

HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on Judiciary.

HB21-1101 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, **add** 19-3-217 as
4 follows:

5 **19-3-217. Parent-child visitation upon removal.** (1) AT ANY
6 HEARING HELD PURSUANT TO SECTION 19-3-403 (2) OR (3.5), THE COURT
7 SHALL ENTER TEMPORARY ORDERS FOR REASONABLE VISITATION WITH THE
8 CHILD'S PARENT THAT IS CONSISTENT WITH THE AGE AND DEVELOPMENTAL
9 NEEDS OF A CHILD IF THE COURT FINDS THAT VISITATION IS IN A CHILD'S
10 BEST INTERESTS. THE COURT SHALL ORDER CONTACT BETWEEN THE
11 PARENT AND CHILD, WHICH CONTACT MAY INCLUDE BUT IS NOT LIMITED
12 TO TELEPHONE, VIRTUAL, OR IN-PERSON VISITS, COMMENCING WITHIN
13 SEVENTY-TWO HOURS AFTER ANY HEARING PURSUANT TO SECTION
14 19-3-403 (2) OR (3.5), EXCLUDING SATURDAYS, SUNDAYS, AND ANY
15 COURT HOLIDAY. THE COURT MAY AUTHORIZE AN EXTENSION OF TIME FOR
16 CONTACT TO COMMENCE IF THE DELAY IS AGREED UPON BY THE PARENT,
17 COUNTY DEPARTMENT, AND GUARDIAN AD LITEM OR IF THE COURT FINDS
18 THAT A DELAY IN CONTACT IS IN THE CHILD'S BEST INTERESTS.

19 (2) NOTHING IN THIS SECTION RESTRICTS THE COURT FROM
20 GRANTING DISCRETIONARY AUTHORITY TO THE DEPARTMENT AND
21 GUARDIAN AD LITEM TO INCREASE OPPORTUNITIES FOR ADDITIONAL
22 PARENT-CHILD CONTACTS OR SIBLING CONTACTS WITHOUT FURTHER
23 COURT ORDER.

24 (3) ABSENT THE ISSUANCE OF AN EMERGENCY ORDER, A PARENT
25 GRANTED VISITATION IS ENTITLED TO A HEARING PRIOR TO AN ONGOING
26 REDUCTION IN, SUSPENSION OF, OR INCREASE IN THE LEVEL OF
27 SUPERVISION, INCLUDING A CHANGE FROM IN-PERSON VISITATION TO
28 VIRTUAL VISITATION. IF THE COURT ISSUES AN EMERGENCY ORDER
29 SUSPENDING, REDUCING, OR RESTRICTING VISITATION, A PARENT IS
30 ENTITLED TO A HEARING WITHIN SEVENTY-TWO HOURS AFTER THE ORDER
31 IS ISSUED, EXCLUDING SATURDAYS, SUNDAYS, AND COURT HOLIDAYS. THE
32 COURT NEED NOT HOLD A HEARING IF THERE IS AGREEMENT BY THE
33 PETITIONER, GUARDIAN AD LITEM, AND PARENT TO THE REDUCTION,
34 SUSPENSION, OR INCREASE IN LEVEL OF SUPERVISION OF VISITS. ANY SUCH
35 AGREEMENT MUST BE REDUCED TO WRITING AND FILED WITH THE COURT.
36 NOTHING IN THIS SECTION PREVENTS THE COUNTY DEPARTMENT FROM
37 CANCELING A VISIT IF THE CHILD'S HEALTH OR WELFARE WOULD BE
38 ENDANGERED OR IF THE PARENT CONSENTS TO THE CANCELLATION OF THE
39 VISIT.

40 (4) NOTHING IN THIS SECTION REQUIRES OR PERMITS A COUNTY

1 DEPARTMENT TO ARRANGE A VISIT IF THE VISIT WOULD VIOLATE AN
2 EXISTING PROTECTION ORDER IN ANY CASE PENDING IN THIS STATE OR ANY
3 OTHER STATE. THE COUNTY DEPARTMENT IS NOT REQUIRED TO PRODUCE
4 A CHILD FOR COURT-ORDERED VISITATION IF THE VISITATION IS MADE
5 IMPOSSIBLE DUE TO THE POLICIES OF A FACILITY WHERE THE PARENT IS
6 INCARCERATED OR IN TREATMENT.

