

United States Court of Appeals for the Third Circuit

*18 Judges; Appointed for Life
Composed of: Delaware, New Jersey,
Pennsylvania and the Virgin Islands*

The Circuit Courts have their name because early in the nation's history, the judges of the first courts of appeals visited each of the courts in one region in a particular sequence, traveling by horseback and riding "circuit." These courts of appeals review matters from the district courts of their geographical regions in the U.S. and from certain federal administrative agencies. A disappointed party in a district court usually has the right to have the case reviewed in the court of appeals for the circuit.

The judges who sit on the courts of appeals are appointed for life by the President with the advice and consent of the Senate. The judge who has served on the court the longest and who is under 65 years of age is designated as the chief judge, and performs administrative duties in addition to hearing cases. The chief judge serves for a maximum term of seven years.

United States Court of Appeals for the Third Circuit

U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1790
(215) 597-2995
www.ca3.uscourts.gov

United States Court of Appeals for the Third Circuit Clerk

21400 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1790
(215) 597-2995
www.ca3.uscourts.gov

Patricia S. Dodszuweit
(267) 299-4903

United States Court of Appeals for the Third Circuit Clerk

21400 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106
(215) 597-2995
www.ca3.uscourts.gov

Marcia M. Waldron

United States Court of Appeals for the Third Circuit Staff Attorney

4416 William J. Green Federal Building
601 Arch Street
Philadelphia, PA 19106
(215) 597-2378

Jeanne (Nan) Donnelly

United States Court of Appeals Miscellaneous Fee Schedule

(Issued in accordance with 28 U.S.C. §1913)

The fees included in the Court of Appeals Miscellaneous Fee Schedule are to be charged for services provided by the courts of appeals.

- The United States should not be charged fees under this schedule, except as prescribed in Items 2, 4, and 5 when the information requested is available through remote electronic access.
- Federal agencies or programs that are funded from judiciary appropriations (agencies, organizations, and individuals providing services authorized by the Criminal Justice Act, 18 U.S.C. § 3006A, and bankruptcy administrators) should not be charged any fees under this schedule.

(1) For docketing a case on appeal or review, or docketing any other proceeding, \$500.

- Each party filing a notice of appeal pays a separate fee to the district court, but parties filing a joint notice of appeal pay only one fee.
- There is no docketing fee for an application for an interlocutory appeal under 28 U.S.C. § 1292(b) or other petition for permission to appeal under Fed. R. App. P. 5, unless the appeal is allowed.

- There is no docketing fee for a direct bankruptcy appeal or a direct bankruptcy cross appeal, when the fee has been collected by the bankruptcy court in accordance with item 14 of the Bankruptcy Court Miscellaneous Fee Schedule.

- This fee is collected in addition to the statutory fee of \$5 that is collected under 28 U.S.C. § 1917.

(2) For conducting a search of the court of appeals records, \$30 per name or item searched. This fee applies to services rendered on behalf of the United States if the information requested is available through remote electronic access.

(3) For certification of any document, \$11.

(4) For reproducing any document, \$.50 per page. This fee applies to services rendered on behalf of the United States if the document requested is available through remote electronic access.

(5) For reproducing recordings of proceedings, regardless of the medium, \$30, including the cost of materials. This fee applies to services rendered on behalf of the United States if the recording is available through remote electronic access.

(6) For reproducing the record in any appeal in which the court of appeals does not require an appendix pursuant to Fed. R. App. P. 30(f), \$83.

(7) For retrieval of one box of records from a Federal Records Center, National Archives, or other storage location removed from the place of business of the court, \$64. For retrievals involving multiple boxes, \$39 for each additional box.

(8) For any payment returned or denied for insufficient funds, \$53.

(9) For copies of opinions, a fee commensurate with the cost of printing, as fixed by each court.

(10) For copies of the local rules of court, a fee commensurate with the cost of distributing the copies. The court may also distribute copies of the local rules without charge.

(11) For filing:

- Any separate or joint notice of appeal or application for appeal from the Bankruptcy Appellate Panel, \$5
- A notice of the allowance of an appeal from the Bankruptcy Appellate Panel, \$5.

