

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

**Minutes of Meeting
Friday, November 14, 2014**

A quorum being present, the Colorado Supreme Court's Advisory Committee on Rules of Appellate Procedure was called to order by Chief Judge Alan Loeb at 1:30 p.m., in the Court of Appeals Full Court Conference Room on the third floor of the Ralph L. Carr Colorado Judicial Center. Members and guests present or excused from the meeting were:

Name	Present	Excused
Chief Judge Alan Loeb, Chair	X	
Judge Michael Berger	X	
Catherine P. Adkisson	X	
Anne Whalen Gill	X	
Marcy Glenn	X	
Dick Laugesen	X	
Andrew Low	X	
Norman Mueller		X
Karen Taylor	X	
Non-voting participants		
Justice Allison Eid, Liaison	X	
Polly Brock	X	
Chris Markman	X	
Melissa Meirink	X	

I. Attachments & Handouts

- A. Agenda
- B. Minutes of the September 17, 2014 Meeting
- C. Proposed draft of revisions to the Colorado Appellate Rules 8, 8.1, 9, 27, 28, 29, 31, 33, and 34.

II. Approval of Minutes

The Committee approved the September 17, 2014 meeting minutes with no corrections.

III. Chair's Report

Chief Judge Loeb announced that the supreme court adopted the proposed changes to C.A.R. 3, 25, 32, and 57.

IV. New Business: Proposed drafts to Colorado Appellate Rules

The Committee considered the proposed rule changes. Chief Judge Loeb stated that the rules would be discussed sequentially, the discussion would center on the primary reason for the change, comments and questions would be considered, and then a vote would be taken on each proposed rule.

Discussion of the following Colorado Appellate Rules began and revisions were passed unanimously, unless noted:

- 8, the amendments are consistent with the federal appellate rule and make the rule more reader and user friendly; subsection (d) will remain in the rule as amended, however, the Committee asked Judge Berger to take this up with the Civil Rules Committee as, subsection(d) describes a district court function, not an appellate court function; there was one no vote on the amendment to subsection (a)(2)(D);
- 27, the amendments are consistent with the federal appellate rule; the rule was amended to follow court practice; language in subsection (c) was clarified; and
- 33, prehearing conferences are no longer offered and the committee recommends deleting the rule.

Committee discussion revealed that Colorado Appellate Rules 8.1 and 9 needed to be set aside for consideration at a future meeting. The committee had many questions about criminal appellate procedure and Karen Taylor agreed to write a memo for the committee.

Rules 28, 29, 31, and 34 were on the agenda, but the Committee did not have enough time to discuss to them. The revisions to rules 8, 27, and 33 will be submitted to the supreme court for approval, and the meeting was adjourned.

V. Future Meeting

February 13, 2015

The Committee adjourned at 3:30 pm.

Respectfully submitted,

Jenny A. Moore