

1 **Rule 27. Form of briefs, motions, and other documents.**

2 (a) **Form of briefs, motions, and other documents.** Except as otherwise provided in this
3 rule or by leave of court, all briefs, motions, and other documents must comply with the
4 following standards:

5 (1) **Size, line spacing, and margins.** All documents must be prepared on 8½ by 11
6 inch sized paper. The text must be double spaced, except for matter customarily single
7 spaced and indented. Margins must be at least one inch on all sides. Page numbers
8 are required and may appear in the margins.

9 (2) **Typeface.** The type must be a plain, roman style with serifs. Italics or boldface may
10 be used for emphasis. Cited case names must be italicized or underlined.

11 (3) **Typesize.** The typeface must be 13-point or larger for both text and footnotes.

12 (b) **Documents submitted by unrepresented parties.** An unrepresented party who does
13 not have access to a word-processing system must file typewritten or legibly handwritten
14 briefs, motions, and other appellate documents. An unrepresented party must sign any
15 document filed with the court. These documents must otherwise comply with the form
16 requirements of this rule, and, if applicable, Rules 24 and 24A.

17 (c) **Caption** Cover page for briefs on the merits and petitions. ~~The cover of each brief or~~
18 ~~the first page of any other document must contain a caption that includes the following~~
19 ~~information:~~

20 (1) Caption. ~~For briefs on the merits and petitions:~~ The cover of each brief or the first
21 page of a petition must contain a caption that includes the following information:

22 (A) the number of the case in the appellate court (if available);

23 (B) the name of the appellate court;

24 (C) the full title given to the case in the court or agency from which the appeal
25 was taken, as modified under Rule 3(g);

26 (D) the designation of the parties both as they appeared in the lower court or
27 agency from which the appeal is taken and as they appear in the appellate
28 proceeding;

29 (E) the title or description of the document (e.g., Brief of Appellant, Petition for
30 Permission to File Interlocutory Appeal, Petition for Rehearing, Petition for
31 Extraordinary Relief);

32 (F) the nature of the proceeding in the appellate court (e.g., Appeal, Petition for
33 Review) if not apparent from the title or description of the document; and~~(e.g.,~~
34 ~~Direct Appeal, Interlocutory Appeal, Petition for Review);~~

35 (G) the name of the court and judge, agency, or board below from which the appeal
36 is taken and the case or proceeding number.;~~and~~

37 (2H) eCounsel or unrepresented party information. The identifying and contact
38 information of the counsel or unrepresented party filing the document must appear
39 ~~on the bottom half in the lower right -corner of the cover page. The party or counsel~~
40 ~~filing the document must appear in the lower right of the cover. and opposing counsel~~
41 ~~or party in the lower left of the cover.~~

42 (Ai) eCounsel's information must include counsel's: their

43 (i) counsel's name;;

44 (ii) the Utah State Bar number of the filing counsel;;

45 (iii) counsel's mailing address;;

46 (iv) the email address of the filing counsel;;

47 (v) counsel's telephone number;; and

48 (vi) and a designation as indicating the party counsel represents in the appeal
49 (e.g., eCounsel for Aappellant, pPetitioner, aAppellee, or rRespondent, as the
50 case may be)., or

- 51 ~~(iiB)~~ aAn unrepresented party's information must ~~list~~include the party's:
- 52 (i) their name;
- 53 (ii) mailing address;
- 54 (iii) email address (if any); ~~and~~
- 55 (iv) telephone number (if any); ~~and~~
- 56 (v) a designation as statement identifying the party's designation in the appeal
- 57 (e.g., the aAppellant, pPetitioner, aAppellee, or rRespondent, ~~as the case may~~
- 58 ~~be).~~

59 ~~(12d)~~ First page For of mMotions and ~~other~~ appellate documents ~~besides~~other than

60 briefs and petitions. ~~Case and document information:~~

61 1. Caption. The first page of a motion or appellate document other than a brief or

62 petition must include a caption with the following information:

63 (A) the number of the case in the appellate court (if available);

64 (B) the name of the appellate court;

65 (C) the full title given to the case in the court or agency from which the appeal

66 was taken, as modified under Rule 3(g);

67 (D) the designation of the parties both as they appeared in the lower court or

68 agency from which the appeal is taken and as they appear in the appellate

69 proceeding; and

70 (E) the title or description of the document (e.g., Motion to Dismiss, Docketing

71 Statement, Stipulation, Motion to Extend Time, Notice); ~~and~~ (A) full title given to

72 ~~the case in the court or agency from which the appeal was taken, as modified~~

73 ~~under Rule 3(g);~~

74 2. Counsel or unrepresented party information. The identifying and contact
75 information of the counsel or unrepresented party filing the document must appear
76 in the upper left corner of the first page.

