

**Procedures Governing Oral Argument  
Before Division IV  
April 11-15, 2022**

**Admission to the Thomas F. Eagleton Courthouse**

At the current time, the Thomas F. Eagleton Courthouse is open to the public. Masks are not required in the public areas of the Courthouse, such as lobbies and elevators. **Courtroom procedures are set by each panel and the procedures outline here apply to Division IV; different procedures may apply to other divisions.** Additional information concerning the procedures to be followed in public areas of the Eagleton Courthouse can be found at the Eastern District of Missouri's website at [www.moed.uscourts.gov](http://www.moed.uscourts.gov)

Please allow sufficient time to pass through security and reach the your courtroom on the 27<sup>th</sup> Floor. Lines at the security checkpoint may be longer than usual. The court suggests you arrive at least 45 minutes before your scheduled argument time.

**Entrance Requirements for Presenting Oral Argument - Action Required**

Lawyers appearing for in-person oral argument must either be fully vaccinated against COVID-19 or present proof of a negative COVID-19 test taken within 72 hours of the date of the argument. To facilitate the effective administration of this requirement, all vaccinated lawyers must submit written proof of vaccination to the Clerk's office not later than 14 days before the argument date. Counsel relying on the submission of a negative test result must submit written proof of the result to the Clerk's Office not later than 24 hours before the argument date. Counsel may submit these proofs by submitting a PDF of their CDC COVID-19 Vaccination Record Card or a PDF of their negative test result through the CM-ECF event "COVID-19 Certification for Oral Argument." Lawyers may also fax either document to 314-244-2780. These documents will be sealed from public view.

Should your condition change at any time prior to the oral argument, please contact the Clerk's office immediately.

**Elevator Service**

As of March 21, 2022, the elevators are no longer limited to two persons per car. This may change by the time of your oral argument - please follow the directions provided by the courthouse signage.

## **Check-in For Oral Argument**

*Counsel should report directly to the court room on the 27<sup>th</sup> floor for check-in.* A deputy clerk will be stationed inside the court room 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. Counsel splitting 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 court room procedures, please contact the clerk's office prior to the date of oral argument for additional information and assistance.

All Clerk's office staff have been vaccinated and will be masked.

## **Courtroom Seating - Limited to Participating Counsel and Court Staff**

Only attorneys presenting oral argument and court staff will be admitted to the courtroom. There will be no public seating for parties, interested members of the public, or the press. *Only arguing counsel and no more than one other attendee whose presence is necessary to assist or supervise the arguing counsel are permitted to enter the courtroom for an argument.* Only counsel admitted to the Eighth Circuit bar may sit at counsel table.

## **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](http://www.ca8.uscourts.gov). 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.

## **Presentation of Oral Argument**

Masks are not required in Division IV courtroom, and the court will not enforce social distancing. Counsel are free to mask when not arguing and observe social distancing if they wish.

The court will not provide water at counsel tables, but you are permitted to bring your own water bottle.

## **Other Matters**

These procedures cannot cover every possible situation which might arise during the court session. Everyone's safety is our highest priority. 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 and his staff.

Please note that the procedures outlined in this notice may change as a result of changes in community spread of COVID-19, additional guidance from the CDC, or directives from federal, state, and local governments. We will notify you of any changes regarding the procedures for the April, 2022 oral arguments.

March 21, 2022