(12) For counsel's requested use of the court's videoconferencing equipment in connection with each oral argument, the court may charge and collect a fee of \$200 per remote location.

(13) For original admission of attorney to practice, including a certificate of admission, \$176. For a duplicate certificate of admission or certificate of good standing, \$18.

THIRD CIRCUIT COURT OF APPEALS

MISCELLANEOUS FEE SCHEDULE 28 U.S.C. §1913

Argument Audio Recording \$30.00	Duplicate Certificate of Admission \$18.00
Record Reproduction \$83.00	Certificate of Good Standing \$18.00
FRC Record Retrieval (First Box) \$64.00	Original Proceeding/ Petition for Review (Paid in the Court of Appeals) \$500.00
FRC Record Retrieval (Each Additional Box) \$39.00	Notice of Appeal including Filing Fee (Paid in the District Court) \$505.00
FRC SmartScan*	
Record Retrieval \$19.90	Record Search \$30.00
FRC SmartScan Scanning Fee \$.65 per page	Certification \$11.00

Payment Returned Fee \$53.00 Clerk's Copy Fee if Document is Available Electronically \$.10 per page

Attorney Admission \$216.00 Clerk's Copy Fee if Document is Not Available Electronically** \$.50 per page

* SmartScan is a service through the FRC for digitizing a document in PDF format which can be emailed to the requestor. Certain limitations apply. See separate notice regarding SmartScan.

**This fee applies to services rendered on behalf of the United States if the document requested is available electronically.

Thomas L. Ambro
U.S. Court of Appeals Judge
United States Court of Appeals for the Third Circuit
5300 Federal Building
844 North King Street, Unit 32
Wilmington, DE 19801-3575
(302) 573-6500
(302) 573-6512
judge_thomas_ambro@ca3.uscourts.gov
www.ca3.uscourts.gov

Appointed
Term Ends: Lifetime

Judicial Staff
Linda J. Vodovis, Judicial Assistant (302) 573-6500

Stephanos Bibas
U.S. Court of Appeals Judge
United States Court of Appeals for the Third Circuit
21400 U.S. Courthouse
601 Market St.
Philadelphia, PA 19106
(215) 597-2995

Michael A. Chagares
U.S. Court of Appeals Judge
United States Court of Appeals for the Third Circuit
357 U.S. Post Office & Courthouse
Federal Square and Walnut Street
Newark, NJ 07101
(973) 368-6486

Cindy K. Chung
U.S. Court of Appeals Judge
United States Court of Appeals for the Third Circuit
Joseph F. Weis Jr. U.S. Courthouse
700 Grant Street
Pittsburgh, PA 15219
(412) 395-0320

Robert E. Cowen
U.S. Court of Appeals Senior Judge
United States Court of Appeals for the Third Circuit
Clarkson S. Fisher Judicial Complex
402 East State Street, Room 207
Trenton, NJ 08608
(609) 989-2188
(609) 989-2195
www.ca3.uscourts.gov

Appointed
Term Ends: Lifetime

Judicial Staff
Michael Dezlin, Law Clerk
Erin McCampbell, Law Clerk
Deborah A Jablonski,
Judicial Assistant (609) 989-2188

Educational Background
Drake University, BS, 1952
Rutgers University, LLB, 1958

Employment History
United States District Court for the District of New Jersey, District Judge, 1985-1987
United States District Court for the District of New Jersey, Magistrate Judge, 1978-1985
State of New Jersey, Deputy Attorney General, Organized Crime and Special Prosecutions Section, 1970-1973
Essex County, Assistant Prosecutor, 1969-1970
Private Practice, 1961-1969
Schreiber, Lancaster & Demos, Associate, 1959-1961
Honorable Walkter Conklin, New Jersey Superior Court, Law Clerk, 1958-1959

Professional Memberships
American Bar Association, Fellow; Federal Judges' Association; National Association of Bar Counsel; New Jersey State Bar Association

D. Michael Fisher
Senior U.S. Court of Appeals Judge
United States Court of Appeals for the Third Circuit
Suite 5360 U.S. Courthouse
700 Grant Street
Pittsburgh, PA 15219-1906
(412) 208-7320
(412) 208-7327

