

Step 6: Reply Brief

1. **Purpose:** This is your opportunity as the Appellant to counter the arguments that the Appellee made in the Answer Brief. **You may not raise new issues in the Reply Brief.** Filing a Reply Brief is optional — you are not required to file one if you believe it is not necessary to respond to the arguments in the Answer Brief.
2. **Deadline:** If you want to file a Reply Brief, it must be filed within 21 days after the Appellee files the Answer Brief. If an Answer Brief is not filed, then you may not file a Reply Brief.
3. **Formatting:** Please adhere to the formatting guidelines in Colorado Appellate Rule (C.A.R.) 32, including using a 14-point font size, double line spacing, Bookman, Garamond, or Times New Roman font, and printing on only one side of the page.
4. **Filling out the Brief:** You may use the following [Reply Brief Outline](#).

Case Caption (in the boxes on the 1st Page)

Fill in the parties' names in the order they appeared in the District Court. The Appellant is the person who filed the appeal. The Appellee is the person responding to the appeal. Title the document "Reply Brief."

Certificate of Compliance

State how many words are in your Reply Brief. Your Brief may not be more than 5,700 words, or 18 pages if you hand write the document.

Body of the Form

Include the following sections in your Reply Brief (Read C.A.R. 28 for more information):

- a. **Table of Contents:** List the required sections of the Reply Brief, and on which page they appear. The required sections are: Table of Authorities, Argument, and Response to Attorney Fee Request (if applicable).
- b. **Table of Authorities:** This section lists the court cases (in alphabetical order), statutes (in numerical order), and other sources that you reference in your

Reply Brief. Include the page number(s) where those sources are referenced in your Brief.

- c. **Argument:** This is your opportunity to counter the arguments raised in the Answer Brief. Cite to any law or to facts in the Record on Appeal to support your argument.
- d. **Response to Attorney Fee Request:** If the Answer Brief contained a request for attorney fees, respond to that request by explaining why the Appellee should not be awarded attorney fees.
- e. Sign and date your Reply Brief.

Certificate of Service

You must send a copy of the Reply Brief to each party's attorney or directly to a party who does not have an attorney. Certify the date that you sent the Reply Brief and how service was made (by mail or in-person). List the address you used for each party or attorney in the case.

- 5. **Filing:** You must file your Reply Brief in the Court of Appeals. You may file in-person or by mail. If you file by mail, be aware that post-marked dates do not count toward the filing deadline.

The address for the Court of Appeals is:

2 East 14th Avenue
Denver, CO 80203

Do not send a copy of the Reply Brief to the District Court.

- 6. **Be Sure to Read:** Colorado Appellate Rule (C.A.R.) 28, 31, and 32. You may view these and other court rules at:

<http://www.lexisnexis.com/hottopics/colorado/>

Appeal Steps:

Step 1: Notice of Appeal - Start of the appeal.

Step 2: Designation of Record - Packing list of documents.

- Step 3: Record on Appeal - Case file, exhibits and transcripts.
- Step 4: Opening Brief - Written arguments for the appeal.
- Step 5: Answer Brief - Written response to the appeal.
- Step 6: Reply Brief - Written response to the Answer Brief.**
- Step 7: Opinion - The Court of Appeals' decision.

Next Step

Step 7: Opinion – The Court of Appeals will issue an opinion deciding the appeal generally within 3 to 6 months after the last Brief was filed.