

5.2.11 | EXHIBITS

Counsel wishing to use physical exhibits at argument should make prior arrangements in writing with the clerk. Exhibits must be part of the lower court record to be used during argument. The court may request the exhibits be distributed as copies rather than enlarged for presentation in open court. Prior motion and leave of court are required to use physical or electronic exhibits at argument. The motion must indicate whether opposing counsel has any objection.

Advance arrangements must be made with the clerk's office if counsel wishes to place any physical exhibits in the courtroom. Such arrangements are best made after receipt of notice of oral argument. Loc. R. 11(c). Counsel should make arrangements to have exhibits placed in the courtroom before court convenes on the date of argument. After argument, counsel shall cause the exhibits to be removed from the courtroom unless the court otherwise directs. Fed. R. App. P. 34(g).

(4th Circuit Court of Appeals // December 2023)

