

**COLORADO SUPREME COURT
ADVISORY COMMITTEE ON RULES OF APPELLATE PROCEDURE**

**Minutes of Meeting
July 22, 2015**

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:

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

I. Attachments & Handouts

- A. July 22, 2015 Agenda
- B. May 5, 2015 Minutes
- C. Proposed amendments to Rules 35, 36, 37, 38, 39, 39.5, 40, 41, 41.1, and 42

II. Approval of Minutes

The Committee approved the May 5, 2015 Minutes with no corrections.

III. Announcements from the Chair

Chief Judge Loeb began by discussing the following:

- The Supreme Court approved the Committee’s proposed revisions to Rules 28, 28.1, 31, 32, 34, and Forms 6, 7, and 7A. The Supreme Court approved the

Committee's proposed changes to Rule 29, except subsection (c) and portions of Form 6A, which both discussed amicus disclosure requirements.

- All of the revised rules became effective June 25, 2015.
- Internally, the Clerk's Office is allowing a 42-day grace period during which it will not strike briefs for failure to comply with the amended rules.
- To help educate attorneys and other on the changes, Chief Judge Loeb, Jane Bailey, and Melissa Meirink drafted an article that will appear in the September issue of the Colorado Lawyer detailing the amendments.
- The Committee will meet again in fall 2015. The subcommittee revising Rule 3.4 will give a presentation at the Committee's next meeting to discuss the proposed substantive changes to the Rule.

IV. New Business: Proposed drafts to Colorado Appellate Rules

Chief Judge Loeb introduced the revisions to the new "post-opinion" subset of appellate rules to be considered by the Committee (Rules 35, 36, 37, 38, 39, 39.5, 40, 41, 41.1, and 42).

- The Committee approved organizational and non-substantive changes to the Rule 35 but unanimously decided to postpone making any further revisions pending the Court of Appeals' substantive review of current Rule 35.
- The Committee approved the revisions to Rules 36, 37, 38, and 39 and unanimously decided to submit the proposed revisions to the Supreme Court for its review.
- The Committee will continue reviewing the proposed revisions to the remaining post-opinion subset of rules (Rules 39.5, 40, 41, 41.1, and 42) at a future meeting.

V. Future Meeting

Date TBD

The committee adjourned at 3:30 pm.

*Respectfully submitted,
Melissa C. Meirink*