



# U.S. MERIT SYSTEMS PROTECTION BOARD

Office of the Clerk of the Board

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Washington, D.C. 20419-0002

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**UPDATED: January 30, 2024**

## NOTICE TO PARTIES WITH A PENDING PETITION FOR REVIEW OR CASE BEFORE THE FULL BOARD REGARDING UPDATING CONTACT INFORMATION

The Board's regulation at 5 C.F.R. § 1201.26 requires the parties to notify the appropriate Board office and other parties, in writing, of any changes in the names or addresses on the service list. For parties who are registered e-filers, the Board will serve notification of any issuances – including the Board decision – to the party's email address of record. 5 C.F.R. § 1201.14(i)(1). Parties who receive service by U.S. mail will receive any issuances – including the Board decision – at the mailing address of record.

On May 5, 2022,<sup>1</sup> the Board provided a notice via its website to remind parties of their responsibility for updating their contact information (mailing address, email address, and/or phone number) in writing to the Board. This notice was posted as a courtesy for parties who had a petition for review or other case pending before the Board during the lack of quorum period between January 7, 2017, and March 4, 2022, when the quorum was restored.

On October 16, 2023, MSPB transitioned to a new e-Appeal system. Prior to and after the system transition, MSPB sent multiple emails to parties with pending cases before the full Board and who were registered e-filers at the time of the e-Appeal transition. These emails provided a timeline for the transition and the steps to navigate the new e-Appeal, including the requirement for all parties to re-register for the new e-Appeal if they previously were e-filers under the old e-Appeal. MSPB also established an e-Appeal Information Hub on its website<sup>2</sup> that provides this information and user guides on the registration process and navigation of the new e-Appeal.

MSPB is providing this updated courtesy notice to again remind parties of their responsibilities to update their contact information and/or to register for the new e-Appeal:

- **All parties who were e-filers previously in the old e-Appeal MUST register for the new e-Appeal if they wish to remain e-filers.** Detailed instructions are available here.<sup>3</sup>

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<sup>1</sup> [https://www.mspb.gov/Notice\\_about\\_contact\\_information.pdf](https://www.mspb.gov/Notice_about_contact_information.pdf)

<sup>2</sup> <https://www.mspb.gov/e-appeal/index.htm>

<sup>3</sup> [https://www.mspb.gov/e-appeal/information\\_for\\_Pending\\_Appeals.htm](https://www.mspb.gov/e-appeal/information_for_Pending_Appeals.htm)

All parties must have a unique email address, i.e., appellants and their representatives must register individually and cannot use a shared email address. Parties who do not register for the new e-Appeal will receive service of issuances from MSPB, including any Board decision, by mail at the address currently on record with MSPB. If that address is no longer a party's valid address, it is possible the party will not receive the decision, or will not receive the decision in time to pursue further appeal processes. As stated above, MSPB's regulations require all parties to notify the appropriate Board office and one another, in a pleading, of any changes in their address, telephone number, or email address. 5 C.F.R. § 1201.26(a)(2).

- Parties who register as e-filers will update their contact information in their e-Appeal profile as applicable at the time of registration and must then submit a pleading in their pending case(s) to provide notice to MSPB and the other parties of any updated contact information.
- Appellant attorney representatives and agency representatives are required to register as e-filers, per 5 C.F.R. § 1201.14.
- **Parties who chose not to register as an e-filer must submit a pleading by mail, fax, or other approved method to the address below to update their contact information.** Parties should not include additional argument or materials with their pleading to update their contact information. If a party does not update their contact information, they will be served at the address currently on record with MSPB. If that address is no longer a party's valid address, it is possible the party will not receive the decision, or will not receive the decision in time to pursue further appeal processes.

If a party is unsure whether their contact information is up to date, they should review the most recent certificate of service from a Board issuance in their case (for example, the certificate of service included at the end of a petition for review acknowledgment notice showing the current mailing address on record with MSPB), or they may call or email the Office of the Clerk of the Board to confirm this information. Parties who have registered as e-filers can view their current email and mailing address on record with the Board in their e-Appeal profile.

All changes to mailing address, phone number, or email address must be *made in writing through a pleading*, per the Board's regulations. 5 C.F.R. § 1201.26(a)(2). Pleadings can be submitted through e-Appeal, for registered e-filers, or through another approved method of submission (mail, fax, commercial or personal delivery). The Board will not take action to update contact information via a phone call or from an email.

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