

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

**INSTRUCTIONS for Form 32.
Response to Notice of Case Being Considered for Oral Argument**

Purpose of form: Use Form 32 to advise the court of irreconcilable conflicts that would prevent counsel from appearing on one of the dates under consideration for oral argument. *To request affirmative relief or to request referral to mediation, counsel must file a separate motion.*

Who should file: An attorney or party who receives a Notice of Case Being Considered for Oral Argument and who will be arguing should fill out Form 32 *only* if you have an irreconcilable conflict.

When to file: File this response within ***three business days*** of the notice of consideration. Objections to responses or asserted conflicts are welcome, but please file those within one business day of the response.

How to file: File Form 32 using the electronic document filing type “Response to Case Being Considered for Oral Argument.”

Instructions

Review *all* sitting dates for the next two sitting months for the location stated in the court’s notice, keeping in mind that a single city might have more than one sitting week in a given month: https://www.ca9.uscourts.gov/court_sessions/.

Identify as conflicts only situations you cannot reasonably resolve. For example, you have a family wedding to attend and you are a sole practitioner who does not have someone who can take your place at argument. Potential hearing dates in other cases do not qualify as irreconcilable conflicts.

We solicit input before setting argument dates precisely to minimize the need to remove a case from a calendar after judges have invested time in it.

Late Form 32 submissions will not be entertained.

You will receive notice roughly 10 weeks before the argument date.

Do not file this instruction page

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How to prepare fill-in forms for filing:

- If you have Adobe Acrobat or another tool that lets you save completed forms:
 1. Complete the form.
 2. Print the completed form to your PDF printer (File > Print > select Adobe PDF or another PDF printer listed in the drop-down list).

- If you do not have Adobe Acrobat or another tool that lets you save completed forms:
 1. Complete the form.
 2. Print the completed form to your printer.
 3. Scan the completed form to a PDF file.

Do not file this instruction page