



MODEL CRIMINAL JURY INSTRUCTIONS COMMITTEE
Meeting Minutes of:
Thursday January 19, 2012
3:00 – 5:00 p.m.
Held at the Supreme Court – 8th floor conference room

Attendees:

Justice Coats (Chair), Judge Dailey (Vice Chair), Judge Lichtenstein (Vice Chair), Judge Burback, Judge K. Romeo, Judge Samour, Judge Tuttle, and Judge Warner.

Telephone participants:

Judge Gilbert, Judge Greenacre, Judge Lammons, Judge Lemon, and Judge Robison.

Guests:

Judge James Breese (Denver County Court), and Professor Timothy Hurley (Sturm College of Law, University of Denver).

Staff:

Andrew Field (Reporter), and Penny Wagner (Technical Support)

I. Approval of Minutes

The Committee approved the minutes for the November 17, 2011, meeting.

II. Presentation by Plain Language Committee

Judge Breese, Chairman of the Plain Language Committee (PLC), described the membership of the PLC and its formation as a subcommittee of the Supreme Court's Jury System Standing Committee.

Judge Breese then reviewed the PLC's work and the proposed revisions that it has submitted to the MCJIC for consideration.

Professor Hurley, who is a member of the PLC and maintains the records of its work, assisted Judge Breese with this presentation.

III. Discussion

The Chair invited Judge Breese and Professor Hurley to participate in a discussion of how the MCJIC should consolidate:

(1) the PLC's proposed revisions to the introductory and general instructions in COLJI-Crim. (1983); and

(2) the Supreme Court Jury Instruction Committee's revisions to those same materials in COLJI-Crim. (2008).

Members of the Committee observed that the two sets of revisions have different coverage, organization, and formatting, and they asked Judge Breese and Professor Hurley about these distinctions.

Members of the Committee commented that, although many trial court judges deviate from the model introductory instructions and develop their own "plain language" remarks to build rapport with prospective jurors, a set of model introductory instructions is a useful template that should be included in the next edition of COLJI-Crim.

Based on this discussion, it was agreed that the PLC will revise its proposals and harmonize them with the revisions in COLJI-Crim. (2008).

Accordingly, the Committee agreed to proceed with its work on other chapters and return to the introductory materials after the PLC submits its revised proposals.

IV. Next Meeting

The next meeting will be held in the same location, at the same time, on Thursday, February 16, 2012.

The Chair will set an agenda and have the Committee Reporter distribute relevant written materials in advance of the meeting.

The meeting was adjourned at 4:51 p.m.

Respectfully submitted,

Andrew Field, Reporter.