

United States Court of Appeals for the Federal Circuit

ORDER

Continued Modifications to Court Operations

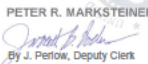
As part of the Federal Circuit's efforts to continue functioning efficiently and effectively, while ensuring the health and safety of court staff, the court has implemented expanded teleworking into its response to declared public health emergencies impacting Washington, D.C. and the National Capital Region. In response, the court has significantly reduced the number of on-site staff at the Howard T. Markey National Courts Building. Because of current on-site staff limitations, additional temporary changes to court operations are necessary.

Accordingly, and on behalf of the court, I find pursuant to 28 U.S.C. § 2071(e) that there is an immediate need for this Order altering the rules of this court, effective March 20, 2020.

IT IS ORDERED THAT:

- (1) The Administrative Order entered on March 16, 2020 remains in effect except as modified by this Order.
- (2) All requirements to provide paper copies of documents submitted electronically are suspended for all documents filed on or after the date of this order until further notice. Parties are specifically directed not to provide paper copies of any filing, under Fed. Cir. R. 25(c)(1)(A)-(F) until further notice. As needed, the Clerk's Office may direct parties or counsel to file paper copies in individual cases. The Clerk's Office may also direct parties or counsel at a later date to provide paper copies of filings previously submitted electronically.

Administrative Order No. 20-01

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 1 32 pm, Mar 20 2020

- (3) The Clerk's Office will continue to accept documents that can only be filed by paper and filings from parties who are not permitted to file electronically. These filings will continue to be received by U.S. Postal Mail, third-party commercial carriers, or at the court's night box located at the garage entrance on H Street NW, between 15th Street and Madison Place.
- (4) Federal Circuit Rule 25(b)(2) is suspended and pro se parties are permitted to submit case-initiating documents by either facsimile (202-275-9678) or email (prose@cafc.uscourts.gov). Federal Circuit Rule 25(c)(2) is modified to allow pro se parties to submit any other case filing by either facsimile or email. The filing date of the document will be the system date stamp when the Clerk's Office receives the facsimile or email. Proof of service on the opposing party, and calculation of any responsive deadline, will be from the date when the Clerk of Court docketed and serves the document through the court's electronic filing system.
- (5) In implementing paragraph 4, the Clerk's Office is directed to accept for filing only documents submitted by email to prose@cafc.uscourts.gov. Documents emailed to other court email accounts will receive no action. Following notice and an opportunity to respond, the Clerk of Court, or designee, is authorized to restrict or to revoke the ability of a litigant or member of the public to file by facsimile or email for either (a) repeated failure to comply with these procedures or (b) engaging in spamming or excessive submissions that interfere with court operations.
- (6) The Clerk's Office is directed to provide the ability for pro se parties to receive electronic service by email for those pro se parties who consent to such service pursuant to Federal Rule of Appellate Procedure 25(c)(2).
- (7) The Clerk's Office will continue to issue Notices to Advise of Scheduling Conflicts and to require a

response from counsel. Counsel are advised that travel restrictions due to COVID-19 are an insufficient basis for a scheduling conflict due to the availability of telephonic conferences for oral argument.

- (8) Given the high volume of telephone calls and limited staff resources, the Clerk's Office is authorized to suspend or to reduce public assistance by telephone, as needed, and to implement an alternate method for responding to public inquiries.
- (9) All existing deadlines in cases remain in effect.
- (10) 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 these restrictions.

March 20, 2020
Date

FOR THE COURT


/s/ Sharon Prost
Sharon Prost
Chief Judge