

Rule Change #2001(15)

The Colorado Rules of Civil Procedure

Chapter 2. Pleadings and Motions

Appendix to Chapters 1 to 17A. The Colorado Rules of Civil Procedure

Appendix to Chapter 25. The Colorado Rules of County Court Civil Procedure

Appendix to Chapter 26. The Colorado Rules of Procedure for Small Claims Courts

Appendix A to Chapter 27. The Colorado Rules of Probate Procedure

Appendix B to Chapter 27. The Colorado Rules of Probate Procedure

Chapter 28. The Colorado Rules of Juvenile Procedure

Appendix to Chapter 29. The Colorado Rules of Criminal Procedure

Appendix to Chapter 29.7. The Colorado Rules for Traffic Infractions

Chapter 32. The Colorado Appellate Rules

Appendix 1 to Chapter 36. Uniform Local Rules for All State Water Court Divisions

The following rules are Amended and Adopted as of June 28, 2001:

C.R.C.P. 10. Form and Quality of Pleadings, Motions and Other Documents

Appendix to Chapters 1 to 17A. Introductory Statement; Sample Caption; Form 1 (Summons)

Appendix to Chapter 25. Introductory Statement; Sample Caption; Form 1 (Summons)

Appendix to Chapter 26. Introductory Statement

Appendix A to Chapter 27. Order; Sample Caption; Special Form Index; CPC Form 1 (Demand for Notice of Filings or Orders)

Appendix B to Chapter 27. Order; Sample Caption; Form M-3 (Affidavit, Motion, and Order for Evaluation and Treatment)

Chapter 28. Form 1 (Valid Court Order for Status Offenders); Form 2 (Secure Placement as Disposition for Violation of Valid Court Order)

Appendix to Chapter 29. Forms (Introduction); Form 1 (Notice of Appeal); Form 2 (Designation of Record on Appeal); Form 3 (Checklist for Action Taken at Omnibus Hearing)

Appendix to Chapter 29.7. Forms (Introduction)

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

Appendix 1 to Chapter 36. Form 1 (Case Management Order)

Amended and Adopted by the Court, En Banc, June 28, 2001, effective July 1, 2001.

BY THE COURT:

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

The Colorado Rules of Civil Procedure
Chapter 2. Pleadings and Motions

Rule 10. Form and Quality of Pleadings, Motions and Other Documents

(a) **Caption; Names of Parties.** Every pleading, motion, E-filed document under C.R.C.P. 121 (1-26), or any other document filed with the court (hereinafter "document") in both civil and criminal cases shall contain a caption setting forth the name of the court, the title of the action, the case number, if known to the person signing it, the name of the document in accordance with Rule 7(a), and the other applicable information in the format specified by paragraph (d) and the captions illustrated by paragraph (e) or (f) of this rule. In the complaint initiating a lawsuit, the title of the action shall include the names of all the parties to the action. In all other documents, it is sufficient to set forth the name of the first-named party on each side of the lawsuit with an appropriate indication that there are also other parties (such as "et al."). A party whose name is not known shall be designated by any name and the words "whose true name is unknown". In an action in rem, unknown parties shall be designated as "all unknown persons who claim any interest in the subject matter of this action".

(b) [*** NO CHANGE]

(c) [*** NO CHANGE]

(d) **General Rule Regarding Paper Size, Format, and Spacing.** All documents filed after the effective date of this rule, including those filed through the E-Filing System under C.R.C.P. 121 (1-26), shall meet the following criteria:

(1) [*** NO CHANGE]

(2) **Format:** All documents shall be legible. They shall be printed on one side of the page only (except for E-Filed documents).

(I) **Margins:** All documents shall use margins of 1 1/2 inches at the top of each page, and 1 inch at the left, right, and bottom of each page. Except for the caption, a left-justified margin shall be used for all material.

(II) **Font:** No less than twelve (12) point font shall be used for all documents.

(III) **Case Caption Information:** All documents shall contain the following information arranged in the following order, as illustrated by paragraphs (e) ~~or~~ and (f) of this rule, except that documents issued by the court under the signature of the clerk or judge should omit the attorney section as illustrated in paragraphs (e)(2) and (f)(2). Individual boxes should separate this case caption information; however, vertical lines are not mandatory.

On the left side:

Court name and mailing address.

Name of parties.