7 **SECTION 2.** In Colorado Revised Statutes, 19-3-403, **amend** (7)
8 as follows:

9 **19-3-403. Temporary custody - hearing - time limits -**
10 **restriction - rules.** (7) The court may also issue temporary orders for
11 legal custody as provided in section 19-1-115. THE COURT SHALL ENTER
12 VISITATION ORDERS CONSISTENT WITH SECTION 19-3-217.

13 **SECTION 3.** In Colorado Revised Statutes, 19-5-208, **add** (4.5)
14 as follows:

15 **19-5-208. Petition for adoption - open adoption - post-adoption**
16 **contact agreement.** (4.5) (a) AN AGREEMENT ENTERED INTO PURSUANT
17 TO THIS SUBSECTION (4.5) IS CONSIDERED AN OPEN ADOPTION.

18 (b) THE PETITIONER MAY REQUEST A POST-ADOPTION CONTACT
19 AGREEMENT FOR CONTACT BETWEEN A CHILD AND THE BIRTH PARENT OR
20 PARENTS; A BIRTH RELATIVE, AS SET FORTH IN SECTION 19-3-605 (1); OR
21 AN INDIAN TRIBE IF THE CHILD IS A MEMBER OF THE INDIAN TRIBE. A
22 POST-ADOPTION CONTACT AGREEMENT MAY INCLUDE PROVISIONS FOR
23 CONTACT, VISITATION, OR THE EXCHANGE OF INFORMATION, AND THE
24 GROUNDS, IF ANY, ON WHICH THE ADOPTIVE PARENT MAY DECLINE TO
25 PERMIT VISITS OR CEASE PROVIDING CONTACT OR INFORMATION. IF A
26 CHILD IS AVAILABLE FOR ADOPTION THROUGH AN EXPEDITED
27 RELINQUISHMENT PURSUANT TO SECTION 19-5-103.5, THE CONTACT
28 AGREEMENT MUST BE LIMITED TO CONTACT BETWEEN THE CHILD AND THE
29 BIRTH PARENTS AND BIOLOGICAL SIBLINGS OF THE CHILD.

30 (c) IF A CHILD IS TWELVE YEARS OF AGE OR OLDER, THE COURT
31 SHALL NOT ORDER A POST-ADOPTION CONTACT AGREEMENT UNLESS THE
32 CHILD CONSENTS TO ALL TERMS OF THE CONTACT AGREEMENT.

33 (d) THE COURT SHALL INCLUDE THE POST-ADOPTION CONTACT
34 AGREEMENT IN THE ADOPTION DECREE IF THE COURT FINDS THE CONTACT
35 AGREEMENT IS IN THE CHILD'S BEST INTERESTS, AFTER CONSIDERING THE
36 CHILD'S WISHES AND ANY OTHER RELEVANT INFORMATION.

37 (e) A PARENT WHO HAS RELINQUISHED PARENTAL RIGHTS
38 PURSUANT TO SECTION 19-5-104, OR WHOSE PARENTAL RIGHTS HAVE BEEN
39 TERMINATED PURSUANT TO SECTION 19-3-604 OR 19-5-105, OR ANY BIRTH
40 RELATIVE, AS SET FORTH IN SECTION 19-3-605 (1), MUST NOT BE A PARTY
41 TO THE ADOPTION. ACCESS TO THE ADOPTION FILE, WITH THE EXCEPTION
42 OF THE POST-ADOPTION CONTACT AGREEMENT AND ANY PLEADINGS OR
43 ORDERS MADE PURSUANT TO THIS SECTION TO ENFORCE THE CONTACT

1 AGREEMENT, IS GOVERNED BY PART 3 OF THIS ARTICLE 5.

2 (f) A POST-ADOPTION CONTACT AGREEMENT ENTERED INTO
3 PURSUANT TO THIS SUBSECTION (4.5) MUST BE SUBMITTED TO THE COURT
4 ON A STANDARDIZED AFFIDAVIT FORM PRESCRIBED BY THE JUDICIAL
5 DEPARTMENT THAT CONTAINS THE FOLLOWING WARNINGS
6 ACKNOWLEDGED BY ALL PARTIES TO THE CONTACT AGREEMENT:

7 (I) AFTER THE ENTRY OF A DECREE FOR ADOPTION, AN ADOPTION,
8 RELINQUISHMENT, OR TERMINATION OF PARENTAL RIGHTS CANNOT BE SET
9 ASIDE DUE TO THE FAILURE OF THE ADOPTIVE PARENT, BIOLOGICAL
10 PARENT, A BIRTH RELATIVE, OR THE CHILD TO FOLLOW THE TERMS OF THE
11 CONTACT AGREEMENT OR ANY SUBSEQUENT MODIFICATIONS OF THE
12 AGREEMENT; AND

