

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 1, 2026
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB26-1288 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, strike everything below the enacting clause and
2 substitute:
- 3 "SECTION 1. In Colorado Revised Statutes, **add** 13-3-121 as
4 follows:
- 5 **13-3-121. Jury selection working group - creation - members**
6 **- duties - report - definition - repeal.**
- 7 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES, "WORKING GROUP" MEANS THE JURY SELECTION WORKING
9 GROUP CREATED IN SUBSECTION (2) OF THIS SECTION.
- 10 (2) THERE IS CREATED IN THE JUDICIAL DEPARTMENT THE JURY
11 SELECTION WORKING GROUP TO MAKE FINDINGS AND RECOMMENDATIONS
12 CONCERNING JURY SELECTION.
- 13 (3) (a) THE WORKING GROUP CONSISTS OF:
- 14 (I) THE STATE PUBLIC DEFENDER, OR THEIR DESIGNEE;
- 15 (II) THE ATTORNEY GENERAL, OR THEIR DESIGNEE;
- 16 (III) THE FOLLOWING MEMBERS, WHO ARE APPOINTED BY THE
17 ASSOCIATION THAT THEY REPRESENT, WHICH ASSOCIATION IS CHOSEN BY
18 THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT:
- 19 (A) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF
20 DISTRICT ATTORNEYS;
- 21 (B) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF
22 MUNICIPAL JUDGES;
- 23 (C) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF
24 CIVIL TRIAL LAWYERS;
- 25 (D) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF
26 CIVIL DEFENSE LAWYERS;
- 27 (E) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF
28 CRIMINAL DEFENSE LAWYERS;

1 (F) ONE MEMBER WHO IS A MEMBER OF A STATEWIDE ASSOCIATION
2 OF LAWYERS AND WHO HAS EXPERIENCE WITH REPRESENTING CLIENTS IN
3 COMPLEX COMMERCIAL LITIGATION INVOLVING PRIVATE PARTIES; AND
4 (G) ONE MEMBER WHO IS AN INSTRUCTOR AT AN INSTITUTION OF
5 HIGHER EDUCATION AND HAS EXPERT KNOWLEDGE OF, AND RESEARCH
6 EXPERIENCE WITH, JURY SELECTION; AND
7 (IV) THE FOLLOWING MEMBERS, APPOINTED BY THE CHIEF JUSTICE
8 OF THE COLORADO SUPREME COURT:
9 (A) A JUSTICE OR JUDGE;
10 (B) THE CHAIR OF THE RULES OF CRIMINAL PROCEDURE
11 COMMITTEE;
12 (C) THE CHAIR OF THE CIVIL RULES COMMITTEE;
13 (D) FOUR JUDGES, WHO IN FULL REPRESENT DISTRICT COURT,
14 COUNTY COURT, RURAL JURISDICTION, AND URBAN JURISDICTION;
15 (E) ONE JURY COMMISSIONER WHO REPRESENTS AN URBAN
16 JUDICIAL DISTRICT; AND
17 (F) ONE JURY COMMISSIONER WHO REPRESENTS A RURAL JUDICIAL
18 DISTRICT.
19 (b) TO THE EXTENT PRACTICABLE, THE APPOINTING AUTHORITIES
20 SHALL ATTEMPT TO APPOINT WORKING GROUP MEMBERS WHO REFLECT
21 THE DIVERSITY OF THE STATE WITH REGARD TO GEOGRAPHY, RACE,
22 ETHNICITY, GENDER, AND AREAS OF PRACTICE.
23 (c) THE APPOINTING AUTHORITIES SHALL MAKE APPOINTMENTS TO
24 THE WORKING GROUP NO LATER THAN JUNE 15, 2026.
25 (d) (I) THE JUSTICE OR JUDGE APPOINTED PURSUANT TO
26 SUBSECTION (3)(a)(IV)(A) OF THIS SECTION SERVES AS A CO-CHAIR OF THE
27 WORKING GROUP.
28 (II) THE WORKING GROUP SHALL SELECT A MEMBER DESCRIBED IN
29 SUBSECTION (3)(a)(I), (3)(a)(II), OR (3)(a)(III) OF THIS SECTION TO SERVE
30 AS A CO-CHAIR OF THE WORKING GROUP.
31 (e) MEMBERS SERVE WITHOUT COMPENSATION BUT MAY BE
32 REIMBURSED FOR EXPENSES DIRECTLY RELATING TO THEIR SERVICE TO THE
33 WORKING GROUP.
34 (4) THE WORKING GROUP SHALL:
35 (a) SOLICIT INPUT FROM RELEVANT COMMUNITIES AND
36 STAKEHOLDERS TO ASSIST THE WORKING GROUP WITH THE PERFORMANCE
37 OF ITS DUTIES PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION;
38 (b) IDENTIFY BEST PRACTICES CONCERNING:
39 (I) THE AMOUNT OF TIME PROVIDED TO ATTORNEYS TO PERFORM
40 VOIR DIRE;
41 (II) THE USE OF CASE-SPECIFIC OR MODEL QUESTIONNAIRES FOR
42 POTENTIAL JURORS;
43 (III) THE USE OF RULES FOR THE PROCESS AND EFFECTIVENESS OF

