

AMENDMENTS AND REVISIONS CONTAINED IN THIS EDITION

- The list of Judges has been updated to add Judges O'Malley and Reyna.
- Officers of the Court and Senior Staff have been updated.
- The Advisory Council membership has been updated.
- The list of Mediators has been updated.
- Federal Rules of Appellate Procedure 1, 4 and 29 were revised on December 1, 2010.

NOTICE:

The latest updates to the Rules of Practice of the United States Court of Appeals for the Federal Circuit can be located on the court's website: www.cafc.uscourts.gov.

Library of Congress Cataloging-in-Publication Data

United States. Supreme Court.

[Federal rules of appellate procedure]

Rules of practice : Federal rules of appellate procedure, Federal Circuit rules, practice notes, appellate mediation program guidelines, guide for pro se petitioners and appellants, Federal Circuit attorney disciplinary rules, / United States Court of Appeals for the Federal Circuit.

p. cm.

Includes index.

1. United States. Court of Appeals (Federal Circuit)--Rules and practice. 2. Appellate procedure--United States. 3. Court rules--United States. I. United States. Court of Appeals (Federal Circuit). Federal Circuit rules. II. Title.

KF9053.A459 2011

347.73'2451--dc22

2003068798

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Circuit Justice

The Chief Justice

Chief Judge

Randall R. Rader

Circuit and Senior Circuit Judges

Daniel M. Friedman

William C. Bryson

Pauline Newman

Arthur J. Gajarsa

Glenn L. Archer, Jr.

Richard Linn

Haldane Robert Mayer

Timothy B. Dyk

S. Jay Plager

Sharon Prost

Alan D. Lourie

Kimberly A. Moore

Raymond C. Clevenger, III

Kathleen M. O'Malley

Alvin A. Schall

Jimmie V. Reyna

Circuit Executive and Clerk of Court

Jan Horbaly

Officers of the Court and Senior Staff

Dale Bosley

Deputy Circuit Executive and Operations Officer

J. Douglas Steere

General Counsel

Patricia M. McDermott

Circuit Librarian

James M. Amend

Chief Circuit Mediator

Mona M. Harrington

Director of Information Technology

Advisory Council Members

Edward R. Reines, Chair

Meredith Martin Addy

Jeanne E. Davidson

Robert Keith Huffman

Richard J. "Chip" Lutton

Michael J. Schaengold

Richard L. Stanley

Katherine E. White

ex officio

Jan Horbaly

John S. Cooke

George E. Hutchinson

Sara B. Rearden

Tina M. Chappell

Lisa A. Dolak

J. Michael Jakes

Joseph R. Re

Ronald L. Smith

John M. Whealan

J. Douglas Steere

James E. Brookshire

Scott M. McCaleb

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

List of Mediators

James M. Amend, Chief Circuit Mediator

Wendy L. Dean, Circuit Mediation Officer

C. Stanley Dees

Olivia M. Farrar

J. William Frank III

George L. Graff

Martin J. Harty

Edward Houry

John E. Kidd

Jeffery N. Lüthi

Don W. Martens

Judith P. Meyer

James F. McKeown

Robert W. Parker

Donald F. Parsons, Jr.

David W. Plant

Thomas F. Smegal, Jr.

Les J. Weinstein



**Ceremonial Courtroom
United States Court of Appeals for the Federal Circuit**

The Life of an Appeal

The life of an appeal in the United States Court of Appeals for the Federal Circuit consists of seven steps.

The first step involves preliminary matters. A party who wishes to appeal a case to the Federal Circuit must first file a Notice of Appeal in the lower tribunal. A party who wishes to file an appeal from a decision from an administrative agency must file a petition for review with the Federal Circuit. The Notice of Appeal is forwarded by the lower tribunal to the Federal Circuit. The appeal is then docketed in the Federal Circuit and a docket number is assigned to the case. An Entry of Appearance and a Certificate of Interest are filed by appellant and appellee within 14 days of docketing. If an appeal is from a decision of a district court appeal, the challenging party must complete a Transcript Order Form.

