

RULE CHANGE 2025(21)

COLORADO RULES OF CIVIL PROCEDURE

Rule 43

Rule 43. Evidence

(a) to (h) [NO CHANGE]

(i) ~~(1) Request for Absentee Testimony~~ Absentee Testimony in Civil Proceedings that are not Residential Eviction Proceedings.

(1) Request for Absentee Testimony. A party may request that testimony be presented at a trial or hearing by a person absent from the courtroom by means of telephone or some other suitable and equivalent medium of communication. A request for absentee testimony shall be made by written motion or stipulation filed as soon as practicable after the need for absentee testimony becomes known. The motion shall include:

(A) to (B) [NO CHANGE]

(C) Copies of all documents or reports which will be used or referred to in such testimony.

(2) [NO CHANGE]

(3) *Determination.* The court shall determine whether in the interest of justice absentee testimony may be allowed. The facts to be considered by the court in determining whether to permit absentee testimony shall include but not be limited to the following:

(A) to (I) [NO CHANGE]

(j) Absentee Testimony in Residential Eviction Proceedings. Remote appearances in residential eviction proceedings are governed by C.R.S. § 13-40-113.5.

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**Amended and Adopted by the Court, En Banc, November 6, 2025, effective December 1, 2025.
Justice Hart did not participate.**

By the Court:

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