

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT POWELL COURTHOUSE ENTRY AND ORAL ARGUMENT PROTOCOL

- Vaccination or Negative Test: Effective December 1, 2021, all persons entering the Powell Courthouse Complex must either be fully vaccinated against COVID-19 or present proof of a negative COVID-19 test taken no more than 72 hours before entry. Persons are considered fully vaccinated against COVID-19 two weeks after the second dose of a Pfizer, Moderna, or Novavax vaccination series, or after one dose of the Johnson & Johnson vaccine.
- Court Staff: Court staff must submit proof of vaccination in accordance with instructions from their appointing judge or unit head. Staff members who do not submit proof of vaccination may not enter unless they submit proof of a negative COVID-19 test taken no more than 72 hours before entry to their appointing judge or unit head. Any request for reasonable accommodation based on medical condition or religious beliefs must be submitted in writing to the appointing judge or unit head and provide sufficient detail to permit full consideration of the request.
- Attorneys and Visitors: Attorneys and visitors must submit proof of vaccination in accordance with instructions from the clerk's office. Attorneys and visitors who do not submit proof of vaccination may not enter unless they submit proof of a negative COVID-19 test taken no more than 72 hours before entry in accordance with instructions from the clerk's office.
- Deliveries: Items may be delivered to the Complex without presenting proof of vaccination or a negative test. The Clerk's Office Drop Box is located near the Annex Entrance Lobby and is available for delivery of filings between 8:30 a.m. and 5:00 p.m., Monday – Friday. Persons delivering items to the Complex must conduct a temperature and symptom self-screening at the entrance, must wear a mask that covers their nose and mouth, and must maintain six feet of social distance.
- Self-Certification: All persons must conduct a temperature self-screening at the building entrance. By entering the building, all persons certify that:
 - They do not have symptoms of COVID-19: temperature of 100.4 degrees or more, chills, cough, difficulty breathing, unusual fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion, nausea, vomiting, or diarrhea.
 - They are not subject to isolation or quarantine under CDC (Centers for Disease Control and Prevention) guidelines.
- Masking and Social Distancing: All persons, regardless of vaccination status, must wear a mask covering their nose and mouth and practice social distancing by maintaining six feet of distance whenever possible in all public and shared common areas.
 - Courtrooms: All persons shall remain masked in the courtrooms except that counsel

may, at their option, remove their masks while presenting argument at the lectern, and the panel may remove their masks while listening to oral argument and questioning counsel.

- Chambers: Judges will establish the masking and distancing requirements within their chambers.

- Limited Attendance: No more than two people may appear for argument on behalf of each side, including in consolidated civil and criminal cases. Requests for additional attendance by counsel, parties, media, or public should be submitted at least 14 days in advance. The request may be made by filing a motion in the case or by sending an email to pat_connor@ca4.uscourts.gov. The request should be accompanied by a [Certification of Compliance with Argument Protocol form](#).

- Audio Live-stream: To promote social distancing in the courtrooms, a live audio stream of oral arguments will be available from **Listen** links on each page of the argument calendar at [Oral Argument Calendar \(uscourts.gov\)](#). Archived recordings will be available following argument at [Listen to Oral Arguments \(uscourts.gov\)](#).

- Oral Argument Arrival and Departure: To promote social distancing, arrival times will be staggered based on case order. The day before argument, counsel and other attendees should consult the argument calendar at [Oral Argument Calendar \(uscourts.gov\)](#) for case order and associated check-in time. On the day of argument, counsel and other attendees should check in at Room 101 (Library), 1000 East Main Street, at the time indicated on the calendar. Counsel and attendees should depart the Courthouse following argument.

- Motions for Oral Argument by Videoconference: Counsel diagnosed with or exposed to COVID-19 and subject to isolation or quarantine may file a motion for oral argument via videoconference, setting forth good cause and stating whether opposing counsel would appear in person or by videoconference if the motion is granted. If necessary to protect confidential information, counsel may, without further leave of court, file sealed and public versions of the motion for oral argument by videoconference. If the motion is granted, counsel appearing by videoconference must participate in a Zoom test session with court staff in advance of the argument date. See [Remote Argument Information for Counsel](#).

- Notification Regarding Positive Test Result within 5 Days after Argument: Any attorney or visitor who tests positive for COVID-19 within 5 days after his or her presence in the Courthouse Complex must promptly notify the clerk ((804) 916-2764).