Name, address, and telephone number of the 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 2 1/2 inches in width and 1 3/4 inches in length (located opposite the court and party information).

Case number, division number, and courtroom number (located opposite the attorney information above).

(3) [*** NO CHANGE]

(4) [*** NO CHANGE]

(e) Illustration of Preferred Case Caption Format:

(1) Preferred Caption for documents initiated by a party:

<p>[Designation of Court from subsection (g) below]</p> <p>Court Address:</p>	<p>COURT USE ONLY</p>
<p>Plaintiff(s): <i>[Substitute appropriate party designations & names]</i></p> <p><u>v.</u></p> <p>Defendant(s):</p>	
<p>Attorney or Party Without Attorney: Name: Address:</p> <p>Phone Number: FAX Number: E-mail: Atty. Reg.#:</p>	<p>Case Number:</p> <p>Div.: Ctrm.:</p>
<p>NAME OF DOCUMENT</p>	

(2) Preferred Caption for documents issued by the court under the signature of the clerk or judge:

<p><u>[Designation of Court from subsection (g) below]</u></p> <p><u>Court Address:</u></p>	<p><u>COURT USE ONLY</u></p>
<p><u>Plaintiff(s):</u> <u><i>[Substitute appropriate party designations & names]</i></u></p> <p><u>v.</u></p>	

<u>Defendant(s):</u>	<u>Case Number:</u>
	Div.: _____ Ctrm.: _____
<u>NAME OF DOCUMENT</u>	

(f) Illustration of Optional Case Caption:

(1) Optional Caption for documents initiated by a party:

[Designation of Court from subsection (g) below]

Court Address:

Plaintiff(s):

[Substitute appropriate party designations & names]

v.

Defendant(s):

COURT USE ONLY

Attorney or Party Without Attorney:

Case Number:

Name:

Address:

Phone Number:

Div.:

Ctrm.:

FAX Number:

E-mail:

Atty. Reg.#:

NAME OF DOCUMENT

(2) Optional Caption for documents issued by the court under signature of the clerk or judge:

[Designation of Court from subsection (g) below]

Court Address:

Plaintiff(s):

[Substitute appropriate party designations & names]

v.

COURT USE ONLY

Defendant(s):

Case Number:

Div.: Ctrm.:

NAME OF DOCUMENT

(g) [*** NO CHANGE]

(h) The forms of case captions provided for in this rule replaces those forms of captions otherwise provided for in other Colorado rules of procedure, including but not limited to the Colorado Rules of County Court Procedure, the Colorado Rules of Procedure for Small Claims Courts, and the Colorado Appellate Rules. These forms of case captions ~~applies~~ apply to criminal cases, as well as civil cases.

(i) **State Judicial Pre-Printed or Computer-Generated Forms.** 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. Such forms, whether pre-printed or computer-generated, shall employ a form of caption similar to ~~that~~ those contained in this rule and may be double-sided, contain check-off boxes for the court designation, have at least a 9-point font, and 1 inch left margin, 1/2 inch right and bottom margins, and 3/4 inch top margin.

COMMENT

~~This amendment introduces a new~~ This rule sets forth forms of case captions ~~to~~ for all documents that are filed in Colorado courts, including both criminal and civil cases. The purpose of the ~~new form~~ captions 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 for all documents filed with Colorado courts on and after July 1 2001, and will become mandatory on January 1, 2001.~~ Judges are encouraged in their orders to employ a caption similar to that ~~utilized by the parties in the case, adjusted as the deem appropriate~~ found in paragraph (e)(2).

The preferred case caption format for documents initiated by a party is found in paragraph (e)(1). The preferred caption for documents issued by the court under the signature of a clerk or judge is found in paragraph (e)(2). Because some parties may have difficulty formatting their documents to include vertical lines and boxes, ~~an~~ alternate case caption formats isare found in paragraphs (f)(1) and (f)(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, ~~r~~ right ~~-~~side of the caption.

Forms approved by the State Court Administrator’s Office (designated “JDF” or “SCAO”), forms set forth in the Colorado Court Rules, volume 12, C.R.S. (including those 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 as approved by 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>.

**Appendix to Chapters 1 to 17A. The Colorado Rules of Civil Procedure
FORMS
(See Rule 84.)**

(Some forms in this Appendix are available from the Colorado courts web page at
<http://www.state.co.us/scao/Forms.htm>.)

Introductory Statement.

