

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
501 POTTER STEWART U.S. COURTHOUSE
100 EAST FIFTH STREET
CINCINNATI, OHIO 45202-3988

Kelly L. Stephens
Clerk

513-564-7000

March 25, 2026

NOTICE OF PROPOSED AMENDMENTS TO SIXTH
CIRCUIT LOCAL RULES

Pursuant to 28 U.S.C. § 2071 and 6 Cir. R. 47(c), the United States Court of Appeals for the Sixth Circuit provides notice that it intends to adopt amendments to Sixth Circuit Local Rules 10(a)(1), 32(a), 25(f)(2), 46, and the Sixth Circuit Guide to Electronic Filing section 10.1.

The court hereby invites public comment on the amendments. Comments should be submitted by June 25, 2026, and addressed to:

Kelly L. Stephens, Clerk
Sixth Circuit Court of Appeals
501 Potter Stewart U.S. Courthouse
100 East Fifth Street
Cincinnati, Ohio 45202-3988

OR

RulesComments@ca6.uscourts.gov

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6 Cir. R. 10 The Record on Appeal

(a) Transcripts.

(1) **Transcript Order.** A party ordering a transcript or certifying that a transcript is unnecessary must:

- (A) If represented, use the electronic transcript order in CM/ECF.
- (B) If proceeding pro se, use the pro-se transcript order form ~~Use Form 6CA-30~~, which is available on the court's web site and from the clerk's office;
- ~~(B) File the form in the district court;~~
- ~~(C) File the form in this court;~~
- ~~(D) Serve the form on the other parties; and~~
- ~~(E) Send four copies to each reporter from whom a transcript is ordered.~~

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6 Cir. R. 25 Filing and Service; Electronic Case Filing

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(f) Service of Documents Filed Electronically.

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- (2) **Certificate of Service.** A document presented for filing must contain a proof of service **if it was served other than through the court's electronic-filing system.**
Fed. R. App. P. 25(d). ~~The NDA does not replace the proof of service.~~

SIXTH CIRCUIT GUIDE TO ELECTRONIC FILING

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10. Service of Documents

- 10.1.** ~~A certificate of service is required for all documents, and~~ **Registered attorneys** must comply with Fed. R. App. P. 25 when filing electronically. The ECF system will automatically generate and send by e-mail an NDA to all registered attorneys participating in any case. This notice constitutes service on those registered attorneys. Registration for electronic filing by the ECF system constitutes consent to service through the NDA. Independent service, either by paper or otherwise, need not be made on any registered attorney. *Pro se* litigants and attorneys who are not registered for electronic filing must be served by the filing party through the conventional means of service set forth in Fed. R. App. P. 25. **When serving a party other than through the court's electronic-filing system, a party must include a certificate of service required by Fed. R. App. P. 25(d).** ~~The Notice of Docket Activity generated by the ECF system does not replace the certificate of service required by Fed. R. App. P. 25.~~

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6 Cir. R. 32 Form of Briefs

(a) **Certificate of Compliance with TypeVolume Limitation.** The certificate of compliance under Fed. R. App. P. ~~32(a)(7)(C)~~ **32(g)** must immediately follow the signature at the end of the brief.

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6 Cir. R. 46 Attorneys - Admission of Attorneys, Attorney Discipline, Law Student Practice

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- (4) **Initiation of Disciplinary Proceedings.** Formal disciplinary proceedings are initiated by an order to show cause, signed by the chief judge or by the circuit clerk, acting at the direction of the chief judge.
- (A) **Order to Show Cause.** The court may issue an order to show cause on its own initiative or in response to a complaint filed by a member of the bar of this court or a party before the court.
- (B) **Contents of Complaint.** A complaint of attorney misconduct must include:
- (i) The name, address, and telephone number of the complainant;
 - (ii) The specific facts that require discipline, including the date, place, and nature of the alleged misconduct, and the names of all persons involved;
 - (iii) Copies of all documents or other evidence that support the factual allegations contained in subsection (ii), including a copy of any rule or order of this court that is alleged to have been violated; and
 - (iv) A statement under the penalty of perjury - at the end of the complaint - that the complainant has read the complaint and that the facts contained there are correct to the best of the complainant's knowledge.
- (C) **Action by Chief Judge.** The clerk will send a complaint to the chief judge for initial review.

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- (i) If the chief judge determines that the complaint - on its face or after investigation - is without merit or does not warrant court action, the chief judge will dismiss the complaint.
- (ii) If the chief judge determines that reasonable grounds exist for further investigation, the chief judge may order investigation. The chief judge may issue an order to show cause if the complaint appears meritorious, either before or after investigation.
- (iii) If the chief judge issues an order to show cause, the clerk will mail the following to the respondent:
 - the order to show cause;
 - the complaint and supporting documents;
 - a copy of Fed. R. App. P. 46;
 - a copy of this rule; and
 - a written statement that the respondent has 21 days from entry of the order to show cause to respond.
- (iv) Alternatively, the chief judge may refer the matter to a state disciplinary authority for action.

