

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT



INTERNAL OPERATING PROCEDURES

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NOTICE

Because the Internal Operating Procedures (IOPs) govern internal court procedures, they are not intended to replace or supplement the Federal Rules of Appellate Procedure or the Federal Circuit Rules, which govern procedures in appeals. Counsel should not cite the IOPs in appeal filings or rely on them to avoid controlling statutes or rules.

DATE: November 14, 2008

SUBJECT: [INTERNAL OPERATING PROCEDURES \(IOPs\) AND DEFINITIONS](#)

1. IOPs.

These “Internal Operating Procedures” (IOPs) cover the essential processes of this court. The court reserves the right to depart from a provision in the IOPs when circumstances require.

2. Definitions.

“Session” - The sitting of a panel to hear a series of calendared cases over a set period of days.

“Court Session” - The period of days in which one or more panels is sitting.

“Presiding Judge” - The senior active judge sitting with a merits panel.

“Lead Judge” - The motions panel member designated to receive and initially consider motions and their disposition.

“Submission” - Occurs immediately after hearing, or on the date a case is submitted on the briefs.

“Issuance” - Occurs when the clerk makes an opinion or order available to the parties, public, and subscribers.

“Disposition Sheets” - Issued by the clerk, as required, to reflect daily and weekly dispositions.

IOP #1

“Motions Panel” - Three judges assigned on a rotating basis to review motions received during a prescribed month.

“Merits Panel” - Three or more judges assigned to consider the briefs, hear oral argument, if any, decide the case, and render an appropriate opinion or opinions. Where appropriate, “merits panel” may be read as including “the court en banc.”

“Quorum” - In determining whether a quorum exists for en banc purposes, more than half of all circuit judges in regular active service, including recused or disqualified judges, must be eligible to participate in the en banc process.

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