

COURTROOM DECORUM

United States Court of Appeals for the Federal Circuit

COURTROOM DECORUM

- The dignity of the Court is to be respected and maintained at all times.
- Attire for counsel and spectators should be restrained and appropriate to the dignity of a Court of Appeals of the United States.
- Court security officers and Court staff are authorized to open and inspect any item carried into a courtroom.
- Everyone in the courtroom, unless physically challenged, must rise when the judges enter and remain standing until the presiding judge invites everyone to be seated. Similarly, when court adjourns, everyone stands in place until the judges are no longer visible.
- Standing in the courtroom may be permitted only at the discretion of the Clerk. Areas marked as reserved are for Court Staff and Federal Circuit Law Clerks.
- Counsel may address the court when invited to do so. Only counsel associated with the appeal being argued may address the Court, unless a judge directs otherwise.
- Coat racks in the hallways outside the courtrooms are to be utilized.
- Only material related to the Court's business can be read in the courtroom while court is in session.
- When Court is in session, no one should be heard except for counsel making argument or a judge.
- The following items are prohibited in the courtroom and adjacent lobby area:
 - Recording devices
 - Cameras
 - Food and drink except for the water provided at the counsel table
 - Computers (except for those to be used by counsel during argument)
- Phones must be turned off
- Inappropriate facial gestures or exaggerated gesticulating is forbidden.
- Repeated entrances and departures are to be avoided.
- Doorways and passageways should be kept clear at all times.

Effective May 1, 2008.

United States Court of Appeals for the Federal Circuit

TOP 10 REASONS BRIEFS ARE REJECTED

1. _____ **PROOF OF SERVICE** A proof of service does not accompany the Appendix. (Fed. R. App. P. 25(d))
2. _____ **FONT SIZE OF FOOTNOTES** Footnotes are not printed in the same size font as the text of the brief. (Fed. R. App. P. 32(a)(5) and Practice Note to Rule 32)
3. _____ **CERTIFICATE OF INTEREST** The brief does not contain a certificate of interest. (Fed. Cir. R. 28(a)(1))
4. _____ **OFFICIAL CAPTION** The cover of the brief does not follow the official caption provided by the Clerk. (Fed. R. App. P. 32(a)(2)(A-D)
A copy of the official caption is included with the notice of docketing)
5. _____ **IMPERMISSIBLE ADDENDUM** The brief contains an impermissible addendum. Excluding the required addendum in the Appellant or Petitioner's brief, an addendum attached to any other brief is acceptable if it contains only statutes, rules, regulations, etc. (Fed. R. App. P. 28(f))
6. _____ **CONFIDENTIAL MATERIAL DELETED** The Table of Contents of any nonconfidential brief or appendix must describe the general nature of the confidential material that has been deleted. (Fed. Cir. R. 28(d)(1)(B) and 30(h)(1)(B); an example is in Practice Note 28)
7. _____ **JUDGMENT, ORDER, OR DECISION IN QUESTION** The Appellant or Petitioner's brief does not contain the judgment, order, or decision in question as an addendum placed within the brief. (Fed. Cir. R. 28(a)(12))
8. _____ **STATEMENT OF RELATED CASES** The brief does not contain a statement of related cases. (Fed. Cir. R. 28(a)(4) and 47.5)
9. _____ **TABLE OF CONTENTS IN APPENDIX** The appendix must begin with a table of contents identifying the page at which each part begins. (Fed. R. App. P. 30(d))
10. _____ **COMBINED BRIEF AND APPENDIX** When the brief and appendix are combined, the cover must so indicate. Fed. Cir. R. 30(d)(1))

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TOP 10 REASONS MOTIONS ARE REJECTED

1. _____ **CERTIFICATE OF INTEREST** The motion does not include a certificate of interest. (Fed. Cir. R. 27(a) and 47.4))
2. _____ **NO ENTRY OF APPEARANCE OR DECLARATION OF AUTHORITY** The person signing the motion has not entered an appearance or, there is no declaration of authority. (Fed. Cir. R. 47.3(d) and 27(a)(6))
3. _____ **OFFICIAL CAPTION OR ABBREVIATED CAPTION** The official caption or abbreviated caption is incorrect. (Fed. Cir. R. 27(a)(2))
4. _____ **NOT ENOUGH COPIES** Not enough copies are provided with the motion, response, or reply. (Fed. Cir. R. 27(j) and Fed. R. App. P. 27(d)(3))
5. _____ **NO PROOF OF SERVICE** A proof of service does not accompany the motion. (Fed. R. App. P. 25(d))
6. _____ **NO GROUNDS STATED FOR ENLARGEMENT OF TIME** The motion does not state grounds for an enlargement of time. (Fed. R. App. P. 27(a)(2)(A) and Fed. Cir. R. 27(a)(4))
7. _____ **NO STATEMENT OF CONSENT** The motion does not contain a statement of consent. (Fed. Cir. R. 26(b)(3) and 27(a)(5))
8. _____ **NO COPY OF THE DECISION OR ORDER** No copy of the decision or order is attached to the motion. (Fed. R. App. P. 27(a)(2)(B)(iii))
9. _____ **NO REQUEST IN TITLE OF RESPONSE FOR FURTHER RELIEF** The title of the response does not reflect a request for further relief. (Fed. R. App. P. 27(a)(3)(B))
10. _____ **NO REQUIRED AFFIDAVIT OR DECLARATION** The movant does not include a required affidavit or declaration. (Fed. R. App. P. 26(b)(5) and 26(b)(1)(B))

