

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

**Friday, April 18, 2025**

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	
Christian Champagne		X
Johanna Coats	X	
Judge Kandace Gerdes	X	
Abe Hutt		X
Judge Chelsea Malone	X	
Kevin McGreevy	X	
Kevin McReynolds	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. April 18, 2025 agenda
- B. January 17, 2025 minutes

**II. Approval of Minutes**

January 17, 2025, minutes were approved as submitted.

**III. Announcements from the Chair**

Chair Judge Harris stated that perhaps the committee should refocus on proposals from the outside and necessary legislative changes. The committee agreed that going forward, it will continue to look at necessary legislative changes, requests from the public, and be judicious about what is undertaken.

**IV. Business**

**A. Legislative Subcommittees**

**i. 2024 Legislative Bills Update**

John Lee reviewed all the bills and submitted a memo for the committee's consideration. The one bill that bears the greatest consideration is HB 24-1345 and how it may implicate Crim. P. 35(c). HB 24-1133 may implicate Crim. P. 43. The statute allows any party to appear via tele, video, or audio device without the court's consent. The last one is HB24-1034, which is a sweeping bill. Judge Harris requested that the current 35(c) subcommittee consider any impact of HB 24-1345. The committee determined that the latter two bills do not necessitate rule changes.

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

Judge Gerdes submitted a memo, noting that the Chief Judges Council has determined that changes have been implemented such that rule changes are not believed to be necessary. The committee voted unanimously to close out this issue.

**iii. SB23-254 (Abe Hutt, Judge VanGilder, and Christian Champagne)**

The subcommittee is working on the proposal and will send out the current draft for feedback.

**iv. HB23-1187 (Judge Vigil, Karen Taylor, and Kevin McReynolds)**

The subcommittee is working on the issue.

**B. Crim. P. 37 and 37.1 Following Changes to C.A.R. 10 (Judge Harris and Johanna Coats)**

Judge Harris presented proposals for both rules for the committee's consideration following a request from clerks throughout the state that the committee consider changes to this rule akin to recent changes to C.A.R. 10. Ahead of the next meeting, members should send in any edits or suggestions to the committee.

**C. Gendered Language in the Rules**

Judge VanGilder is in the process of removing gendered language from the rules.

**D. Crim. P. 16 – Attorney Request to Update Language for Modern Forms of Communication (Judge Harris)**

The committee received a request for an amendment to Crim. P. 16 to expand the definition of "statements" and "documents" to include electronic forms of communication. After reaching out to some stakeholders, the subcommittee is uncertain that any amendment to the rule is needed. Committee members have not seen this as a problem. As a couple of members were unable to attend the meeting, the committee will consider this issue again at the next meeting.

**E. Crim. P. 35(c) (Judge Gerdes, Johanna Coats, and Karen Taylor)**

The subcommittee met and determined topics for the committee's consideration, as outlined in the agenda packet. The subcommittee will also take up any impact HB 24-1345 may have on the rule. Judge Harris noted that the Rule 35(c)(1) successiveness issue is worth considering in the more immediate timeframe.

The committee adjourned at 1:47 pm.

**II. Future Meetings**

July 18, October 17