

**Rule Change # 1999(8)**

**The Colorado Rules of Civil Procedure  
Chapter 30. Municipal Court  
Rule 224. Trial Jurors**

**Rule 224. Trial Jurors**

(a) through (b) \* \* \* [No Change] \* \* \*

**Rule 224(c)** is Repealed and Readopted with Amendments as follows:

**(c) Orientation and Examination of Jurors.** An orientation and examination shall be conducted to inform prospective jurors about their duties and service and to obtain information about prospective jurors to facilitate an intelligent exercise of challenges for cause and peremptory challenges.

(1) The jury commissioner or court employee in charge of summoning prospective jurors is authorized to examine and, when appropriate, excuse prospective jurors who do not satisfy the statutory qualifications for jury service, or who are entitled to a postponement, or as otherwise authorized by appropriate court order.

(2) When prospective jurors have reported to the courtroom, the judge shall explain to them in plain and clear language:

(I) The grounds for challenge for cause;

(II) Each juror's duty to volunteer information that would constitute a disqualification or give rise to a challenge for cause;

(III) The identities of the parties and their counsel;

(IV) The nature of the case using applicable instructions if available or, alternatively, a joint statement of factual information intended to provide a relevant context for the prospective jurors to respond to questions asked of them. Alternatively, at the request of counsel and in the discretion of the judge, counsel may present such information through brief non-argumentative statements;

(V) General legal principles applicable to the case including presumption of innocence, burden of proof, definition of reasonable doubt, elements of charged offenses and other matters that jurors will be required to consider and apply in deciding issues.

(3) The judge shall ask prospective jurors questions concerning their qualifications to serve as jurors. The court may, in its discretion, allow the parties or their counsel to supplement the court's interrogation by asking additional questions of prospective jurors. In the discretion of

the judge, juror questionnaires, poster boards and other methods may be used. In order to minimize delay, the judge may reasonably limit the time available to the parties or their counsel for juror examination. The court may limit or terminate repetitious, irrelevant, unreasonably lengthy, abusive or otherwise improper examination.

(4) Jurors shall not be required to disclose personal locating information, such as address or place of business, in open court and such information shall not be maintained in files open to the public. The trial judge shall assure that parties and counsel have access to appropriate and necessary locating information.

(5) Once the jury is impaneled, the judge shall again explain in more detail the general principles of law applicable to criminal cases, the procedural guidelines regarding conduct by jurors during the trial, case specific legal principles and definitions of technical or special terms expected to be used during presentation of the case.

**(d)** (1) (I) - (X) \* \* \* [No Change] \* \* \*

(XI) ~~The juror is a lawyer;~~ (repealed)

(XII) \* \* \* [No Change] \* \* \*

**(d)** (2) \* \* \* [No Change] \* \* \*

**(e)** through **(f)** \* \* \* [No Change] \* \* \*

**(g) Custody of Jury.**

(1) ~~In all cases, in the court's discretion, jurors may be sequestered or permitted to separate during all trial recesses, both before and after the case has been submitted to the jury for deliberation.~~ THE COURT SHOULD ONLY SEQUESTER JURORS IN EXTRAORDINARY CASES. OTHERWISE, JURORS SHOULD BE PERMITTED TO SEPARATE DURING ALL TRIAL RECESSES, BOTH BEFORE AND AFTER THE CASE HAS BEEN SUBMITTED TO THE JURY FOR DELIBERATION. Cautionary instructions as to their conduct during all recesses shall be given to the jurors by the court.

**(g)** (2) - (3) \* \* \* [No Change] \* \* \*

Amended and Adopted by the Court, En Banc, June 10, 1999, effective July 1, 1999.

BY THE COURT:

Rebecca Love Kourlis  
Justice, Colorado Supreme Court