

RULE CHANGE 2018(12)
COLORADO RULES OF CRIMINAL PROCEDURE

Rule 15. Depositions

(a) – (c) [NO CHANGE]

(d) **Taking and Preserving Depositions.** Depositions shall be taken ~~and transcribed~~ as directed by the court. All depositions shall be preserved by video recording at the expense of the requesting party. A copy of the video recording ~~may direct and upon completion~~ shall be ~~lodged~~ filed with the clerk of the court and provided to the opposing party.

(e) [NO CHANGE]

(f) ~~Copies~~ Transcripts of Depositions to Defendant. ~~If the deposition is taken at the instance of the prosecution, a transcribed copy of it shall be furnished without cost to the defendant promptly upon the defendant's request.~~ The requesting party shall file a transcript of the deposition with the clerk of the court and provide a copy to the opposing party without cost.

Rule 24. Trial Jurors

(a) through (f) [NO CHANGE]

(g) **Juror Questions.** Jurors shall be allowed to submit written questions to the court for the court to ask of witnesses during trial, in compliance with procedures established by the trial court. The trial court shall have the discretion to prohibit or limit questioning in a particular trial for reasons related to the severity of the charges, the presence of significant suppressed evidence or for other good cause. After giving the parties notice and an opportunity to be heard on each question, the court shall determine whether to ask the submitted question. The trial court shall permit appropriate follow-up questions from the parties within the scope of the jurors' questions. ~~The trial court shall have the discretion to prohibit or limit questioning in a particular trial for reasons related to the severity of the charges, the presence of significant suppressed evidence or for other good cause.~~

Rule 49.5 Electronic Filing and Service System

(a) **Types of Cases Applicable.** E-Filing and E-Service may be used for certain cases filed in the courts of Colorado as the service becomes available. ~~The availability of the E-System for criminal cases will be determined by the Colorado Supreme Court and announced through its website www.jbits.courts.state.co.us/efiling/ and through published directives to the clerks of the affected court systems.~~

(b)-(l) [NO CHANGE]

(m) Form of Electronic Documents.

(1) **Electronic Document Format, Size, and Density.** Electronic document format, size, and density shall be as specified by Chief Justice Directive # 11-01.

(2) **Multiple Documents.** Multiple documents (including proposed orders) may be filed in a single electronic filing transaction. Each document (including proposed orders) in that filing must bear a separate document title.

(3) **Proposed Orders.** Proposed orders shall be E-Filed in editable format. Proposed orders that are E-Filed in a non-editable format shall be rejected by the clerk's office and must be resubmitted. In courts where proposed orders are not required, a proposed order need not be filed with the court.

(n)-(o) [NO CHANGE]

COMMENTS

2014

[1] The Court authorized service provider for the program is the Integrated Colorado Courts E-Filing System (www.jbits.courts.state.co.us/icces).

[2] “Editable Format” is one which is subject to modification by the court using standard means, such as Word or WordPerfect format.

[3] C.R.C.P. 77 provides that courts are always open for business. This rule is intended to comport with that rule.

2017

[4] Effective November 1, 2016, the name of the court authorized service provider changed from the “Integrated Colorado Courts E-Filing System” to “Colorado Courts E-Filing” (www.jbits.courts.state.co.us/efiling/).

2018

[5] The website for the Colorado Courts E-filing system is now www.courts.state.co.us/efiling.

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Amended and Adopted by the Court, En Banc, September 6, 2018, effective immediately.

By the Court:

Carlos A. Samour, Jr.

Justice, Colorado Supreme Court