Political Party: Republican
Appointed
First Appointed: 2003
Term Ends: Lifetime

Judicial Staff

Kelly Lamantia, Judicial Assistant

Educational Background

Georgetown University, 1966
Georgetown University Law Center, 1969

Employment History

Commonwealth of Pennsylvania, Attorney General, 1997-2003
Pennsylvania Senate, Member, 1980-1996
Houston Harbaugh, Shareholder, 1984-1997
Pennsylvania House of Representatives, Member, 1974-1980
Private Practice, Attorney, 1970-1984
Allegheny County, Assistant District Attorney, 1970-1974

Professional Memberships

PA Bar Association; Federal Judges Association; Allegheny County Bar Association; Federal Bar Association

Associations and Activities

University of Pittsburgh, Emeritus Trustee; University of Pittsburgh School of Law, Adjunct Professor; Senator John Heinz History Center, Board Member

Special Rules on Decorum

Do you have any special rules governing courtroom decorum (e.g., addressing the court, dealing with opposing counsel and witnesses, proper attire, etc?)

When I try a case for the District Court, we adopt the proceedings of the judge initially assigned.

Motion Practice:

Describe motions practice in your court. Are there any local practices that attorneys should be aware of?

When I try a case, for the District Court, I adopt the procedures of the judge initially assigned.

Arianna Freeman

U.S. Court of Appeals Judge

United States Court of Appeals for the Third Circuit

18716 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106
(267) 299-4010
www.ca3.uscourts.gov

Julio M. Fuentes

U.S. Court of Appeals Senior Judge

United States Court of Appeals for the Third Circuit

Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street, Suite 5032
Newark, NJ 07102
(973) 645-3831
www.ca3.uscourts.gov

Appointed

First Appointed: 2000

Term Ends: Lifetime

Educational Background

Southern Illinois University, B.A., 1971
New York University, M.A., 1972
Rutgers University, M.A., 1993
S.U.N.Y. at Buffalo, J.D., 1975

Employment History

New Jersey Superior Court, Judge, 1987-2000
Newark Municipal Court, NJ, Judge, 1979-1987
Private Practice, 1975-1981

Joseph A. Greenaway Jr.

United States Court of Appeals for the Third Circuit

US Post Office and Courthouse
Federal Square and Walnut Street, Room 411
Newark, NJ 07101-0999
(973) 622-4828

Appointed

First Appointed: 1996, 2010

Educational Background

Columbia, BA, 1978
Harvard, JD, 1981

Employment History

Kramer, Levin, Nessen, Kamin and Frankel, Associate US District Court for the Southern District of NY, Clerk United States Attorney's Office for District of NJ, Chief of the Narcotics Bureau
Johnson & Johnson, In-House Counsel

Professional Memberships

Columbia University Board of Trustees; Chair Emeritus of the Columbia College Black Alumni Council; American, National, and Garden State Bar Associations; Adjunct Professor at Cardozo School of Law

Associations and Activities

Columbia University Medal of Excellence; Garden State Bar Association's Distinguished Jurist Award; Columbia College's John Jay Award; Thurgood Marshall College Fund Award of Excellence; Roger M. Yancey Award; Scales of Justice Award of Excellence from the Caribbean Bar Association of NJ; Leaders and Legends Award from the YMWCA of Newark; Trailblazer Award; NJ Corporate Counsel Association's Distinguished Service Award; Federal Bar Association; William J. Brennan Award

Thomas M. Hardiman

U.S. Court of Appeals Judge

United States Court of Appeals for the Third Circuit

Suite 2270, U.S. Courthouse
700 Grant Street
Pittsburgh, PA 15219
(412) 208-7440
(412) 208-7447
www.ca3.uscourts.gov

Appointed

Judicial Staff

Ryan McCartney, Law Clerk
 Jason Marsi, Law Clerk
 Kevin Barber, Law Clerk
 Kay Wilkinson, Secretary
 Alexander Kaitikos, Law Clerk

