



Ohio Administrative Code Rule 5717-1-13 Motions.

Effective: September 17, 2023

(A) Legal Memoranda Requirements

(1) Motions shall be filed within the deadlines set in the case management schedule. All motions shall be accompanied by a memorandum in support, which shall include a statement of the grounds, with citation to authorities relied upon. The memorandum in support shall not exceed fifteen pages, excluding attachments.

(2) Any party filing a memorandum in opposition shall do so within fourteen days after the date of service of the motion. Any memorandum in opposition shall not exceed fifteen pages, excluding attachments.

(3) If a memorandum in opposition is filed, the moving party may file a reply memorandum within seven days after the date of service of any memorandum in opposition. The reply memorandum shall not exceed ten pages, excluding attachments.

(4) Outside of a formal hearing, the board does not accept and will not consider oral motions. If an oral motion is made at a hearing, the board may require the party to file a written motion.

(B) Motion Hearings, Oral Argument, and Urgent Motions

(1) The board may sua sponte set a motion hearing or oral argument when the board deems such a proceeding appropriate. The board shall set a motion hearing before granting sanctions.

(2) A party may also request a hearing or oral argument by clearly stating a request in the caption of a motion or a memorandum. The ground(s) for such request shall be succinctly explained. If the board determines a hearing or oral argument is appropriate, the board will so notify the parties.

(3) The board may, for good cause shown, rule on a motion with or without the filing of memoranda



by the parties if circumstances warrant. The board may also establish an expedited schedule for the filing of memoranda. If a motion is truly urgent or filed due to an emergency, the party may request expedited relief by clearly stating in the caption that the motion is an urgent or emergency motion. The party shall state the specific ground(s) warranting expedited relief.

(C) Motions for Reconsideration

(1) Motions for reconsideration of any decision or order of the board, including interim procedural orders, shall be filed no later than twenty-one days after the date on which the decision or order was journalized. A motion for reconsideration of an oral ruling shall also be filed no later than twenty-one days after the ruling was made.

(2) The filing of a motion for reconsideration will not stay the effect of any decision or order unless a party seeks, and is granted, temporary relief from the decision or order. The filing of a motion for reconsideration will not stay any other established deadline or hearing date. The filing of a motion for reconsideration shall not enlarge the period of time upon which an appeal may be taken, nor shall the filing of such motion suspend or toll the statutory appeal period.

(3) No motion for reconsideration will be determined by this board after an appeal to any court has been perfected.