

MEMORANDUM

TO: Interested Parties
FROM: Chris Wolpert, Clerk of Court
RE: 2027 Revisions to the Tenth Circuit Rule Changes
DATE: **September 18, 2026**



Changes to the Tenth Circuit Rules will take effect on January 1, 2027. The court invites comments regarding those changes, which are summarized below. Comments may be submitted via email to Clerk@ca10.uscourts.gov through October 18, 2026. The final 2027 Tenth Circuit Rules will be posted to the court's website no later than November 30, 2026.

10th Cir. R. 6 – Direct Appeal from Bankruptcy Court

The proposed revisions to Tenth Circuit Rule 6 are intended to clarify which rules apply to bankruptcy appeals.

10th Cir. R. 25.3 – Electronic Filing

The proposed revisions to Tenth Circuit Rule 25.3 are intended to promote transparency and efficiency by codifying existing policies and procedures for pro se e-filing. Additional proposed revisions provide minor, non-substantive updates to provisions regarding mandatory electronic filing for counseled parties and references to the court's CM/ECF User Manual.

10th Cir. R. 25.4 – Electronic and Nonelectronic Service; Proof of Service

The proposed revisions to Tenth Circuit Rule 25.4 are intended to promote transparency and efficiency by codifying existing policies and procedures for pro se parties consenting to electronic service.

10th Cir. R. 30.1(D) – Form Requirements for Appendices

The proposed addition of subsections (D)(8) and (D)(9) to Tenth Circuit Rule 30.1 codify existing appendix-form requirements currently found only in the court's CM/ECF User Manual.

10th Cir. R. 42 – Dismissal

The proposed addition of Tenth Circuit Rule 42.4 is intended to clarify that the provisions of Federal Rule of Appellate Procedure 42 (Voluntary Dismissal) and Tenth Circuit Rules 42.1 (Dismissal for Failure to Prosecute) and 42.2 (Reinstatement) apply not only to appeals but also to petitions for review and original proceedings.

10th Cir. R. 46.4(B) – *Anders* Briefs and Accompanying Motions to Withdraw

The proposed revisions to Tenth Circuit Rule 46.4(B) are intended to clarify that (1) an *Anders* brief must be accompanied by a separate motion to withdraw, and (2) the separate motion to withdraw must certify that either the defendant is a native English speaker, or, if the defendant is a non-English speaker, counsel has complied with *United States v. Cervantes*, 795 F.3d 1189, 1190 (10th Cir. 2015). These clarifications are intended to promote compliance with *Cervantes*.

10th Cir. R. 46.5 – Signing briefs, motions, and other papers; representations to the court; sanctions

The proposed revisions to subsections (B) and (C) of Tenth Circuit Rule 46.5 are intended to address the increased use of generative artificial intelligence by both lawyers and pro se litigants.

Tenth Circuit Form 5 – Notice the Counsel Has Filed an *Anders* Brief and Moved to Withdraw

The proposed revisions to the Spanish footnote in Tenth Circuit Form 5 are intended to promote clarity and comprehension by Spanish-speaking appellants whose lawyers file *Anders* briefs and motions to withdraw.

Removal of Local Forms from Tenth Circuit Rules

The proposed removal of local forms from the Tenth Circuit Rules is intended to streamline the form-revision process by decoupling it from the rules-revision process. The revised local-forms section of the rules will provide notice that current versions of all local forms can be found on the forms page of the court's website.