

Colorado Supreme Court

Rules Committees

Rule Change 2019(08) Colorado Rules of Criminal Procedure

Rule 32. Sentence and Judgment

(a) through (c)(2) [NO CHANGE]

(c)(3) When the court imposes a sentence, enters a judgment, or issues an order that obligates a defendant to pay any monetary amount, the court shall instruct the defendant as follows:

(I) If at any time the defendant is unable to

pay the monetary amount due, the defendant must contact the court's designated official or appear before the court to explain why he or she is unable to pay the monetary amount;

(II) If the defendant lacks the present ability to pay the monetary amount due without undue hardship to the defendant or the defendant's dependents, the court shall not jail the defendant for failure to pay; and

(III) If the defendant has the ability to pay the monetary amount as directed by the court or the court's designee but willfully fails to pay, the defendant may be imprisoned for failure

to comply with the court's lawful order to pay pursuant to the terms of this section.

(d) through (g) [NO CHANGE]

Amended and Adopted by the Court, En Banc, March 14, 2019, effective immediately.

By the Court:

Carlos A. Samour, Jr.

Justice, Colorado Supreme Court 

Visit the Supreme Court's website for complete text of rule changes, including corresponding forms and versions with highlights of revisions (deletions and additions), which are not printed in Court Business. Material printed in Court Business appears as submitted by the Court and has not been edited by *Colorado Lawyer* staff.

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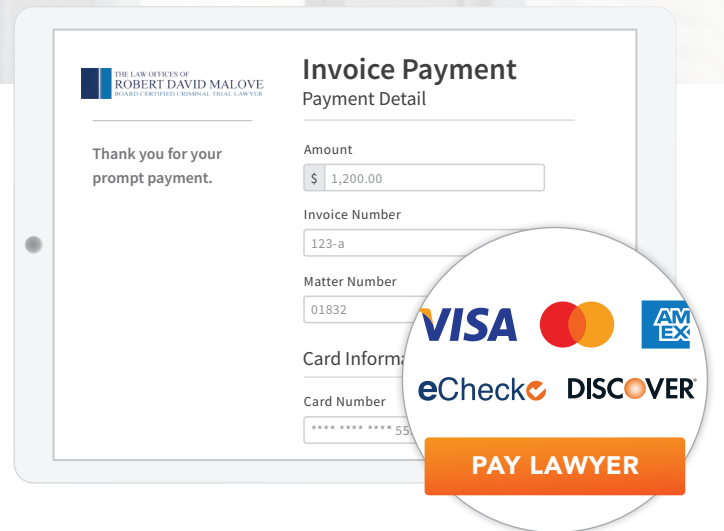
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