

XII. Oral Argument

After briefing is complete, your case will be assigned to a merits panel. Oral argument is not automatic in every case; the panel may decide to hold oral argument or submit your case on the briefs. If your case is submitted on the briefs, neither party will be able to present argument to the panel, there will be no discussion or presentation of your case in court on the day your case is scheduled to be submitted, and you will not be required to attend the court session. If you would like to request oral argument, you are welcome to file a motion in your case.

If it is determined the panel will hear your case without oral argument, you will be given an opportunity to file a memorandum in lieu of oral argument. The memorandum must be no longer than five pages and may explain any other issues you wish to bring to the court's attention.

Additionally, if your case is scheduled to be submitted on the briefs and you did not previously file a reply brief, you can file a reply brief within 14 days after the notice that the appeal will be submitted on the briefs. FCR 34(a).