

United States Court of Appeals

District of Columbia Circuit
Washington, D.C. 20001-2866

Mark J. Langer
Clerk

General Information
(202) 216-7000

NOTICE TO COUNSEL: SCHEDULING ORAL ARGUMENT

The court has entered an order setting a briefing schedule in a case in which you are counsel of record. Once a briefing order has been entered, the case may be set for oral argument. Typically, the argument date will be a minimum of 45 days after briefing is completed.

You will be notified by separate order of the date and time of oral argument. Once a case has been calendared, the Clerk's Office cannot change the argument date, and the court will not ordinarily reschedule it. Any request to reschedule must be made by motion, which will be presented to a panel of the court for disposition. The court disfavors motions to postpone oral argument and will grant such a motion only upon a showing of "extraordinary cause." See D.C. Cir. Rule 34(g).

If you are the arguing counsel and you know you will be unavailable to appear for oral argument on a date in the future, so advise the Clerk's Office by letter, filed electronically, with a copy to opposing counsel. The notification should be filed as soon as possible and updated if a potential scheduling conflict later arises or if there is any change in availability. To the extent possible, the Clerk's Office will endeavor to schedule oral argument to avoid conflicts that have been brought to the court's attention in advance.

Counsel must notify the Clerk as soon as settlement negotiations begin, when settlement of the case becomes likely, and when settlement is reached. This notice allows for more efficient allocation of judicial resources. Additionally, counsel should promptly notify the Clerk if settlement negotiations are terminated. Notice must be given in an appropriate motion or by letter to the Clerk at the earliest possible moment.