



# THE COURTS AND COVID 19

## EMERGENCY CLOSURE OF THE 24<sup>TH</sup> JDC AND THE FIFTH CIRCUIT COURT OF APPEAL AND WHAT THIS MEANS TO YOU

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CHIEF JUDGE SUSAN M. CHEHARDY

FIFTH CIRCUIT COURT OF APPEAL

CURTIS PURSELL, CLERK OF THE FIFTH CIRCUIT

# OPERATIONS OF THE FIFTH CIRCUIT

- Supervisory writs
  - Challenges an interlocutory ruling of the lower court that is not final
  - Discretionary jurisdiction
- Appeals
  - Challenges a final judgement of a lower court that dismisses the matter or a litigant
  - Mandatory if within statutory parameters
- Motions or other matters requiring court action
- Extensions of deadlines: orders from the Governor or Supreme Court
- E-Court system
  - E-Notification system, sign-up is available to attorneys and is **FREE**
  - USPS
  - E-Filing System

# FIFTH CIRCUIT E-COURT SYSTEM

1. **eFiling.** The Fifth Circuit encourages all attorneys to register with eCourt and to eFile pleadings. Register at <https://ecourt.fifthcircuit.org/register.aspx>. The fee associated with eFiling is waived during the COVID-19 state of emergency.
2. **Fax Filing.** During the COVID-19 state of emergency, the Fifth Circuit is temporarily accepting fax filings. The fax number is (504) 576-0800. Payment of filing fees with fax filings will be deferred until normal operations resume.
3. **E-Mail Filing.** During the COVID-19 state of emergency, the Fifth Circuit is temporarily accepting filings via e-mail: [clerksoffice@fifthcircuit.org](mailto:clerksoffice@fifthcircuit.org). Payment of filing fees with e-mail filings will be deferred until normal operations resume.
4. **US Mail Filing.** During the COVID-19 state of emergency, the Fifth Circuit is continuing to accept U.S. Mail filings, which are being processed as circumstances allow.
5. **In-Person Filing.** During the COVID-19 state of emergency, the Fifth Circuit is not accepting in-person filings.
6. **Records.** During the COVID-19 state of emergency, the Fifth Circuit is making records and exhibits available electronically that are transmitted via e-mail. The fee associated with obtaining electronic records is waived during the COVID-19 state of emergency.
7. All questions can be directed to the Clerk of Court, Curtis Pursell at (504) 376-1470 or [clerksoffice@fifthcircuit.org](mailto:clerksoffice@fifthcircuit.org).



# ORAL ARGUMENT

In keeping with the concept of social distancing as a way to stop the spread of the COVID 19 virus, the Fifth Circuit Court of Appeal will be conducting oral argument beginning in May 2020 using the Zoom platform. Attorneys who have docketed appeals, and who have properly requested oral argument, will receive a Zoom invite to their current email address from the Clerk of Court for the Fifth Circuit that they should accept. If you do not have Zoom downloaded to your media, you will have to do so to participate in oral argument using this platform. The only option available, and only in the event of the closure order being lifted by the Governor, you may come to the Fifth Circuit, and a room is set up to allow you to argue to the panel of judges to whom your case is assigned using the Zoom platform. The rules for Zoom oral argument are:

# ORDER FOR ZOOM ORAL ARGUMENT

- **IT IS ORDERED** that attorneys participating in oral argument via videoconferencing shall, not less than three days prior to the scheduled date of oral argument, identify all individuals who will attend oral argument via videoconferencing;
- **IT IS FURTHER ORDERED** that any recording of oral argument is strictly prohibited;
- **IT IS FURTHER ORDERED** that the presence of anyone without consent of Court, or any recording of oral argument, shall be punishable by contempt of Court;
- **IT IS FURTHER ORDERED** that all participants and attendees shall be properly attired for oral argument.



# WHERE CAN I ACCESS THIS INFORMATION?



<http://www.fifthcircuit.org>

Clerk's Assistance Line (504) 376-1470

Clerk's email: [clerksoffice@fifthcircuit.org](mailto:clerksoffice@fifthcircuit.org)