

1 **Rule 27. Form of briefs, and other documents; courtesy copies.**

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

8 **(b) Typeface.** Either a proportionally spaced or monospaced typeface in a plain, roman style may be  
9 used. A proportionally spaced typeface must be 13-point or larger for both text and footnotes. A  
10 monospaced typeface may not contain more than ten characters per inch for both text and footnotes.

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

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

30 **(a) Form of all documents.** All documents must conform to the following format:

31 (a)(1) portrait aspect, 8½ inches wide by 11 inches long, black text on white background;

32 (a)(2) font: Georgia 12 point;

33 (a)(3) margins: 1.85 inches (sides); 1.7 inches (top and bottom);

34 (a)(4) tables: may exceed the side margins if necessary;

35 (a)(5) line spacing: 1.15 or 15 point;

36 (a)(6) paragraph spacing: 10 point;

37 (a)(7) endnotes: prohibited;

38 (a)(8) justification: full;

39 (a)(9) hyphenation: optional;

40 (a)(10) footnotes and block quotes: the same as other text, except that block quotes must be  
41 indented an additional one-half inch; and

42 (a)(11) header: title of document left justified, case number centered, and page number right  
43 justified.

44 **(b) Additional requirements for briefs, petitions for writ of certiorari and petitions for**  
45 **rehearing.**

46 (b)(1) In addition to the requirements of paragraph (a), the cover of a brief, petition for rehearing,  
47 response to a petition for rehearing, petition for certiorari, response to a petition for certiorari, and a  
48 reply to the response to a petition for certiorari must include centered and stacked in the following  
49 order:

50 (b)(1)(A) appellate case number;

51 (b)(1)(B) appellate court;

52 (b)(1)(C) parties;

53 (b)(1)(D) trial court;

54 (b)(1)(E) trial court judge;

55 (b)(1)(F) trial court number;

56 (b)(1)(G) title of document; and

57 (b)(1)(H) names of counsel filing the document.

58 (b)(2) the second page of a brief, petition for rehearing, response to a petition for rehearing,  
59 petition for certiorari, response to a petition for certiorari, and a reply to the response to a petition for  
60 certiorari, must include:

61 (b)(2)(A) a list of all parties and their counsel as required by Rule 24; and

62 (b)(2)(B) in criminal cases, the cover of the defendant's brief shall also indicate whether the  
63 defendant is presently incarcerated in connection with the case on appeal and if whether the brief  
64 is an Anders brief.

65 **(c) Courtesy copies.** No later than 7 days after filing the following, the filer must deliver to the clerk  
66 of the appellate court 6 courtesy copies. Courtesy copies must be printed on both sides of the page, and  
67 bound so that they lie reasonably flat. If there is an addendum, it must be bound as part of the brief,  
68 petition, response or reply unless doing so makes the document unreasonably thick. If the addendum is  
69 bound separately, it must contain a table of contents. The cover of the courtesy copies must be of heavy  
70 stock with adequate contrast between the printing and the color of the cover. If bound separately, the  
71 cover of an addendum must be the same color as the brief with which it is filed. The color of the cover  
72 must be as follows:

73 (c)(1) appellant's opening brief, blue;

74 (c)(2) appellee's opening brief, red;

75 (c)(3) brief of an intervenor, guardian ad litem, or amicus curiae, green; and

76 (c)(4) reply brief, or in a cross-appeal, appellant's second brief, gray.

77 ~~(e)~~**(d) Effect of non-compliance with rules.** ~~The clerk shall examine all briefs before filing. If they~~  
78 ~~are~~ A brief, petition for writ of certiorari, or petition for rehearing not prepared in accordance with these  
79 rules, ~~they will not be filed but shall be returned to be properly prepared~~ is subject to being stricken. The  
80 clerk ~~shall retain one copy of the non-complying brief and~~ will promptly notify the party shall to file within 7  
81 days a brief, petition for writ of certiorari, or petition for rehearing prepared in compliance with these rules  
82 ~~within 5 days. The party whose brief has been rejected under this provision shall immediately notify the~~  
83 ~~opposing party in writing of the lodging. The~~ Upon a showing of extraordinary circumstances, clerk may  
84 grant additional time for bringing a brief, petition for writ of certiorari, or petition for rehearing into  
85 compliance ~~only under extraordinary circumstances. This rule is paragraph does not intended to permit~~  
86 ~~significant substantive changes in a~~ briefs, petition for writ of certiorari, or petition for rehearing.

87 **Advisory Committee Note**

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

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

98