Educational Background

University of Notre Dame, B.A., 1987
 Georgetown School of Law, J.D., 1990

Employment History

Reed Smith, Partner
 Titus & McConomy, Partner
 Cindrich & Titus, Associate
 Skadden, Arps, Slate, Meagher & Flom LLP, Associate

Professional Memberships

Federal Judges Association; Inns of Court; Academy of Trial Lawyers; American Judicature Society

Associations and Activities

Big Brothers Big Sisters of Greater Pittsburgh

Kent A. Jordan

U.S. Court of Appeals Judge

United States Court of Appeals for the Third Circuit

6325 Federal Building
 844 North King Street, Unit 10
 Wilmington, DE 19801-3566
 (302) 573-6001
 www.ca3.uscourts.gov

Cheryl Ann Krause

U.S. Court of Appeals Judge

United States Court of Appeals for the Third Circuit

19613 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106
 (267) 232-0202
 www.ca3.uscourts.gov

Appointed

First Appointed: 2014

Term Ends: Lifetime

Educational Background

University of Pennsylvania, B.A., 1989
 Stanford Law School, J.D., 1993

Paul B. Matey

U.S. Court of Appeals Judge

United States Court of Appeals for the Third Circuit

Federal Building and U.S. Courthouse
 50 Walnut Street Room 5057
 Newark, NJ 07102
 (973) 645-2133

Theodore A. McKee

U.S. Court of Appeals Chief Judge

United States Court of Appeals for the Third Circuit

20614 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106
 (215) 597-9601
 (215) 597-0104
 www.ca3.uscourts.gov

Appointed

First Appointed: 1994

Term Ends: Lifetime

Judicial Staff

James Robinson, Career Law Clerk
 Yvette Childs, Judicial Assistant

Educational Background

State University of New York at Cortland, BA, 1969
 Syracuse University, JD, 1975

Employment History

Court of Common Pleas, First Judicial District, Judge, 1984-1994
 Philadelphia Parking Authority, General Counsel, 1983
 Rutgers Law School, Lecturer, 1980-1991
 City of Philadelphia, Deputy City Solicitor, 1980-1983
 Eastern District of Pennsylvania, Assistant U.S. Attorney, 1977-1980
 Wolf, Block, Schorr & Solis-Cohen, Associate, 1975-1977

Professional Memberships

American Bar Association; Barristers' Association of Philadelphia; National Bar Association; Temple Inn of Court; Philadelphia Bar Association

Tamika R. Montgomery-Reeves

U.S. Court of Appeals Senior Judge

United States Court of Appeals for the Third Circuit

5323 Federal Building
 844 N. King Street Unit 34
 Wilmington, DE 19801
 (302) 416-9610

Richard L. Nygaard

U.S. Court of Appeals Senior Judge

United States Court of Appeals for the Third Circuit

Erie Courthouse Complex
 17 South Park Row, Room B230
 Erie, PA 16501
 (814) 464-9640
 (814) 464-9647
 www.ca3.uscourts.gov

Political Party: Independent

Appointed

First Appointed: 1988

Term Ends: Lifetime

Judicial Staff

John B. Heasley, Esq., Clerk
 Scott Stroupe, Esq., Clerk
 Judy M. Poullet, Judicial Assistant

Educational Background

University of Southern California, B.S., 1969
 University of Michigan, J.D., 1971

Employment History

Court of Common Pleas Sixth District of PA, Judge,
 1981-1988
 Orton, Nygaard & Dunleavy, Associate, 1972-1980
 US Naval Reserve, 1958-1964
 Los Angeles CO. Fire Department, 1963-1969

Professional Memberships

Erie County Bar Association; Pennsylvania Bar Association

Associations and Activities

NAACP, Life Member

Peter J. Phipps

U.S. Court of Appeals Judge

United States Court of Appeals for the Third Circuit

Joseph F. Weis Jr. U.S. Courthouse
 700 Grant Street, Room 5380
 Pittsburgh, PA 15219
 (413) 995-2580

