

Rule 2. Suspension of Rules

(a) In a Particular Case. On its own or a party's motion, a court of appeals may — to expedite its decision or for other good cause — suspend any provision of these rules in a particular case and order proceedings as it directs, except as otherwise provided in Rule 26(b).

(b) In an Appellate Rules Emergency.

- (1) **Conditions for an Emergency.** The Judicial Conference of the United States may declare an Appellate Rules emergency if it determines that extraordinary circumstances relating to public health or safety, or affecting physical or electronic access to a court, substantially impair the court's ability to perform its functions in compliance with these rules.
- (2) **Content.** The declaration must:
 - (A) designate the circuit or circuits affected; and
 - (B) be limited to a stated period of no more than 90 days.
- (3) **Early Termination.** The Judicial Conference may terminate a declaration for one or more circuits before the termination date.
- (4) **Additional Declarations.** The Judicial Conference may issue additional declarations under this rule.
- (5) **Proceedings in a Rules Emergency.** When a rules emergency is declared, the court may:
 - (A) suspend in all or part of that circuit any provision of these rules, other than time limits imposed by statute and described in Rule 26(b)(1)-(2); and
 - (B) order proceedings as it directs.