

**RULE CHANGE 2013(01)**

**COLORADO RULES OF CIVIL PROCEDURE**  
**Rule 16.2. Court Facilitated Management of Domestic Relations**  
**Cases and General Provisions Governing Duty of Disclosure**  
**Rule 313. Counterclaim and Cross Claim**

**Rule 16.2. Court Facilitated Management of Domestic Relations**  
**Cases and General Provisions Governing Duty of Disclosure**

(a) through (f) [NO CHANGE]

(g)(1) through (4) [NO CHANGE]

(5) Unless otherwise ordered by the court, expert reports shall be provided to the parties 56 days (8 weeks) prior to hearing. Rebuttal reports shall be provided 21 days thereafter. IF AN INITIAL REPORT IS SERVED EARLY, THE REBUTTAL REPORT SHALL NOT BE REQUIRED SOONER THAN 35 DAYS (5 WEEKS) BEFORE THE HEARING.

(g)(6) through (j) [NO CHANGE]

**Rule 313. Counterclaim and Cross Claim**

(a) [NO CHANGE]

(b) **Alternate.** If at the time the action is commenced the defendant possesses a counterclaim against the plaintiff that is not within the jurisdiction of the county court, exclusive of interest and costs, the defendant may:

(1) [NO CHANGE]

(2) File the counterclaim together with the answer in the pending county court action and request in the answer that the action be transferred to the district court. Upon filing the answer and counterclaim, the defendant shall tender the district court filing fee for a complaint. Upon compliance by the defendant with the requirements of this section, all county court proceedings shall be discontinued and the clerk of the county court shall certify all records in the case and forward the docket fee to the district court. IN THE EVENT THE COUNTERCLAIM WHICH CAUSED THE REMOVAL IS SUBSEQUENTLY DISMISSED, THE CASE MAY BE REMANDED TO THE COUNTY COURT FOR FURTHER PROCEEDINGS.

(c) through (g) [NO CHANGE]

**Amended and Adopted by the Court, En Banc, February 8, 2013, effective immediately.**

**By the Court:**

**Nancy E. Rice  
Justice, Colorado Supreme Court**