David J. Porter

Senior U.S. Court of Appeals Judge

United States Court of Appeals for the Third Circuit

Joseph F. Weis Jr. U.S. Courthouse
 700 Grant Street, Room 5200
 Pittsburgh, PA 15219
 (412) 208-7590

Marjorie O. Rendell

U.S. Court of Appeals Senior Judge

United States Court of Appeals for the Third Circuit

21613 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106-1598
 (215) 597-3015
 (215) 580-2393
 chambers_of_judge_marjorie_rendell@ca3.uscourts.gov

Appointed

First Appointed: 1997

Term Ends: Lifetime

Judicial Staff

Jo Ann Van Heest, Judicial Secretary

Educational Background

University of Pennsylvania, B.A., 1969
 Villanova University School of Law, J.D., 1973

Employment History

U.S. District Court, Eastern District of Pennsylvania,
 Judge, 1994-1997
 Duane, Morris & Heckscher, Associate and Partner,
 1973-1994

Professional Memberships

Member, Third Circuit Judicial Council Executive Committee; Member, American Bankruptcy Institute; Elected Member, The American Law Institute; Member, National Association of Women Judges; Inaugural Member and Master, Villanova University School of Law J. Willard O'Brien Inn of Court; Member, Judicial Panel on Multidistrict Litigation; Member, American Judicature Society; Member, Federal Judges Association; Fellow, American College of Bankruptcy

Associations and Activities

Member, Board of Overseers, University of Pennsylvania School of Nursing; Rendell Center for Citizenship & Civics; Founding Member, Trustees Council of Penn Women; Executive Committee/Director, Kimmel Center for the Performing Arts

L. Felipe Restrepo

Circuit Judge

United States Court of Appeals for the Third Circuit

18716 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106
 (215) 597-0459
 www.ca3.uscourts.gov

Judicial Staff

Maryellen Fox, Paralegal (267) 299-4003

Jane R. Roth

U.S. Court of Appeals Senior Judge

United States Court of Appeals for the Third Circuit

18316 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106
 (215) 597-7803
 (267) 299-5109
 www.ca3.uscourts.gov

Appointed

First Appointed: 1991

Term Ends: Lifetime

Judicial Staff

Dana Moore, Judicial Assistant (267) 299-4052

Educational Background

Smith College, BA, 1956
 Harvard University, LL.B cum laude, 1965

Employment History

Richard, Layton & Finger (Wilmington DE), Partner, 1973-1985
 Richard, Layton & Finger (Wilmington DE), Associate, 1965-1973

Professional Memberships

American Bar Association

Suggestions to Lawyers

Any suggestions, admonitions or recommendations you would make to lawyers appearing before you?

On Briefs:

"The brief is extremely important. That is particularly true before the Third Circuit because we don't hear oral

argument in every case that is appealed, and it's important that the briefs really outline the issues so that in deciding if we are going to call for oral argument we really understand the significance of the case."

In cases not determined by binding Supreme Court precedent, Roth said "precedent that isn't binding can be persuasive, [for example], precedent from other circuits and state courts."

She also looks for "reference to law review articles . . . and then just an explanation of why it's sensible and logical [and] beneficial to society as a whole to decide a case [in favor of the attorney's position]. I think legislative history can be significant, too. I am not of the [U.S. Supreme Court Justice Antonin] Scalia school that it should be shunned by all means. I think you have got to understand what legislative history is and how it's made up in order to draw the appropriate conclusions. So I think it can be helpful.

"The thing that bothers me the most is trying to hide an issue. Almost inevitably, you figure out what it is and that detracts very strongly from the credibility of the attorney who is making the argument. If you've got a problem with your case, acknowledge it, set it out and then persuade the court that it should still decide in your favor rather than try to hide it under the carpet."

On Arguments:

"Because we don't have oral argument in every case, we don't want to hear a recitation of what the case is all about. Every judge has read all the briefs. We know what's in the briefs, we know what the facts are. We're having argument to try to explore beyond what's in the briefs.

"If an attorney wants to avoid questions, [she or he should] think about what areas the court may want to further explore and start with the statement of the most important issue and why it is the most significant.

