

UNITED STATES COURT of APPEALS for the THIRD CIRCUIT
INSTRUCTIONS for ORAL ARGUMENT

Substitution of Counsel

Counsel shall give the Clerk's Office at least **24 hours notice to substitute counsel** arguing before the Court. Substitute counsel must be a [Third Circuit Bar](#) member. An [appearance form](#) must be filed via CM/ECF as soon as possible.

Please advise the court crier or the Clerk's Office of emergency substitutions of counsel made on the morning of oral argument.

Division of Argument Time

Multiple counsel arguing for parties on each side shall inform the Clerk's Office of the following by filing a [division of time form](#):

- The order of argument for each counsel and party.
- The division of time for each counsel and party.

Registration of Counsel Prior to IN-PERSON Oral Argument

- **Before court is in session**, counsel shall register with the court crier in the designated courtroom.
- **After court is in session**, counsel shall register with the Clerk's Office on the 21st floor.

Oral Argument Procedures

At the outset of argument, counsel shall state for the record:

- Name of counsel.
- The parties represented.
- The amount of rebuttal time reserved for Appellants/Petitioners, which is subtracted from counsel's total argument time.

Cross-Appeals

Cross-Appeals are argued together with the initial appeal pursuant to Fed. R. App. P. 34(d). In this Court, the appellant/cross-appellee argues first followed by the appellee/cross-appellant. The appellant/cross-appellee may reserve time for rebuttal. The appellee/cross-appellant is normally not permitted to present rebuttal on the cross appeal.

Argument Timer

- Green light (main argument) is displayed for approximately 80% of counsel's argument time.
- Amber light (summation) is displayed for approximately 20% of counsel's argument time.
- Red light is displayed once argument time has expired.