77 ~~(F) counsel or party information in the upper left hand corner, including (B) the~~
78 ~~designation of the parties both as they appeared in the lower court or agency and~~
79 ~~as they appear in the appeal~~

80 ~~(i) counsel's (C) the name of the appellate court;~~

81 ~~(D) the number of the case in the appellate court opposite the case title;~~

82 ~~(E) the title or description of the document (e.g., Brief of Appellant, Petition for~~
83 ~~Rehearing, Motion to Dismiss);~~

84 ~~(F) the nature of the proceeding in the appellate court (e.g., Appeal, Petition for~~
85 ~~Review, Extraordinary Writ);~~

86 ~~(G) the name of the court and judge, agency, or board below.~~

87 ~~(2) For motions and other appellate documents, counsel or party information~~
88 ~~in the upper left hand corner, including:~~

89 ~~(A)~~ (A) Counsel's information must include counsel's:

90 (i) counsel's name;

91 (ii) the Utah State Bar number of the filing counsel;

92 (iii) counsel's mailing address;

93 (iv) the email address of the filing counsel;

94 (v) counsel's telephone number; ~~Utah State Bar number,~~ and

95 (vi) a designation indicating which party counsel represents in the appeal (e.g.,
96 designation as attorney Counsel for a Appellant, p Petitioner, a Appellee, or
97 r Respondent), ~~as the case may be, or~~

98 ~~(B) A~~

99 ~~(B) (ii) a~~ An unrepresented party's information must include the party's:

100 ~~(i) must list the party's~~ name;

101 ~~(ii) mailing~~ address;

102 ~~(iii) email address (if any); and~~

103 ~~(iv) telephone number (if any); and~~

104 ~~(v) a designation~~ statement identifying the party's designation in the appeal

105 ~~(e.g., as the aAppellant, pPetitioner, aAppellee, or rRespondent), as the case~~

106 ~~may be.~~

107 ~~(3) For briefs on the merits, the names of all counsel for the respective parties must~~

108 ~~appear on the bottom half of the cover page. The party filing the document must~~

109 ~~appear in the lower right and opposing counsel in the lower left of the cover.~~

110 (d) **Additional requirements for briefs on the merits.**

111 (1) **Binding.** Briefs must be printed on both sides of the page, and securely bound on

112 the left margin with a compact-type binding so as not unduly to increase the thickness

113 of the brief along the bound side. Coiled plastic and spiral-type bindings are not

114 acceptable.

115 (2) **Color of cover page.** The cover page of ~~appellant's opening brief must be blue; that~~

116 ~~of appellee, red; that of intervenor, guardian ad litem, or amicus curiae, green; that of~~

117 ~~any reply brief, or in cases involving a cross-appeal, the appellant's second brief, gray.~~

118 ~~The cover page~~ a brief or petition must be of heavy card stock. There must be adequate

119 contrast between the printing and the color of the cover page. The color of the cover

120 page must be as follows:

<u>Document</u>	<u>Cover Page Color</u>
<u>Opening Brief of Appellant or Petitioner</u>	<u>Blue</u>

<u>Brief of Appellee or Respondent</u>	<u>Red</u>
<u>Brief of Intervenor, Guardian ad Litem, or Amicus Curiae</u>	<u>Green</u>
<u>Reply Brief</u>	<u>Gray</u>
<u>Appellant's or Petitioner's Second Brief in a Case Involving a Cross-Appeal or Cross-Petition</u>	<u>Gray</u>

121

122 (3) **Criminal appeals.** In criminal cases, the cover of the defendant's brief must also
 123 state whether the defendant is presently incarcerated in connection with the case on
 124 appeal and if the brief is an *Anders* brief. An *Anders* brief is a brief filed pursuant
 125 to *Anders v. California*, 386 U.S. 793 (1967), in cases where counsel believes no
 126 nonfrivolous appellate issues exist.

127 (4) **Effect of noncompliance.** The clerk will examine all briefs before filing. If ~~the a~~
 128 ~~briefs are~~is not prepared in accordance with these rules, the clerk may lodge ~~may~~
 129 ~~choose to not file the briefs y will not be filed but will~~ and ~~-be returned them to be~~
 130 ~~properly prepared~~ notify the party of the deficiency. The clerk will retain one copy of
 131 the noncomplying brief and the party must file a brief prepared in compliance with
 132 these rules within 5 days. The clerk may grant additional time for bringing a brief into
 133 compliance. This rule is not intended to permit significant substantive changes in
 134 briefs.

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