

Court of Appeals Interim Remote Oral Argument Policy

Purpose

The Court of Appeals strongly favors holding oral arguments at the Ralph L. Carr Colorado Judicial Center.

However, the Court recognizes that for counsel not located along the Colorado Front Range, travel to Denver for oral arguments increases costs to their clients. Additionally, travel to Denver may be hampered by adverse weather.

The Court also recognizes that other reasons may exist (or arise) that constitute good cause for a case to be set for remote oral argument.

Therefore, to ensure that all litigants have access to oral argument before the Court of Appeals as provided for and subject to C.A.R. 34, counsel may move to have a case set for remote oral arguments under the conditions that follow.

Counsel Outside the Front Range

If counsel for at least one party resides in the following judicial districts, that counsel may file a motion for remote oral argument: 3rd, 5th, 6th, 7th, 9th, 11th, 12th, 13th, 14th, 15th, 16th, 21st, and 22nd. Counsel must confer with all other parties and state if

any party objects to remote oral argument or if all parties are unopposed to or join the motion for a remote proceeding.

Unopposed or joint motions from counsel where one or more of the counsel arguing the case reside in the above judicial districts will be set for a remote argument. If there is no agreement, the moving counsel's motion should explain why good cause exists for setting the case for remote oral argument. An opposed motion will be trailed for 7 days for a response, and the Court will determine whether to grant the motion.

Other Good Cause

For all cases not covered by the Counsel Outside the Front Range paragraph, counsel, after conferring with all other counsel, may file a motion for remote oral argument explaining why good cause exists for setting the case remotely. If the request for remote oral argument is not joint or unopposed, the motion will be trailed for 7 days. All motions for remote oral argument filed pursuant to this paragraph, even if joint or unopposed, will be granted solely in the discretion of the Court.

Procedures

For all counsel, any motion for remote oral argument must be filed in a separate motion within 7 days of a request for oral argument filed pursuant to C.A.R. 34. Failure to confer and to document that conferral in the motion will result in the motion being summarily denied. Untimely requests for remote oral arguments will be considered only upon a showing of good cause both for the untimely motion as well as good cause as to whether remote argument should be granted.

If a case is set for remote oral argument, all participants (counsel and judges) will appear via Webex. Counsel are responsible for installing Webex on their own device, ensuring an adequate internet connection for both video and audio, and securing an appropriate location to appear remotely. Counsel must review and be familiar with the Webex Policies and Procedures on the Court's website.