

### **Rule 3.4 Compliance Check List for Answer Briefs**

#### **General Compliance**

- ☐ All sections (excluding caption), including table of contents and table of authorities, double-spaced and in 14 point Times New Roman font
- ☐ Word count is less than 7500 or 9500
- ☐ Citations to the record comply with the Court of Appeals Policy
- ☐ All citations to record and to authorities accurate
- ☐ No use of “*Id.*” in citation to record
- ☐ Brief is in the appropriate order (as listed below)

#### **1. Caption (C.A.R. 32(d))**

- ☐ Lower Court Case Number and Judicial Officer

#### **2. Compliance Certificate (C.A.R. 32(h))**

- ☐ Use Court of Appeals Form 6
- ☐ Word Count includes everything but the caption, table of contents, table of authorities, certificate of compliance, certificate of service, and signature block (**C.A.R. 28(g)**)

#### **3. Table of Contents with Page References**

- ☐ Issues are written out in table of contents

#### **4. Table of Authorities with Page References**

- ☐ Alphabetically organized under headings titled, “Case Law,” “Statutes,” “Other Authorities”

#### **5. ICWA Compliance Statement**

- ☐ Statement as to whether you agree with appellant or not, and if not, why not

*If you disagree or believe there is additional information:*

- ☐ Separated by heading, in accurate order
- ☐ i. Dates of Inquiry (and of whom) and Any Identified Tribes (Include ICWA Affidavit)
- ☐ ii. Locations of Notices
- ☐ iii. Location of Postal Return Receipts
- ☐ iv. Locations of Responses from Tribes or BIA/DOI
- ☐ v. Locations of Additional Notices
- ☐ vi. Dates of Rulings (Include Oral Rulings and Orders)

**6. Statement of Issues (Not Necessary Where You Agree With Appellant)**

- ☐ Reframed to resolve in your favor

**7. Nature of Case & Relevant Facts (Unnecessary if Accurately Identified by Appellant)**

- ☐ Nature of Case is short and identifies who is appealing and what they are appealing
- ☐ **Relevant** Facts and Procedural History (can be included in body of argument, as well)

**8. Summary of Arguments**

- ☐ Only includes argument contained within the brief
- ☐ Is not a cut and pasted copy of information in the brief

**9. Separate Heading Titled “Argument”**

- ☐ Each Issue Is Identified with a Separate Heading and written out

**10. Standard of Review and Preservation of Record**

- ☐ Following Issue Statement, Combined or Separate Headings for Standard of Review and Preservation of Record for each issue prior to discussion of that issue.
- ☐ Whether you agree with appellant as to standard of review with citation to authority.
- ☐ Whether you agree with appellant as to preservation of record with citation to record.
- ☐ If you do not agree, statement as to why not.

**11. Discussion of Issue**

- ☐ Discussion leads with your strongest argument
- ☐ Issue is analyzed within the framework of the identified standard of review
- ☐ Argument addresses error and reversibility

**12. Conclusion**

- ☐ One line statement specifying the requested relief