



# news

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## **Colorado appellate courts adopt new case-citation format** *Public domain citation intended to ease legal research and improve access to justice*

DENVER – The Colorado Supreme Court has adopted a new way for legal practitioners and parties to refer to its and the Colorado Court of Appeals’ published opinions in legal briefs and other documents.

The public domain citation format will expand open access to Colorado case law by allowing practitioners and parties to cite directly to new opinions from the moment they are announced. The new format also will allow pinpoint citations by incorporating paragraph numbers. The new format became effective Jan. 1, 2012.

Sixteen other states, including New Mexico, Wyoming and Utah, already have adopted the same format, which was recommended by the American Association of Law Librarians in the mid-1990s and is endorsed by the American Bar Association.

The courts already provide online access to published opinions free of charge on the Judicial Branch web site. Before implementation of the public domain citation format, opinions issued by Colorado’s two appellate courts were “slip opinions” which lacked a formal citation format until they were published in print in the *Pacific Reporter*.

“The purpose of the public domain citation format is to make it easier for practitioners and self-represented parties who lack the resources to access an electronic research database or the printed volumes of the *Pacific Reporter* to locate Colorado case law and to cite to that case law in all levels of Colorado’s justice system, whether in the trial or appellate courts,” Chief Justice Michael L. Bender said.

The Supreme Court adopted the new citation format after receiving public comment. The new format is implemented by new Chief Justice Directive 12-01.

Practitioners and parties will be permitted to use the public domain citation format or to cite to the *Pacific Reporter*, and they will not have to provide parallel citations in either format.

The new citation format is part of a broader effort by the Colorado Supreme Court to improve access to justice by integrating court resources and electronic technology.

“Our goal is to eliminate the barriers that keep people from coming to court to exercise their rights and that prevent the courts from delivering fair and just outcomes,” Chief Justice Bender said. “Having a public domain citation format, though implicating a seemingly technical aspect of motions practice and brief writing, is actually a very important step in achieving that goal.”

A citation to an appellate opinion in the *Pacific Reporter* could look like this: *Smith v. Jones*, 45 P.3d 1237, 1254 (Colo. 2012). Under the new format, a citation to a Supreme Court opinion would look like this: *Smith v. Jones*, 2012 CO 22, ¶¶ 44-45, while a citation to a Court of Appeals opinion would look like this: *Jones v. Smith*, 2012 COA 35, ¶¶ 44-45. (These are not real cases, only examples.) “CO” means Supreme Court and “COA” means Court of Appeals. The “22” in the first example and the “35” in the second example mean those opinions are, respectively, the 22<sup>nd</sup> and the 35<sup>th</sup> issued by each court in 2012. Both citations point to the opinion’s 44<sup>th</sup> and 45<sup>th</sup> paragraphs.

The public domain citation system will be overseen by Christopher T. Ryan, Clerk of Court for both the Supreme Court and Court of Appeals. Upon announcement, each opinion selected for publication will be assigned a public domain citation and internal paragraph numbers.

Opinions that are not designated for official publication pursuant to C.A.R. 35(f) will remain unpublished and will not be assigned a public domain citation.