

**RULE CHANGE 2026(05)**

**THE COLORADO APPELLATE RULES**

**Rules 3.5, 10, 21, 40, 52, and 54**

**Rule 3.5. Appeals of Mental Health Orders Pursuant to § 27-65-114**

**(a) to (b) [NO CHANGE]**

(1) to (3) [NO CHANGE]

(4) If subsequent orders regarding medication or certification are entered by the district court, or if subsequent events affect the judgment from which appellant initially appealed, counsel for appellant must, within 14 days after entry of the subsequent order or occurrence of the subsequent event, file an appropriate notice or motion informing the Court of that subsequent order or event ~~motion to amend the notice of appeal~~.

**(c) to (o) [NO CHANGE]**

## Rule 10. Record on Appeal

(a) to (c) [NO CHANGE]

(d) Designation of Transcripts.

(1) [NO CHANGE]

(2) Any party designating transcripts must comply with the policies adopted by the appellate and trial courts for designating transcripts. ~~Form 8 must be used to file any designation of transcripts. Any party designating transcripts must comply with the policies adopted by the appellate and trial courts for designating transcripts.~~

(3) [NO CHANGE]

(e) to (g) [NO CHANGE]

COMMENTS [NO CHANGE]

## Rule 21. Original Proceedings in the Supreme Court

(a) to (c) [NO CHANGE]

### (d) Form, Caption, and Title of the Petition.

(1) Form. Unless otherwise provided, the petition and all documents filed under this rule must comply with the requirements of C.A.R. 28(g) for opening briefs and C.A.R. 32.

(2) Caption and Title.

(A) If there is no underlying proceeding, the petition must be captioned, “In Re [Petitioner v. Proposed Respondent(s)].”

(B) If there is an underlying proceeding, except as otherwise required by C.A.R. 32(f) or another provision of these Rules, the petition must use the full, exact, and unmodified caption given by the lower court or tribunal in the underlying proceeding, “In Re [Caption of Underlying Proceeding].” ~~Only one case may be listed as the underlying proceeding in the caption.~~

(C) The petition must be titled “Petition for Order to Show Cause Pursuant to C.A.R. 21.”

(D) Only one underlying proceeding can form the basis of a given petition. If two petitions share related issues or the same parties, the parties may move to consolidate the proceedings, or the supreme court may consolidate the proceedings on its own motion.

(e) to (p) [NO CHANGE]

## Rule 40. Petition for Rehearing

(a) to (b) [NO CHANGE]

(c) **Petition for Rehearing in Supreme Court Proceedings.** A petition for rehearing filed in proceedings before the supreme court must comply with the requirements of subsections (a) and (b) of this rule.

(1) to (2) [NO CHANGE]

(3) In Certiorari Proceedings. A petition for rehearing may be filed after issuance of an opinion on the merits of a granted petition for writ of certiorari, or when, after granting a writ of certiorari, the court later ~~denies~~ dismisses the writ as having been improvidently granted. No petition for rehearing may be filed after issuance of an order denying a petition for writ of certiorari.

(4) [NO CHANGE]

## Rule 52. Review on Certiorari--Time for Petitioning

(a) [NO CHANGE]

(b) **Time to File.**

(1) *In General.* Except as provided in subsections (2), (3), and (4) of this rule, a petition for writ of certiorari must be filed within 42 days after entry of the final judgment on appeal, whether by opinion or disposition by order, if no petition for rehearing is filed. If a petition for rehearing is filed, the petition for writ of certiorari must be filed within 28 days after the intermediate appellate court's denial of the petition for rehearing or within 28 days after the intermediate court issues a new or modified opinion after granting the petition for rehearing. No certiorari proceeding may be initiated in the supreme court until the time for filing a petition for rehearing in the intermediate appellate court has expired. A timely filed petition for writ of certiorari or a timely filed motion for extension of time to file a petition for writ of certiorari transfers jurisdiction from the ~~court of appeals~~ intermediate appellate court to the supreme court.

(2) to (4) [NO CHANGE]

**COMMENTS [NO CHANGE]**

## Rule 54. Order Granting or Denying Certiorari

(a) [NO CHANGE]

(b) **Denial of Writ.** No mandate will issue upon the denial of a petition for writ of certiorari. Whenever the court denies a petition for writ of certiorari, the clerk will issue an order to that effect, and will notify the lower court and counsel of record. If, after granting the writ, the court later ~~denies~~ dismisses the same as having been improvidently granted or renders decision by opinion of the court on the merits of the writ, a petition for rehearing may be filed in accordance with the provisions of C.A.R. 40. No petition for rehearing may be filed after the issuance of an order denying a petition for writ of certiorari. Upon the denial of a petition for writ of certiorari or denial of a petition for rehearing following dismissal as improvidently granted, jurisdiction is immediately returned to the intermediate appellate court, and the case is closed in the supreme court.

**Rule 3.5. Appeals of Mental Health Orders Pursuant to § 27-65-114**

**(a) to (b) [NO CHANGE]**

(1) to (3) [NO CHANGE]

(4) If subsequent orders regarding medication or certification are entered by the district court, or if subsequent events affect the judgment from which appellant initially appealed, counsel for appellant must, within 14 days after entry of the subsequent order or occurrence of the subsequent event, file an appropriate notice or motion informing the Court of that subsequent order or event.

**(c) to (o) [NO CHANGE]**

## **Rule 10. Record on Appeal**

**(a) to (c) [NO CHANGE]**

**(d) Designation of Transcripts.**

(1) [NO CHANGE]

(2) Any party designating transcripts must comply with the policies adopted by the appellate and trial courts for designating transcripts.

(3) [NO CHANGE]

**(e) to (g) [NO CHANGE]**

**COMMENTS [NO CHANGE]**

## **Rule 21. Original Proceedings in the Supreme Court**

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(B) If there is an underlying proceeding, except as otherwise required by C.A.R. 32(f) or another provision of these Rules, the petition must use the full, exact, and unmodified caption given by the lower court or tribunal in the underlying proceeding, “In Re [Caption of Underlying Proceeding].”

(C) The petition must be titled “Petition for Order to Show Cause Pursuant to C.A.R. 21.”

(D) Only one underlying proceeding can form the basis of a given petition. If two petitions share related issues or the same parties, the parties may move to consolidate the proceedings, or the supreme court may consolidate the proceedings on its own motion.

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**Amended and Adopted by the Court, En Banc, March 26, 2026, effective immediately.**

**By the Court:**

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