

**COLORADO SUPREME COURT
ADVISORY COMMITTEE ON THE RULES OF CRIMINAL PROCEDURE
Minutes of Meeting**

Friday, October 18, 2024

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

Name	Present	Excused
Judge Elizabeth Harris, Chair	X	
Sheryl Berry	X	
Christian Champagne	X	
Johanna Coats	X	
Judge Kandace Gerdes	X	
Abe Hutt	X	
Judge Chelsea Malone	X	
Kevin McGreevy	X	
Judge Dana Nichols	X	
John Lee	X	
Magdalena Rosa	X	
Karen Taylor	X	
Judge Lindsay VanGilder	X	
Judge Vincente Vigil	X	
Karen Yacuzzo (non-voting participant)	X	

I. Attachments & Handouts

- A. October 18, 2024 agenda
- B. April 19, 2024 minutes

II. Approval of Minutes

The April 19, 2024, minutes were approved as submitted.

III. Announcements from the Chair

Chair Judge Harris introduced new member, John Lee. He replaces Matt Holman, who retired. Justice Samour shared with the group that the court has completed reviewing the *Batson* cases and will now turn its attention back to possible changes to Rule 24.

IV. Business

A. Legislative Subcommittees

i. HB23-1151 (Judge Gerdes, Kevin McGreevy, and Johanna Coats)

Judge Gerdes is still working to gather feedback from the chief judges of the various judicial districts and will report back when there is more information.

- ii. **SB23-254 (Abe Hutt, Judge VanGilder, and Christian Champagne)**
The committee considered the subcommittee's proposal and worked together to make some edits. The committee also discussed whether broader or organizational changes or stylistic improvements should be made when suggesting amendments to rules, even if the changes are not directly responsive to the legislation. The subcommittee will make the changes discussed and bring the proposal back to the committee for consideration.
- iii. **HB23-1187 (Judge Vigil, Karen Taylor, and Sheryl Berry)**
Sheryl Berry will take Matt Holman's place on this subcommittee. The subcommittee is investigating whether Crim. P. 35 will require changes as a response to the legislation. Judge Harris noted that some recent case law might necessitate further changes to the rule as well. Judge Harris formed a subcommittee of Judge Gerdes, Johanna Coats, and Karen Taylor to consider other, non-legislative changes to Crim. P. 35.
- iv. **Crim P. 49 Subcommittee (Judge Malone, Sheryl Berry, and Abe Hutt)**
The subcommittee will send out the proposed changes for approval.
- v. **Crim. P. 37 and 37.1 Following Changes to C.A.R. 10 (Judge Harris and Johanna Coats)**
Judge Harris will draft the necessary revisions for the committee's consideration.
- vi. **Gendered Language in the Rules**
Judge Harris announced that the court has adopted a method for handling gendered language in rules. The committee agreed that as amendments to rules are being considered for other reasons, gendered language should be removed.

The committee adjourned at 2:16 pm.

II. **Future Meetings**

January 17, April 18, July 18, October 17