

COLORADO SUPREME COURT
ADVISORY COMMITTEE ON THE RULES OF CRIMINAL PROCEDURE
Minutes of Meeting
Scheduled for Friday, October 21, 2022

Because of the extremely limited amount of business on the agenda for the Colorado Supreme Court’s Advisory Committee on the Rules of Criminal Procedure, the committee met via email throughout the week of October 17, 2022. Members participating in that form of 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	
Non-Voting Participant		
Karen Yacuzzo	X	

I. Attachments & Handouts

- A. October 21, 2022 agenda
- B. July 15, 2022 minutes
- C. Email from Jessica Yates and the Attorney Regulation Counsel—Crim. P. 16
- D. Report on the Impact of HB 22-1229 on Form A of the Rules for Civil Infractions and Rules on Traffic Infraction

II. Approval of Minutes

- A. The July 15, 2022 minutes were approved by acclamation with the following changes: changed the language at the bottom of page 2 from *discrimination of those other bases* to *discrimination on the basis of those other categories* for improved clarity; corrected the numbering under *Determining the Validity of a Challenge* to all numbers rather than letters and numbers; and removed (d)(5)(V) from (9) in the middle of page 4, as it was included in error.

III. Announcements from the Chair

Chair Judge Dailey reported that the proposed amendments to Rule 24, accompanied by majority and minority reports, have been submitted to the supreme court, and will be put out for public comment and a public hearing scheduled for February 7, 2023.

IV. Old/New Business

A. Civil Infraction Rules—HB 22-1229’s Possible Impact on Form A—(Sheryl Berry/Christian Champagne/Sheryl Uhlmann)

The subcommittee that reviewed recent legislation did not recommend making any changes to either Form A of the Rule for Traffic Infractions or the Rules for Civil Infractions. The committee agreed.

V. New Business

A. Email from Jessica Yates and the Attorney Regulation Counsel—Crim. P. 16 (Judge Dailey)

The Office of Attorney Regulation Counsel (OARC) had, through an email received from Jessica Yates, asked that the committee to consider amending Crim. P. 16 to permit the disclosure to OARC of information in criminal cases against attorneys charged with a crime. Ms. Yates suggested this could be done by including, at an appropriate spot in Crim. P. 16, the phrase, “unless allowed by court rule or a court order,” or a specific sentence (i.e., “This restriction on disclosure and use does not prevent a prosecutor from disclosing the discovery to the Office of Attorney Regulation Counsel.”). Judge Gerdes, Mr. McGreevy, and Mr. Champagne volunteered to serve on a subcommittee to address this issue.

VI. Future Meetings

2023 Meetings: January 20; April 21; July 21; October 20