13 (II) A DISAGREEMENT BETWEEN THE PARTIES OR LITIGATION
14 BROUGHT PURSUANT TO SECTION 19-5-217 TO ENFORCE OR TERMINATE
15 THE CONTACT AGREEMENT DOES NOT AFFECT THE VALIDITY OF THE
16 ADOPTION, RELINQUISHMENT, OR TERMINATION OF PARENTAL RIGHTS AND
17 IS NOT A BASIS FOR ORDERS AFFECTING THE CUSTODY OF THE CHILD.

18 (g) NOTHING IN THIS SUBSECTION (4.5) PERMITS THE COURT TO
19 ORDER ONGOING CONTACT OR OTHER DUTIES FOR THE PETITIONER WHEN
20 THE PETITIONER DOES NOT CONSENT TO A POST-ADOPTION CONTACT
21 AGREEMENT AS SET FORTH IN THIS SUBSECTION (4.5).

22 (h) IN ANY CASE WHERE A POST-ADOPTION CONTACT AGREEMENT
23 IS BEING CONSIDERED BY THE COURT AND A GUARDIAN AD LITEM IS
24 CURRENTLY APPOINTED FOR THE CHILD PURSUANT TO SECTION 19-3-203,
25 THE COURT SHALL APPOINT THE GUARDIAN AD LITEM TO REPRESENT THE
26 BEST INTERESTS OF THE CHILD WITH RESPECT TO THE CONTACT
27 AGREEMENT. THE DUTIES OF THE GUARDIAN AD LITEM OR THE CHILD'S
28 ATTORNEY TERMINATE UPON THE ENTRY OF THE DECREE OF ADOPTION,
29 UNLESS OTHERWISE ORDERED BY THE COURT.

30 **SECTION 4.** In Colorado Revised Statutes, **add** 19-5-217 as
31 follows:

32 **19-5-217. Enforcement or termination of post-adoption
33 contact agreement.** (1) IF THE DECREE OF ADOPTION CONTAINS A
34 POST-ADOPTION CONTACT AGREEMENT PURSUANT TO SECTION 19-5-208
35 (4.5), THE COURT RETAINS JURISDICTION AFTER THE DECREE OF ADOPTION
36 IS ENTERED TO HEAR MOTIONS TO ENFORCE OR TERMINATE THE CONTACT
37 AGREEMENT, OR TO ENTER STIPULATED AGREEMENTS OF THE PARTIES TO
38 MODIFY THE CONTACT AGREEMENT.

39 (2) THE COURT MAY APPOINT A GUARDIAN AD LITEM FOR THE
40 ADOPTED CHILD AT THE TIME OF ANY ACTION FOR THE ENFORCEMENT OR
41 TERMINATION OF THE POST-ADOPTION CONTACT AGREEMENT IF THE COURT
42 DETERMINES THAT CONSIDERATION OF THE FACTORS SET FORTH IN
43 SECTION 19-5-103 (9)(a) REQUIRE THE APPOINTMENT OF A GUARDIAN AD

1 LITEM. IN ALL ADOPTIONS OTHER THAN THOSE IN WHICH THE CHILD IS
2 PLACED BY THE COUNTY DEPARTMENT, A PARTY OR PARTIES SHALL PAY
3 REASONABLE FEES FOR THE SERVICES OF THE GUARDIAN AD LITEM AND
4 COUNSEL FOR THE CHILD, UNLESS A PARTY IS INDIGENT, IN WHICH CASE
5 SUCH FEES SHALL BE PAID BY THE OFFICE OF THE CHILD'S REPRESENTATIVE.

6 (3) IF THERE IS A POST-ADOPTION AGREEMENT FOR CONTACT
7 ESTABLISHED PURSUANT TO SECTION 19-5-208 (4.5), A PARTY TO THE
8 CONTACT AGREEMENT, EVEN IF HE OR SHE IS NOT A PARTY TO THE
9 ADOPTION, MAY FILE A MOTION TO ENFORCE OR TERMINATE THE CONTACT
10 AGREEMENT AS SET FORTH IN THIS SECTION.

