

**Colorado Supreme Court Advisory Committee on the Rules of Civil Procedure  
June 27, 2025, Minutes**

A quorum being present, the Colorado Supreme Court Advisory Committee on the Rules of Civil Procedure was called to order by Chair Judge Jerry N. Jones at 1:30 p.m. in the Supreme Court Conference Room. Members present at the meeting were:

<b>Name</b>	<b>Present</b>	<b>Not Present</b>
Judge Jerry N. Jones, Chair	X	
Judge Michael Berger	X	
Judge Jaclyn Brown	X	
Damon Davis	X	
David R. DeMuro	X	
Judge Stephanie Dunn		X
Judge J. Eric Elliff		X
Magistrate Lisa Hamilton-Fieldman	X	
Michael J. Hofmann		X
John Lebsack		X
Bradley A. Levin	X	
Professor Christopher B. Mueller		X
Brent Owen	X	
John Palmeri	X	
Alana Percy	X	
Lucas Ritchie	X	
Judge (Ret.) Sabino Romano	X	
Judge Stephanie Scoville	X	
Victor Sulzer		X
Magistrate Marianne Tims	X	
Andi Truett		X
Jose L. Vasquez	X	
Ben Vinci	X	
Judge Gregory R. Werner	X	
Judge (Ret.) John R. Webb	X	
J. Gregory Whitehair	X	
Judge Christopher Zenisek	X	
Justice Richard Gabriel, Liaison (non-voting)	X	
Su Cho (non-voting)	X	

**I. Attachments & Handouts**

- June 27, 2025, agenda packet.

**II. Announcements from the Chair**

The January 31, 2025, minutes were approved following the correction of the spelling of one member's name. Also, Chair Judge Jones noted that the Colorado Supreme Court

approved a change to Rule 56. Finally, Judge Jones welcomed new members Judge Jaclyn Brown and Victor Sulzer.

### **III. Old Business**

#### **A. Magistrate Rules—Request for guidance from the Committee (Magistrate Tims)**

This Subcommittee has been working on these rules for several years. It submitted a proposal to the supreme court a year ago, after which the supreme court solicited and received comments and held a public hearing. With the feedback gathered from the legal community, the court sent feedback to the Subcommittee to consider further refinements to the magistrate rules. The Subcommittee considered the concerns and provided updated recommendations to the Committee.

**The Committee discussed the Subcommittee’s proposals by rule.**

**Rule 7(e) and (f):** The Committee voted unanimously to approve this proposal to allow for motions to reconsider and create a timeline for such motions.

**Rule 7(c):** The Committee chose to leave the proposed stricken language in the rule; that is, to leave this portion of the rule as it currently exists.

**Rule 7(k):** After amending some language, the Committee voted unanimously in favor of a 91-day timeline and to leave the proposal consistent with C.R.C.P. 59(j).

**Rule 7(i) and 7(k):** The Committee unanimously voted in favor of allowing the reviewing district court to remand an issue to the magistrate.

**Rule 6(b):** The Subcommittee did not support a carve-out for domestic relations cases to Rule 6(b). No Committee member moved to create such a carve-out.

**Rule 7(h):** The Subcommittee recommended keeping the language regarding transcripts as previously recommended to the court. No Committee member moved to change that language.

**Rule 6(d):** The Committee voted unanimously in favor of adding truancy.

The Subcommittee will compile the Committee’s approved proposed changes to present to the court.

#### **B. Rule 63—Whether the rule should be revised to mirror changes to counterpart federal rule (Retired Judge Webb)**

Judge Webb, Chair of the Subcommittee, said that the Subcommittee determined that the counterpart federal rule addresses subjects beyond the Colorado rule. The Subcommittee thus recommended only modest tweaks to clarify the language of Rule 63. One member suggested substituting the word *order* for *grant* and replacing *filed* with *entered* when

discussing findings of fact and conclusions of law. The Committee voted 10-3 to transmit the proposal to the supreme court with the inclusion of the above amendments.

**C. County Court Rule 411—Length of briefs for county court appeals to district court (Judge Jones)**

Held Over

**D. Rules 43 and 343—Proposed amendments in reaction to statutory changes regarding FED proceedings (Judge Zenisek)**

Held Over

**IV. New Business**

**A. Rule 303—Pathways to Access Committee amendment request (Justice Gabriel)**

This item of business was taken out of order. Justice Gabriel presented this to the Committee on behalf of the Pathways to Access Committee. Currently, the rules allow an eviction proceeding to be served without first being filed. A few absent members wrote in opposing this proposal. By contrast, one member noted that finding case numbers has been an issue for pro se litigants, while another said that this is an access to justice issue that needs to be solved as soon as possible. Judge Jones suggested that a subcommittee be formed to propose concrete proposed rule changes for the Committee to consider. Jose Vasquez, Magistrate Lisa Hamilton-Fieldman, and Alana Percy will work together to draft proposed language. The amendments will be submitted to the Committee for a vote on a shortened timeline.

**B. Rule 121(c), Sections 1-1 and 1-15—Proposed amendments to clarify procedural requirements from a local attorney (Judge Jones)**

Held over.

**C. Rule 121 section 1-26(7)—Requirement of at least one “live” signature on each side (Judge Jones, Heidi Whitaker)**

Heidi Whitaker, a member of the legal community, brought this to the Committee following her concern regarding the requirement of a “live” signature on each side for domestic relations decrees parenting plans, and separation agreements. She is asking the Committee to authorize the rule be revised to reflect good practices. The Committee voted unanimously to remove the sentence from Rule 121 section 1-26(7) that requires a “live” signature.

**Future Meetings**

September 26; November 7

The Committee adjourned at 3:37 p.m.