

HOUSE COMMITTEE OF REFERENCE REPORT

March 31, 2021

Chair of Committee

Date

Committee on Judiciary.

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

HB21-1101 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

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.

1 (3) ABSENT THE ISSUANCE OF AN EMERGENCY ORDER, A PARENT
2 GRANTED VISITATION IS ENTITLED TO A HEARING PRIOR TO AN ONGOING
3 REDUCTION IN, SUSPENSION OF, OR INCREASE IN THE LEVEL OF
4 SUPERVISION, INCLUDING A CHANGE FROM IN-PERSON VISITATION TO
5 VIRTUAL VISITATION. IF THE COURT ISSUES AN EMERGENCY ORDER
6 SUSPENDING, REDUCING, OR RESTRICTING VISITATION, A PARENT IS
7 ENTITLED TO A HEARING WITHIN SEVENTY-TWO HOURS AFTER THE ORDER
8 IS ISSUED, EXCLUDING SATURDAYS, SUNDAYS, AND COURT HOLIDAYS. THE
9 COURT NEED NOT HOLD A HEARING IF THERE IS AGREEMENT BY THE
10 PETITIONER, GUARDIAN AD LITEM, AND PARENT TO THE REDUCTION,
11 SUSPENSION, OR INCREASE IN LEVEL OF SUPERVISION OF VISITS. ANY SUCH
12 AGREEMENT MUST BE REDUCED TO WRITING AND FILED WITH THE COURT.
13 NOTHING IN THIS SECTION PREVENTS THE COUNTY DEPARTMENT FROM
14 CANCELING A VISIT IF THE CHILD'S HEALTH OR WELFARE WOULD BE
15 ENDANGERED OR IF THE PARENT CONSENTS TO THE CANCELLATION OF THE
16 VISIT.

17 (4) NOTHING IN THIS SECTION REQUIRES OR PERMITS A COUNTY
18 DEPARTMENT TO ARRANGE A VISIT IF THE VISIT WOULD VIOLATE AN
19 EXISTING PROTECTION ORDER IN ANY CASE PENDING IN THIS STATE OR ANY
20 OTHER STATE. THE COUNTY DEPARTMENT IS NOT REQUIRED TO PRODUCE
21 A CHILD FOR COURT-ORDERED VISITATION IF THE VISITATION IS MADE
22 IMPOSSIBLE DUE TO THE POLICIES OF A FACILITY WHERE THE PARENT IS
23 INCARCERATED OR IN TREATMENT.

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

26 **19-3-403. Temporary custody - hearing - time limits -**
27 **restriction - rules.** (7) The court may also issue temporary orders for
28 legal custody as provided in section 19-1-115. THE COURT SHALL ENTER
29 VISITATION ORDERS CONSISTENT WITH SECTION 19-3-217.

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

32 **19-5-208. Petition for adoption - open adoption - post-adoption**
33 **contact agreement.** (4.5) (a) AN AGREEMENT ENTERED INTO PURSUANT
34 TO THIS SUBSECTION (4.5) IS CONSIDERED AN OPEN ADOPTION.

35 (b) THE PETITIONER MAY REQUEST A POST-ADOPTION CONTACT
36 AGREEMENT FOR CONTACT BETWEEN A CHILD AND THE BIRTH PARENT OR
37 PARENTS; A BIRTH RELATIVE, AS SET FORTH IN SECTION 19-3-605 (1); OR
38 AN INDIAN TRIBE IF THE CHILD IS A MEMBER OF THE INDIAN TRIBE. A
39 POST-ADOPTION CONTACT AGREEMENT MAY INCLUDE PROVISIONS FOR
40 CONTACT, VISITATION, OR THE EXCHANGE OF INFORMATION, AND THE
41 GROUNDS, IF ANY, ON WHICH THE ADOPTIVE PARENT MAY DECLINE TO

1 PERMIT VISITS OR CEASE PROVIDING CONTACT OR INFORMATION. IF A
2 CHILD IS AVAILABLE FOR ADOPTION THROUGH AN EXPEDITED
3 RELINQUISHMENT PURSUANT TO SECTION 19-5-103.5, THE CONTACT
4 AGREEMENT MUST BE LIMITED TO CONTACT BETWEEN THE CHILD AND THE
5 BIRTH PARENTS AND BIOLOGICAL SIBLINGS OF THE CHILD.

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

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

13 (e) A PARENT WHO HAS RELINQUISHED PARENTAL RIGHTS
14 PURSUANT TO SECTION 19-5-104, OR WHOSE PARENTAL RIGHTS HAVE BEEN
15 TERMINATED PURSUANT TO SECTION 19-3-604 OR 19-5-105, OR ANY BIRTH
16 RELATIVE, AS SET FORTH IN SECTION 19-3-605 (1), MUST NOT BE A PARTY
17 TO THE ADOPTION. ACCESS TO THE ADOPTION FILE, WITH THE EXCEPTION
18 OF THE POST-ADOPTION CONTACT AGREEMENT AND ANY PLEADINGS OR
19 ORDERS MADE PURSUANT TO THIS SECTION TO ENFORCE THE CONTACT
20 AGREEMENT, IS GOVERNED BY PART 3 OF THIS ARTICLE 5.