11 (4) PRIOR TO FILING A MOTION SEEKING THE ENFORCEMENT OR
12 TERMINATION OF A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED
13 PURSUANT TO SECTION 19-5-208 (4.5), THE PARTY SEEKING ENFORCEMENT
14 OR TERMINATION SHALL SHOW THAT THE PARTY ATTEMPTED IN GOOD
15 FAITH TO RESOLVE THE DISPUTED MATTERS THROUGH MEDIATION OR
16 OTHER METHOD OF DISPUTE RESOLUTION. THIS REQUIREMENT IS WAIVED
17 IF THE PARTY'S WHEREABOUTS ARE UNKNOWN AND THE PARTY CANNOT BE
18 LOCATED DESPITE DILIGENT EFFORTS TO DO SO.

19 (5) THE COURT SHALL NOT TERMINATE A POST-ADOPTION CONTACT
20 AGREEMENT ESTABLISHED PURSUANT TO SECTION 19-5-208 (4.5) UNLESS
21 THE MOVING PARTY ESTABLISHES THAT THERE HAS BEEN A CHANGE IN
22 CIRCUMSTANCES AND THAT THE CONTACT AGREEMENT IS NO LONGER IN
23 THE ADOPTED CHILD'S BEST INTERESTS. FOLLOWING THE ADOPTION, THE
24 COURT SHALL PRESUME THAT THE ADOPTIVE PARENT'S JUDGEMENT IS IN
25 THE BEST INTERESTS OF THE CHILD IN ANY ACTION SEEKING TO ENFORCE
26 OR TERMINATE THE CONTACT AGREEMENT, AND SUCH PRESUMPTION MAY
27 ONLY BE OVERCOME BY CLEAR AND CONVINCING EVIDENCE. A
28 POST-ADOPTION CONTACT AGREEMENT MAY NOT LIMIT THE ADOPTIVE
29 PARENT'S ABILITY TO MOVE OUT OF STATE.

30 (6) AT ANY TIME AFTER THE ENTRY OF A POST-ADOPTION CONTACT
31 AGREEMENT PURSUANT TO SECTION 19-5-208 (4.5), THE PARTIES TO THE
32 AGREEMENT MAY FILE WITH THE COURT A SIGNED, MODIFIED
33 POST-ADOPTION CONTACT AGREEMENT. THE COURT SHALL NOT MODIFY
34 THE TERMS OF THE INITIAL POST-ADOPTION CONTACT AGREEMENT ABSENT
35 THE CONSENT OF ALL PARTIES TO THE AGREEMENT, BUT THE COURT MAY
36 ENFORCE OR TERMINATE THE AGREEMENT OVER THE OBJECTION OF A
37 PARTY TO THE AGREEMENT. AN ADOPTED CHILD TWELVE YEARS OF AGE OR
38 OLDER AT THE TIME OF THE TERMINATION OR MODIFICATION OF THE
39 CONTACT AGREEMENT MUST CONSENT TO ANY MODIFICATION OR
40 TERMINATION OF THE CONTACT AGREEMENT.

41 (7) THE COURT MAY CONSIDER DOCUMENTARY EVIDENCE AND
42 OFFERS OF PROOF IN DETERMINING MOTIONS TO ENFORCE OR TERMINATE
43 A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED PURSUANT TO

1 SECTION 19-5-208 (4.5), OR MAY, IN ITS DISCRETION, HOLD A HEARING ON
2 THE MOTION.

3 (8) THE COURT SHALL NOT ORDER FURTHER INVESTIGATION OR
4 EVALUATION BY ANY PUBLIC OR PRIVATE AGENCY OR INDIVIDUAL
5 RELATING TO A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED
6 PURSUANT TO SECTION 19-5-208 (4.5) ABSENT A FINDING BY CLEAR AND
7 CONVINCING EVIDENCE THAT THE BEST INTERESTS OF THE CHILD MAY BE
8 PROTECTED OR ADVANCED ONLY BY FURTHER INVESTIGATION OR
9 EVALUATION AND THAT THE INVESTIGATION OR EVALUATION WILL NOT
10 DISTURB THE STABILITY OF THE CHILD'S HOME TO THE DETRIMENT OF THE
11 CHILD.

