

**Colorado Supreme Court Advisory Committee on the Rules of Civil Procedure
September 23, 2022, Minutes**

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

Name	Present	Not Present
Judge Jerry N. Jones, Chair	X	
Judge Michael Berger	X	
Judge Karen Brody	X	
Miko Ando Brown	X	
Judge Catherine Cheroutes	X	
Damon Davis	X	
David R. DeMuro	X	
Judge Stephanie Dunn	X	
Judge J. Eric Elliff	X	
Judge Adam Espinosa	X	
Peter Goldstein		X
Magistrate Lisa Hamilton-Fieldman	X	
Michael J. Hofmann		X
Judge Thomas K. Kane		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
Chief Judge Gilbert M. Román	X	
Judge (Ret.) Sabino Romano		X
Judge Stephanie Scoville	X	
Lee N. Sternal	X	
Magistrate Marianne Tims		X
Andi Truett		X
Jose L. Vasquez	X	
Judge Juan G. Villaseñor		X
Ben Vinci	X	
Judge (Ret.) John R. Webb		X
J. Gregory Whitehair	X	
Judge Christopher Zenisek	X	
Non-voting Participants		
Justice Richard Gabriel, Liaison	X	
Jeremy Botkins	X	

I. Attachments & Handouts

- September 23, 2022, agenda packet and supplement.

II. Announcements from the Chair

- The June 24, 2022, minutes were approved as submitted.
- Chair Judge Jones announced the 2023 meeting dates: January 27, April 7, June 23, September 22, and November 3. He also noted that recent rule changes from this Committee's work were in the agenda packet.

III. Present Business

A. C.R.C.C.P. Forms 4 and 5

Ana Rodriguez explained that clerks requested the presented changes to ensure consistency with other forms and rules. The Committee suggested several changes and advised the working group to consider replacing some existing legalese with plain language. Ms. Rodriguez will take the suggestions to the working group and return to the Committee with a final product.

B. C.R.C.P. 16.2

Judge Brody said that the Subcommittee is proposing a narrow and simple rule change to 16.2, which governs procedural aspects of dissolution cases and child custody cases. The proposal focuses on mandatory disclosure requirements. The Subcommittee is trying to solve a narrow problem: for certain people who qualify, how many financial disclosures are needed. The purpose of this proposal is to increase access to the court system.

In discussing the proposal, one member noted that it would benefit from adding an advisement. The group also discussed the benefits and drawbacks of making the proposed form a supreme court form versus an SCAO form, as well as suggestions to use more plain language. Based on the Committee's feedback, the Subcommittee will take the proposal back for further revision and some informal vetting from various stakeholders.

The Committee voted unanimously to move this resolution forward along the lines proposed and have the Subcommittee return with final language at a future date.

C. Proposed Amendments for FED Actions

Judge Espinosa noted that this last round of revisions concerns FED actions in district court.

Justice Gabriel highlighted that the vote tallies on several of the proposals were quite close. Judge Espinosa responded that many of the individuals on the Subcommittee preferred the status quo and did not want changes to the rules; however, the majority on the Subcommittee voted in favor of the changes for the sake of consistency.

Based on the comments, including some noting that the wording did not track with the statute's language, Judge Espinosa will take the proposed rules back to the Subcommittee and welcomed any comment submissions from Committee members.

D. C.R.C.C.P. Forms 29 and 30

Jose Vasquez submitted these proposals in response to recent legislation. After requesting one nit error be remedied, the Committee voted unanimously to approve these changes.

Future Meetings

- A. 2022: November 4
- 2023: January 27; April 7; June 23; September 22; November 3

The Committee adjourned at 3:10 p.m.