

**Procedures Governing Oral Argument
Before Division III
September 19-23, 2022**

Admission to the Thomas F. Eagleton Courthouse

At the current time, the Thomas F. Eagleton Courthouse is open to the public. Masks are optional in public areas of the Courthouse, such as lobbies and elevators. Visitors must take a temperature check before entry. Visitors should not enter the Courthouse if they have COVID-19 symptoms. Visitors who have been exposed to COVID-19 within the past 10 days should wear a high-quality mask.

Entrance Requirements for Presenting Oral Argument in Division III

Counsel presenting oral argument and any persons assisting counsel are requested to take a rapid antigen COVID-19 self-test within 24 hours before the oral argument session and to notify the clerk of the result before arrival at the courthouse. Negative results may be sent in the form of a statement that counsel or an assisting person has tested negative, and should be directed to the following e-mail address: Testresults@ca8.uscourts.gov. Any person who tests positive may not appear in the courtroom. If any counsel tests positive, then the court will make alternative arrangements for submission of the case. Counsel should call the Clerk's Office as soon as possible at 314-244-2400 and obtain further directions from the Calendar Coordinator.

Presentation of Oral Argument in Division III

In the interests of public health and safety, all counsel, assisting persons, and clerk's office staff will be required to wear face masks while in the court room. Counsel may remove his or her face mask while presenting oral argument. Counsel should remain masked while seated at counsel table. When the argument in your case is completed, please leave the courtroom. The courtroom deputy clerk will clean the counsel tables and podium between arguments and will provide a fresh microphone cover for each attorney presenting argument. The court will not provide water at counsel tables, but you may bring your own water bottle. Wipes and hand sanitizer dispensers are provided at counsel table.

Check-in for Oral Argument for Division III

Counsel should report directly to Division III on the 27th Floor for pre-argument check-in. A deputy clerk will be stationed inside the courtroom to complete your check-in for oral argument. Please be prepared to provide the deputy clerk with information regarding dividing time between opening and rebuttal if you are appellant and your desired time for a warning light if you are appellee. Counsel dividing oral argument time should be prepared to provide this information to the deputy clerk. If you are unfamiliar with the court's timing lights or court room procedures, please contact the clerk's office prior to the date of oral argument for additional information and assistance.

Courtroom Seating in Division III - Limited to Participating Counsel and Court Staff

Only counsel presenting oral argument and no more than one other attendee whose presence is necessary to assist or supervise the oral advocate may enter the courtroom for an argument. Only attorneys presenting oral argument, an assisting person, and court staff will be admitted to the courtroom. Only counsel admitted to the Eighth Circuit bar may sit at counsel table. While awaiting the call of your case, please take a seat in the lawyers' lounges or the seating provided in 27th floor lobby adjacent to the courtroom. You will be called to the courtroom for your case. Counsel scheduled to present the first case of the day should proceed directly to the courtroom and, after check-in, should take their seats at counsel table, and await the call of the docket.

Remote Public and Press Access

Parties, interested members of the public, and the press may access a live audio stream of the arguments through a teleconference bridge. Information on accessing the live audio stream is provided on the court's website at www.ca8.uscourts.gov under "News and Announcements." The court also provides digital audio recordings of all arguments under the "Oral Arguments" tab on its website. These recordings are posted shortly after completion of the day's argument sessions.

Other Matters

These procedures cannot cover every possible situation that might arise during the court session. We ask that you cooperate with any directions you receive from the Court Security Officers or Eighth Circuit staff. If you have any concerns, please feel free to contact the Eighth Circuit Clerk and his staff.