

RULE CHANGE 2025(22)

COLORADO RULES OF CIVIL PROCEDURE
Chapter 25 Colorado Rules of County Court Civil Procedure

Rules 343 and 411

Rule 343. Evidence

(a) to (g) [NO CHANGE]

(h)(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. Subject to the requirements of section 13-40-113.5, C.R.S., concerning remote residential eviction proceedings, t~~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]

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

Rule 411. Appeals

(a) to (c) [NO CHANGE]

(d) Briefs.

(1) Time for Filing, Oral Argument, and Limitation on De Novo Review. A written brief ~~shall contain a statement of the matters relied upon as constituting error and the arguments with respect thereto.~~ It shall be filed in the district court by the appellant 21 days after filing of the record therein. A copy of such brief shall be served on the appellee. The appellee may file an answering brief within 21 days after such service. In the discretion of the district court, the time for filing of briefs and answers may be extended. When the briefs have been filed the matter shall stand at issue and shall be determined on the record and the briefs, with such oral argument as the district court in its discretion may allow. No trial shall be held de novo in the district court unless the record of the proceedings in the county court has~~ve~~ been lost or destroyed or for some other valid reason cannot be produced; or unless a party by proper proof to the court establishes that there is new and material evidence unknown and undiscoverable at the time of the trial in the county court which, if presented in a de novo trial in the district court, might affect the outcome.

(2) Length of Briefs. The parties' briefs are limited to 25 pages. The caption, table of contents, table of authorities, certificate of compliance, certificate of service, and signature block do not count toward the page limit. A brief of a self-represented party who does not have access to a word-processing system must be typewritten or legibly handwritten and may not exceed 25 double-spaced and single-sided pages.

(3) Form of Briefs. Briefs must conform to the formatting and other requirements of C.R.C.P. 10(a) and (d). In addition, every brief must include in the caption, in the part of the caption page identifying the name and mailing address of the district court in which the appeal is filed, the identity of the county court and the case number of the case from which the appeal is being taken.

(4) Content of Briefs. Briefs must conform to the content requirements of Colorado ~~Appellate~~ Rules ~~28(a) and (b).~~

(e) [NO CHANGE]

Rule 343. Evidence

(a) to (g) [NO CHANGE]

(h) 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]

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

Rule 411. Appeals

(a) to (c) [NO CHANGE]

(d) Briefs.

(1) Time for Filing, Oral Argument, and Limitation on De Novo Review. A written brief shall be filed in the district court by the appellant 21 days after filing of the record therein. A copy of such brief shall be served on the appellee. The appellee may file an answering brief within 21 days after such service. In the discretion of the district court, the time for filing of briefs and answers may be extended. When the briefs have been filed the matter shall stand at issue and shall be determined on the record and the briefs, with such oral argument as the district court in its discretion may allow. No trial shall be held de novo in the district court unless the record of the proceedings in the county court has been lost or destroyed or for some other valid reason cannot be produced; or unless a party by proper proof to the court establishes that there is new and material evidence unknown and undiscoverable at the time of the trial in the county court which, if presented in a de novo trial in the district court, might affect the outcome.

(2) Length of Briefs. The parties' briefs are limited to 25 pages. The caption, table of contents, table of authorities, certificate of compliance, certificate of service, and signature block do not count toward the page limit. A brief of a self-represented party who does not have access to a word-processing system must be typewritten or legibly handwritten and may not exceed 25 double-spaced and single-sided pages.

(3) Form of Briefs. Briefs must conform to the formatting and other requirements of C.R.C.P. 10(a) and (d). In addition, every brief must include in the caption, in the part of the caption page identifying the name and mailing address of the district court in which the appeal is filed, the identity of the county court and the case number of the case from which the appeal is being taken.

(4) Content of Briefs. Briefs must conform to the content requirements of Colorado Appellate Rules 28(a) and (b).

(e) [NO CHANGE]

**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**