

## **FEDERAL CIRCUIT BAR ASSOCIATION AMICUS PARTICIPATION PROCEDURES**

The Federal Circuit Bar Association's ("Association") Amicus Committee ("Committee") has adopted the following procedures to determine the appropriate position for the Association to take with respect to a request for Association participation as an amicus curiae. The Amicus Committee will not ordinarily consider participating as an amicus until a case reaches the appellate level, either in the Court of Appeals for the Federal Circuit, another federal court of appeals, or the Supreme Court.

1. A request, and accompanying material, must be sent at least 30 days prior to the filing deadline in order for the Association to consider and/or write a brief.
2. A party making a request should submit the following materials to the co-chairs electronically:
  - A. A cover letter, which should include:**
    - i.* A brief statement of the case;
    - ii.* The particular issues for which amicus participation is sought;
    - iii.* Why those issues are important to the jurisprudence of the Federal Circuit;
    - iv.* The position of the requesting party on the issues;
    - v.* The names, e-mail addresses, addresses, and telephone numbers of counsel for all parties; and
    - vi.* The date the Association's amicus brief would be due.
  - B. Relevant opinions, briefs, and/or findings and conclusions, keeping in mind:**
    - i.* All materials must be listed in the letter; and
    - ii.* Materials beyond the decision being appealed from should be kept to a minimum.
3. Opposing counsel must be cc'd on the e-mail transmittal of the letter and supporting material. If the party requesting an amicus brief is neutral, all parties to the case must receive notice.
4. The Committee will first decide whether the issues presented warrant amicus curiae participation by the Association, then will recommend to the Board the position, if any, the Association should take. The requester will be promptly notified of the Association's decision.

Your cooperation in following these procedures will help maximize the efficiency and effectiveness of the Association's efforts in considering your request for the Association's participation as an amicus curiae in this matter.