

Rule Change #2000(12)

COLORADO APPELLATE RULES

Rule 3. Appeal as of Right - How Taken

Rule 3.1. Appeals from Industrial Claim Appeals Office

Rule 32. Form of Briefs and Appellate Papers

C.A.R. 3. Appeal as of Right - How Taken

- (a) [***NO CHANGE]
- (b) [***NO CHANGE]
- (c) [***NO CHANGE]
- (d) **Contents of the Notice of Appeal in Civil Cases (Other Than District Court Review of Agency Actions and Appeals From State Agencies).** The notice of appeal shall set forth:
 - (1) A caption that complies in form with C.A.R. 32. In the caption:
 - (A) The case title in compliance with C.A.R. 12(a);
 - (B) The trial court from which the appeal is taken;
 - (C) The trial court judge;
 - (D) The party or parties initiating the appeal; and
 - (E) The trial court case number;
 - (2) - (8) [***NO CHANGE]
- (e) **Contents of Notice of Appeal from State Agencies (Other Than the Industrial Claims Office) Directly to the Court of Appeals.** The Notice of Appeal Shall Set Forth:
 - (1) A caption that complies in form with C.A.R. 32. In the caption:
 - (A) The case title in compliance with C.A.R. 12(a);
 - (B) The agency from which the appeal is taken;
 - (C) The party or parties initiating the appeal; and
 - (D) The agency case number.
 - (2) - (7) [***NO CHANGE]
- (f) **Contents of Notice of Appeal from District Court Review of Agency Actions.** The notice of appeal shall set forth:
 - (1) A caption that complies in form with C.A.R. 32. In the caption:
 - (A) The case title in compliance with C.A.R. 12(a);
 - (B) The district court from which this appeal is taken;
 - (C) The district court judge;
 - (D) The agency from which the judicial review is sought;
 - (E) The party or parties initiating the appeal;
 - (F) The district court case number; and
 - (G) The agency case number.
 - (2) - (7) [***NO CHANGE]
- (g) **Contents of the Notice of Appeal in Criminal Cases.** The Notice of Appeal Shall Set Forth:

- (1) A caption that complies in form with C.A.R. 32. In the caption:
 - (A) The case title in compliance with C.A.R. 12(a);
 - (B) The district court from which the appeal is taken;
 - (C) The party or parties initiating the appeal;
 - (D) The trial court case number; and
 - (E) The trial court judge.
- (2) - (8) [***NO CHANGE]

C.A.R. 3.1 Appeals from Industrial Claim Appeals Office

- (a) [***NO CHANGE]
- (b) [***NO CHANGE]
- (c) [***NO CHANGE]
- (d) **Contents of Notice of Appeal from the Industrial Claim Appeals Office Directly to the Court of Appeals.** The notice of appeal shall set forth:
 - (1) A caption that complies in form with C.A.R. 32. In the caption:
 - (A) The case title in compliance with C.A.R. 12(a);
 - (B) The party or parties initiating the appeal;
 - (C) All others who have appeared as parties to the action before the agency; and
 - (D) The agency case number.
 - (2) - (6) [***NO CHANGE]

C.A.R. 32. Form of Briefs and Appellate ~~Papers~~Documents

- (a) [***NO CHANGE]
- (b) [***NO CHANGE]
- (c) **Basic Document Information.** Each brief or other appellate ~~paper~~document shall contain basic document information on the first page of the document. The information in the case caption shall be arranged in the following order and shall be in the form illustrated in subsection (1) or (2) below, ~~arranged in the following order:~~

On the left side:
Court name and mailing address.
Name of lower court(s), lower court judge(s), and case number(s).
Names of parties.
Name, address, and telephone number of attorney or pro se party filing the document. Fax number and e-

mail address are optional.
Attorney registration number.
Document title.

On the right side:

An area for "Court Use Only" that is at least 2½
inches in width and 1¼ inches in length (located
opposite the court information).

Case number.

~~Court name~~

~~Case number~~

~~Name of lower court and case number~~

~~Document title, which shall include the party~~
~~submitting the brief or paper~~

~~Case caption (in conformity with C.A.R. 3 and 3.1)~~

~~The document title and case caption should be~~
~~separated by solid or dashed lines. All appellate~~
~~briefs and papers shall contain the names and~~
~~addresses of counsel representing the party on whose~~
~~behalf the document is filed. In all briefs, such~~
~~names, addresses, telephone numbers, and any~~
~~telecopier numbers of counsel shall be included on the~~
~~first page, or the cover page.~~

(1) Illustration of Preferred Caption Format:

<p>[Designation of Court]</p> <p>Court Address:</p> <hr/> <p>[Name of Lower Court(s), Lower Court Judge(s), and Case Number(s)]</p> <hr/> <p>Petitioner(s): [Substitute appropriate party designations & names]</p> <p>Respondent(s): [Substitute appropriate party designations & names]</p> <hr/> <p>Attorney or Party Without Attorney: Name: Address:</p> <p>Phone Number: FAX Number: E-mail: Atty. Reg.#:</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> <p>Case Number:</p>
NAME OF DOCUMENT	

(2) Illustration of Optional Case Caption:

[Designation of Court]

Court Address:

[Name of Lower Court(s), Lower
Court Judge(s), and Case Number(s)]

▲ COURT USE ONLY ▲

Petitioner(s):

Case Number:

[Substitute appropriate
party designations &
names]

Respondent(s):

Attorney or Party Without Attorney:

Name:

Address:

Phone Number:

FAX Number:

E-mail:

Atty. Reg#:

NAME OF DOCUMENT

(d) [***NO CHANGE]

Comment

This amendment conforms the appellate practice to the new form of case caption provided in C.R.C.P. 10 for all documents that are filed in Colorado courts, including both criminal and civil cases. The purpose of the new caption is to provide a uniform and consistent format that enables practitioners, clerks, administrators, and judges to locate identifying information more efficiently. The new caption will be optional as of July 1, 2000, and will become mandatory as of January 1, 2001.

The preferred case caption format is found in subsection (c)(1). Because some parties may have difficulty formatting their documents to include vertical lines and boxes, an alternate case caption format is found in subsection (c)(2). However, the box format is the preferred and recommended format.

The boxes may be vertically elongated to accommodate additional party and attorney information if necessary. The "court use" and "case number" boxes, however, shall always be located in the upper, right-side of the caption.

Forms approved by the State Court Administrator's Office (designated "JDF" or "SCAO" on pre-printed or computer-generated forms), forms set forth in the Colorado Court Rules, volume 12, C.R.S. (including those pre-printed or computer-generated forms designated "CRCP" or "CPC" and those contained in the appendices of volume 12, C.R.S.), and forms generated by the state's judicial electronic system, "ICON," shall conform to criteria established by the State Court Administrator's Office with the approval of the Colorado Supreme Court. This includes pre-printed and computer-generated forms. JDF and SCAO forms and a flexible form of caption which allows the entry of additional party and attorney information are available and can be downloaded from the Colorado courts web page at <http://www.courts.state.co.us/scao/Forms.htm>.

Amended and Adopted by the Court, En Banc, June 1, 2000, effective July 1, 2000. Use of the new caption and format is not mandatory until January 1, 2001, but is encouraged for immediate use.

BY THE COURT:

**Gregory J. Hobbs, Jr.
Justice, Colorado Supreme Court**