

IOP 47 | LOCAL RULES BY COURTS OF APPEALS

1. Physical Facilities. The headquarters of the United States Court of Appeals for the Eleventh Circuit is located at 56 Forsyth Street, N.W., Atlanta, Georgia 30303, in the Elbert P. Tuttle U.S. Court of Appeals Building. The courthouse contains three courtrooms, chambers for judges, the Kinnard Mediation Center, and the library. The John C. Godbold Federal Building, which contains the circuit executive's office, the clerk's office, and the office of the staff attorneys, is located at 96 Poplar Street, N.W., Atlanta, Georgia 30303, and is directly behind the Elbert P. Tuttle U.S. Court of Appeals Building.

2. Judges. The Eleventh Circuit has 12 authorized active judges. Each active judge's office, maintained in the place of residence, is authorized three law clerks and two secretaries or four law clerks and one secretary. The chief judge is authorized one additional law clerk or secretary. Several senior judges maintain offices and staffs commensurate with the judicial work they choose to do, and sit on oral argument panels several times during the year. Senior judges do not normally participate in the administrative work of the court, although they are authorized by law to do so.

3. Circuit Executive. The circuit executive is the chief administrative officer of the court. The circuit executive's office contains staff assistants and secretaries. See 28 U.S.C. §332.

4. Office of Staff Attorneys. The office is comprised of a senior staff attorney, staff attorneys, and supporting clerical personnel. This office assists the court in legal research, analysis of appellate records, and studies of particular legal problems. It also assists in handling pro se prisoner matters. In many cases the office prepares memoranda to assist the judges.

5. Library. The library is staffed by the circuit librarian and assistant librarians. Library hours are from 8:30 a.m. to 4:30 p.m., Monday through Friday.



All persons admitted to practice before the court are authorized to use the library. Under regulations approved by the court, others may use the library by special permission only. Books and materials may not be removed from the library without permission of the librarian.

6. Judicial Conference. Pursuant to 28 U.S.C. §333 there is held biennially, and may be held annually, at such time and place as designated by the chief judge of the court, a conference of all circuit, district and bankruptcy judges of the circuit for the purpose of considering the business of the courts and advising means of improving the administration of justice within the circuit. See Addendum One to the circuit rules.

7. Judicial Council. The judicial council established by 28 U.S.C. §332 is composed of nineteen members: one active judge from each of the nine district courts, nine active circuit judges, and the circuit chief judge. The judicial council meets on call of the chief judge approximately three times a year to consider and to make orders for the effective and expeditious administration of the courts within the circuit. The council is responsible for considering complaints against judges.

8. Fifth Circuit Court of Appeals Reorganization Act of 1980 (P.L. 96-452, October 4, 1980). Section 9 of the Fifth Circuit Court of Appeals Reorganization Act of 1980 determines appellate case processing after October 1, 1981, in terms of the "submitted for decision" date of each appeal.

The date an appeal assigned to the oral argument calendar is submitted for decision, is the date on which the initial argument of the appeal is heard. The date an appeal decided on the summary or non-argument calendar is submitted for decision, is the date on which the last panel judge concurs in summary or nonargument calendar disposition.



9. Recusal or Disqualification of Judges.

a. Grounds - A judge may recuse himself or herself under any circumstances considered sufficient to require such action. A judge is disqualified under circumstances set forth in 28 U.S.C. §455 or in accordance with Canon 3C, Code of Conduct for United States Judges as approved by the Judicial Conference of the United States, April 1973, as amended.

b. Administrative Motions Procedure -

(1) single judge matter - If a judge who is the initiating judge recuses himself or herself from considering or is disqualified to consider an administrative motion, the file is returned to the clerk who then sends it to the next initiating judge listed on the administrative routing log.

(2) panel matter - If a judge who is the initiating judge recuses himself or herself from considering or is disqualified to consider an administrative motion, the file is returned to the clerk for submission to the next available panel on the appropriate log.

c. Non-Argument Calendar Appeals - The same procedure is followed as in paragraph (b) (2) above.

d. Oral Argument Calendar Appeals - Prior to issuance of the court calendar, each judge on the panel is furnished with a copy for each appeal of the Certificate of Interested Persons and Corporate Disclosure Statement described in FRAP 26.1 and the accompanying circuit rules, for each judge's advance study to determine if the judge should recuse himself or herself or is disqualified in any of the appeals.

10. Complaints Against Judges. This court's rule for the conduct of complaint proceedings under 28 U.S.C. §§351-364 is outlined in Addendum Three.



11. Pro Se Applications. The clerk's office processes and answers prisoner and other pro se correspondence with the assistance of the staff attorneys' office. When a pro se petition is in the proper form for docketing and processing, it is routed to the staff attorneys' office. This office prepares legal memoranda for the court on such interlocutory matters as applications for leave to appeal in forma pauperis, certificates of appealability, and appointment of counsel, and on other pro se matters.

12. Statistics. The clerk periodically prepares statistical reports for the court and for the Administrative Office of the United States Courts. These reports are used to manage the internal affairs of the court and to provide information for purposes of determining personnel and equipment needs, the number of oral argument sessions to be scheduled, the workload of the judges and staff, and other management concerns. The reports are distributed to the judges and the circuit executive, and are discussed at judicial council meetings.