12 **SECTION 5.** In Colorado Revised Statutes, **add** part 9 to article
13 3 of title 19 as follows:

14 **PART 9**

15 **TASK FORCE ON HIGH-QUALITY PARENTING TIME**

16 **19-3-901. Legislative declaration.** (1) THE GENERAL ASSEMBLY
17 FINDS AND DECLARES THAT:

18 (a) COLORADO HAS A STRONG INTEREST IN PRESERVING AND
19 STRENGTHENING FAMILY TIES AND REDUCING SEPARATION TRAUMA TO
20 CHILDREN WHO ARE REMOVED FROM THEIR BIRTH PARENTS;

21 (b) THE REMOVAL AND SUBSEQUENT CONTINUED SEPARATION
22 BETWEEN CHILD AND BIRTH PARENT MAKES SUSTAINING PRIMARY
23 RELATIONSHIPS DIFFICULT AND REUNIFICATION MORE PROBLEMATIC, AND
24 THE LOSS A CHILD EXPERIENCES WHEN SEPARATED FROM HIS OR HER BIRTH
25 PARENT OR PARENTS IS PROFOUND, SOMETIMES LASTING INTO
26 ADULTHOOD;

27 (c) FOR THESE REASONS, IT IS IMPORTANT TO ESTABLISH CLEAR
28 STANDARDS TO ACHIEVE CONSISTENT PRACTICES RELATING TO THE
29 AVAILABILITY OF HIGH-QUALITY PARENTING TIME FOR CHILDREN WHO
30 HAVE BEEN REMOVED FROM A BIRTH PARENT BY GOVERNMENT ACTION;
31 AND

32 (d) CLEAR STANDARDS AND CONSISTENT PRACTICES WILL HELP
33 ENSURE THAT ALL PARENTS AND CHILDREN HAVE A FAIR PROCESS FOR
34 DETERMINING A PARENTING TIME PLAN THAT IS IN THE BEST INTERESTS OF
35 CHILDREN AND THAT PROMOTES POSITIVE OUTCOMES FOR FAMILIES.

36 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS
37 VALUABLE TO CREATE A TASK FORCE OF PERSONS WITH EXPERIENCE IN OR
38 KNOWLEDGE OF THE CHILD WELFARE POLICY SYSTEM TO EXAMINE THE
39 CURRENT POLICIES AND STATUTES GOVERNING PARENTING TIME, TO STUDY
40 BEST PRACTICES FOR THE PROVISION OF AND DETERMINATION OF
41 INDIVIDUALIZED PLANS FOR PARENTING TIME, AND TO MAKE
42 RECOMMENDATIONS TO THE EXECUTIVE BRANCH AND TO THE GENERAL
43 ASSEMBLY ON ADMINISTRATIVE AND LEGISLATIVE CHANGES TO SUPPORT

1 HIGH-QUALITY PARENTING TIME IN COLORADO.

2 **19-3-902. Definitions.** AS USED IN THIS PART 9, UNLESS THE
3 CONTEXT OTHERWISE REQUIRES:

4 (1) "COUNTY DEPARTMENT" MEANS A COUNTY DEPARTMENT OF
5 HUMAN OR SOCIAL SERVICES.

6 (2) "PARENTING TIME" MEANS ANY FORM OF CONTACT OR
7 ENGAGEMENT BETWEEN PARENTS, LEGAL CUSTODIANS, OR GUARDIANS
8 AND CHILDREN WHEN CHILDREN ARE PLACED IN OUT-OF-HOME CARE IN A
9 CASE BROUGHT PURSUANT TO THIS ARTICLE 3.

10 (3) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
11 HUMAN SERVICES.

12 (4) "STEERING COMMITTEE" MEANS THE TASK FORCE STEERING
13 COMMITTEE CREATED IN SECTION 19-3-903.

14 (5) "TASK FORCE" MEANS THE TASK FORCE ON HIGH-QUALITY
15 PARENTING TIME CREATED IN SECTION 19-3-903.

16 **19-3-903. Task force on high-quality parenting time - creation
- steering committee - membership.** (1) THERE IS CREATED IN THE
17 STATE DEPARTMENT THE TASK FORCE ON HIGH-QUALITY PARENTING TIME,
18 FOR THE PURPOSE OF STUDYING THE ISSUES SET FORTH IN SECTION
19 19-3-904 AND MAKING FINDINGS AND RECOMMENDATIONS TO THE
20 GOVERNOR, THE STATE DEPARTMENT, THE CHILD WELFARE TRAINING
21 ACADEMY, AND THE GENERAL ASSEMBLY ON ADMINISTRATIVE AND
22 LEGISLATIVE CHANGES TO IMPROVE HIGH-QUALITY PARENTING TIME
23 SERVICES AND PRACTICES IN DEPENDENCY AND NEGLECT CASES.

