

Rule Change 2006 (18)

Chapter 29

Colorado Rules of Criminal Procedure

VI. Trial

Rule 26. Evidence

In all trials the testimony of witnesses shall be taken orally in open court, unless otherwise provided by law. ~~statute or by these Rules. The admissibility of evidence and the competency and privileges of witnesses shall be governed, except when the statutes and Rules otherwise provide, by the principles of the common law in the light of reason and experience.~~

~~RULE 26.2: WRITTEN RECORDS~~

~~(a) Memorandum or Record. Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of any act, transaction, occurrence, or event, shall be admissible as evidence of such act, transaction, occurrence, or event, if made in regular course of any business, and if it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event within a reasonable time thereafter.~~

~~(b) Others. All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect its weight, but such circumstances shall not affect its admissibility.~~

~~(c) Business. The term "business", as used in this Rule, includes business, profession, occupation, and calling of every kind.~~

~~RULE 27: PROOF OF OFFICIAL RECORD~~

~~An official record or an entry therein or the lack of such a record or entry may be proved in the same manner as in civil actions.~~

Amended and Adopted by the Court, En Banc, November 9, 2006, effective January 1, 2007.

BY THE COURT:

Alex J. Martinez
Justice, Colorado Supreme Court