

Rule 2.4

**NOTIFICATION OF CLAIM OF UNCONSTITUTIONALITY**

A party drawing in question the constitutionality of an act of Congress or of any state affecting the public interest shall forthwith, upon the filing of any pleading or other document which raises the question, notify in writing the District Judge or Magistrate Judge to whom the case has been assigned of the pendency of the question in any action, suit or proceeding in the district court in which the United States or a state or any agency, officer or employee thereof is not a party. If the case has not been assigned, the written notice shall be given to the Chief Judge. ~~The purpose of the notice is to enable the Court to comply with the requirements of 28 U.S.C. §2403.~~ The notice shall state the title of the cause, a reference to the questioned statute sufficient for its identification, and the respect(s) in which it is claimed that the statute is unconstitutional. The purpose of the notice is to enable the Court to comply with the requirements of 28 U.S.C. §2403. This Rule does not affect any constitutional right timely asserted by a party.