1. [*** NO CHANGE]
2. Except where otherwise indicated, each form shown in this chapter should have a caption similar to the samples shown below. Each caption shall contain a **form title** document name and party designation that may vary according to the type of form being used. See the applicable forms to determine the appropriate title and party designation. Documents initiated by a party shall use a form of caption shown in sample caption A. Documents issued by the court under the signature of the clerk or judge should omit the attorney section as shown in sample caption B. The number of the action and the division in which the action is pending, where applicable, should be indicated in the caption of all papers subsequently filed. In the caption of the summons and in the caption of the complaint all parties must be named, but for other documents it is sufficient to state the name of the first party on both sides of the litigation, with an appropriate reference to other parties, such as et. al. See Rules 4(a), 7(b)(2), and 10(a).
3. [*** NO CHANGE]
4. [*** NO CHANGE]
5. [*** NO CHANGE]
6. ~~Consistent with C.R.C.P. 10, the form of caption for all forms is amended and is optional commencing July 1, 2001 and mandatory commencing January 1, 2001.~~ Forms of captions are to be consistent with Rule 10, C.R.C.P.

~~SAMPLE CAPTION~~ Sample Caption A for documents initiated by a party

<input type="checkbox"/> County Court <input type="checkbox"/> District Court _____ County, Colorado Court Address:	COURT USE ONLY
Plaintiff(s): <i>[Substitute appropriate party designations & names]</i> <u>v.</u> Defendant(s):	
Attorney or Party Without Attorney (Name and Address): Phone Number: E-mail: FAX Number: Atty. Reg. #:	Case Number: Division: Courtroom:
Insert Form Title <u>NAME OF DOCUMENT</u>	

**Sample Caption B for documents issued by the court under
the signature of the clerk or judge**

<input type="checkbox"/> County Court <input type="checkbox"/> District Court County, Colorado <u>Court Address:</u>	
<u>Plaintiff(s):</u> <u>[Substitute appropriate party designations & names]</u> <u>v.</u> <u>Defendant(s):</u>	
	<u>COURT USE ONLY</u>
	<u>Case Number:</u> <u>Division:</u> <u>Courtroom:</u>
<u>NAME OF DOCUMENT</u>	

**Form 1.
SUMMONS**

[Insert caption A from page ___ with the following designation of parties]

Plaintiff:

v.

Defendant:

[* NO CHANGE to balance of form]**

**Appendix to Chapter 25. The Colorado Rules of County Court Civil Procedure
FORMS**

(Some forms in this Appendix are available from the Colorado courts web page at
<http://www.state.co.us/scao/Forms.htm>.)

Introductory Statement.

1. Except where otherwise indicated, each form shown in this chapter should have a caption similar to the samples shown below. Each caption shall contain a **form title** document name and party designation that may vary depending on the type of form being used. See the applicable form shown below to determine the correct **title** name and party designation for that particular form. Documents initiated by a party shall use a form of caption shown in sample caption A. Documents issued by the court under the signature of the clerk or judge should omit the attorney section as shown in sample caption B.

2. [*** NO CHANGE]

3. ~~Consistent with C.R.C.P. 10, the form of caption for all forms is amended and is optional commencing July 1, 2000 and mandatory commencing January 1, 2001.~~ Forms of captions are to be consistent with Rule 10, C.R.C.P.

SAMPLE CAPTION **Sample Caption A for documents initiated by a party**

<input type="checkbox"/> County Court _____ County, Colorado Court Address:	COURT USE ONLY
Plaintiff(s): <i>[Substitute appropriate party designations & names]</i> <u>v.</u> Defendant(s):	
Attorney or Party Without Attorney (Name and Address): Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: Division: _____ Courtroom: _____
<u>[Insert Form Title]NAME OF DOCUMENT</u>	

**Sample Caption B for documents issued by the court under
the signature of the clerk or judge**

<input type="checkbox"/> County Court _____ County, Colorado <u>Court Address:</u>	
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**Appendix to Chapter 26. The Colorado Rules of Procedure for Small Claims
Courts
SMALL CLAIMS COURTS FORMS**

Introductory Statement.

~~Consistent with C.R.C.P. 10, the form of caption for all forms is amended and is optional commencing July 1, 2001 and mandatory commencing January 1, 2001. Forms of captions are to be consistent with Rule 10, C.R.C.P.~~

An addendum should be used for identifying additional parties or attorneys when the space provided on a pre-printed or computer-generated form is not adequate.

