

## AGENDA

### COLORADO SUPREME COURT ADVISORY COMMITTEE ON RULES OF CRIMINAL PROCEDURE

Friday, September 15, 2023, 3:00 p.m.  
Ralph L. Carr Colorado Judicial Center  
2 E. 14<sup>th</sup> Ave., Denver, CO 80203  
Fourth Floor, Supreme Court Conference Room

- I. Call to Order
- II. Approval of Minutes from the April 21, 2023, Meeting
- III. Announcements from the Chair
- IV. Business
  - A. Committee Protocols (Judge Harris)
  - B. HB 23-1187 (Legislative Subcommittee)
  - C. Crim. P. 35 (Judge Harris)
- V. Future Meetings:
- VI. Adjourn

#### NOTICE

**ANYONE WISHING TO INQUIRE ABOUT AN AGENDA ITEM  
MAY CONTACT THE CHAIRPERSON OF THE COMMITTEE,  
JUDGE ELIZABETH L. HARRIS, AT 720-625-5330.**

**COLORADO SUPREME COURT  
ADVISORY COMMITTEE ON THE RULES OF CRIMINAL PROCEDURE  
Minutes of Meeting  
Friday, April 21, 2023**

A quorum being present, the Colorado Supreme Court’s Advisory Committee on the Rules of Criminal Procedure was called to order by Judge John Dailey at 12:45 p.m. in the Supreme Court Conference Room. Members present at or excused from the meeting were:

Name	Present	Excused
Judge John Dailey, Chair	X	
Sheryl Berry	X	
Christian Champagne	X	
Judge Kandace Gerdes		X
Judge Shelley Gilman	X	
Matt Holman	X	
Abe Hutt	X	
Judge Chelsea Malone	X	
Kevin McGreevy	X	
Judge Dana Nichols	X	
Robert Russel	X	
Karen Taylor	X	
Sheryl Uhlmann	X	
Judge Vincente Vigil	X	
<b>Non-Voting Participant</b>		
Karen Yacuzzo	X	

**I. Attachments & Handouts**

- A. April 21, 2023 agenda
- B. January 20, 2023 minutes
- C. HB23-1187 materials

**II. Approval of Minutes**

The January 20, 2023, minutes were approved by acclamation.

**III. Announcements from the Chair**

Judge Dailey first honored Mr. Russel for his extensive service on the committee. Judge Dailey then spoke about his own 39 years on the committee, his decades-long tenure as chair, and his great appreciation for the group and its work. Chief Justice Boatright acknowledged Mr. Russel’s long service to the committee and presented him with a certificate. The Chief Justice also presented Judge Dailey with certificates honoring him for his impactful service on the committee and his leadership as chair.

**IV. Old Business**

The committee had no old business.

**V. New Business**

**A. HB 23-1187 (Karen Yacuzzo)**

Karen Yacuzzo brought this bill to the committee's attention because the bill may implicate criminal rules or necessitate a change to the rules. According to Ms. Yacuzzo's summary, the bill's primary purpose is to create a rebuttable presumption against incarceration of pregnant and post-partem persons.

**B. Appointment of a Legislative Subcommittee (Judge Dailey)**

Related to the previous item of business, a subcommittee was formed to review the bill and determine whether the legislation, if enacted, might require rule changes. Sheryl Berry, Sheryl Uhlmann, Judge Vigil, and Matt Holman all volunteered to serve on this subcommittee.

The committee adjourned at 1:05 pm.

**VI. Future Meetings**

2023 Meetings: July 21; October 20

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