by videoconferencing. In such a situation, counsel will be permitted to attend by teleconference.

Counsel must participate in the orientation and equipment test from the same location and using the same equipment and internet connection that will be used on the day of argument.

2. Argument Connection Information

The Clerk's Office will provide counsel with argument connection information following the orientation and equipment test. Arguing counsel are prohibited from distributing connection information except to necessary technical staff.

Note: If you are arguing before more than one panel, you will receive a separate email for each panel.

3. Confirming Contact Information and Argument Time

By the close of business the Thursday before the start of the month's session, please reply to the above email confirming

- the name of arguing counsel and preferred title (e.g., Mr., Ms., Mrs.)
- a phone number to reach you, if needed, on the day of argument; and
- the amount of time you will be arguing, including any time for rebuttal, and the order in which you intend to argue if you are sharing time with co-counsel or if your case involves more than two arguing parties.

4. **Connecting to Argument**

On the day of argument, please click the link provided by the Clerk's Office to connect to the videoconference **between 9:00 and 9:15 a.m. (Eastern)**. Once all counsel join, the courtroom deputy will take roll, confirm connections, test audio and video quality, confirm virtual backgrounds, and provide additional pre-argument instructions. The courtroom deputy will then place all counsel into breakout rooms until the court is ready to proceed with each case.

Argument may begin prior to 10:00 a.m. at the discretion of the panel. Each case will be argued one after the other with only a brief pause between cases. Unless otherwise noted, cases will be heard in the order listed on the court calendar. **Counsel must remain connected to the conference until dismissed by the court or courtroom deputy.**

5. **Panel Members**

The names of panel members will be posted on the [Daily Schedule](#) of the court's website under the Argument menu no later than 9:00 a.m. the morning of the session. The courtroom deputy will also identify the names of the panel members during roll call, and this information will also be on the public audio access feed.

6. **Waiting for Argument**

While waiting for your case, you will be in a breakout room and unable to see or hear the courtroom or proceedings. Instead, you may listen to the court's audio streaming to monitor the timing of your argument, available [here](#).

When moving to your case, the courtroom deputy will enter your breakout room, reconfirm your audio and video, and bring you into court. **You must have all other audio, including the court's argument livestream, turned off at that time.**

7. **Presenting Your Argument**

Before the presiding judge calls your case, the courtroom deputy will confirm that all participants can see and hear each other.

You are expected to mute your audio while not presenting argument, and the courtroom deputy will ensure this occurs. **Please do not unmute yourself until directed to proceed.** You will be expected to leave your video on for the duration of argument, unless directed otherwise.

Note: The courtroom deputy cannot turn on your video or unmute you. If you receive a prompt to unmute or turn on your video, you must do so immediately.

8. Tracking Time During Your Argument

A digital timer will appear as a separate participant in the videoconference. The courtroom deputy will start the timer when you begin speaking (“green light”). If you have rebuttal time, the timer will turn yellow when you enter rebuttal. When your total time elapses, the timer will appear red and begin counting up.

9. Decorum During Argument

Although you are appearing remotely, **the court is in session and ordinary rules of decorum apply, including the requirement that counsel appear in appropriate courtroom attire.**

Counsel must present argument

- from a location free from disruptions (i.e., a private room or office with the door and windows closed);
- using the court’s pre-selected virtual background, available [here](#) (see instructions later in this document on how to apply the background); and
- with only counsel appearing in the video frame.

Counsel may present argument from a standing or seated position. **Counsel may not be seated in a swivel chair or other visibly distracting chair.**

10. Handling Disruptions

In the event you or a judge disconnect from the videoconference during your case, the courtroom deputy will announce it and pause the proceeding and clock. If you disconnect, try to reconnect using the previously provided link. If you are unable to reconnect, use the phone number provided with the connection link. As a last resort, the courtroom deputy will reconnect you by telephonic conference, and argument will continue with you participating by audio only.

In an emergency, call the Clerk’s Office at 202-275-8049. If you disconnect from a breakout room, you may not be admitted immediately to the videoconference when you rejoin. When you are re-admitted, assume you will be visible and audible to judges, court staff, and the public.

During your argument, please interrupt if you lose audio from arguing counsel or the panel. Do not interrupt if you lose another individual's video feed. If you are unable to interrupt the argument, please drop from the call (which the courtroom deputy will see) or dial the emergency number provided above.