**Appendix A to Chapter 27. The Colorado Rules of Probate Procedure
COLORADO PROBATE CODE FORMS**

(Forms in this Appendix are available from the Colorado courts web page at
<http://www.state.co.us/scao/Forms.htm>.)

ORDER

WHEREAS, the Colorado Supreme Court Committee on Uniform Probate Forms has revised the forms for use in probate matters, necessitated by Amendments to the Colorado Probate Code and by the repeal and reenactment of the Colorado Rules of Probate Procedure, effective July 1, 1981; and

WHEREAS, the Court has considered the revised forms prepared by the said Committee;

NOW, THEREFORE, IT IS ORDERED that the forms hereinafter set forth are approved in principle by this Court for the use in probate matters in the State of Colorado, subject to the following:

These forms are intended as guidelines and should be used in cases where they are applicable. The Court does not specifically approve any of the forms since they have not been tested in an adversary proceeding. They are not intended to be an exhaustive or complete set of forms for use in any particular case and additional or different forms may be required depending on the issues of fact and law presented in a particular proceeding.

Except where otherwise indicated, each form shown in this chapter should have a caption similar to the samples shown below. Each caption shall contain a ~~form~~ **title** document name and party designation that may vary depending on the type of form being used. See the applicable form shown below to determine the correct title and party designation for that particular form. Documents initiated by a party shall use a form of caption shown in sample caption A. Orders, Letters, and other documents issued by the court under the signature of the clerk or judge should omit the attorney section as shown in sample caption B.

An addendum should be used for identifying additional parties or attorneys when the space provided on a pre-printed or computer-generated form is not adequate.

~~Consistent with C.R.C.P. 10, the form of caption for all forms is amended and is optional commencing July 1, 2000 and mandatory commencing January 1, 2001.~~ Forms of captions are to be consistent with Rule 10, C.R.C.P.

~~SAMPLE CAPTION~~ Sample Caption A for documents initiated by a party

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: IN THE MATTER OF THE ESTATE OF: Decensed:	
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<i>[Substitute appropriate party designation & names]</i>		
Deceased		
Attorney or Party Without Attorney (Name and Address):		Case Number:
Phone Number:	E-mail:	
FAX Number:	Atty. Reg. #:	Div.: Ctrm:
<u>[Insert Form Title] NAME OF DOCUMENT</u>		

**Sample Caption B for documents issued by the court under
the signature of the clerk or judge**

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado <u>Court Address:</u>	
<u>IN THE MATTER OF THE ESTATE OF:</u>	
_____ <i>[Substitute appropriate party designations & names]:</i>	
<u>Deceased</u>	<u>COURT USE ONLY</u>
	<u>Case Number:</u>
	<u>Division:</u> <u>Courtroom:</u>
<u>NAME OF DOCUMENT</u>	

SPECIAL FORM INDEX

- Form 1. Demand for Notice of Filings or Orders.
- Form 1-A. Withdrawal of Demand for Notice of Filings or Orders.
- Form 2. Notice of Hearing.
- Form 2-A. Notice of Appointment of Guardian/Conservator and Notice of Right to Request Termination or Modification.
- Form 2-ER. Notice of Emergency Guardianship Hearing.
- Form 2-ERA. Notice of Appointment of Emergency Guardian and Notice of Right to Hearing.
- Form 2-F. Notice of Filing by Guardian or Conservator.
- Form 2-GC. Notice of Hearing to Protected Person or Incapacitated Person. (Deleted 1-01)
- Form 2-IP. Notice of Hearing to Interested Persons.
- Form 2-N. Notice of Hearing (Non-Appearance).
- Form 2-R. Notice of Hearing to Respondent.
- Form 3. Notice Pursuant to Demand—Informal Proceedings. (Deleted 7-91)
- Form 4. Notice to Unborn or Unascertained Persons Through Notice to Known Persons Having Substantially Identical Interests.
- Form 5. Motion and Order for Notice by Publication.
- Form 6. Notice of Hearing by Publication.

