# COLORADO SUPREME COURT

## ADVISORY COMMITTEE ON RULES OF APPELLATE PROCEDURE

**Minutes of Meeting**

## August 1, 2017

A quorum being present, the Colorado Supreme Court’s Advisory Committee on Rules of Appellate Procedure was called to order by Chief Judge Alan Loeb at 1:30 p.m., in the Court of Appeals Full Court Conference Room on the third floor of the Ralph L. Carr Colorado Judicial Center. Members and guests present or excused from the meeting were:

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| --- | --- | --- |
| Name | Present | Excused |
| Chief Judge Alan Loeb, Chair | X |  |
| Catherine P. Adkisson | X |  |
| Judge Michael Berger | X |  |
| Dan Domenico | X |  |
| Anne Whalen Gill | X |  |
| Marcy Glenn | X |  |
| Dick Laugesen | X |  |
| Andrew Low | X |  |
| Norman Mueller | X |  |
| Judge Todd Plewe | X |  |
| Karen Taylor | X |  |
| **Non-voting participants** |  |  |
| Justice Allison Eid, Liaison | X |  |
| Polly Brock | X |  |
| Melissa Meirink | X |  |

1. **Attachments & Handouts**
2. August 1, 2017 agenda
3. May 11, 2016 minutes
4. Proposed amendments to Rules 10 and 30
5. **Approval of Minutes**

The Committee approved the May 11, 2016 minutes as submitted.

1. **Announcements from the Chair**

* The supreme court rules are still in the process of being amended; and
* Today is the committee’s first meeting since May 11, 2016, and the committee will review the revisions to Rule 10 that Polly Brock worked on with a subcommittee.

1. **Proposed drafts of Colorado Appellate Rules**

The following revisions were discussed and adopted unanimously by the committee:

* Rules 10 & 11 have been combined and rewritten into one new rule, Rule 10. Relevant provisions from Rule 11 have been added to Rule 10, and Rule 11 has been deleted. All provisions related to the “designating the record” have been struck from the rule and replaced with “designation of transcripts”. Exhibits weren’t explicitly addressed in the rule, because they will be handled under a Better Business Practice and clerk training. Other changes are as follows: in subsection (a) all documents will come up to the appellate court; in subsection (b) format of the record, electronic or paper, are separately discussed; subsection (c) stresses that the clerk of the trial court will submit the record only when it is complete; in subsection (c)(2) the record must be transmitted within 63 days, not 91 days, which would put Colorado in line with national time standards. Now, the 91-day period is one of the longest nationwide. Section (c)(4) added a reference to CJD 16-03 regarding transmission of sexually exploitative material, and a new comment has been added. In addition to the rule change, the committee reviewed two new forms: Form 8, Designation of Transcripts; and Form 9, Motion to Supplement the Record.
* Rule 30 received a non-substantive revision to update the reference to the court’s e-filing system.

A transmittal letter will be prepared and the rules and forms will be submitted to the supreme court.

**Future Meeting**

TBD

The committee adjourned at 3:25 pm.

*Respectfully submitted,*

*Jenny A. Moore*