



**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

October 12, 2018

Revised Brief and Appendix Filing Procedures

Following a lengthy internal procedural review, the Clerk's Office will discontinue its brief and appendix tendering process to allow instead for briefs to be considered filed as of the moment they are submitted through CM/ECF. This change will be effective December 1, 2018.

The revised procedure will allow for the immediate filing and public availability of all electronically-filed briefs and appendices. Responsive brief deadlines will continue to run from the date of service, which will now coincide with the filed date. The response deadline for a corrected or replaced brief will continue to run from the filed and service date of the original brief, as explained in the Practice Note to Federal Circuit Rule 32.

New Procedure: As of December 1, 2018, when a party files a brief or appendix with the court, the document will immediately appear on the public docket as filed, with a notation of pending compliance review. Upon filing, the document will be reviewed by the Clerk's Office for compliance with the Federal Rules of Appellate Procedure and the Federal Circuit Rules. When the brief or appendix is found to be compliant with the court's rules, the Clerk's Office will modify the docket entry to indicate review is complete.

The Clerk's Office will continue to issue non-compliance notices if the filing is found to be non-compliant with the court's rules, as explained in the [Clerk's Office notice](#) issued July 9, 2018. The Clerk's Office will indicate in its notice of non-compliance if the time to file a brief in response requires adjustment.

Additional Assistance: If you have any questions regarding the new filing process, please call the Clerk's Office at 202-275-8055 to speak with a case manager.