A Certified List of proceedings in the lower tribunal is attached to the Notice of Appeal from district courts. A certified list of proceedings is ordered from the administrative agencies when the case is docketed. The last preliminary matter is the Docketing Statement filed by appellant and appellee in counseled cases.

The second step in the life of an appeal is the schedule for filing briefs in the case. The appellant or petitioner's brief is due first, followed by the appellee's brief or the cross-appellant's initial brief. The appellant or petitioner is afforded a second, or reply, brief, as is the cross-appellant in the case of a cross-appeal. Once the briefs have been filed, the appellant or petitioner must file a joint appendix.

The third step involves the filing of motions by the parties. For example, a party may file a Motion for an Extension of Time seeking additional time for filing a brief, or a Motion to Strike seeking to have portions of another party's brief excluded. Parties seeking immediate or extraordinary relief from the Federal Circuit may file a motion with the court at any time.

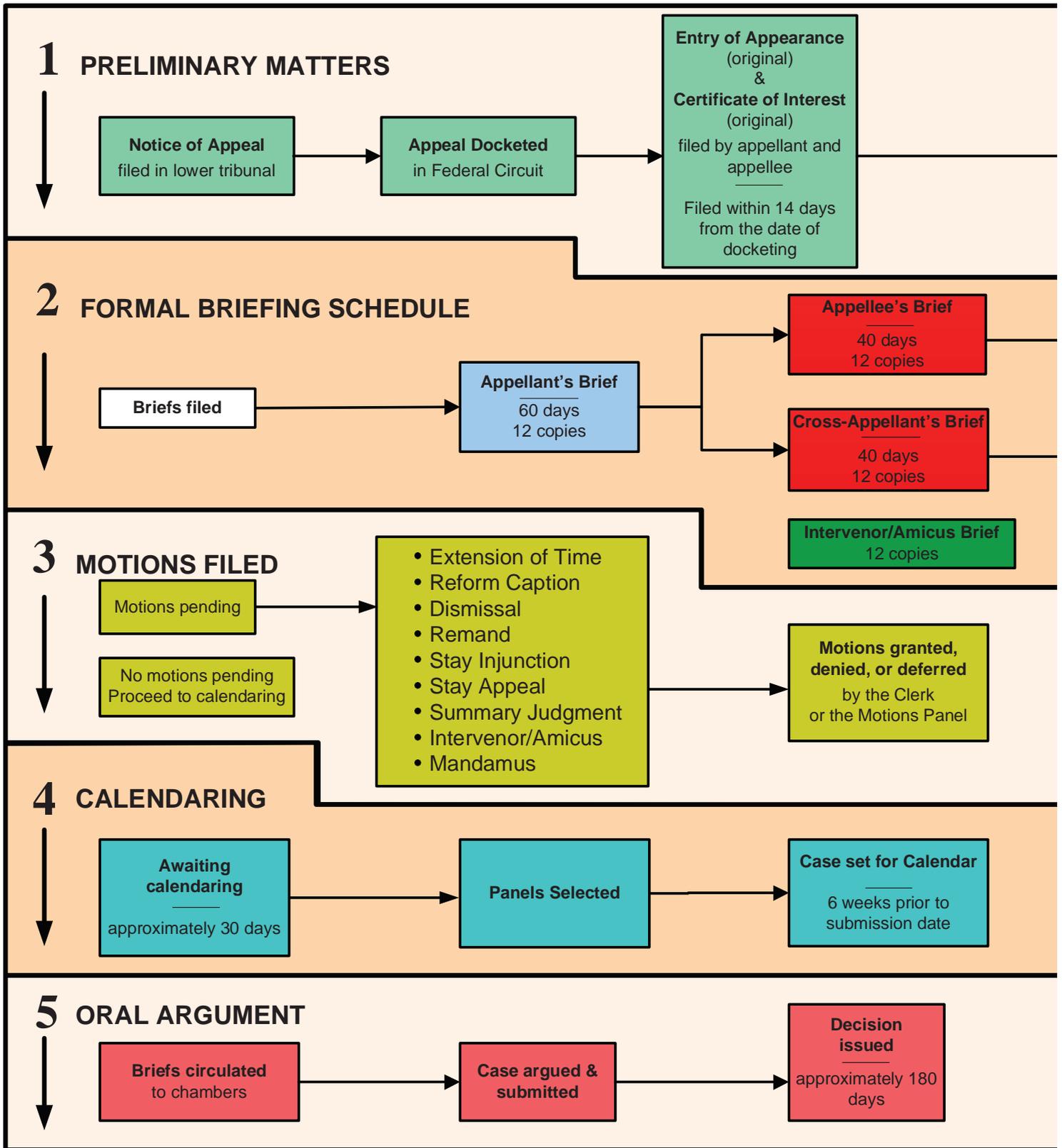
The fourth step in the life of an appeal is the calendaring phase. In this stage, the case is put on the court's argument calendar. In cases where the parties are represented by counsel, the counsel for each party will be given the opportunity to argue their case before a panel of judges. In cases where the parties are not represented by counsel, a panel will decide the case on the briefs.

