

I. General Information

A. Contacting the Court

The Clerk's Office handles all communications and documents from parties, as parties may not directly contact judges or chambers staff.

Mailing Address: Clerk of Court
U.S. Court of Appeals for the Federal Circuit
717 Madison Place, N.W.
Washington, DC 20439

Telephone: 202-275-8000

The Clerk's Office is in Room 401 of the National Courts Building and is open from 8:30 a.m. to 4:30 p.m. (Eastern Time) on weekdays (excluding federal holidays). Papers may be deposited until midnight on weekdays in the night box at the garage entrance on H Street N.W., between 15th Street and Madison Place.

B. Practice Tips

- Once an appeal has been assigned a Federal Circuit case number, (example: 16-0000) include this number on all correspondence and filings you send to this court and to an opposing counsel/party.
- Keep a copy of all documents you send to this court.
- Your documents can be typed or written, but they must be legible. If the Clerk cannot read the documents you send, they may not be processed.
- If your mailing address changes, promptly inform the Clerk's Office by filing a notice in your case. If you do not, you could miss important notices and papers providing deadlines or decisions in your case. Missing a filing deadline may cause your case to be dismissed.

C. Electronic Case Filing

All documents intended for filing must be provided to the court in paper if you are an unrepresented, or pro se, party. However, you may file electronically if you are a licensed attorney and member of the Federal Circuit bar. Email and fax transmission are not permitted without leave of the court.

Beginning October 2020, the Clerk's Office anticipates making electronic filing available to unrepresented parties using the Federal Circuit's Case Management/Electronic Case Filing (CM/ECF) system.

For additional information, consult the full Guide for Unrepresented Petitioners and Appellants online at <http://www.cafc.uscourts.gov/pro-se>.

II. Overview of A Case in the Federal Circuit

A. Case Number

A case number is assigned when the notice of appeal, petition for review, or original proceeding is received in the Clerk's Office and is deemed compliant with the rules of the court. When the case is docketed, you will receive:

- Notice of Docketing with assigned case number and a listing of important information
- Caption Sheet
- Notice of Unrepresented Person Appearance Form
- Motion and Affidavit for Leave to Proceed In Forma Pauperis Form, only for an appellant/petitioner who has not paid the filing fee
- Informal Brief Form
- Informal Reply Brief Form, if you are an appellant/petitioner
- Statement Concerning Discrimination Form, only for a petitioner in a case from a decision by the MSPB or an arbitrator
- General Information and Overview of a Case in the Federal Circuit Handout

B. Change of Address

It is your responsibility to immediately advise the Clerk's Office of any change in your address, permanent or temporary. You must file an amended Notice of Unrepresented Person Appearance ([Form 8B](#)) should your contact information change.

C. Filing Fee

1. Paying the Fee

When you file a petition for review or notice of appeal from a decision of a board, a commission, an agency, the Patent and Trademark Office, or a vaccine case from the U.S. Court of Federal Claims, the \$500 docketing fee must be made directly to the Federal Circuit.

In appeals from a District Court, the U.S. Court of International Trade, or the U.S. Court of Federal Claims, you must pay a docketing fee of \$505 (\$500 docketing fee and a filing fee of \$5) made directly with those courts and payable to the clerk of that court. The U.S. Court of Appeals for Veterans Claims docketing fee is \$500 and made directly with that court.

The Federal Circuit Clerk's Office cannot refund a fee once it is deposited.

2. Fee Waiver

You may ask that the fee be waived (proceeding in forma pauperis). The motion form to proceed in forma pauperis is included with your case opening materials if you did not already pay the fee. Further discussion on how to file an in forma pauperis motion is included in this Guide. If your motion to proceed in forma pauperis is denied, and you do not pay the fee, your case will be dismissed for lack of prosecution.

If you are a respondent or appellee (i.e., you are responding to the party that filed the petition for review or appeal), you are not required to pay any filing fee.

D. Briefing

Unrepresented parties may choose to file an informal brief or a formal brief, not both.

1. Informal Brief

If you are the petitioner or appellant in a petition for review or appeal from an agency, board, or commission, you must file an informal brief within 21 days after the certified list or index is served. If you are the appellant in an appeal from a court, you must file an informal brief within 21 days after the appeal is docketed. You may attach your decision and referenced record materials to your informal brief as an informal appendix or wait to file an appendix until after you submit your reply brief. The other party may file either an informal response brief within 21 days or a formal response brief within 40 days after service of your informal brief or the certified list, whichever is later. You may choose to file an informal reply brief within 14 days after service of the other party's brief.

If you are a respondent or appellee, you must file an informal response brief within 21 days after service of the appellant or petitioner's opening brief, and you may not file any further briefs.

2. Formal Brief

If you elect to file a formal brief, the brief and appendix must comply with the strict requirements of the Federal Rules of Appellate Procedure (FRAP) and the Federal Circuit Rules (FCR) or the brief and appendix will not be accepted.

If you are the petitioner or appellant in an appeal from an agency, board, or commission, a formal brief is due 60 days after the certified list is served. If you are the appellant in an appeal from a court, the formal brief is due 60 days

after the case is docketed. The other party must file a formal response brief within 40 days after service of your formal brief. You may choose to file a formal reply brief within 21 days after service of the other party's brief.

If you are a respondent or appellee, you must file a formal response brief within 40 days after service of the appellant or petitioner's opening brief, and you may not file any further briefs.

E. Completion of Briefing

The case will be submitted to a panel of three judges after all the briefs and an appendix are filed. You will receive a notice from the Clerk's Office regarding the placement of the case on a calendar.

F. Court's Decision

You will receive notice from the Clerk's Office along with a copy of the court's decision when the judges have decided your case.

G. Additional Resources

1. Federal Circuit Rules and Procedures

- Federal Rules of Appellate Procedure and Federal Circuit Rules
<http://www.cafc.uscourts.gov/rules-of-practice/rules>
- Federal Circuit Internal Operating Procedures
<http://www.cafc.uscourts.gov/rules-of-practice/internal-operating-procedures>

2. Forms

- Federal Circuit Forms
<http://www.cafc.uscourts.gov/rules-of-practice/forms>

3. Additional Resources

- Guide for Pro Se Petitioners and Appellants
<http://www.cafc.uscourts.gov/pro-se>
- Public Access to Court Electronic Records (PACER)
http://www.pacer.gov/reg_pacer.html
- Federal Deposit Library
<https://www.fdlp.gov/about-the-fdlp/federal-depository-libraries>
- Federal Circuit Electronic Filing Procedures and Filing Resources
<http://www.cafc.uscourts.gov/contact/clerks-office/filing-resources>
- Federal Circuit Opinions

<http://www.cafc.uscourts.gov/opinions-orders/search/report.html>

- Federal Circuit Argument Calendar

<http://www.cafc.uscourts.gov/argument/upcoming-oral-arguments>

- Federal Holidays

<https://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/federal-holidays/>