~~(4)~~(5) Response. A respondent has 21 days from entry of the order to show cause to file a response. The response must include:

- (A) The name, address, and telephone number of the respondent;

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- (B) An admission or denial of each factual allegation in the complaint and order to show cause;
 - (C) A specific statement of facts on which respondent relies, including all other relevant dates, places, persons, and conduct;
 - (D) All relevant documents or other supporting evidence not previously filed with the complaint or order;
 - (E) A statement requesting or declining a hearing; and
 - (F) A statement under the penalty of perjury that the respondent has read the response and that the facts contained there are correct to the best of respondent's knowledge.
- ~~(5)~~**(6) Summary Dismissal.** The chief judge may dismiss the complaint if the response shows that it is without merit.
- ~~(6)~~**(7) Conformity with Other Discipline.** When a court or other disciplinary authority has disbarred or suspended the respondent and the respondent admits the action complained of or does not respond to the order to show cause, the chief judge may enter a final order imposing similar discipline.
- ~~(7)~~**(8) Judicial Officer.** After a response is filed, the chief judge may appoint a circuit judge, district judge, or other judicial officer from the circuit to investigate the allegations. The judicial officer must review the documents, conduct hearings if necessary, and issue a written recommendation.
- ~~(8)~~**(9) Hearing.** A disciplinary hearing will be held if the respondent timely requested one and the judicial officer determines that a hearing is necessary for proper disposition of the charges.
- (A) **Notice.** When a hearing is necessary, the judicial officer will provide the respondent with at least 21 days written notice of the hearing. The notice must contain the date and location of the hearing and a statement that the respondent is entitled to be represented by counsel, to present witnesses and other evidence, and to confront and cross-examine adverse witnesses.
 - (B) **Procedure.** The judicial officer will conduct the hearing. The judicial officer has authority to resolve procedural and evidentiary disputes. Witnesses must testify under penalty of perjury. Hearings are confidential and will be recorded.
 - (C) **Rights of the Complainant and the Respondent.** During the hearing, the respondent is entitled to be represented by counsel, to present witnesses and

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other evidence, and to confront and cross-examine adverse witnesses. The judicial officer may permit the complainant to participate through counsel.

- (D) **Burden of Proof.** The respondent's violation of the applicable standards of conduct or rules or orders of this court must be proven by clear and convincing evidence. A certified copy of a final order of disbarment or judgment of conviction for a felony offense, entered in any state or federal court, constitutes clear and convincing evidence.
- (E) **Failure to Appear.** The respondent's failure to appear at the hearing is grounds for discipline.

~~(9)~~**(10) Recommendation.** The judicial officer must recommend - in writing - a proposed disposition of the charges.

- (A) **Filing of the Recommendation.** The judicial officer must file the recommendation and send copies to the respondent.
- (B) **Response to the Recommendation.** The respondent may file a written response to the recommendation within 14 days of service of the recommendation. The response must state concisely any inaccuracies, errors, or omissions that warrant a disposition other than the recommended disposition. The response must not exceed 25 pages.

~~(10)~~**(11) Final Action on the Recommendation.** The court will enter a final order of disposition within 30 days of the filing of a response to the recommendation. It will send notice of the final order to the respondent and the complainant.

~~(11)~~**(12) Reinstatement.** A suspended or disbarred attorney may petition the court for reinstatement. The petition must include a concise statement of the circumstances of the disciplinary proceedings, the discipline imposed, and the grounds that justify reinstatement.

(A) **Automatic Reinstatement.** The court will automatically reinstate an attorney suspended for a definite term at the end of the suspension period on receipt of:

- a petition for reinstatement; and
- an affidavit showing compliance with the suspension order.

(B) **Petition for Reinstatement.** The court will reinstate a disbarred or indefinitely suspended attorney on petition for reinstatement only for good cause shown. The chief judge will review the petition for clear and

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convincing evidence that the member has the moral qualifications, competency, and learning in the law required for readmission. After review, the chief judge will make a recommendation to the court.

(C) **Successive Petitions for Reinstatement.** A suspended or disbarred attorney may not petition for reinstatement within one year following an adverse determination on a prior petition.

~~(12)~~**(13) Chief Judge's Designees.** The chief judge may designate a circuit judge or judges to perform the duties of the chief judge under this rule. References to “chief judge” in this rule include his or her designees.