

AMENDMENT TO THE LOCAL RULES OF THE SECOND DISTRICT COURT OF APPEALS

Comments requested: The Second District Court of Appeals will accept public comments until July 22, 2024 on the following amendment to Local Appellate Rule 1 (Scope, Application and Modification of Rules).

Comments on the proposed amendment should be submitted in writing to the attention of: Jim Nealon, Deputy Court Administrator, Second District Court of Appeals, 41 N. Perry Street, 5th Floor, Dayton, Ohio 45422, or OhioSecondDistrict@mcoho.org. Please include your full name and mailing address in any comments submitted by email.

Key to proposed amendment:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

Loc.App.R. 1: Scope, Application and Modification of Rules

(A) The Ohio Rules of Appellate Procedure and these Rules prescribe the procedure to be followed in the Second District Court of Appeals, and all parties, whether represented or unrepresented, must follow them.

(B) Adoption, amendment or modification of the local rules of practice for the Second District Court of Appeals is the prerogative of the court. Ordinarily, ~~however,~~ the court ~~shall propose~~ will post a new rule or an amendment or modification of an existing rule for ~~notice and public comment by interested persons~~ at least sixty (60) - 30 days before the effective date of the new rule or amendment or modification of an existing rule. The court reserves the authority to increase or decrease the public comment period. Moreover, the court may immediately adopt a new rule or amend or modify an existing rule if, in the opinion of the court, exigent circumstances so require. Notice shall be accomplished by placing the proposed change on the public record

The court will post the new rule or amendment or modification of an existing rule on its website, with the clerks of the courts of appeals, and by mailing a copy to with the judges of the trial courts in the Second Appellate District, and with local bar associations. to associations of members of the bar, and to interested persons and any other persons who request a copy. During the public comment period, all interested persons may respond to the new rule or an amendment or modification of an existing rule. Public comments should be submitted in writing to the Second District Court of Appeals, 41 N. Perry Street, 5th Floor, Dayton, Ohio 45422, or OhioSecondDistrict@mcoho.org.

Following the ~~sixty (60) day period for~~ public comment period, the court in its discretion may amend or modify a proposed rule change, or adopt the rule change as originally proposed. ~~The court may immediately adopt a new rule or amend or modify an existing rule if, in the opinion of the court, exigent circumstances so require. Public comments should be forwarded in writing to the court administrator of the court of appeals, 41 North Perry Street, Dayton, Ohio 45422-2170.~~