"An attorney arguing an appeal has to be ready to listen to the questions, to answer the questions and to leave the formal structure of any prepared argument and talk with the panel of judges about what the issues are."

Roth said she is proactive in asking questions, ready to jump in at the beginning of the argument.

"Sometimes a question is to help them rather than to hurt them. Listen to the question carefully, because sometimes a [question is asked] to strengthen a point that an advocate is making." Roth said that, in addition to asking questions to satisfy her own concerns, she may ask questions that will move her fellow panelists to consider areas she considers important.

"Don't duck the question." In fighting the premise of a question, the best tactic, in Roth's opinion, is to first answer the direct inquiry, then to suggest a "more pragmatic, logical, helpful way to look at the issue."

"Take the court beyond the question to [the attorney's] viewpoint of the issue involved. Don't say 'Your honor, I'm going to come to that in a minute, so wait.' Deal with it right away."

(Portions of this interview are excerpts from an In Chambers article published in the Pennsylvania Law Weekly on April 25, 1994)

Anthony J. Scirica

U.S. Court of Appeals Senior Judge

United States Court of Appeals for the Third Circuit

22614 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106
(215) 597-2399
(215) 597-7373
www.ca3.uscourts.gov

Appointed

First Appointed: 1987

Term Ends: Lifetime

Educational Background

Wesleyan University, B.A., 1962
University of Michigan, J.D., 1965

Employment History

U.S. District Court, Eastern District of Pennsylvania, Judge, 1984-1987
Court of Common Pleas, Montgomery County, Judge, 1980-1984
Pennsylvania State Representative, 1971-1979
Montgomery County, Assistant District Attorney, 1967-1969
McGrory, Scirica, Wentz & Fernandez, Partner, 1966-1979

Professional Memberships

Montgomery County Bar Association; Pennsylvania Bar Association; Pennsylvania Conference of Trial Judges

Patty Shwartz

Circuit Judge

United States Court of Appeals for the Third Circuit

Frank R. Lautenberg Post Office & Courthouse
2 Federal Square, Room 477
Newark, NJ 07102
(973) 645-6596

D. Brooks Smith

Chief Judge

United States Court of Appeals for the Third Circuit

Allegheny Professional Center
1798 Old Route 220 North, Suite 203
Duncansville, PA 16635-8341
(814) 693-0570
www.ca3.uscourts.gov

Appointed

Term Ends: Lifetime

Educational Background

Franklin & Marshall College, BA, 1973
American University, Washington Semester Program, 1971
Dickinson School of Law, JD, 1976

Employment History

United State District Court, Western District PA,
Judge, 1988-2002
Court of Common Pleas of Blair County, Judge, 1984-
1988
Jubelirer, Carothers, Krier, Halpern & Smith, Manag-
ing Partner, 1981-1983
Jubelirer, Carothers, Krier, Halpern & Smith, Partner,
1980-1984
Jubelirer, Carothers, Krier, Halpern & Smith, Associate,
1976-1979

Professional Memberships

Allegheny County Bar Association; Rules of Practice,
Committee of the Third Circuit; Federal Judges' Asso-
ciation; Third Circuit Task Force for Equal Treatment,
Committee on Race and Ethnicity; Federal Bar Asso-
ciation; PA Bar Association; American Law Institute

Associations and Activities

Mount Aloysius College, Board of Trustees; Penn
State/Dickinson School of Law, Board of Counselors

Walter K. Stapleton

Senior Circuit Judge

**United States Court of Appeals for the Third
Circuit**

5323 Federal Building
844 North King Street, Unit 33
Wilmington, DE 19801
(302) 573-6165
(302) 573-6313
www.ca3.uscourts.gov

Appointed

First Appointed: 1985

Term Ends: Lifetime

Educational Background

Princeton University, BA, 1956
Harvard University, LLB, 1959
University of Virginia School of Law, LLM, 1984

Employment History

U.S. District Court, District of Delaware, Judge, 1970-
1985
Deputy Attorney General of Delaware, 1963-1964
Morris, Nichols, Arsht & Tunnell, Partner, 1959-1970

Professional Memberships

American Bar Association; American Judicature Society;
Delaware Bar Association