The fifth step involves the circulation of briefs to the panel judges and oral argument. Once the case is argued, or is submitted on the briefs, the court will decide the appeal and issue an opinion or an order.

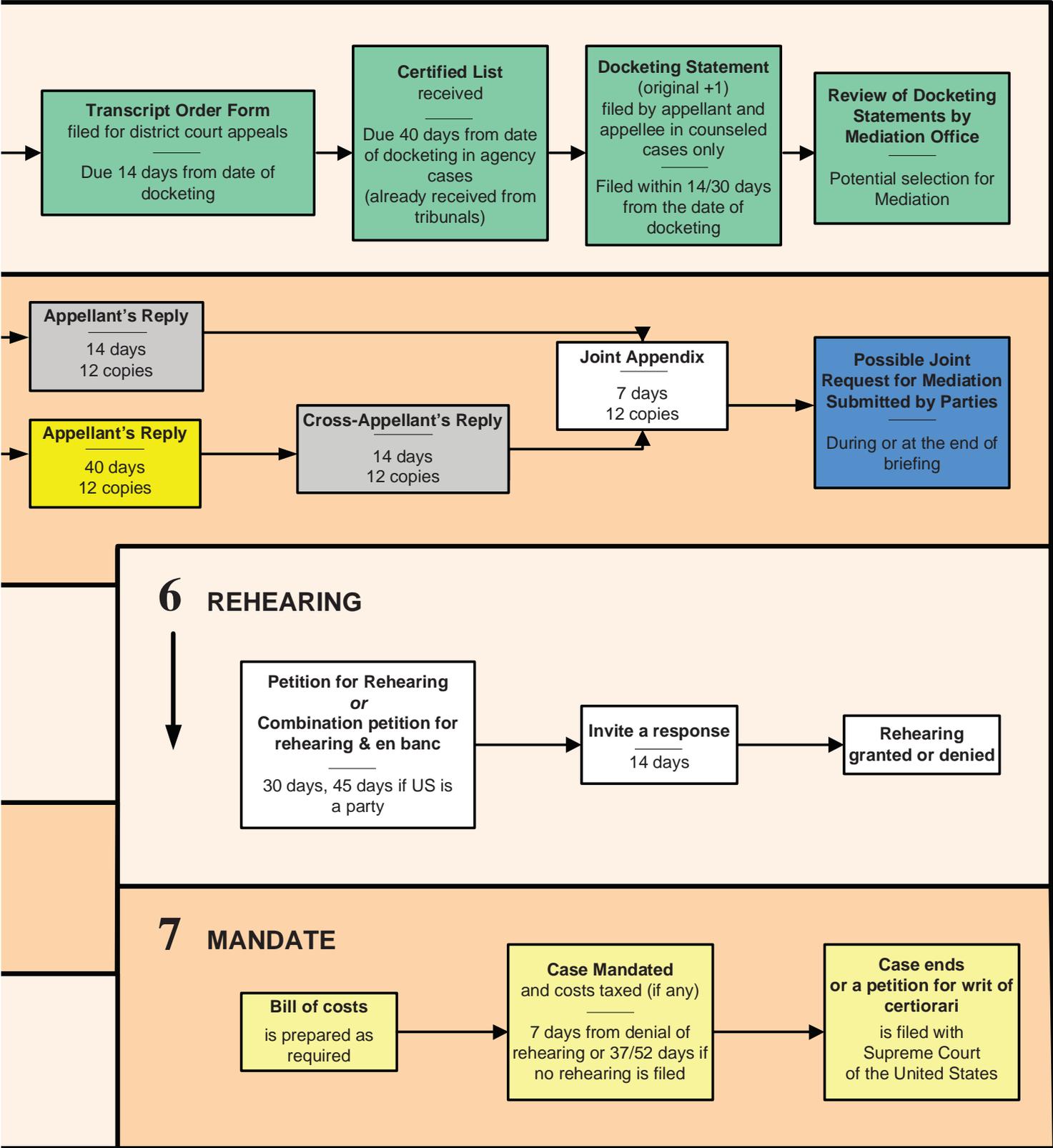
The sixth step is the rehearing phase. A party who has an issue decided against it may petition the court for rehearing by the panel or rehearing en banc, that is, a rehearing by the full court.

