

**RULE CHANGE 2013(18)**

**COLORADO RULES OF CIVIL PROCEDURE  
Rule 121; Section 1-15; DETERMINATION OF MOTIONS**

**COLORADO RULES FOR MAGISTRATES  
Rule 7. Review of District Court Magistrate Orders or Judgments**

**Section 1-15**

**DETERMINATION OF MOTIONS**

**1. [NO CHANGE]**

**2. Affidavits.** If facts not appearing of record may be considered in disposition of the motion, the parties may file affidavits WITH THE MOTION OR within the time specified FOR FILING THE PARTY'S BRIEF IN THIS SECTION 1-15, in Rules 6~~(d)~~, 56 or 59, C.R.C.P., OR AS OTHERWISE ORDERED BY THE COURT. Copies of such affidavits and any documentary evidence used in connection with the motion shall be served on all other parties.

**3. through 10. [NO CHANGE]**

**Rule 7. Review of District Court Magistrate Orders or Judgments**

**(a)(1) through (7) [NO CHANGE]**

(8) The reviewing judge shall consider the petition for review on the basis of the petition and briefs filed, together with such review of the record as is necessary. The reviewing judge also may conduct further proceedings, take additional evidence, or order a trial de novo in the district court. AN ORDER ENTERED UNDER 6(c)(1) WHICH EFFECTIVELY ENDS A CASE SHALL BE SUBJECT TO DE NOVO REVIEW.

**(9) through (12) [NO CHANGE]**

**(b) [NO CHANGE]**

**Amended and Adopted by the Court, En Banc, December 31, 2013, effective immediately.**

**By the Court:**

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

