

**UNITED STATES COURT of APPEALS for the THIRD CIRCUIT / REQUIREMENTS for BRIEFS**

**CONTENT of BRIEFS**

**FORM of BRIEFS**

**ELECTRONIC BRIEFS**

**CORPORATE DISCLOSURE STATEMENT**

See F.R.A.P. 26.1(b)

**TABLES**

1. Table of Contents
2. Table of Citations (**See 3<sup>rd</sup> Cir. L.A.R. 28.3**)

**STATEMENTS & SUMMARIES**

1. \*Subject Matter & Appellate Jurisdiction
2. \*Issues
3. \*Related Cases and Proceedings
4. \*Concise Statement of the Case setting out the following:
  - a. Relevant facts
  - b. Procedural history
  - c. Rulings presented for review
5. Summary of Argument

\*Optional in Appellee/Respondent brief unless dissatisfied with statements of Appellant/Petitioner

**ARGUMENT**

1. Argument with each issue prefaced by its Standard or Scope of Review (**See 3<sup>rd</sup> Cir. L.A.R. 28.1(b)**)
2. Conclusion
3. Signatures of Counsel of Record. **An attorney from each listed office must file an Entry of Appearance.**

**COMBINED CERTIFICATIONS**

1. Bar Membership
2. Word Count
3. Service
4. Identical Compliance of Briefs
5. Virus check

**ATTACHMENTS to BRIEFS**

1. Volume I of Appendix to Appellant/ Petitioner Brief to include:
  - a. Notice of Appeal or Petition for Review
  - b. Order being appealed
  - c. Opinion under review
  - d. Order granting Certificate of Appealability where applicable
2. Statutes, Rules, Regulations or Unpublished Opinions if not readily available

**COVER**

1. Color of Front & Back Covers – **NLRB cases should follow 1<sup>st</sup>, 2<sup>nd</sup> and 4<sup>th</sup> Steps.**
  - a. Appellant/Petitioner or 1<sup>st</sup> Step – **Blue**
  - b. Appellee/Respondent or 2<sup>nd</sup> Step – **Red**
  - c. 3<sup>rd</sup> Step – **Yellow** (Cross-Appeals)
  - d. Appellant/Petitioner Reply or 4<sup>th</sup> Step – **Gray**
  - e. Amicus/Intervenor – **Green**
  - f. Supplemental – **Tan**
2. Content of Front Cover
  - a. Name of Court
  - b. Appellate Docket Number(s)
  - c. Official Court Caption
  - d. Nature of Proceeding
  - e. Title of Document
  - f. Name(s) & Address(s) of Counsel of Record.

**BODY/TEXT of BRIEF**

1. 8 ½ “ x 11” opaque paper with clear black image with 1” margins
2. Double spaced text (quotations over 2 lines may be indented and single spaced; headings and footnotes may be single spaced)
3. Only one side of the paper may be used. (**See F.R.A.P. 32(a)(1)(A)**)
4. †Length: **a.** Principal & Intervenor briefs – 30 pages / 13,000 words / 1,300 \*lines, **b.** Reply & Amicus briefs – 15 pages / 6,500 words / 650 \*lines, **c.** 2<sup>nd</sup> Step Cross-Appeal Brief – 35 pages / 15,300 words / 1,500 \*lines
5. Font: **a.** Proportional (14 pt. with serifs), **b.** Monospaced (10 ½ cpi)

†A certification of word or line count must be included when a brief exceeds the required 30, 35 or 15 page limit. Tables, certifications and addenda do not count toward the word or line limitation.

\*Monospaced text

**BINDING**

Firmly bound at the left margin. Metal fasteners must be covered. Velo or spiral binding acceptable.

**REQUIREMENTS**

1. The brief must be in a PDF text format. (**See 3<sup>rd</sup> Cir. L.A.R. 113.3(b)**).
2. The brief must contain an electronic signature or **s/ first name last name**.
3. Seven (7) hard copies of the brief must be delivered to the Clerk’s Office within 5 days of the electronic filing. **See Order. N.B. Only one (1) hard copy is required for Proof and Redacted briefs.**
4. Simultaneous service to counsel of record is required.
5. The PDF file and hard copies of the brief must include a certification verifying that the text of the electronic brief and hard copies are identical.
6. The PDF file and hard copies of the brief must include a certification that a virus check was performed indicating the vendor and version information of the virus software.
7. A Notice of Docketing Activity (NDA) will be issued upon the filing of the electronic brief and the receipt of the hard copies.

See F.R.A.P. 25, 28 and 32 and 3<sup>rd</sup> Cir. L.A.R. 25, 28, 32 and Misc. 113 for the full text of rules and requirements accessible under [Rules & Procedures](#) from the Third Circuit website.

**Rules regarding redaction:**

- [Fed. R. App. P. 25\(a\)\(5\)](#)
- [Fed. R. Civ. P. 5.2](#)
- [Fed. R. Crim. P. 49.1](#)
- [Fed. R. Bankr. P. 9037](#)

**3<sup>rd</sup> Circuit Home Page**

[www.ca3.uscourts.gov](http://www.ca3.uscourts.gov)

**CM/ECF Website**

<http://www.ca3.uscourts.gov/cmecf-case-managementelectronic-case-files>