1 REHABILITATING JURORS;
2 (IV) THE ELIMINATION OF BIAS IN JURY SELECTION;
3 (V) THE USE OF MODEL BENCHBOOK SCRIPTS FOR JURY SELECTION;
4 (VI) TRAINING FOR JUDGES AND LAWYERS REGARDING JURY
5 SELECTION; AND
6 (VII) ANY OTHER MATTER RELATED TO JURY SELECTION DEEMED
7 APPROPRIATE BY THE WORKING GROUP; AND
8 (c) CONSIDER MAKING RECOMMENDATIONS FOR STATUTORY OR
9 RULE CHANGES TO IMPROVE JURY SELECTION.
10 (5) (a) ON OR BEFORE DECEMBER 1, 2026, THE WORKING GROUP
11 SHALL SUBMIT A PROGRESS REPORT OF ITS IDENTIFIED BEST PRACTICES
12 PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION, AND
13 RECOMMENDATIONS FOR STATUTORY OR RULE CHANGES PURSUANT TO
14 SUBSECTION (4)(c) OF THIS SECTION, IF ANY, TO THE JUDICIARY
15 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR
16 ANY SUCCESSOR COMMITTEES, AND EACH COLORADO SUPREME COURT
17 JUSTICE.
18 (b) ON OR BEFORE DECEMBER 1, 2026, THE JUDICIAL DEPARTMENT
19 SHALL POST THE REPORT DESCRIBED IN SUBSECTION (5)(a) OF THIS
20 SECTION ON ITS WEBSITE FOR PUBLIC ACCESS.
21 (6) (a) ON OR BEFORE A DATE DETERMINED BY THE WORKING
22 GROUP'S CO-CHAIRS THAT IS SUFFICIENT TO ALLOW THE COLORADO
23 SUPREME COURT TO RESPOND PURSUANT TO SUBSECTION (7) OF THIS
24 SECTION, THE WORKING GROUP SHALL SUBMIT A FINAL REPORT OF ITS
25 IDENTIFIED BEST PRACTICES PURSUANT TO SUBSECTION (4)(b) OF THIS
26 SECTION, AND RECOMMENDATIONS FOR STATUTORY OR RULE CHANGES
27 PURSUANT TO SUBSECTION (4)(c) OF THIS SECTION, IF ANY, TO THE
28 JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
29 SENATE, OR ANY SUCCESSOR COMMITTEES, AND EACH COLORADO
30 SUPREME COURT JUSTICE.
31 (b) WITHIN ONE WEEK OF RECEIVING THE FINAL REPORT
32 DESCRIBED IN SUBSECTION (6)(a) OF THIS SECTION, THE JUDICIAL
33 DEPARTMENT SHALL POST THE REPORT DESCRIBED IN SUBSECTION (6)(a)
34 OF THIS SECTION ON ITS WEBSITE FOR PUBLIC ACCESS.
35 (7) (a) IF ANY RECOMMENDATIONS FOR RULE CHANGES ARE MADE,
36 THEN ON OR BEFORE JUNE 15, 2027, THE COLORADO SUPREME COURT
37 SHALL RESPOND TO THE WORKING GROUP'S RECOMMENDATIONS FOR RULE
38 CHANGES TO IMPROVE JURY SELECTION.
39 (b) ON OR BEFORE JUNE 15, 2027, THE JUDICIAL DEPARTMENT
40 SHALL POST THE RESPONSE DESCRIBED IN SUBSECTION (7)(a) OF THIS
41 SECTION ON ITS WEBSITE FOR PUBLIC ACCESS.
42 (8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.
43 **SECTION 2. Safety clause.** The general assembly finds,

1 determines, and declares that this act is necessary for the immediate
2 preservation of the public peace, health, or safety or for appropriations for
3 the support and maintenance of the departments of the state and state
4 institutions."

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