

## **MEMORANDUM**

TO: Pro Se Defendants Setting Cases for Jury Trial  
FROM: The Boulder Municipal Court  
DATE: August 16, 1996

You have set your case for a jury trial and have been given two dates to return to this Court. Each of these Court appearances is mandatory. Failure to appear for either will result in cancellation of your scheduled jury trial, forfeiture of any posted bonds and a warrant for your arrest will be issued.

The purpose of this memo is to explain to you what the Jury Readiness Conference is and what we hope to accomplish at that time.

Jury trials are by their nature much more complex and legally difficult for people who are not lawyers than are trials to the Court. Accordingly, this Court schedules a Jury Readiness Conference approximately four weeks before your jury trial date to instruct you in the procedures of a jury trial. At that time the Judge will go through the full procedures of the trial and explain to you how the case will proceed.

Your obligation at the Jury Readiness Conference is first of all to appear prepared to take notes and listen to the instructions of the Court. Secondly, you should at that time present any legal issues or other issues that you wish to have resolved prior to trial. For example, should you wish to make some formal motion for any additional materials to be provided by the Prosecution or for the particular legal rulings you should be prepared to present them at the Jury Readiness Conference. Motions other than routine motions must be filed and briefed prior to the Jury Readiness Conference.

One common mistake made by pro se defendants is that they believe they may provide affidavits instead of live witness testimony at trials. This is not acceptable. Should you choose to proceed to trial you need to understand that any witness that you want to be heard from will need to appear and give live testimony. If you want to call a witness whom you believe will not voluntarily appear, please request a subpoena from the Municipal Courtroom Clerk and she will assist you in filling out the form in an appropriate manner. You are responsible for service of the subpoenas in accordance with City Ordinances.

As a pro se defendant you have the right to represent yourself, but you also have certain responsibilities. Among those responsibilities is to act in a respectful manner to the Court and to be aware of the basic rules of evidence and procedure. Should you wish to do some research in these areas, the Court suggests you go to the University of Colorado Law School Library and review the Rules of Procedure governing Municipal Courts and the Colorado Rules of Evidence. In addition, you may want to look at the Colorado Revised Jury Instructions for Criminal Proceedings. At trial, the Prosecution will provide the bulk of the jury instructions. However, if there are special instructions which you want the jury to hear regarding a defense that you have or your theory of the case, you will need to provide them on the morning of the trial. It is helpful if they can be provided at the Jury Readiness Conference, but that is not required. When you bring any instructions on the morning of trial you should come prepared with three (3) copies of the instructions. If they were done on a computer you should also bring the disk so you can make any necessary changes to your instructions prior to them being submitted to the jury.

At the Jury Readiness Conference you should expect to learn from the prosecution what witnesses they intend to call, what exhibits they will offer and how long their case will be. At that time it is requested but not required that you provide notification of your witnesses and exhibits as well. If there are particular things you know you wish to offer as exhibits it is sometimes helpful to talk to the prosecutor about stipulations of admission of exhibits at that time. If you know of any particular testimony or witnesses the prosecution intends to offer to which you wish to object you may also bring that up at the Jury Readiness Conference.

Finally, the Jury Readiness Conference is most importantly a chance for you to ask any questions you have about the procedure of the jury trial and to make sure that you understand how we will be proceeding. Please do not hesitate to ask any questions you may have at that time. You may call the Deputy Courtroom Clerk, Nick Stanfa, at (303) 441-1842 should you have any further questions. Please remember the Court staff is not permitted to give you legal advice.

You should get copies of any documents you want from the City Attorney (prosecutor). Their office can be reached at 441-3025.