

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

COVID-19 NOTICE
(as of 3/26/20)

In light of the rapidly expanding limitations on social interactions in public spaces due to the spread of COVID-19, the United States Court of Appeals for the Ninth Circuit is making the following adjustments to its operations:

Oral Arguments

Arguments currently scheduled in March, April, and May 2020 are being evaluated one at a time and orders will issue in those cases giving direction to the parties. Panels may exercise their discretion under the rules to submit cases without argument; to postpone argument to a later date; or to hold argument via telephone or video. When argument is held, it will be live streamed to facilitate public access.

Access to the Courthouses

Until further notice, our courthouses are closed to the public during non-court weeks. Attorneys and parties who have access to CM/ECF are strongly encouraged to use it for everything, including new petitions for review and original proceedings. If unrepresented litigants have access to email, they are encouraged to submit their filings, including petitions for review and all other pleadings, as PDF attachments, directly to the Court at this email address: prose_pleadings@ca9.uscourts.gov. We also have a drop box (for petitions for review and original proceedings) in the lobby of the Browning Courthouse at 95 Seventh Street, San Francisco, CA 94103, and the Court continues to receive filings sent via U.S. Mail or commercial delivery services.

Filing Deadlines & Paper Copies

Because the national response to the pandemic has disrupted services of all kinds, the Court will extend non-jurisdictional filing dates as needed. Due dates for notices of appeal, petitions for review, and any document that confers jurisdiction on this Court, are set by statute or rule and are unaffected by this notice. Please follow the instructions in the next section to seek an extension of time to file a brief. The court will issue instructions for seeking extensions of other types of non-jurisdictional deadlines in the coming days.

For any case not yet calendared, please do not submit paper copies of electronically filed briefs or excerpts pending further order of the court.

Extensions of time for filing briefs

- (1) If a party needs an extension of time to file a brief due to circumstances related to the COVID-19 virus, the party must file a notice with the Court.
 - a. The notice should use the CM/ECF document filing type: “Correspondence”
 - b. The notice should state: “NOTICE: The court is notified that due to logistical issues related to the COVID-19 virus, [PARTY] requires a 60-day extension of time to file the [TYPE OF] brief, currently due on [CURRENT BRIEF DUE DATE].”
- (2) The filing of this notice will result in the automatic extension of the briefing schedule by 60 days, unless the court notifies the parties otherwise.
- (3) Any request for an extension to file a brief after this automatic 60-day period must be made by written motion.
- (4) This automatic extension may not be used in the following circumstances:
 - a. Cases that have been previously expedited
 - b. Cases already assigned to panels

Court Hours & Staffing

Because we have limited staff available to answer phone calls, we are also accepting queries sent by email to: questions@ca9.uscourts.gov. We will do our best to prioritize incoming filings and questions, but there might be some delay in responding.

Emergency Applications

A lawyer or litigant who seeks an emergency stay or relief that requires immediate attention should file a request per the instructions set out in the rules, by contacting the court at emergency@ca9.uscourts.gov or (415) 355-8020.

Further Updates

Further updates will be posted on the Court’s website as the situation warrants.