

Ohio Lawyers, You Are About to Realize How Much Easier Your Life Got on July 1, 2019

By Jeremy Young

Are you a litigator who practices in multiple courts across Ohio? If so, you may not know it, but your life got measurably less stressful on July 1, 2019, when changes to the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure, the Ohio Rules of Appellate Procedure, the Ohio Rules of Evidence, and the Rules for the Government of the Bar of Ohio took effect. This article focuses on the changes to the Civil Rules and the Rules for the Government of the Bar.

Under Civil Rule 6(C), a response to a motion for summary judgment is now due 28 days after service of the motion, and the reply is due 7 days after service of the response. For all other motions, the response is due 14 days after service of the motion, and the reply is due 7 days after the response. While the court retains discretion to modify these response dates upon motion in a particular case, gone are the days when practitioners had to consult the local rules in every jurisdiction to determine their response date when a motion came in.

Additionally, parties must now serve all evidentiary materials supporting their motion for summary judgment along with the motion—no more supplementing with an executed affidavit, etc. at a later date.

Other notable changes include the requirement that any pre-trial motion must now be filed at least 28 days before trial, with responses due—you guessed it—14 days after service of the motion. Replies to pre-trial motions are not permitted. Motions for the purpose of a hearing that is not a trial must be served at least 14 days before the hearing.

Additionally, Civil Rule 34 was modified to include a new requirement that editable versions of requests for production of documents be served to facilitate the drafting of written responses.

With respect to the Rules for the Government of the Bar, the tech-savvy practitioner will doubtless appreciate that up to the full 24-hour biennial requirement for continuing legal education can now be satisfied through approved live webinar self-study activities. That is a refreshing change for those of us who prefer spending the last two weeks of every other December at the comfort of our own desk, rather than trudging through the snow and ice to an overcrowded CLE.

Please contact Roetzel attorney Jeremy Young for further information.

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