



Disclosure and Discovery Changes Under Revised Rule 16.1

Current Rule 16.1 (for cases filed on or before August 31, 2018)	Revised Rule 16.1 (for cases filed on or after September 1, 2018)
Initial disclosures due 35 days (5 weeks) after the case is at issue.	Initial disclosures due 28 days (4 weeks) after the case is at issue.
No discovery depositions permitted.	Discovery depositions are permitted, but each party is limited to six hours of depositions.
A party may take depositions for the sole purpose of obtaining and authenticating documents from a non-party.	No change.
Unless authorized by the trial court or stipulated to by the parties, trial preservation depositions shall be taken at least 7 days before trial.	Unless authorized by the trial court or stipulated to by the parties, trial preservation depositions shall be taken at least 21 days before trial. ¹
No requests for production permitted.	Each party can serve up to five requests for production.
No interrogatories permitted.	No change.
No requests for admission permitted.	No change.
Requests to inspect property under C.R.C.P. 34(a)(2) permitted.	No change.
C.R.C.P. 35 examinations permitted	No change.
No limitation on the number of retained experts.	The parties are limited to one retained expert per side unless the trial court authorizes more on a showing of good cause.
Claiming party's expert disclosure due 91 days (13 weeks) before trial.	No change.
Defending party's expert disclosure due 56 days (8 weeks) before trial.	Defending party's expert disclosure due 63 days (9 weeks) before trial.

¹ Trial preservation depositions are not subject to the six-hour limit on depositions. See C.R.C.P. 16.1(k)(5).

Claiming party's rebuttal expert disclosure due 35 days (5 weeks) before trial.	Claiming party's rebuttal expert disclosure due 49 days (7 weeks) before trial.
Claiming party's mandatory disclosure of trial testimony due 91 days (13 weeks) before trial.	No change.
Defending party's mandatory disclosure of trial testimony due 56 days (8 weeks) before trial.	Defending party's mandatory disclosure of trial testimony due 63 days (9 weeks) before trial.
Claiming party's mandatory disclosure of rebuttal trial testimony due 35 (5 weeks) before trial	Claiming party's mandatory disclosure of rebuttal trial testimony due 49 days (7 weeks) before trial.