- Form 7. Certificate of Service.
- Form 7-P. Personal Service Affidavit.
- Form 8. Waiver of Notice.
- Form 8-A. Waiver of Service.
- Form 9. Petition for Formal Probate of Will and Formal Appointment of Personal Representative.
- Form 9-A. Petition and Order for Transfer of Lodged Will [and Codicil(s)].
- Form 10. Order Admitting Will to Formal Probate and Formal Appointment of Personal Representative.
- Form 11. Application for Informal Probate of Will and Informal Appointment of Personal Representative.
- Form 12-T. Informal Probate of Will and Informal Appointment of Personal Representative. (Forms 12-T and 12-I replace Form 12)
- Form 12-I. Informal Appointment of Personal Representative. (Forms 12-T and 12-I replace Form 12)
- Form 13-A. Application for Informal Appointment of Personal Representative. (Replaces Form 13)
- Form 13-P. Petition for Adjudication of Intestacy, Determination of Heirs and Formal Appointment of Personal Representative. (Replaces Form 13-F)
- Form 14. Order of Intestacy, Determination of Heirs and Formal Appointment of Personal Representative.
- Form 15. (Application) (Petition) for Appointment of Special Administrator. (Deleted 7-95)
- Form 15-A. Application for Informal Appointment of Special Administrator. (Form 15-A and Form 15-P replace Form 15.)
- Form 15-P. Petition for Formal Appointment of Special Administrator. (Form 15-A and Form 15-P replace Form 15.)
- Form 16. Informal Appointment of Special Administrator. (Deleted 7-95)
- Form 16-A. Order Appointing Special Administrator. (Deleted 7-95)
- Form 16-A. Informal Appointment of Special Administrator. (Adopted 7-95) (Form 16-A and Form 16-P replace Form 16 and Form 16-A)
- Form 16-P. Order Appointing Special Administrator. (Adopted 7-95) (Form 16-A and Form 16-P replace Form 16 and Form 16-A)
- Form 17. Letters.
- Form 17-A. Renunciation and/or Nomination of Personal Representative.
- Form 18. Acceptance of Appointment.
- Form 18-A. Irrevocable Power of Attorney Designating Clerk of Court as Agent for Service of Process.
- Form 19. Bond of (Personal Representative) (Conservator).
- Form 20. Inventory.
- Form 21-A. Notice to Creditors by Publication. (Forms 21-A and 21-B replace Form 21)
- Form 21-B. Notice to Creditors by Mail or Delivery. (Forms 21-A and 21-B replace Form 21)
- Form 22. Claim.
- Form 22-W. Withdrawal or Satisfaction of Claim and Release.
- Form 23. Notice of Disallowance of Claim.
- Form 24. Petition for Final Settlement and Distribution. (Replaces Form 24-I and Form 24-T)
- Form 24/25-S. Schedule of Distribution.
- Form 24-N. Notice of Hearing on Petition for Final Settlement and Distribution.
- Form 24-NA. Notice of Hearing on Petition for Final Settlement and Distribution (Non-appearance). (Adopted 7-97)
- Form 25. Order for Final Settlement and Distribution. (Replaces Form 25-I and Form 25-T)
- Form 25-H. Schedule of Heirship
- Form 26. Decree of Final Discharge.
- Form 27. Verified Statement of Personal Representative Closing Administration.

