

On April 6, 2022, the Nebraska Supreme Court adopted the following rule amendments to Neb. Ct. R. App. P. § 2-109:

CHAPTER 2: APPEALS

Article 1: Nebraska Court Rules of Appellate Practice.

§ 2-109. Briefs; constitutional questions.

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(A) Time for Filing. The briefs listed below must be filed within the times stated in these rules. Briefs in support of motions are described in §§ 2-106, 2-107, and 2-113. Requests for additional time to file briefs must be made in accordance with the provisions of § 2-106(E). NO EXTENSIONS OF TIME WILL BE ALLOWED IN ADVANCED CASES EXCEPT UPON A SHOWING OF EXCEPTIONAL CAUSE.

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(4) Briefs of amicus curiae may not be filed without leave of court. See § 2-106 for general requirements for motions.

(a) If granting leave to file a brief would result in recusal of a member of the court due to the proposed amicus curiae, the law firm or attorney(s) representing the proposed amicus curiae, or any other reason, leave to file brief of amicus curiae may be denied.

(b) A motion for leave to file an amicus brief shall be sought no later than 30 days prior to oral argument. A motion for leave to file an amicus curiae brief shall include either a copy of the proposed brief as an attachment or include a concise summary of the brief the amicus curiae intends to file. If leave is granted, amicus curiae shall file the brief as ordered by the court, but no later than 10 days prior to oral argument.

(c) Oral argument by amicus curiae is controlled by § 2-111(E)(4) and not by this rule. ~~Leave to file amicus briefs shall not be considered within 20 days of oral argument.~~

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