

UNITED STATES COURT OF APPEALS

District of Columbia Circuit

MARK J. LANGER
Clerk of Court



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NOTICE

EFFECTIVE JULY 2, 2018

SPECIFICATIONS FOR BINDING BRIEFS AND APPENDICES

The Federal Rules of Appellate Procedure require that briefs and appendices be bound in a manner that permits the document to lie reasonably flat when open. In a Notice issued April 4, 2007, parties were “strongly encouraged” to use spiral binding, as opposed to stapling or velo binding, because the spiral method ensures that briefs will lie flat when open. Henceforth, counsel and litigants are on notice that briefs and appendices filed with the court must be properly bound to ensure the document will lie flat when open.

Today the court announces revisions to the Circuit’s Handbook of Practice and Internal Procedures to specify the types of binding that may and may not be used for briefs and appendices filed with the court. The following types of binding ensure that the brief or appendix will lie flat when open: spiral (also known as coil), comb, and wire binding. The following types of binding do *not* permit an appendix to lie flat when open: velo (also known as strip) binding, metal fasteners or posts, and staples. Accordingly, the use of such methods is not acceptable for a brief or an appendix, nor is the use of a three-ring binder.

Effective July 2, 2018, if a brief or an appendix is submitted that does not conform with these requirements, the party will be notified and directed to file a document that is properly bound.

Mark J. Langer, Clerk

Issued: June 11, 2018

Extracts from the Circuit Handbook reflecting the revisions are available on the court’s web site at www.cadc.uscourts.gov under “Events and Announcements” and under “Rules & Procedures.”

Revisions to Circuit Handbook

(New language is marked by underlining in red; deletions are marked by strike-outs.)

IX. BRIEFS AND APPENDIX

A. BRIEFS

(See Fed. R. App. P. 28-32.1; D.C. Cir. Rules 25, 28-32.1)

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6. *Format*

(See Fed. R. App. P. 32(a); D.C. Cir. Rules 28(a), 32.)

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~~The Court prefers spiral binding of briefs, because this method ensures briefs will lie flat when open. See Fed. R. App. P. 32(a)(3). Therefore parties are strongly encouraged to use spiral binding for their briefs.~~ The Federal Rules of Appellate Procedure require that briefs and appendices be bound in a manner that permits the document to lie reasonably flat when open. The following types of binding ensure that the brief will lie flat when open: spiral (also known as coil), comb, and wire binding. The following types of binding do *not* permit a brief to lie flat when open: velo (also known as strip) binding, metal fasteners or posts, and staples. Accordingly, the use of such methods is not acceptable for a brief, nor is the use of a three-ring binder.

If a brief does not conform to the Federal Rules of Appellate Procedure or to the Circuit Rules, the party will be ~~called~~ notified and directed either to file a conforming brief (if the problems are numerous) or an errata to the brief (if the problems are minor). If the brief exceeds the page, line, or word limitations, the party will be directed to submit either a corrected brief or a motion for leave to exceed the limits on length.

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B. APPENDIX

(See Fed. R. App. P. 30; D.C. Cir. Rules 25(c)(5), 30, 32.)

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4. *Format*

(See Fed. R. App. P. 32(b); D.C. Cir. Rule 30(a).)

Unlike the brief, the appendix may be duplicated on both sides of each page. If the appendix is separately produced, it must have a white cover. The Federal Rules of Appellate Procedure require that briefs and appendices be bound in a manner that permits the document to lie reasonably flat when open. The following types of binding ensure that the appendix will lie flat when open: spiral (also known as coil), comb, and wire binding. The following types of binding do *not* permit an appendix to lie flat when open: velo (also known as strip) binding, metal fasteners or posts, and staples. Accordingly, the use of such methods is not acceptable for an appendix, nor is the use of a three-ring binder. If an appendix is submitted that does not conform with these requirements, the party will be notified and directed to file an appendix that is properly bound.

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