

March 9, 2026

Carolyn A. Dubay
Secretary, Committee on Rules of Practice and Procedure
Administrative Office of the United States Courts
One Columbus Circle, NE, Room 7-300 Washington, DC 20544

Re: Proposal to Amend Fed. R. Crim. P. 15

Dear Ms. Dubay:

I write in support of the proposal to amend Federal Rule of Criminal Procedure 15 to allow for broader use of depositions. I am a former federal prosecutor and member of the Criminal Justice Act Panel in the District of Colorado, and I believe that a more robust use of depositions would facilitate fairness in federal criminal cases.

In handling many criminal cases with parallel civil and/or administrative proceedings, I've found that more significant discovery facilitates and deeper and more genuine understanding of the facts. In turn, I'm better able to engage in much more meaningful and significant case discussions with both my clients and representatives of the government. This additional discovery benefits not just the defense, but government lawyers as well since both sides are able to much more ably analyze relevant factual and legal issues much sooner. Additional discovery also allows the parties to more efficiently focus on the facts and legal issues that are at the heart of the case.

I hope the Committee will seriously explore this proposal.

Very Truly Yours,



Richard K. Kornfeld