

Procedures Governing Oral Argument in Omaha, Nebraska
November 15-16, 2022

Oral Arguments Will Be Conducted in the Court of Appeals Courtroom

Admission to the Roman L. Hruska Courthouse

At the current time, the Roman L. Hruska Courthouse in Omaha is open to the public. Masks are optional in public areas of the Courthouse, such as lobbies and elevators. 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

Counsel presenting oral argument 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, 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 or the Clerk of Court.

Presentation of Oral Argument

In the interests of public health and safety, everyone in the courtroom will be required to wear face masks while there. Counsel may remove his or her face mask while presenting oral argument (as the judges may during oral argument). Counsel should remain masked while seated at counsel table. Everyone in the courtroom should practice social distancing, to the extent possible. 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

Counsel should report directly to the Court of Appeals Courtroom on the fourth 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. Any time allocated for rebuttal but used by the appellant during the opening argument will not be restored. 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 courtroom procedures, please contact the clerk's office prior to the date of oral argument for additional information and assistance.

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." Please note that the court will not provide a live stream of the Special Session at the University of Nebraska Law School on Thursday. 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. Digital recordings of the Law School session will be provided on Friday, November 18.

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's office staff.