

**RULE CHANGE 2023(13)**  
**THE COLORADO APPELLATE RULES**

## Rule 21. Procedure in Original Proceedings

**(a) – (d) NO CHANGE**

**(e) Supporting Documents.**

(1) Proceedings initiated under this rule are not subject to C.A.R. 10.

(2) A petition must be accompanied by a separate, indexed set of available supporting documents adequate to permit review.

(3) The filing party is responsible for reviewing all supporting documents, including any attachments, exhibits, and appendices, to determine if the document contains information that should be excluded from public access pursuant to C.J.D. 05-01 section 4.60. Any supporting document filed by a party that is not accessible to the public pursuant to C.J.D. 05-01 section 4.60 must be accompanied by a motion to suppress or seal as prescribed in subsection (e)(4). The filing party must certify compliance with this subsection as directed by C.A.R. 32(h).

(4) Any document submitted as sealed or suppressed pursuant to C.J.D. 05-01 sections 3.07 and 3.08 must be filed as a separate supporting document and must be accompanied by a motion for leave to file the document as sealed or suppressed. The motion must:

(A) identify with particularity the specific document containing sensitive information;

(B) explain why the sensitive information cannot reasonably be redacted in lieu of filing the entire document as sealed or suppressed;

(C) articulate the substantial interest that justifies depriving the public of access to the document; and

(D) cite any applicable rule, statute, case law, or prior court order sealing or suppressing the document.

(45) In cases involving an underlying proceeding, the following documents must be included:

(A) the order or judgment from which relief is sought if applicable;

(B) documents and exhibits submitted in the underlying proceeding that are necessary for a complete understanding of the issues presented;

(C) a transcript of the proceeding leading to the underlying order or judgment if available.

**(f) – (n) NO CHANGE**

## Rule 32. Form of Briefs and Appellate Documents

**(a) – (g) [NO CHANGE]**

**(h) Certificate of Compliance.** Each brief must include, on a separate page immediately behind the caption page, a certificate that the brief complies with all requirements of C.A.R. 28 and C.A.R. 32, and, if applicable, C.A.R. [21\(e\)\(3\)](#), 28.1, or 29. For [proceedings other than those involving C.A.R. 21\(e\)\(3\)](#), [Forms 6 and 6A](#) are the preferred forms for a certificate of compliance and will be regarded as meeting the requirements of C.A.R. 32(a)(4).

**COMMENTS [NO CHANGE]**

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**COMMENTS [NO CHANGE]**

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**Amended and Adopted by the Court, En Banc, July 20, 2023, effective immediately.**

**By the Court:**

**Richard L. Gabriel  
Justice, Colorado Supreme Court**