

RULE CHANGE 2017(07)
COLORADO RULES OF CRIMINAL PROCEDURE

Rule 16. Discovery and Procedure Before Trial

Definitions. [NO CHANGE]

Part I. – Part IV [NO CHANGE]

Part V. Time Schedules and Discovery Procedures

(a) – (b) [NO CHANGE]

(c) Cost and Location of Discovery.

(1) The prosecution's costs of providing duplicating any material discoverable material electronically to the defense, electronically or otherwise, under this rule shall be funded as set forth in section 16-9-702(2), C.R.S. paid from funds allocated by the general assembly borne by the party receiving the material, based on the actual cost of copying the same to the party furnishing the material. The prosecution Copies of any discovery provided to a defendant by court appointed counsel shall not otherwise charge for discovery be paid for by the defendant. For any materials provided to the prosecution as part of the defense discovery obligation, the cost shall be borne by the prosecution based on the actual cost of duplication. Copies of any discovery provided to a defendant by court appointed counsel shall be paid for by the defendant.

(2) The place of discovery and furnishing of for materials not capable of being provided electronically shall be at the office of the party furnishing it, or at a mutually agreeable location.

(d) [NO CHANGE]

Rule 16. Discovery and Procedure Before Trial

Definitions. [NO CHANGE]

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(c) Cost and Location of Discovery.

(1) The prosecution's costs of providing any discoverable material electronically to the defense shall be funded as set forth in section 16-9-702(2), C.R.S. The prosecution shall not charge for discovery. For any materials provided to the prosecution as part of the defense discovery obligation, the cost shall be borne by the prosecution based on the actual cost of duplication. Copies of any discovery provided to a defendant by court appointed counsel shall be paid for by the defendant.

(2) The place of discovery for materials not capable of being provided electronically shall be at the office of the party furnishing it, or at a mutually agreeable location.

(d) [NO CHANGE]

Amended and Adopted by the Court, En Banc, August 24, 2017, effective immediately.

By the Court:

Nathan B. Coats
Justice, Colorado Supreme Court