Form 28. Verified Statement of Personal Representative Closing Small Estate.
 Form 28-A. Application for Certificate from Registrar.
 Form 28-C. Certificate of Registrar.
 Form 29. Petition for Appointment of Conservator.
Form 29-CR. Conservator's Report.
Form 29-FP. Financial Plan.
 Form 30-A. Order Appointing Conservator (Adult).
 Form 30-M. Order Appointing Conservator (Minor).
Form 30-SC. Order Appointing Special Conservator.
 Form 31-A. Petition to Settle Personal Injury Claim. (Deleted 4-96)
 Form 31-B. Order Granting Leave to Settle Personal Injury Claim. (Deleted 4-96)
 Form 32. Petition for Appointment of Guardian ~~for Incapacitated Person.~~
 Form 32-A. Order Appointing Visitor for Incapacitated Person.
Form 32-GR. Guardian's Report.
 Form 32-V. Visitor's Report—Guardianship Proceedings.
 Form 33. Order Appointing Guardian for Incapacitated Person.
Form 33-E. Order Appointing Emergency Guardian.
 Form 34. Petition for Appointment of Guardian for Minor.
 Form 35. Order Appointing Guardian for Minor.
 Form 36. Acceptance of Testamentary Appointment as Guardian for Minor and Notice.
 Form 36-A. Affidavit of Acceptance of Appointment by Written Instrument as Guardian for Minor and Notice.
 Form 37. Acceptance of Testamentary Appointment as Guardian for Incapacitated Person and Notice.
 Form 38. Trust Registration Statement.
 Form 38-A. Amended Trust Registration Statement.
 Form 39-PR. Petition for Allowance of Claim(s) by Personal Representative.
 Form 39-C. Petition for Allowance of Claim(s) by Claimant.
 Form 40. Affidavit for Collection of Personal Property Pursuant to Small Estate Proceeding.
 Form 41. Information of Informal Probate. (Deleted 7-91)
 Form 42. Information of Appointment.
 Form 43. (Interim) (Final) Accounting.
 Form 44. Request for Correction.
 Form 45. Order Appointing Guardian Ad Litem.
 Form 46-A. (Repealed 7-95)
 Form 46-B. (Repealed 7-95)
 Form 47-A. (Repealed 7-95)
 Form 47-B. (Repealed 7-95)
 Form 48. Order Closing Estate after Five Years. (Repealed 7-97)
 Form 49. Petition ~~by Conservator~~ for Termination of Conservatorship.
 Form 50. Petition by Protected Person for Termination of Conservatorship. (Deleted 1-01)
 Form 51. Order Terminating Conservatorship.
 Form 52. Waiver of Hearing, Waiver of Accountings, Waiver of Audit, and Approval of Schedule of Distribution.
 Form 54. Receipt and Release.
 Form 55. Order for Deposit of Funds to Restricted Account.
 Form 56. Petition.
 Form 57-A. Notice of Hearing.
 Form 57-B. Notice of Hearing by Publication.
 Form 58. Petition to Re-Open Estate Pursuant to 15-12-1008, C.R.S.
 Form 59. Order Re-Opening Estate Pursuant to 15-12-1008, C.R.S.

CPC Form 1
DEMAND FOR NOTICE OF FILINGS OR ORDERS

[Insert caption A from page ____ with the following designation of parties]

IN THE MATTER OF THE ESTATE OF:

Deceased:

[*** NO CHANGE to balance of form]

**Appendix B to Chapter 27. The Colorado Rules of Probate Procedure
MENTAL ILLNESS FORMS**

ORDER

WHEREAS, the statewide committee for the implementation of the Colorado statute for the care and treatment of the mentally ill has formulated forms for use in mental matters, necessitated by the enactment by the General Assembly of the Colorado statute on the Care and Treatment of the Mentally Ill (Article 10 of Title 27, C.R.S.); and

WHEREAS, the Court has considered the aforesaid forms prepared by the said committee;

NOW, THEREFORE, IT IS ORDERED that the forms are approved in principle by this Court for use in mental health matters in the State of Colorado, subject to the following:

These forms are intended as guidelines and should be used in cases where they are applicable. The Court does not specifically approve any of the forms since they have not been tested in an adversary proceeding. They are not intended to be an exhaustive or complete set of forms for use in any particular case and additional or different forms may be required depending on the issues of fact and law presented in a particular proceeding.

Except where otherwise indicated, each form shown in this chapter should have a caption similar to the samples shown below. Each caption shall contain a ~~form~~ **title** document name and party designation that may vary depending on the type of form being used. See the applicable form shown below to determine the correct title and party designation for that particular form. Documents initiated by a party shall use a form of caption shown in sample caption A. Documents issued by the court under the signature of the clerk or judge should omit the attorney section as shown in sample caption B.

An addendum should be used for identifying additional parties or attorneys when the space provided on a pre-printed or computer-generated form is not adequate.

~~Consistent with C.R.C.P. 10, the form of caption for all forms is amended and is optional commencing July 1, 2000 and mandatory commencing January 1, 2001.~~ Forms of captions are to be consistent with Rule 10, C.R.C.P.

