

STATE OF WEST VIRGINIA

At a regular term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on March 14, 2018, the following order was made and entered:

RE: Request for Public Comment on Proposed Amendments to Rule 38 of the Rules of Appellate Procedure (Addressing the placement of citations in a document) 18-Rules-02

The Court is considering an amendment to Rule 38 of the Rules of Appellate Procedure regarding the placement of citations in documents filed with the Court. The proposed amendment is hereby published for a thirty-day public comment period. Comments must be filed in writing with the Clerk of Court on or before **April 16, 2018**. The proposed deletions are indicated by strikethrough and the additions to the rule are indicated by underscoring to read as follows:

Rules of Appellate Procedure

* * *

Rule 38. General rule on form and filing of documents.

(d) *Citations of authority.* Citations of authority shall be made either in the body of a document or in footnoted form, ~~except citation in a footnote is permissible only if more than five authorities are cited together.~~ Citation to an opinion of this Court must use the full parallel citation and may indicate if the opinion is *per curiam*, e.g. *Fauble v. Nationwide Mutual Fire Ins. Co.*, 222 W.Va. 365, 664 S.E.2d 706 (2008)(*per curiam*).

* * *

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

