

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 26-1288

BY REPRESENTATIVE(S) Joseph and Carter, Bacon, Clifford;  
also SENATOR(S) Roberts and Wallace, Cutter, Gonzales J., Jodeh,  
Rodriguez, Weissman, Coleman.

CONCERNING MEASURES RELATED TO JURY SELECTION.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **add** 13-3-121 as follows:

**13-3-121. Jury selection working group - creation - members - duties - report - definition - repeal.**

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "WORKING GROUP" MEANS THE JURY SELECTION WORKING GROUP CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) THERE IS CREATED IN THE JUDICIAL DEPARTMENT THE JURY SELECTION WORKING GROUP TO MAKE FINDINGS AND RECOMMENDATIONS CONCERNING JURY SELECTION.

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(3) (a) THE WORKING GROUP CONSISTS OF:

(I) THE STATE PUBLIC DEFENDER, OR THEIR DESIGNEE;

(II) THE ATTORNEY GENERAL, OR THEIR DESIGNEE;

(III) THE FOLLOWING MEMBERS, WHO ARE APPOINTED BY THE ASSOCIATION THAT THEY REPRESENT, WHICH ASSOCIATION IS CHOSEN BY THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT:

(A) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF DISTRICT ATTORNEYS;

(B) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF MUNICIPAL JUDGES;

(C) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF CIVIL TRIAL LAWYERS;

(D) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF CIVIL DEFENSE LAWYERS;

(E) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS;

(F) ONE MEMBER WHO IS A MEMBER OF A STATEWIDE ASSOCIATION OF LAWYERS AND WHO HAS EXPERIENCE WITH REPRESENTING CLIENTS IN COMPLEX COMMERCIAL LITIGATION INVOLVING PRIVATE PARTIES; AND

(G) ONE MEMBER WHO IS AN INSTRUCTOR AT AN INSTITUTION OF HIGHER EDUCATION AND HAS EXPERT KNOWLEDGE OF, AND RESEARCH EXPERIENCE WITH, JURY SELECTION; AND

(IV) THE FOLLOWING MEMBERS, APPOINTED BY THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT:

(A) A JUSTICE OR JUDGE;

(B) THE CHAIR OF THE RULES OF CRIMINAL PROCEDURE COMMITTEE;

(C) THE CHAIR OF THE CIVIL RULES COMMITTEE;

(D) FOUR JUDGES, WHO IN FULL REPRESENT DISTRICT COURT, COUNTY COURT, RURAL JURISDICTION, AND URBAN JURISDICTION;

(E) ONE JURY COMMISSIONER WHO REPRESENTS AN URBAN JUDICIAL DISTRICT; AND

(F) ONE JURY COMMISSIONER WHO REPRESENTS A RURAL JUDICIAL DISTRICT.

(b) TO THE EXTENT PRACTICABLE, THE APPOINTING AUTHORITIES SHALL ATTEMPT TO APPOINT WORKING GROUP MEMBERS WHO REFLECT THE DIVERSITY OF THE STATE WITH REGARD TO GEOGRAPHY, RACE, ETHNICITY, GENDER, AND AREAS OF PRACTICE.

(c) THE APPOINTING AUTHORITIES SHALL MAKE APPOINTMENTS TO THE WORKING GROUP NO LATER THAN JUNE 15, 2026.

(d)(I) THE JUSTICE OR JUDGE APPOINTED PURSUANT TO SUBSECTION (3)(a)(IV)(A) OF THIS SECTION SERVES AS A CO-CHAIR OF THE WORKING GROUP.

(II) THE WORKING GROUP SHALL SELECT A MEMBER DESCRIBED IN SUBSECTION (3)(a)(I), (3)(a)(II), OR (3)(a)(III) OF THIS SECTION TO SERVE AS A CO-CHAIR OF THE WORKING GROUP.

