

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.
- 2. Optional** 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.
- 3. Deadline:** Due within 21 days after the Answer Brief.
You may not file one if no Answer Brief is filed.
- 4. Formatting:** Colorado Appellate Rule (C.A.R.) 32 format includes:
 - 14-point font size,
 - double line spacing,
 - Bookman, Garamond, or Times New Roman font, and
 - printing on only one side of the page.
- 5. The Brief:** You may use JDF 1917 - Reply Brief Outline.

Case Caption (*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.

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

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 Fees

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. Copies Delivered

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 check 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. 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/>

7. Next Step

The Court of Appeals will mail its decision to you.

- Generally, within 3 to 6 months after the last brief was filed.