The seventh step involves the issuance of the mandate. Following the denial of rehearing, the court will issue a mandate for the case. The mandate makes the judgment of the court final. If required, a Bill of Costs is prepared. The case ends here unless one of the parties files a petition for writ of certiorari with the Supreme Court of the United States.

THE LIFE OF AN APPEAL



IN THE FEDERAL CIRCUIT



United States Court of Appeals for the Federal Circuit

717 Madison Place, NW
Washington, DC 20439

NATIONAL COURTS BUILDING

Public access to the building is from 7:30 a.m. to 6:00 p.m. (EST).

CLERK’S OFFICE – Room 401

Hours are from 9:00 a.m. to 5:00 p.m.

Information	202-275-8000
Oral Argument Questions	202-275-8036
Facsimile	202-275-9678
Daily Disposition Sheet	202-275-8030
Questions concerning cases with docket numbers:	xxxx-1xxx, e.g. 2006-1467
Call	202-275-8026
.....	202-275-8027
.....	202-275-8028
.....	202-275-8029
Questions concerning cases with docket numbers:	xxxx-3xxx, e.g. 2006-3740
	xxxx-5xxx, e.g. 2006-5721
	xxxx-7xxx, e.g. 2006-7800
Call	202-275-8031
.....	202-275-8032
.....	202-275-8033
.....	202-275-8034
Questions concerning rehearings call	202-275-8023
Questions concerning the Court’s Mediation Program call	202-275-8120

LIBRARY – Room 218

Hours are from 9:00 a.m. to 5:00 p.m.

Reference Desk	202-275-8411
----------------------	--------------

PACER – pacer.cafc.uscourts.gov

- Parties and attorneys
- Compilation of case related information
- Chronology of dates of case events entered in the case record

WEBSITE – www.cafc.uscourts.gov

- Current Announcements
- Court Rules and Forms
- Opinions, Calendars & Dispositions
- Court Information

ORAL ARGUMENT TAPES OR OPINIONS – Room 410

Hours are from 8:00 a.m. to 5:00 p.m.

Phone	202-275-8154
-------------	--------------

Tapes are \$26.00 each; Opinions are \$2.00 each. The Court accepts Visa, MasterCard, Discover, American Express, checks and cash (exact amount required). Also available on website free of charge.