(e) MEMBERS SERVE WITHOUT COMPENSATION BUT MAY BE REIMBURSED FOR EXPENSES DIRECTLY RELATING TO THEIR SERVICE TO THE WORKING GROUP.

(4) THE WORKING GROUP SHALL:

(a) SOLICIT INPUT FROM RELEVANT COMMUNITIES AND STAKEHOLDERS TO ASSIST THE WORKING GROUP WITH THE PERFORMANCE OF ITS DUTIES PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION;

(b) IDENTIFY BEST PRACTICES CONCERNING:

(I) THE AMOUNT OF TIME PROVIDED TO ATTORNEYS TO PERFORM

VOIR DIRE;

(II) THE USE OF CASE-SPECIFIC OR MODEL QUESTIONNAIRES FOR POTENTIAL JURORS;

(III) THE USE OF RULES FOR THE PROCESS AND EFFECTIVENESS OF REHABILITATING JURORS;

(IV) THE USE OF MODEL BENCH BOOK SCRIPTS FOR JURY SELECTION;

(V) TRAINING FOR JUDGES AND LAWYERS REGARDING JURY SELECTION; AND

(VI) ANY OTHER MATTER RELATED TO JURY SELECTION DEEMED APPROPRIATE BY THE WORKING GROUP; AND

(c) CONSIDER MAKING RECOMMENDATIONS FOR STATUTORY OR RULE CHANGES TO IMPROVE JURY SELECTION.

(5) (a) ON OR BEFORE DECEMBER 1, 2026, THE WORKING GROUP SHALL SUBMIT A PROGRESS REPORT OF ITS IDENTIFIED BEST PRACTICES PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION, AND RECOMMENDATIONS FOR STATUTORY OR RULE CHANGES PURSUANT TO SUBSECTION (4)(c) OF THIS SECTION, IF ANY, TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, AND EACH COLORADO SUPREME COURT JUSTICE.

(b) ON OR BEFORE DECEMBER 1, 2026, THE JUDICIAL DEPARTMENT SHALL POST THE REPORT DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION ON ITS WEBSITE FOR PUBLIC ACCESS.

(6) (a) ON OR BEFORE A DATE DETERMINED BY THE WORKING GROUP'S CO-CHAIRS THAT IS SUFFICIENT TO ALLOW THE COLORADO SUPREME COURT TO RESPOND PURSUANT TO SUBSECTION (7) OF THIS SECTION, THE WORKING GROUP SHALL SUBMIT A FINAL REPORT OF ITS IDENTIFIED BEST PRACTICES PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION, AND RECOMMENDATIONS FOR STATUTORY OR RULE CHANGES PURSUANT TO SUBSECTION (4)(c) OF THIS SECTION, IF ANY, TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, AND EACH COLORADO SUPREME COURT JUSTICE.

(b) WITHIN ONE WEEK OF RECEIVING THE FINAL REPORT DESCRIBED IN SUBSECTION (6)(a) OF THIS SECTION, THE JUDICIAL DEPARTMENT SHALL POST THE REPORT DESCRIBED IN SUBSECTION (6)(a) OF THIS SECTION ON ITS WEBSITE FOR PUBLIC ACCESS.

(7) (a) IF ANY RECOMMENDATIONS FOR RULE CHANGES ARE MADE, THEN ON OR BEFORE JUNE 15, 2027, THE COLORADO SUPREME COURT SHALL RESPOND TO THE WORKING GROUP'S RECOMMENDATIONS FOR RULE CHANGES TO IMPROVE JURY SELECTION.

(b) ON OR BEFORE JUNE 15, 2027, THE JUDICIAL DEPARTMENT SHALL POST THE RESPONSE DESCRIBED IN SUBSECTION (7)(a) OF THIS SECTION ON ITS WEBSITE FOR PUBLIC ACCESS.

(8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

**SECTION 2. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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James Rashad Coleman, Sr.  
PRESIDENT OF  
THE SENATE

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Vanessa Reilly  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Esther van Mourik  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO