

COLORADO SUPREME COURT
ADVISORY COMMITTEE ON THE RULES OF CRIMINAL PROCEDURE
Minutes of Meeting
Friday, October 15, 2021

A quorum being present, the Colorado Supreme Court’s Advisory Committee on the Rules of Criminal Procedure was called to order by Judge John Dailey at 12:45 p.m. via videoconferencing software WebEx. Members present at or excused from the meeting were:

Name	Present	Excused
Judge John Dailey, Chair	X	
Sheryl Berry	X	
Judge Kandace Gerdes		X
Judge Shelley Gilman		X
Judge Deborah Grohs	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	
Non-Voting Participant		
Karen Yacuzzo	X	

I. Attachments & Handouts

- A. October 15, 2021 agenda
- B. July 16, 2021 minutes
- C. SB 21-059
- D. SB 21-271
- E. New Legislation Info Packet
- F. Speedy Trial Email + Signed Bill Packet
- G. Subcommittee Report on 24 + 48

II. Approval of Minutes

- A. The July 16, 2021 minutes were approved by acclamation with the following changes: Rule 43 as adopted by the supreme court and the language immediately preceding it were both removed.

III. Announcements from the Chair

- A. Chair Judge Dailey announced that the supreme court adopted revised Rule 43 after making a few non-substantive edits to the proposal.
- B. Jacob Edson is now a magistrate and no longer on the committee. Members should email Justice Samour and Judge Dailey with suggestions to fill the spot.

IV. Old Business

A. Crim. P. 35(c)—Robert Russel

Subcommittee Chair Robert Russel reported that the subcommittee has met and will work on a report for the committee. This item of business will be removed from the agenda until such time as there is language ready for the committee.

B. House Bill 21-1309—Speedy Trial Statutory Amendment—Sheryl Uhlmann

Subcommittee Chair Sheryl Uhlmann reported that the group met to discuss the impact of the statute on the criminal rules. The majority of the subcommittee recommended no changes to Rule 24 as it currently exists but proposed to amend Rule 48 consistent with the new statute.

Both the statute, and the corresponding proposed amendment to Rule 48, concerned a provision which would only be in effect until April 29, 2022. The committee discussed whether it made sense to amend the rule with a provision having such a short lifespan. A motion was made, seconded, and unanimously approved, to not amend Rule 48.

A motion was also made, seconded, and unanimously approved, to leave Rule 24 as it is.

V. New Business

A. New Legislation—Senate Bills 21-059 + 21-271

Judge Dailey formed two subcommittees to explore these two signed bills.

Matt Holman volunteered to chair a subcommittee exploring SB 21-271. Judge Malone and Abe Hutt will join in the work.

Judge Gerdes had also volunteered to work on new legislation. She was named the chair a subcommittee comprised of herself, Sheryl Berry, and Kevin McGreevy to review SB 21-059.

VI. Future Meetings

January 21st, 2022

April 15th, 2022

July 15th, 2022

October 21st, 2022

The committee adjourned at 1:21 PM.