

**COLORADO SUPREME COURT
ADVISORY COMMITTEE ON RULES OF CRIMINAL PROCEDURE
Summary of Business Conducted Via Email**

Friday, January 20, 2012 Meeting Cancelled

The January Criminal Rules Committee meeting was not held in person as there was no new business on the agenda, and only one minor item of old business. Upon polling the members of the committee, it was determined that minimal business could be conducted via e-mail exchange.

I. Approval of Minutes

The minutes of the October 21, 2011 meeting were approved, with one amendment: on page 3, § V. A., first paragraph, third line up from end of paragraph, the word “provide” was deleted.

II. Announcements from the Chair

Judge Dailey reported that the transmittal letters re: the Crim. P. 17(c) and 32.2 subjects have been submitted to the supreme court.

He also wanted to express his gratitude to Judge Hoffman, Judge Fisch, Mr. Holman, and Mr. Riedel, for agreeing to continue to serve as members of this committee.

Judge Dailey reported that he had met with Chief Justice Bender to discuss his view of providing the public with access to criminal rules committee meetings. Ultimately, Chief Justice Bender asked that the committee publish, on its website, its minutes, agenda, and some type of notice to the public that it could contact Judge Dailey with questions or input about agenda items. Judge Dailey indicated he would work on providing appropriate language for the notice to the public.

Further, Judge Dailey stated that he had overlooked assigning someone to write a letter explaining to the supreme court the reasons why the committee felt no change was necessary to Crim. P. 17 to accommodate concerns raised by Judge Ethan Feldman in an e-mail. Judge Dailey asked Robin Whitley and Steve Jacobsen to put that letter together.

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Finally, Judge Dailey reported that April Bernard had inquired into the discrepancy in proposals to amend Crim. P. 17(h), as recommended by the committee and as posted on the supreme court website. The court had posted an earlier version of the proposed amendment, but has since posted the correct version on the website.

III. Old Business

A. Time Computation

Robin Whitley reported that time computation rule changes were formally adopted by the court on December 14, 2011. The proposed amendments to the criminal rules were adopted exactly as the committee had submitted them. As anticipated, the time computation changes in the criminal rules are effective July 1, 2012.

Mr. Whitley stated that work is underway on legislation to conform some of the present statutory timelines to those set forth in the amended rules. To that end, he had submitted a list of statutory provisions paralleling criminal-rules changes, along with suggested amendatory statutory language. He also has “volunteered” to write an article for the July Colorado Lawyer explaining the time computation changes in the criminal-rules.