

**COLORADO SUPREME COURT
ADVISORY COMMITTEE ON RULES OF APPELLATE PROCEDURE**

**Minutes of Meeting
December 9, 2021**

A quorum being present, the Colorado Supreme Court’s Advisory Committee on Rules of Appellate Procedure was called to order by Chief Judge Steven Bernard at 2:00 p.m., remotely via WebEx. Members and guests present or excused from the meeting were:

Name	Present	Excused
Chief Judge Steven Bernard, Chair	X	
Judge Michael Berger	X	
Marilyn Chappell	X	
Anne Whalen Gill	X	
Marcy Glenn		X
Andrew Low	X	
Jason Middleton	X	
Norman Mueller	X	
Judge Todd Plewe		X
Jillian Price	X	
Non-voting participants		
Justice Richard Gabriel, Liaison	X	
Polly Brock	X	
Melissa Meirink	X	

I. Attachments & Handouts

A. December 9, 2021 agenda packet

II. Approval of Minutes

The committee approved the October 14, 2021 minutes as submitted.

III. Announcements from the Chair

- Chair Chief Judge Bernard had no announcements.

IV. Proposed drafts of Colorado Appellate Rules

The following issues and revisions were discussed:

- C.A.R. 28
 - The committee considered whether parties should be required to advise the court of pending legislation and concluded that adding legislation as a type of authority would be helpful. The committee agreed to require parties to

notify the court if a case is settled or otherwise resolved. The committee voted unanimously to approve the changes.

- A member mentioned that similar language should be added to C.A.R. 28.1 so that the rules continue to mirror each other. The committee unanimously approved those changes as well.
- C.A.R. 51.1
 - These changes were proposed after an unintended substantive change in 2018 was brought to the court's attention. The committee voted unanimously to approve these changes.

Future Meeting

The date of the next committee meeting is Thursday, February 17th at 2 pm.

The committee adjourned at 3:03 pm.