

IOP 6.11 | EN BANC CONFERENCE

If there is a vote approving en banc consideration, the chief judge shall schedule the case for en banc conference. All matters properly presented for final disposition at an en banc conference, including a vote on jurisdiction and on the merits, shall be resolved by majority vote of judges participating in the en banc. Any judge recused on the issue of en banc consideration is also recused on the merits. Conference shall proceed with the following:

- (1) an opportunity for presentation by the judge requesting en banc consideration or another judge deemed appropriate;
- (2) an opportunity for presentation in opposition by an appropriate judge designated by the chief judge;
- (3) opportunity for discussion, in order of seniority, by all participating judges; and
- (4) vote on the merits in order of seniority. Absence from the en banc conference shall not thereafter preclude participation in disposition of the case.

A judge who will be absent from the en banc conference may notify the chief judge, the clerk, and the director of central staff that another named judge is authorized to cast a vote or votes on behalf of the absent judge at the en banc conference.

