

RULE CHANGE 2011(6)
COLORADO COURT RULES CHAPTER 34
RULES FOR REAPPORTIONMENT COMMISSION PROCEEDINGS

1. These rules are adopted by the Supreme Court of Colorado pursuant to Article V, Section 48(1)(e) of the Colorado Constitution and apply to the revision and alteration of legislative districts after the federal census of 2010.
2. Upon submission of the Reapportionment Commission's plan for reapportionment of the members of the General Assembly to the Supreme Court, the review and determination of the plan's compliance with the requirements of Article V, Sections 46 and 47 of the Colorado Constitution shall take precedence over all regular docket matters before the Court.
3. No later than October 7, 2011, the Commission shall file the plan with the Court. The plan shall include a comprehensive map or maps of the proposed senatorial and representative districts, together with any statements describing the proposed plan and its implementation.
4. On or before ten (10) days following the Commission's filing of the plan to the Court, the Commission, and any other proponent of the submitted plan, shall file with the Court appropriate explanatory materials and legal memoranda in support of the plan.
5. Any opponent to the plan filed by the Commission may file a statement of opposition, a proposed alternate plan or plans, appropriate maps, and comprehensive explanatory, descriptive, and legal memoranda. Such materials shall be filed with the Court on or before 20 calendar days following the Commission's filing of the plan to the Court.
6. The Commission and any proponent shall have up to and including five (5) calendar days from the filing of any statement of opposition, to file with the Court a reply to such statement of opposition, if the Commission or proponent so desires.
7. The Court may request supplementary materials or legal memoranda from the Commission or any party appearing before the Court in this matter to be furnished within ten (10) days of the request.
8. The Court may require oral argument upon any issue raised by the Commission, other proponents, or opponents. Notice of the time and date of any oral argument and the procedures to be followed shall be mailed to the Commission and other parties.
9. The final submission of legal arguments or evidence concerning the plan shall be filed no later than November 9, 2011.
10. The Court may approve the plan without giving written reasons for such approval, but the Court shall give its reasons in writing for disapproval of the plan. If the plan is returned to the Commission, the Court shall specify to the Commission the time period in which the Commission shall revise and modify the plan to conform to the Court's requirements and to resubmit the plan to the Court. Petitions for rehearing must be filed within five (5) days of the announcement of any decision.

11. The Court shall approve a plan for the redrawing of the districts by a date that will allow sufficient time for such plan to be filed with the secretary of state but no later than December 14, 2011. The Court shall order that such plan be filed with secretary of state no later than such date.

12. An original and nine (9) copies of all materials and pleadings shall be filed with the Court. In addition, and where possible, an electronic version of all materials and pleadings shall be submitted to the Court in text searchable Portable Document Format (PDF), that exactly duplicates the appearance of the paper original, including the order and pagination of all the components.

13. All periods of time prescribed or allowed by this rule shall be computed in accordance with C.A.R. 26(a), except that intermediate Saturdays, Sundays and legal holidays shall be included in the computation. Regardless of the provisions of C.A.R. 25(a) to the contrary, filing under this rule 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, with no exceptions.

14. The Court shall provide notice of all filings with the Court by posting such filings on the Colorado Judicial website: <http://www.courts.state.co.us/>

15. These rules are effective upon adoption.

Adopted by the Colorado Supreme Court en banc on June 2, 2011.

By the Court:

A handwritten signature in blue ink that reads "Michael L. Bender".

Michael L. Bender
Chief Justice, Colorado Supreme Court