

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

July 19, 2021

SCOTT S. HARRIS
CLERK OF THE COURT

AREA CODE 202
479-3011

GUIDANCE CONCERNING CLERK'S OFFICE OPERATIONS

In light of the COVID-19 pandemic, the Supreme Court instituted a number of changes to its ordinary procedures. Those changes were reflected in orders issued on March 19, 2020 and April 15, 2020, and in a Guidance document that was issued by the Clerk's Office on April 17, 2020 and updated on November 13, 2020. By [order](#) dated July 19, 2021, the Court rescinded most of those changes, subject to certain clarifications. This provides a further update to the requirements for documents filed in light of the July 19, 2021 order.

Modification to Paper Filing Requirements

The Court's April 15, 2020 order provided certain formatting flexibilities that have now been rescinded for documents filed on or after September 1, 2021. In particular, the April 15th order provided 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 could be submitted on 8½ x 11 inch paper. The filer was authorized to choose to format the document under the standards set forth in Rule 33.2 (in which case the page limits of Rule 33.2 applied), 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 applied). A single copy of cert-stage *amicus* briefs and petitions for rehearing could also be filed on 8½ x 11 inch paper. This order did not affect the requirements for filings in original cases, or in other cases after a petition for a writ of certiorari had been granted or a direct appeal had been set for argument.

The Court's order of July 19, 2021 rescinded these modifications to the Court's rules, effective September 1, 2021. As a result, covered documents filed prior to

September 1, 2021 may be filed as set forth in the April 15, 2020 order, but documents filed on or after September 1, 2021 must be filed as provided by Rule 33.

The Court's order of July 19, 2021, also provides that certain categories of documents, 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; and (3) blanket consents to the filing of amicus briefs under Rules 37.2(a) and 37.3(a). 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 these types of filings to the Clerk's Office in paper form.

Filing Deadlines

The Court's March 19, 2020 order extended the deadline to file petitions for writs of certiorari in all cases to 150 days from the date of the lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing. The Court's July 19, 2021 order rescinds that extension in any case in which the relevant lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing was issued on or after July 19, 2021; for those cases, the deadline to file a petition for a writ of certiorari is as provided by Rule 13. For cases in which the relevant lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing was issued before July 19, 2021, the deadline remains extended to 150 days from that judgment or order.

The Court's March 19, 2020 order also provided that, notwithstanding Rules 15.5 and 15.6, the Clerk would entertain motions to delay distribution of a petition for writ of certiorari. This provision has been rescinded effective July 19, 2021. Accordingly, the Clerk will no longer entertain any such motion filed on or after July 19, 2021.

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 remains 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 promptly.