24 (2) THERE IS CREATED A STEERING COMMITTEE FOR THE TASK
25 FORCE. THE MEMBERS OF THE STEERING COMMITTEE SERVE AS THE
26 EXECUTIVE COMMITTEE OF THE TASK FORCE. THE STEERING COMMITTEE
27 IS COMPOSED OF A REPRESENTATIVE OF THE FOLLOWING AGENCIES OR
28 ORGANIZATIONS, SELECTED BY THE EXECUTIVE DIRECTOR OF THE AGENCY
29 OR ORGANIZATION:

30 (a) THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL;
31 (b) THE DIVISION OF CHILD WELFARE IN THE DEPARTMENT OF
32 HUMAN SERVICES;
33 (c) THE OFFICE OF THE CHILD'S REPRESENTATIVE;
34 (d) THE CHILD PROTECTION OMBUDSMAN'S OFFICE; AND
35 (e) A STATEWIDE ASSOCIATION OF HUMAN AND SOCIAL SERVICES
36 DIRECTORS.

37 (3) THE MEMBERSHIP OF THE TASK FORCE MUST NOT EXCEED
38 TWENTY-FIVE MEMBERS AND, TO THE EXTENT PRACTICABLE, MUST
39 INCLUDE PERSONS FROM THROUGHOUT THE STATE AND MUST REFLECT THE
40 RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE. THE
41 STEERING COMMITTEE MEMBERS ARE MEMBERS OF THE TASK FORCE. THE
42 STEERING COMMITTEE SHALL JOINTLY APPOINT THE REMAINING TASK
43

1 FORCE MEMBERS BY CONSENSUS, OR, IF NO CONSENSUS IS REACHED, BY
2 MAJORITY VOTE OF THE STEERING COMMITTEE. THE REMAINING TASK
3 FORCE MEMBERS MUST MEET THE FOLLOWING CRITERIA:

4 (a) ONE MEMBER REPRESENTING THE COURT IMPROVEMENT
5 PROGRAM;

6 (b) ONE MEMBER WHO IS EITHER RETIRED OR CURRENTLY SERVING
7 AS A JUDGE OR MAGISTRATE WITH EXPERIENCE IN THE CHILD PROTECTION
8 SYSTEM;

9 (c) TWO MEMBERS WHO REPRESENT SERVICE PROVIDERS, WITH ONE
10 MEMBER REPRESENTING SERVICES PROVIDERS WHO PROVIDE SERVICES IN
11 AN URBAN COUNTY AND ONE MEMBER REPRESENTING SERVICE PROVIDERS
12 WHO PROVIDE SERVICES IN A RURAL COUNTY;

13 (d) ONE MEMBER WHO IS A DIRECTOR OR ADMINISTRATOR OF A
14 COUNTY DEPARTMENT;

15 (e) THREE MEMBERS REPRESENTING THE COUNTY DEPARTMENTS
16 OF HUMAN OR SOCIAL SERVICES, AT LEAST ONE OF WHICH MUST BE A
17 COUNTY ATTORNEY, WITH TWO MEMBERS REPRESENTING URBAN COUNTIES
18 AND ONE MEMBER REPRESENTING A RURAL COUNTY;

19 (f) ONE MEMBER WHO IS A LICENSED PSYCHIATRIST,
20 PSYCHOLOGIST, SOCIAL WORKER, OR THERAPIST WHO WORKS WITH
21 CHILDREN WHO HAVE BEEN ABUSED OR NEGLECTED;

22 (g) TWO PARENTS WITH LIVED EXPERIENCE IN THE CHILD WELFARE
23 SYSTEM, INCLUDING A PARENT WHO HAS A DISABILITY OR HAS A CHILD
24 WITH A DISABILITY;

25 (h) TWO MEMBERS WITH LIVED EXPERIENCE IN THE CHILD WELFARE
26 SYSTEM AS CHILDREN;

27 (i) ONE MEMBER WHO IS A FOSTER PARENT OR KINSHIP PROVIDER;
28 (j) A SERVICE PROVIDER WHO WORKS WITH PARENTS OR CHILDREN
29 WITH DISABILITIES;

30 (k) A SOCIAL WORKER, FAMILY ADVOCATE, OR PARENT ADVOCATE
31 WITH EXPERIENCE SERVING FAMILIES IN DEPENDENCY AND NEGLECT
32 CASES; AND

33 (l) ANY OTHER INDIVIDUAL OR REPRESENTATIVE WITH RELEVANT
34 EXPERIENCE, AS DETERMINED BY THE STEERING COMMITTEE.

