

**SUPREME COURT OF THE UNITED STATES OFFICE OF THE CLERK  
WASHINGTON, D. C. 20543-0001**

November 13, 2020

**SCOTT S. HARRIS**  
CLERK OF THE COURT

AREA CODE 202  
479-3011

## GUIDANCE CONCERNING CLERK'S OFFICE OPERATIONS

In light of the ongoing COVID-19 pandemic, the Clerk's Office is providing guidance on potential impacts of the virus on operations. This guidance provides updates to a similar document that was issued on April 17, 2020. It will be updated again as new information becomes available.

### Modification to Paper Filing Requirements

On April 15, 2020, the Court [ordered](#) that for any document filed in a case prior to a ruling on a petition for a writ of certiorari or for an extraordinary writ, or prior to a decision to set a direct appeal for argument, a single paper copy of the document may be submitted on 8½ x 11 inch paper. The filer may choose to format the document under the standards set forth in Rule 33.2 (in which case the page limits of Rule 33.2 apply), or under the standards set forth in Rule 33.1 but printed on 8½ x 11 inch paper (in which case the word limits of Rule 33.1 apply). A single copy of cert-stage *amicus* briefs and petitions for rehearing may also be filed on 8½ x 11 inch paper as outlined above. This order does not alter the requirements for filings in original cases, or in other cases after a petition for a writ of certiorari has been granted or a direct appeal has been set for argument.

The Court's order of April 15, 2020, also identifies certain categories of documents that, if filed through the Court's electronic filing system, need not be submitted in paper form at all. Those categories are: (1) motions for an extension of time under Rule 30.4; (2) waivers of the right to respond to a petition under Rule 15.5; (3) blanket consents to the filing of *amicus* briefs under Rules 37.2(a) and 37.3(a); and (4) motions to delay distribution of a cert petition under the Court's

Order of March 19, 2020. These types of filings should be filed electronically in cases governed by Rule 34.6, although other types of documents in those cases should still be filed in paper form only. Filers not authorized to file documents through the Court's electronic filing system should continue to send a single copy of such documents to the Clerk's Office.

The Court's order of April 15, 2020, also encourages parties to reach agreement among each other to serve filings through electronic means only, eliminating the need for paper service.

### Filing Deadlines

On March 19, 2020, the Court extended the deadline to file petitions for writs of certiorari in all cases due on or after the date of that order to 150 days from the date of the lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing. This is the maximum extension allowed by statute and rule, so the Court will not docket extension requests with respect to cert petitions covered by this order.

The Court's order of March 19, 2020, also addresses other types of extension requests in existing cert-stage cases, noting that they will ordinarily be granted by the Clerk's Office where the request is reasonable and based upon difficulties relating to COVID-19. The order also authorizes the filing of motions to delay distribution of a cert petition to allow the petitioner time to file a reply brief; such motions are not contemplated by the Court's Rules because Rules 15.5 and 15.6 provide that distribution and consideration of the petition will not be deferred pending receipt of a reply. Motions to defer distribution of a cert petition in these circumstances may be presented in the form of a letter to the Clerk under Rule 30.4. At this time, the Clerk's Office will not send letters to the parties reflecting the result of such Rule 30.4 extension requests, but the results will be reflected on the public docket for the case in question.

While the Court building is closed to the public in light of COVID-19, this closure does not itself affect filing deadlines under Rule 30.1.

### Case Distribution and Conference Schedules

The Court is continuing to consider cert petitions and other documents at its regularly scheduled conferences, and order lists addressing the results of those conferences are also being issued. The [schedule](#) for the distribution of petitions for conference consideration is also unaffected.

### Delivery of Documents to the Clerk's Office

Filings to be hand-delivered to the Supreme Court Building may be directed to the North Drive on Second Street. Until further notice, all such filings are being directed first offsite for screening before being delivered to the Clerk's Office. In light of health concerns relating to COVID-19, the Court is temporarily suspending its practice of allowing filings delivered to the North Drive in an open container before 2:00 p.m. to be sent to the Clerk's Office on the same day as delivery. It may take up to two days for documents arriving at the North Drive to be physically delivered to the Clerk's Office. Parties are strongly encouraged to send filings by mail or commercial carrier rather than by hand-delivery. In unusual circumstances where especially fast docketing of a particular document is needed, contact the Clerk's Office.

### Clerk's Office Staffing

While the Clerk's Office remains in operation, staffing in the building is substantially reduced in order to protect the health and safety of employees. If you need to speak to someone in the Clerk's Office, please leave a detailed voicemail at 202-479-3011; every effort will be made to return calls and emails promptly.