SAMPLE CAPTION Sample Caption A for documents initiated by a party

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address:	COURT USE ONLY
THE PEOPLE OF THE STATE OF COLORADO: IN THE INTEREST OF: Respondent: <i>[Substitute appropriate party designation & names]</i>	
Attorney or Party Without Attorney (Name and Address):	

Phone Number:	E-mail:	Division:	Courtroom:
FAX Number:	Atty. Reg. #:		
[Insert Form Title] NAME OF DOCUMENT			

**Sample Caption B for documents issued by the court under
the signature of the clerk or judge**

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address:	<u>COURT USE ONLY</u>
<u>THE PEOPLE OF THE STATE OF COLORADO:</u> <u>IN THE INTEREST OF:</u> <u>Respondent:</u> _____ <i>[Substitute appropriate party designations & names]:</i>	
	Case Number: _____ Division: _____ Courtroom: _____
<u>NAME OF DOCUMENT</u>	

Form M-3 (8/75)
**AFFIDAVIT, MOTION, AND ORDER FOR
EVALUATION AND TREATMENT**
(27-10-105(1). CRS)

[Insert caption A from page ____ with the following designation of parties]

[*** NO CHANGE to balance of form]

**Chapter 28. The Colorado Rules of Juvenile Procedure
FORMS**

Form 1.

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court _____ County, Colorado Court Address:	COURT USE ONLY
THE PEOPLE OF THE STATE OF COLORADO: In the Interest of: <hr/> <u>Child(ren) and Concerning</u> <hr/> <u>Parent(s)/Guardian(s)</u>	
Attorney or Party Without Attorney (Name and Address): Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: Division: _____ Courtroom: _____
VALID COURT ORDER FOR STATUS OFFENDERS	

[*** NO CHANGE to balance of form]

Form 2.

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court _____ County, Colorado Court Address:	COURT USE ONLY
THE PEOPLE OF THE STATE OF COLORADO: In the Interest of: <hr/> <u>Child(ren) and Concerning</u> <hr/> <u>Parent(s)/Guardian(s)</u>	
Attorney or Party Without Attorney (Name and Address): Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: Division: _____ Courtroom: _____
SECURE PLACEMENT AS DISPOSITION FOR VIOLATION OF VALID COURT ORDER	

[*** NO CHANGE to balance of form]

**Appendix to Chapter 29. The Colorado Rules of Criminal Procedure
FORMS**

(See Rules 16 and 37)

~~Consistent with C.R.C.P. 10, the form of caption for all forms is amended and is optional commencing July 1, 2000 and mandatory commencing January 1, 2001. Forms of captions are to be consistent with Rule 10, C.R.C.P.~~

An addendum should be used for identifying additional parties or attorneys when the space provided on a pre-printed or computer-generated form is not adequate.

Form 1.

<input type="checkbox"/> County Court _____ County, Colorado Court Address:	
<p><u>THE PEOPLE OF THE STATE OF COLORADO:</u></p> <p>vs. <u>v.</u></p> <p><u>Defendant:</u></p>	<p>COURT USE ONLY</p>
Attorney or Party Without Attorney (Name and Address): Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: _____ Division: _____ Courtroom: _____
<p>NOTICE OF APPEAL</p>	

To: The County Court in and for the County of _____, State of Colorado and the above named _____.

Please take notice that the undersigned counsel for the _____ will file an appeal on behalf of the _____ herein, _____

Said appeal will be docketed in the *District Court pursuant to Rule _____, Rules of _____ Procedure in the County Courts.

Done this _____ day of _____, 20__.

By _____
Attorney

I, _____, hereby certify that I have served a copy of the above Notice of Appeal and a copy of the Designation of Record on Error by depositing a true copy of each in the United States mail, with sufficient postage prepaid and addressed to _____, whose address is _____ on this _____ day of _____, 20__.

~~*Superior Court in the City and County of Denver.~~

Form 2.

<input type="checkbox"/> County Court _____ County, Colorado Court Address:		COURT USE ONLY
<u>Plaintiff: THE PEOPLE OF THE STATE OF COLORADO:</u> <u>v.</u> Defendant(s):		
Attorney or Party Without Attorney (Name and Address):		Case Number:
Phone Number: _____ FAX Number: _____	E-mail: _____ Atty. Reg. #: _____	Division: _____ Courtroom: _____
DESIGNATION OF RECORD ON APPEAL		

The Clerk will prepare for the ~~*District Court~~ a record of error which shall include the following:

[*** NO CHANGE to text of form]

~~*Superior Court in the City and County of Denver only.~~

Form 3.

