

1 **Rule 27. Form of briefs.**

2 (a) Paper size; printing margins. Briefs shall be typewritten, printed or prepared by
3 photocopying or other duplicating or copying process that will produce clear, black and
4 permanent copies equally legible to printing, on opaque, unglazed paper 8 1/2 inches wide and 11
5 inches long, and shall be securely bound along the left margin. Paper may be recycled paper, with
6 or without deinking. The printing must be double spaced, except for matter customarily single
7 spaced and indented. Margins shall be at least one inch on the top, bottom and sides of each page.
8 Page numbers may appear in the margins.

9 (b) Typeface. Either a proportionally spaced or monospaced typeface in a plain, roman style
10 may be used. A proportionally spaced typeface must be ~~14~~¹³-point or larger for both text and
11 footnotes. ~~Examples are CG Times, Times New Roman, New Century, Bookman and Garamond.~~
12 A monospaced typeface may not contain more than ten characters per inch for both text and
13 footnotes. ~~Examples are Pica and Courier.~~

14 (c) Binding. Briefs shall be printed on both sides of the page, and bound with a compact-type
15 binding so as not unduly to increase the thickness of the brief along the bound side. Coiled
16 plastic and spiral-type bindings are not acceptable.

17 (d) Color of cover; contents of cover. The cover of the opening brief of appellant shall be
18 blue; that of appellee, red; that of intervenor, guardian ad litem, or amicus curiae, green; that of
19 any reply brief, or in cases involving a cross-appeal, the appellant's second brief, gray; that of any
20 petition for rehearing, tan; that of any response to a petition for rehearing, white; that of a petition
21 for certiorari, white; that of a response to a petition for certiorari, orange; and that of a reply to
22 the response to a petition for certiorari, yellow. All brief covers shall be of heavy cover stock.
23 There shall be adequate contrast between the printing and the color of the cover. The cover of all
24 briefs shall set forth in the caption the full title given to the case in the court or agency from
25 which the appeal was taken, as modified pursuant to Rule 3(g), as well as the designation of the
26 parties both as they appeared in the lower court or agency and as they appear in the appeal. In
27 addition, the covers shall contain: the name of the appellate court; the number of the case in the
28 appellate court opposite the case title; the title of the document (e.g., Brief of Appellant); the
29 nature of the proceeding in the appellate court (e.g., Appeal, Petition for Review); the name of

30 the court and judge, agency or board below; and the names and addresses of counsel for the
31 respective parties designated as attorney for appellant, petitioner, appellee, or respondent, as the
32 case may be. The names of counsel for the party filing the document shall appear in the lower
33 right and opposing counsel in the lower left of the cover. In criminal cases, the cover of the
34 defendant's brief shall also indicate whether the defendant is presently incarcerated in connection
35 with the case on appeal and if the brief is an *Anders* brief.

36 (e) Effect of non-compliance with rules. The clerk shall examine all briefs before filing. If
37 they are not prepared in accordance with these rules, they will not be filed but shall be returned to
38 be properly prepared. The clerk shall retain one copy of the non-complying brief and the party
39 shall file a brief prepared in compliance with these rules within 5 days. The party whose brief has
40 been rejected under this provision shall immediately notify the opposing party in writing of the
41 lodging. The clerk may grant additional time for bringing a brief into compliance only under
42 extraordinary circumstances. This rule is not intended to permit significant substantive changes
43 in briefs.

44
45 **Advisory Committee Note**

46 The change from the term "pica size" to "ten characters per inch" is intended to accommodate
47 the widespread use of word processors. The definition of pica is print of approximately ten
48 characters per inch. The amendment is not intended to prohibit proportionally spaced printing.

49 An *Anders* brief is a brief filed pursuant to *Anders v. California*, 386 U.S. 793, 97 S.Ct. 1396
50 (1967), in cases where counsel believes no nonfrivolous appellate issues exist. In order for an
51 *Anders*-type brief to be accepted by either the Utah Court of Appeals or the Utah Supreme Court,
52 counsel must comply with specific requirements that are more rigorous than those set forth in
53 *Anders*. See, e.g. *State v. Wells*, 2000 UT App 304, 13 P.3d 1056 (per curiam); *In re D.C.*, 963
54 P.2d 761 (Utah App. 1998); *State v. Flores*, 855 P.2d 258 (Utah App. 1993) (per curiam); *Dunn*
55 *v. Cook*, 791 P.2d 873 (Utah 1990); and *State v. Clayton*, 639 P.2d 168 (Utah 1981).