

Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

Scott S. Harris
Clerk of the Court
(202) 479-3011

December 10, 2021

Below is information concerning the January and February 2021 oral argument sessions.

1. *COVID testing.* Arguing counsel and co-counsel planning to attend argument are asked to take a PCR COVID test on the morning before argument (including Sunday before a Monday argument). The Court will arrange for testing at a downtown medical facility at Court expense. We expect that results of those tests will be available by 6:00pm on the same day that they are administered.
2. *Remote argument.* An arguing attorney who receives a positive test will not argue in person, but will instead be expected to participate remotely by telephone connection to the Courtroom. While we hope that the chances of this occurring are small, counsel should give some advance consideration to the telephone setup that they would use in the event that it is necessary. Our experience with telephonic arguments has been that use of an iPhone or comparable cellular phone with wired earbuds worked well, so long as the cellular signal was strong in that location. Attorneys who have participated in the Court's telephonic arguments could also choose to use the same setup that was used previously. The best sound quality in those arguments was obtained through a traditional landline (not a "Voice over Internet Protocol" line) with a commercial-grade conference speakerphone that supports full-duplex calling, *i.e.*, a telephone that allows someone speaking to hear clearly when another person on the line is speaking as well. Questioning by telephone would follow the same format as in the Courtroom.
3. *Courtroom procedures.* Assuming that test results are negative, counsel should report to the Lawyers' Lounge by 9:15am on the morning of argument. Counsel can enter through the northwest door (on the ground level to the left of the front steps), and we ask that you not enter before 8:45am. Please note that there will be no access to the Court cafeteria or Library for counsel on the day of argument. At the meeting in the Lawyers' Lounge, we will go over Courtroom procedures and answer any last-minute questions. Counsel in the first case of the day can then move to the Courtroom. If there is a second argument, counsel in that case will remain in the Lawyers' Lounge until the first case breaks, and then will move promptly to the Courtroom for argument. Audio of the argument will be made available in the Lawyers' Lounge. Counsel in the first case will be expected to leave the Courtroom and the building after the first case is finished.
4. *COVID precautions.* The Court asks that attorneys wear masks that cover the nose and mouth at all times within the Court building, except when actively eating or drinking. The Court also asks that attorneys wear an N95 or KN95 mask in the Courtroom, except when presenting argument. N95 or KN95 masks will be provided in the Lawyers' Lounge.