<input type="checkbox"/> District Court _____ County, Colorado Court Address:		COURT USE ONLY
<u>Plaintiff: THE PEOPLE OF THE STATE OF COLORADO:</u> <u>v.</u> Defendant(s):		
Attorney or Party Without Attorney (Name and Address):		Case Number:

Phone Number:	E-mail:	Division:	Courtroom:
FAX Number:	Atty. Reg. #:		
CHECKLIST FOR ACTION TAKEN AT OMNIBUS HEARING			

[* NO CHANGE to balance of form]**

**Appendix to Chapter 29.7. The Colorado Rules for Traffic Infractions
FORMS**

~~Consistent with C.R.C.P. 10, the form of caption for all forms is amended and is optional commencing July 1, 2000 and mandatory commencing January 1, 2001. Forms of captions are consistent with Rule 10, C.R.C.P.~~

An addendum should be used for identifying additional parties or attorneys when the space provided on a pre-printed or computer-generated form is not adequate.

Chapter 32. The Colorado Appellate Rules
C.A.R. 32. Form of Briefs and Appellate Documents

(a) [*** NO CHANGE]

(b) [*** NO CHANGE]

(c) **Basic Document Information.** Each brief or other appellate 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 forms illustrated in subsection (1) or (2) below, except that documents issued by the court or clerk of court should omit the attorney section as illustrated in subsection (1)(II) and (2)(II):

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 1¾ inches in length (located opposite the court information).

Case number.

(1) Illustration of Preferred Case Caption Format:

(I) Preferred Caption for documents initiated by a party:

[Designation of Court] Court Address:	COURT USE ONLY
[Name of Lower Court(s), Lower Court Judge(s), and Case Number(s)]	

<p>Petitioner(s):Appellant(s):</p> <p><i>[Substitute appropriate party designations & names]</i></p> <p><u>v.</u></p> <p>Respondent(s):Appellee(s):</p>	
<p>Attorney or Party Without Attorney: Name: Address:</p> <p>Phone Number: FAX Number: E-mail: Atty. Reg.#:</p>	Case Number:
NAME OF DOCUMENT	

(1) Preferred Caption for documents issued by the court or clerk of court:

<p><u>[Designation of Court]</u></p> <p><u>Court Address:</u></p>	
<p><u>[Name of Lower Court(s), Lower Court Judge(s), and Case Number(s)]</u></p> <p><u>Appellant(s):</u></p> <p><u><i>[Substitute appropriate party designations & names]</i></u></p> <p><u>v.</u></p> <p><u>Appellee(s):</u></p>	<u>COURT USE ONLY</u>
	<u>Case Number:</u>
<u>NAME OF DOCUMENT</u>	

(2) Illustration of Optional Case Caption:

(1) Optional Caption for documents initiated by a party:

[Designation of Court]

Court Address:

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

Petitioner(s):Appellant(s):

[Substitute appropriate party designations & names]

v.

Respondent(s):Appellee(s):

COURT USE ONLY

Attorney or Party Without Attorney:
Name:
Address:

Case Number:

Phone Number:
FAX Number:
E-mail:
Atty. Reg#:

NAME OF DOCUMENT

(I) Optional Caption for documents issued by the court or clerk of court:

[Designation of Court]

Court Address:

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

COURT USE ONLY

Appellant(s):

Case Number:

[Substitute appropriate party designations & names]

v.

Appellee(s):

NAME OF DOCUMENT

(d) [*** NO CHANGE]

COMMENT

This ~~amendment rule~~ conforms the appellate practice to the ~~new~~ new forms of case captions 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 form~~ new form captions 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 for documents initiated by a party is found in subsection (c)(1)(I). The preferred caption for documents issued by the court or clerk of court is found in subsection (c)(1)(II). Because some parties may have difficulty formatting their documents to include vertical lines and boxes, ~~an~~ alternate case caption formats ~~is~~ are found in subsections (c)(2)(I) and (c)(2)(II). 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, ~~r~~ 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>.

**Appendix 1 to Chapter 36. Uniform Local Rules for All State Water Court
Divisions
COLORADO WATER COURT FORMS**

(Additional forms are available from the Colorado courts web page at
<http://www.state.co.us/scao/Forms.htm>.)

Form 1.

<input type="checkbox"/> District Court, Water Division _____ County, Colorado Court Address:	COURT USE ONLY
Concerning the Application for Water Rights of: Applicant: In _____ River or its Tributaries In _____ County	
Attorney or Party Without Attorney (Name and Address): Phone Number: E-mail: FAX Number: Atty. Reg. #:	
CASE MANAGEMENT ORDER	

[* NO CHANGE to balance of form]**