To minimize audio disruptions during argument, you must disable notifications associated with applications on your device. You must also ensure your phone is in silent or airplane mode.

11. **Recording Prohibited**

The recording, photographing, broadcasting, transmitting, or capturing of any audio, video, or image from any aspect of the videoconference is prohibited.

12. **Public Access to Argument**

Given the extraordinary public health emergencies in the National Capital Region and the resulting restrictions on public access to the courthouse, the U.S. Court of Appeals for the Federal Circuit is providing media and public access to the audio stream of each argument during the court's monthly sessions.

The streaming audio feeds begin at approximately 9:30 a.m. (Eastern) each scheduled day of argument and are available [here](#) or the [Daily Schedule](#) on the court's website. Attendees should plan to connect to the feed no later than 9:45 a.m. since arguments may start before 10:00 a.m. Recordings of all arguments will be posted on the court's [website](#) after the conclusion of arguments each day. **There will be no video feed or recording of the argument, and only arguing counsel will be permitted to join the videoconference.**

<p>If you have questions before your argument, please call 202-275-8035.</p>

How to Connect and Participate in the Videoconference

You will need a computer with an internet connection. To minimize connection issues, you will be encouraged to close out of any unnecessary applications on your device, including email platforms. Please connect using a desktop or laptop.

1. Click the link provided in the email from the Clerk's Office. If you get an access or connection error, like the image below, try using an alternative browser.

Can't connect securely to this page

This might be because the site uses outdated or unsafe TLS security settings. If this keeps happening, try contacting the website's owner.

Try this:

- [Go back to the last page](#)

2. You should see a page that appears as below. The meeting should launch automatically. If it does not, click "Launch Meeting":

Click **Open Zoom Meetings** on the dialog shown by your browser

If you don't see a dialog, click **Launch Meeting** below

By clicking "Launch Meeting", you agree to our [Terms of Service](#) and [Privacy Statement](#)

Launch Meeting

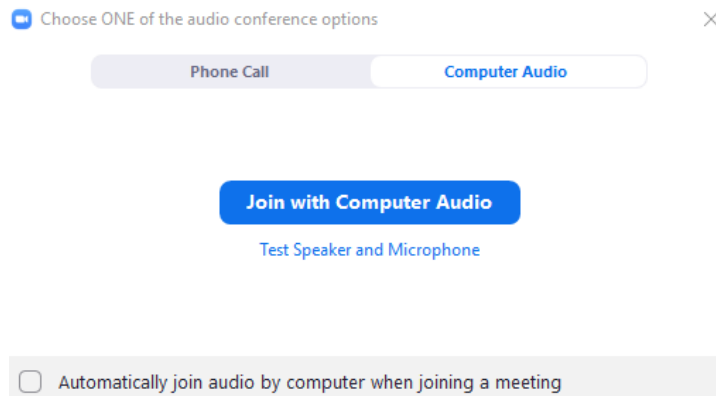
3. Once connected, you will be placed in a waiting room until the courtroom deputy admits you. You will see a message reading "The meeting host will let you in soon." Wait patiently on this screen until admitted, and **do not close out of the window**. While waiting, you can adjust your settings by clicking the link at the bottom, "Test Speaker and Mic." We recommend checking your audio settings, video settings, and background settings.

Note: When joining, you may be prompted to enter your name. If you are, make sure you enter your full name in the format **First M. Last**. You will not be prompted to enter your name if you have previously selected to always enter under a specific name. You can check or update the name you have selected to enter under through Zoom's web portal. To do so, perform the following steps:

- a. Sign in to the Zoom [web portal](#).
- b. Click **Profile** in the left sidebar.
- c. Click **Edit**, located to the right of your name.
- d. Enter your full name and display name. The display name is what will appear for others when you join a meeting.
- e. Scroll down and click **Save**.

(Reminder, you will not be admitted to the Zoom if your display name differs from the name you provided the court for arguing counsel)

4. Once admitted, you will be prompted to join your audio unless you have pre-selected to automatically join audio by computer when joining a meeting. When prompted, you will see the screen below. Click “Join with Computer Audio.”



Videoconference Features and Settings

Note: If you are not connecting via a desktop or laptop, some of the settings and features may appear in different locations. Please use a desktop or laptop. This page includes important information regarding the court's use of videoconferencing. Subsequent pages include general information on how to use Zoom settings and features.