35 (4) (a) THE EXECUTIVE DIRECTORS OF THE AGENCIES OR
36 ORGANIZATIONS SPECIFIED IN SUBSECTION (2) OF THIS SECTION SHALL
37 APPOINT THE STEERING COMMITTEE MEMBERS NOT LATER THAN FIFTEEN
38 DAYS AFTER THE EFFECTIVE DATE OF THIS PART 9. STEERING COMMITTEE
39 MEMBERS SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY.

40 (b) THE STEERING COMMITTEE SHALL APPOINT THE REMAINING
41 TASK FORCE MEMBERS DESCRIBED IN SUBSECTION (3) OF THIS SECTION NOT
42 LATER THAN FORTY-FIVE DAYS AFTER THE EFFECTIVE OF THIS PART 9,
43 UNLESS THE STEERING COMMITTEE BY MAJORITY VOTE EXTENDS THE TIME

1 FRAME IN WHICH TO APPOINT TASK FORCE MEMBERS. EACH MEMBER OF
2 THE TASK FORCE APPOINTED BY THE STEERING COMMITTEE SERVES AT THE
3 PLEASURE OF THE STEERING COMMITTEE AND MAY BE REMOVED BY A
4 CONSENSUS OF THE STEERING COMMITTEE, OR, IF CONSENSUS CANNOT BE
5 REACHED, BY MAJORITY VOTE OF THE STEERING COMMITTEE.

6 (5) THE MEMBERS OF THE TASK FORCE SERVE WITHOUT
7 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

8 (6) (a) THE TASK FORCE SHALL CONVENE WITHIN THIRTY DAYS
9 AFTER THE FINAL MEMBER HAS BEEN APPOINTED TO THE TASK FORCE.

10 (b) THE TASK FORCE SHALL ELECT A CHAIR AND VICE-CHAIR FROM
11 AMONG ITS MEMBERS.

12 (c) THE TASK FORCE SHALL MEET AT LEAST MONTHLY THROUGH
13 SEPTEMBER 2022, AND MAY MEET THEREAFTER TO COMPLETE ITS DUTIES.

14 (d) THE STEERING COMMITTEE MAY SEEK INPUT FROM
15 SUBJECT-MATTER EXPERTS OR OTHERS TO FACILITATE THE WORK OF THE
16 TASK FORCE.

17 (e) THE STEERING COMMITTEE SHALL SELECT A FACILITATOR TO BE
18 FUNDED THROUGH GIFTS, GRANTS, DONATIONS, OR FEDERALLY
19 ALLOCATED FUNDS THAT MAY BE USED FOR THIS PURPOSE, AND IS
20 AUTHORIZED TO SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR
21 DONATIONS.

22 **19-3-904. Task force - purposes - issues to study - written
23 reports.** (1) THE PURPOSE OF THE TASK FORCE IS TO:

24 (a) STUDY CURRENT LAWS, RULES, AND PRACTICES FOLLOWED IN
25 THE STATE INCLUDING CURRENT CAPACITY FOR SUPERVISED PARENTING
26 TIME IN DEPENDENCY AND NEGLECT CASES WHERE CHILDREN HAVE BEEN
27 REMOVED FROM A PARENT;

28 (b) STUDY AND REVIEW RESEARCH AND BEST PRACTICES FOR
29 PARENTING TIME IN DEPENDENCY AND NEGLECT CASES WHILE ENSURING
30 THE SAFETY AND WELL-BEING OF ALL PARTICIPANTS;

31 (c) STUDY BEST PRACTICES FOR JUDICIAL REVIEW OF VISITATION
32 AND PARENTING TIME PLANS;

33 (d) EVALUATE THE RIGHTS AND REMEDIES FOR PARENTS AND
34 CHILDREN OR YOUTH PERTAINING TO PARENTING TIME, INCLUDING SIBLING
35 VISITATION;

36 (e) CONSIDER WHETHER THE STATUTES AND LEGAL STANDARDS
37 FOR ORDERING PARENTING TIME ARE CONSISTENT WITH BEST PRACTICES;

38 (f) CONSIDER WHETHER CURRENT LANGUAGE IN THE "COLORADO
39 CHILDREN'S CODE" AND RULES SHOULD BE UPDATED OR MODERNIZED,
40 INCLUDING REPLACING THE TERM "VISITATION" WITH "PARENTING TIME"
41 OR "FAMILY TIME";

