

**PROPOSED AMENDMENTS TO THE RULES OF PRACTICE OF  
THE SUPREME COURT OF OHIO**

Comments Requested: The Supreme Court of Ohio will accept public comments until November 7, 2018, on the following proposed amendments to the Rules of Practice of the Supreme Court of Ohio.

Comments on the proposed amendments should be submitted in writing to Justin Kudela, Case Management Counsel, Supreme Court of Ohio, 65 South Front Street, 8th Floor, Columbus, Ohio 43215-3431 or justin.kudela@sc.ohio.gov not later than November 7, 2018. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendment:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

1 **S.Ct.Prac.R. 3.03. Computation and Extension of Time.**

2  
3 **[Existing language unaffected by the amendments is omitted to conserve space]**

4  
5 **(B) Extension of time**

6  
7 **(1) General prohibition against extensions of time**

8  
9 Except as provided in division (B)(2) of this rule, the Supreme Court will not extend  
10 the time for filing a document as prescribed by these rules or by court order, and  
11 the Clerk of the Supreme Court shall refuse to file requests for extension of time.  
12

13 **(2) Extension of time to file certain documents**

14  
15 (a) (i) Except in expedited election cases under S.Ct.Prac.R. 12.08, parties  
16 may stipulate to extensions of time to file merit briefs, including reply  
17 briefs, under S.Ct.Prac.R. 16.02 through 16.05; merit briefs, including reply  
18 briefs, under S.Ct.Prac.R. 11.05; or the response to a complaint or evidence  
19 under S.Ct.Prac.R. 12.04 and 12.06. A stipulated extension of time shall be  
20 effective only if it is filed with the Clerk within the time prescribed by these  
21 rules for filing the brief or other document that is the subject of the  
22 stipulation. The stipulation shall state the new date for filing agreed to by  
23 the parties.  
24

25 (ii) Each party may obtain in a case only one stipulated extension of  
26 time not to exceed ~~twenty~~ ten days, provided the party has not previously  
27 obtained an extension of time from the Supreme Court under division  
28 B(2)(b) of this rule. The Clerk shall refuse to file a stipulation to an  
29 extension of time that is not tendered timely in accordance with this rule, or  
30 if a request for extension of time has already been granted to the party filing  
31 the stipulation under division (B)(2)(b) of this rule.  
32

33 (b) (i) In an expedited election case or any other case where a stipulation  
34 to an extension of time cannot be obtained, a party may file a request for  
35 extension of time to file a merit brief, including a reply brief, the response  
36 to a complaint, or evidence. The Supreme Court will grant a party ~~only~~  
37 ~~one~~ an extension of time, not to exceed ten days, provided the request for  
38 extension of time states good cause for an extension and is filed with the  
39 Clerk within the time prescribed by the rules for filing the brief or other  
40 document that is the subject of the request.  
41

42 (ii) The Clerk shall refuse to file a request for extension of time that is  
43 not tendered timely in accordance with this rule ~~or if~~. If a stipulation to an  
44 agreed extension of time has already been filed under division (B)(2)(a) of  
45 this rule by the or a request for extension of time has already been filed  
46 under division (B)(2)(b) of this rule, the Clerk shall refuse to file a request

47 for extension for that same party filing unless extraordinary circumstances  
48 are stated in the request.

49

50 **(3) Effect of extension of time upon other parties on the same side**

51

52 When one party receives an extension of time under division (B)(2) of this rule, the  
53 extension shall apply to all other parties on that side.

54

55 Effective Date: June 1, 1994

56 Amended: April 1, 1996; April 28, 1997; July 1, 2004; October 1, 2005; January 1, 2008; January 1, 2010;

57 January 1, 2013;\_\_\_\_\_