

Change #2001(8)

Chapter 32. Colorado Appellate Rules  
General Provisions

**Rule 25. Filing and Service**

(a) **Filing.** Papers required or permitted to be filed in the appellate court shall be filed with the clerk. Filing may be accomplished by mail addressed to the clerk, but filing shall not be timely unless the papers are received by the clerk within the time fixed for filing, except that (1) briefs shall be deemed filed on the day of mailing if the most expeditious form of delivery by mail, excepting special delivery, is utilized; and (2) a paper filed by an inmate confined to an institution shall be deemed filed when filed in accordance with C.A.R. 25(b). If a motion requests relief which may be granted by a single judge or justice, the judge or justice may permit the motion to be filed with him or her, in which event he—the judge or justice shall note thereon the date of filing and shall thereafter transmit it to the clerk.

(b) Inmate Filings. A document filed by an inmate confined in an institution is timely filed with the court if deposited in the institution's internal mailing system on or before the last day for filing. If an institution has a system designed for legal mail, the inmate must use that system to receive the benefit of this rule.

(bc) **Service of all Papers Required.** Copies of all papers filed by any party and not required by these rules to be served by the clerk shall, at or before the time of filing, be served by a party or person acting for him—that party on all other parties to the appeal or review. Service on a party represented by counsel shall be made on counsel.

(ed) **Manner of Service.** Service may be personal or by mail. Personal service includes delivery of the copy to a clerk or other responsible person at the office of counsel. Service by mail is complete on mailing.

(de) **Proof of Service.** Papers presented for filing shall contain an acknowledgment of service by the person served or proof of service in the form of a statement of the date and manner of service and of the names of the person served, certified by the person who made service. Proof of service may appear on or be affixed to the papers filed. The clerk may permit papers to be

filed without acknowledgment or proof of service but shall require such to be filed promptly thereafter.

Amended and Adopted by the Court, En Banc, May 17, 2001, effective July 1, 2001.

BY THE COURT:

Alex J. Martinez  
Justice, Colorado Supreme Court