42 (g) STUDY BEST PRACTICES TO MEET THE DEVELOPMENTAL NEEDS
43 OF YOUTH THROUGH PARENTING TIME IN A TRAUMA-INFORMED MANNER;

(h) STUDY BEST PRACTICES FOR PARENTING TIME WITH INCARCERATED PARENTS;

(i) STUDY BEST PRACTICES FOR USE OF LEVELS OF SUPERVISED PARENTING TIME AND CONSISTENCY IN THE AVAILABILITY AND DEFINITIONS OF DIFFERENT LEVELS OF SUPERVISED PARENTING TIME;

(j) RECOMMEND NECESSARY CHANGES TO STATUTE AND RULE TO EFFECTUATE THE RECOMMENDED PRACTICES; AND

(k) RECOMMEND BEST PRACTICES TO ENSURE THAT FAMILIES ACROSS THE STATE HAVE CONSISTENT ACCESS TO HIGH-QUALITY PARENTING TIME WHERE CHILDREN ARE IN OUT-OF-HOME CARE.

(2) IN CARRYING OUT THE PURPOSES SET FORTH IN SUBSECTION (1) OF THIS SECTION, THE TASK FORCE SHALL CONSIDER:

(a) THE U.S. CONSTITUTION AND STATE CONSTITUTION, CASE LAW, STATUTES, RULES, PRACTICES, AND STANDARDS THAT GOVERN FAMILY PARENTING TIME OR VISITATION IN COLORADO;

(b) BEST PRACTICES FOLLOWED IN OTHER STATES OR RECOMMENDED BY NATIONAL CHILD WELFARE EXPERTS TO PROVIDE AND DETERMINE PARENTING TIME PLANS THAT ARE IN THE BEST INTERESTS OF CHILDREN AND WHICH PROMOTE POSITIVE OUTCOMES FOR FAMILIES;

(c) FEDERAL GUIDANCE FROM THE ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILIES REGARDING BEST PRACTICES IN PARENTING TIME AND VISITATION FOR CHILDREN AND YOUTH IN OUT-OF-HOME CARE; AND

(d) JUVENILE CODES AND RULES FROM OTHER STATES
IMPLEMENTING BEST PRACTICES IN PARENTING TIME.

(3) THE TASK FORCE SHALL CONSIDER AND RECOMMEND:
(a) THE BEST PRACTICES IN PARENTING TIME FOR CHILDREN
PLACED IN OUT-OF-HOME CARE:

(b) CHANGES TO STATUTE, RULE, AND PRACTICE NECESSARY TO IMPLEMENT THE RECOMMENDATIONS:

(c) CONSIDERATIONS TO ENSURE FAIR AND EQUAL ACCESS TO HIGH-QUALITY PARENTING TIME FOR ALL FAMILIES, INCLUDING RECOMMENDATIONS TO ENSURE THAT CULTURALLY APPROPRIATE AND INCLUSIVE SERVICES ARE EQUALLY AVAILABLE ACROSS THE STATE; AND

(d) IDENTIFICATION OF BARRIERS TO IMPLEMENTING BEST PRACTICES ACROSS THE STATE AND RECOMMENDATIONS FOR ADDRESSING THE BARRIERS

(4) ON OR BEFORE OCTOBER 1, 2022, THE TASK FORCE SHALL SUBMIT A WRITTEN REPORT TO THE GOVERNOR; THE STATE DEPARTMENT; THE CHILD WELFARE TRAINING ACADEMY; THE JOINT BUDGET COMMITTEE; THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES COMMITTEE, OR ANY SUCCESSOR COMMITTEES. THE REPORT

1 MUST INCLUDE, BUT IS NOT LIMITED TO THE TASK FORCE'S FINDINGS
2 CONCERNING BEST PRACTICES TO IMPROVE HIGH-QUALITY PARENTING
3 TIME SERVICES AND PRACTICES IN DEPENDENCY AND NEGLECT CASES AND
4 RECOMMENDATIONS CONCERNING NECESSARY CHANGES IN STATE
5 STATUTE AND ADMINISTRATIVE RULES TO IMPLEMENT THOSE BEST
6 PRACTICES AND RECOMMENDATIONS.

7 **19-3-905. Repeal of part.** THIS PART 9 IS REPEALED, EFFECTIVE
8 JULY 1, 2023.

9 **SECTION 6. Effective date.** This act takes effect upon passage;
10 except that sections 1, 2, 3, and 4 of this act take effect September 1,
11 2021.

12 **SECTION 7. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, or safety.".

*** *** *** *** *