

1       **Rule 10. Form of pleadings and other papers.**

2       **(a) Caption; names of parties; other necessary information.**

3           (a)(1) All pleadings and other papers filed with the court ~~shall~~must contain a  
4 caption setting forth the name of the court, the title of the action, the file number, if  
5 known, the name of the pleading or other paper, and the name, if known, of the  
6 judge (and commissioner if applicable) to whom the case is assigned. A party filing a  
7 claim for relief, whether by original claim, counterclaim, cross-claim or third-party  
8 claim, ~~shall~~must include in the caption the discovery tier for the case as determined  
9 under Rule 26.

10          (a)(2) In the complaint, the title of the action ~~shall~~must include the names of all  
11 the parties, but other pleadings and papers need only state the name of the first  
12 party on each side with an indication that there are other parties. A party whose  
13 name is not known ~~shall~~must be designated by any name and the words "whose  
14 true name is unknown." In an action in rem, unknown parties ~~shall~~must be  
15 designated as "all unknown persons who claim any interest in the subject matter of  
16 the action."

17          (a)(3) Every pleading and other paper filed with the court ~~shall~~must state in the  
18 top left hand corner of the first page the name, address, email address, telephone  
19 number and bar number of the attorney or party filing the paper, and, if filed by an  
20 attorney, the party for whom it is filed.

21          (a)(4) A party filing a claim for relief, whether by original claim, counterclaim,  
22 cross-claim or third-party claim, ~~shall~~must also file a completed cover sheet  
23 substantially similar in form and content to the cover sheet approved by the Judicial  
24 Council. The clerk may destroy the coversheet after recording the information it  
25 contains.

26       **(b) Paragraphs; separate statements.** All statements of claim or defense ~~shall~~  
27 must be made in numbered paragraphs. Each paragraph ~~shall~~must be limited as far as  
28 practicable to a single set of circumstances; and a paragraph may be adopted by  
29 reference in all succeeding pleadings. Each claim founded upon a separate transaction  
30 or occurrence and each defense other than denials ~~shall~~must be stated in a separate

31 count or defense whenever a separation facilitates the clear presentation of the matters  
32 set forth.

33 (c) **Adoption by reference; exhibits.** Statements in a paper may be adopted by  
34 reference in a different part of the same or another paper. An exhibit to a paper is a part  
35 thereof for all purposes.

36 (d) **Paper format.** All pleadings and other papers, other than exhibits and court-  
37 approved forms, ~~shall~~must be 8½ inches wide x 11 inches long, on white background,  
38 with a top margin of not less than 2-1½ inches, ~~and a right, and left and bottom~~ margin  
39 of not less than 1 inch and a bottom margin of not less than one-half inch, with text or  
40 images only on one side. All text or images ~~shall~~must be clearly legible, ~~shall~~must be  
41 double spaced, except for matters customarily single spaced, must be on one side only  
42 and ~~shall~~must not be smaller than 12-point size.

43 (e) **Signature line.** The name of the person signing ~~shall~~must be typed or printed  
44 under that person's signature. ~~If a paper is electronically signed, the paper shall contain~~  
45 ~~the typed or printed name of the signer with or without a graphic signature.~~ If a  
46 proposed document ready for signature by a court official is electronically filed, the order  
47 must not include the official's signature line and must, at the end of the document,  
48 indicate that the signature appears at the top of the first page.

49 (f) **Non-conforming papers.** The clerk of the court ~~shall~~may examine ~~all the~~  
50 pleadings and other papers filed with the court. If they are not prepared in conformity  
51 with paragraphs (a) – (e), the clerk ~~shall~~must accept the filing but may require counsel  
52 to substitute properly prepared papers for nonconforming papers. The clerk or the court  
53 may waive the requirements of this rule for parties appearing pro se. For good cause  
54 shown, the court may relieve any party of any requirement of this rule.

55 (g) **Replacing lost pleadings or papers.** If an original pleading or paper filed in any  
56 action or proceeding is lost, the court may, upon motion, with or without notice,  
57 authorize a copy thereof to be filed and used in lieu of the original.

58 (h) **No improper content.** The court may strike and disregard all or any part of a  
59 pleading or other paper that contains redundant, immaterial, impertinent or scandalous  
60 matter.

61 (i) **Electronic papers.**

62 (i)(1) Any reference in these rules to a writing, recording or image includes the  
63 electronic version thereof.

64 (i)(2) A paper electronically signed and filed is the original.

65 (i)(3) An electronic copy of a paper, recording or image may be filed as though it  
66 were the original. Proof of the original, if necessary, is governed by the Utah Rules of  
67 Evidence.

68 (i)(4) An electronic copy of a paper shall must conform to the format of the  
69 original.

70 (i)(5) An electronically filed paper may contain links to other papers filed  
71 simultaneously or already on file with the court and to electronically published  
72 authority.

73 **Advisory Committee Notes**

74 ~~As a general matter, Rule 10 deals with the form of papers filed with the court – both~~  
75 ~~"pleadings" as defined in Rule 7(a) and "other papers filed with the court," including~~  
76 ~~motions, memoranda, discovery responses, and orders. The changes in the present~~  
77 ~~rule were promulgated to clarify ambiguities in the prior rule and to address specific~~  
78 ~~problems encountered by the courts. Paragraph (b), (c) and (e) of the rule were not~~  
79 ~~changed, except that paragraph (e) was redesignated as (g) and new paragraphs (e)~~  
80 ~~and (f) were added.~~

81 ~~Paragraph (a). This paragraph specifies requirements for captions in every paper~~  
82 ~~filed with the court. In addition to the other requirements, the caption must contain the~~  
83 ~~name of the judge to whom the case is assigned, if the judge's name is known at the~~  
84 ~~time the paper is filed. In the top left-hand corner of the first page, each paper must~~  
85 ~~state identifying information concerning the attorney representing the party filing the~~  
86 ~~paper. Finally, every pleading must state the name and current address of the party for~~  
87 ~~whom it is filed; this information should appear on the lower left-hand corner of the last~~  
88 ~~page. This information need not be set forth in papers other than pleadings.~~

89 ~~Paragraph (d). The changes in this paragraph make it clear that papers filed with the~~  
90 ~~court must be "typewritten, printed or photocopied in black type." The Advisory~~

91 ~~Committee considered suggestions from groups that so-call "dox matrix" printing be~~  
92 ~~specifically prohibited. The Advisory Committee, however, settled on the requirements~~  
93 ~~that "typing or [printing shall be clearly legible . . . and shall not be smaller than pica~~  
94 ~~size. If typing or printing on papers filed with the court complies with these standards,~~  
95 ~~the papers should not be deemed to violate the rule merely because they were~~  
96 ~~prepared in a dox matrix printer. As currently written, this paragraph also removes any~~  
97 ~~confusion concerning the top margin and left margin requirements (now 2 inches and 1~~  
98 ~~inch respectively), and this paragraph imposes new requirements for right and bottom~~  
99 ~~margins (both one-half inch).~~

100 ~~Paragraph (e). This paragraph, which is an addition to the rule, requires typed~~  
101 ~~signature lines and signature lines and signatures in permanent black or blue ink.~~

102 ~~Paragraph (f). The changes in this paragraph make it clear that the clerk must~~  
103 ~~accept all papers for filing, even though they may violate the rule, but the clerk may~~  
104 ~~require counsel to substitute conforming for nonconforming papers. The clerk is given~~  
105 ~~discretion to waive requirements of the rule for parties who are not represented by~~  
106 ~~counsel; for good cause shown, the court may relieve parties of the obligation to comply~~  
107 ~~with the rule or any part of it.~~

108