• **REQUIRED VIDEO SETTINGS**

To the extent possible (may not be possible based on webcam or computer used), arguing counsel must adjust the below video settings. This can be done by clicking the up arrow to the right of the camera button in the bottom left of the videoconference, then clicking **Video Settings...**

- Check **Original ratio**
- Uncheck **HD**
- Uncheck **Mirror my video**
- Uncheck **Touch up my appearance**

• **REQUIRED VIRTUAL BACKGROUND**

The court requires all participants to use a pre-selected video background, available [here](#). Download the image and save it locally. To add the virtual background in the videoconference, do the following:

- Click the up arrow to the right of the camera button in the bottom left of the videoconference, then click **Choose Virtual Background...**
- Click the **+** icon on the right side of the screen, then click **Add Image**.
- Select the image at the file path where you saved it, then click **Open**.
- The image should appear in the list of virtual backgrounds and be applied automatically. If it did not apply automatically, click on the image.

• **DISABLED VIDEOCONFERENCE FEATURES**

The court has opted to disable certain features in the videoconference. You will not be able to do the following:

- Chat, including private chat messages
- Record or livestream the videoconference
- React or send non-verbal feedback
- Rename yourself
- Share your screen or show a whiteboard
- Enable HD video
- Use a video filter

- **Muting/Unmuting**

To toggle mute/unmute, click the button on the bottom left corner.



You can also toggle mute using one of the following methods:

- Hover over your name in the **Participants** window and click **Mute** or **Unmute**.
- In the upper right corner of your video window, click **Mute** or **Unmute**.
- In the upper right corner of your video window, click the three dots and select **Mute my Audio** or **Unmute my Audio**.
- You can key-bind mute in your settings. The default key-bind is **Alt + A**.
- You can temporarily unmute by holding the spacebar.

- **Turning Video On/Off**

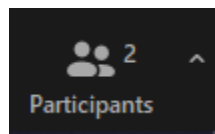
To toggle video on/off, click the button on the bottom left corner.



You can also toggle video in the upper right corner of your video window by clicking the three dots and selecting **Stop my Video** or **Start my Video**

- **Viewing/Hiding Participants**

The **Participants** window can be used to see a roster of all participants. To view, click the button in the bottom center of your screen. The number to the right of the icon lists the total number of participants. You can hide the **Participants** window by clicking the button again, or by clicking the down arrow on the left of the window and then **Close**.



Unless you have **Hide Non-Video Participants** active, you will see all participants on your screen, including internal court lines. We recommend hiding non-video participants in order to ensure you see exactly who you need to on your screen and nothing superfluous. You can hide non-video participants via the following methods:

- Click on the three dots in the upper right corner of any participant's window, then select **Hide Non-video Participants**.

- Click the up arrow to the right of the camera button in the bottom left of the videoconference, then **Video Settings...** You will see a pop-out window. Select the box that says **Hide non-video participants**. You can also uncheck the box here to show all participants again.

If you do not want to see your own video, you can click the three dots in the upper right corner of your video screen and select **Hide Self View**. To restore your ability to see yourself, click the three dots and then **Show Self View**.

- **Viewing All Participants for Argument**

The videoconference will display all participants, and you can see them using either **Speaker View** or **Gallery View**. The court does not have a requirement or preference for how you choose to view participants, so choose what works best for you. Gallery view shows all participants in the videoconference in equal-sized windows. Speaker view shows the active speaker in a large window and all other participants in small windows at the top of the screen. Note, if you pin a participant, you will automatically move to speaker view; after removing the pin, you will manually have to return to gallery view. To switch your view, click **View** in the upper right corner of the videoconference, and then select **Speaker View** or **Gallery View**.

- **Pinning Participants**

You can have one participant's video pinned at a time if you would like. You can pin or unpin the video feed of a single participant using the following methods:

- In the **Participants** window, hover over the participant's name, click **More**, then select **Pin**. To remove the pin, do the same, but select **Remove Pin**.
- Click the three dots in the upper right corner of the participant's video window and clicking **Pin**. Removing a pin can be done in the upper left corner of a pinned participant's video window by clicking **Remove Pin**.
- If you have one participant pinned and desire to pin another instead, you can replace a pin directly by clicking on the three dots in the upper right corner of the person you now want to pin and clicking **Replace Pin**.