21 (f) A POST-ADOPTION CONTACT AGREEMENT ENTERED INTO
22 PURSUANT TO THIS SUBSECTION (4.5) MUST BE SUBMITTED TO THE COURT
23 ON A STANDARDIZED AFFIDAVIT FORM PRESCRIBED BY THE JUDICIAL
24 DEPARTMENT THAT CONTAINS THE FOLLOWING WARNINGS
25 ACKNOWLEDGED BY ALL PARTIES TO THE CONTACT AGREEMENT:

26 (I) AFTER THE ENTRY OF A DECREE FOR ADOPTION, AN ADOPTION,
27 RELINQUISHMENT, OR TERMINATION OF PARENTAL RIGHTS CANNOT BE SET
28 ASIDE DUE TO THE FAILURE OF THE ADOPTIVE PARENT, BIOLOGICAL
29 PARENT, A BIRTH RELATIVE, OR THE CHILD TO FOLLOW THE TERMS OF THE
30 CONTACT AGREEMENT OR ANY SUBSEQUENT MODIFICATIONS OF THE
31 AGREEMENT; AND

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

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

41 (h) IN ANY CASE WHERE A POST-ADOPTION CONTACT AGREEMENT

1 IS BEING CONSIDERED BY THE COURT AND A GUARDIAN AD LITEM IS
2 CURRENTLY APPOINTED FOR THE CHILD PURSUANT TO SECTION 19-3-203,
3 THE COURT SHALL APPOINT THE GUARDIAN AD LITEM TO REPRESENT THE
4 BEST INTERESTS OF THE CHILD WITH RESPECT TO THE CONTACT
5 AGREEMENT. THE DUTIES OF THE GUARDIAN AD LITEM OR THE CHILD'S
6 ATTORNEY TERMINATE UPON THE ENTRY OF THE DECREE OF ADOPTION,
7 UNLESS OTHERWISE ORDERED BY THE COURT.

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

10 **19-5-217. Enforcement or termination of post-adoption**
11 **contact agreement.** (1) IF THE DECREE OF ADOPTION CONTAINS A
12 POST-ADOPTION CONTACT AGREEMENT PURSUANT TO SECTION 19-5-208
13 (4.5), THE COURT RETAINS JURISDICTION AFTER THE DECREE OF ADOPTION
14 IS ENTERED TO HEAR MOTIONS TO ENFORCE OR TERMINATE THE CONTACT
15 AGREEMENT, OR TO ENTER STIPULATED AGREEMENTS OF THE PARTIES TO
16 MODIFY THE CONTACT AGREEMENT.

17 (2) THE COURT MAY APPOINT A GUARDIAN AD LITEM FOR THE
18 ADOPTED CHILD AT THE TIME OF ANY ACTION FOR THE ENFORCEMENT OR
19 TERMINATION OF THE POST-ADOPTION CONTACT AGREEMENT IF THE COURT
20 DETERMINES THAT CONSIDERATION OF THE FACTORS SET FORTH IN
21 SECTION 19-5-103 (9)(a) REQUIRE THE APPOINTMENT OF A GUARDIAN AD
22 LITEM. IN ALL ADOPTIONS OTHER THAN THOSE IN WHICH THE CHILD IS
23 PLACED BY THE COUNTY DEPARTMENT, A PARTY OR PARTIES SHALL PAY
24 REASONABLE FEES FOR THE SERVICES OF THE GUARDIAN AD LITEM AND
25 COUNSEL FOR THE CHILD, UNLESS A PARTY IS INDIGENT, IN WHICH CASE
26 SUCH FEES SHALL BE PAID BY THE OFFICE OF THE CHILD'S REPRESENTATIVE.

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

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

40 (5) THE COURT SHALL NOT TERMINATE A POST-ADOPTION CONTACT
41 AGREEMENT ESTABLISHED PURSUANT TO SECTION 19-5-208 (4.5) UNLESS

1 THE MOVING PARTY ESTABLISHES THAT THERE HAS BEEN A CHANGE IN
2 CIRCUMSTANCES AND THAT THE CONTACT AGREEMENT IS NO LONGER IN
3 THE ADOPTED CHILD'S BEST INTERESTS. FOLLOWING THE ADOPTION, THE
4 COURT SHALL PRESUME THAT THE ADOPTIVE PARENT'S JUDGEMENT IS IN
5 THE BEST INTERESTS OF THE CHILD IN ANY ACTION SEEKING TO ENFORCE
6 OR TERMINATE THE CONTACT AGREEMENT, AND SUCH PRESUMPTION MAY
7 ONLY BE OVERCOME BY CLEAR AND CONVINCING EVIDENCE. A
8 POST-ADOPTION CONTACT AGREEMENT MAY NOT LIMIT THE ADOPTIVE
9 PARENT'S ABILITY TO MOVE OUT OF STATE.

10 (6) AT ANY TIME AFTER THE ENTRY OF A POST-ADOPTION CONTACT
11 AGREEMENT PURSUANT TO SECTION 19-5-208 (4.5), THE PARTIES TO THE
12 AGREEMENT MAY FILE WITH THE COURT A SIGNED, MODIFIED
13 POST-ADOPTION CONTACT AGREEMENT. THE COURT SHALL NOT MODIFY
14 THE TERMS OF THE INITIAL POST-ADOPTION CONTACT AGREEMENT ABSENT
15 THE CONSENT OF ALL PARTIES TO THE AGREEMENT, BUT THE COURT MAY
16 ENFORCE OR TERMINATE THE AGREEMENT OVER THE OBJECTION OF A
17 PARTY TO THE AGREEMENT. AN ADOPTED CHILD TWELVE YEARS OF AGE OR
18 OLDER AT THE TIME OF THE TERMINATION OR MODIFICATION OF THE
19 CONTACT AGREEMENT MUST CONSENT TO ANY MODIFICATION OR
20 TERMINATION OF THE CONTACT AGREEMENT.

21 (7) THE COURT MAY CONSIDER DOCUMENTARY EVIDENCE AND
22 OFFERS OF PROOF IN DETERMINING MOTIONS TO ENFORCE OR TERMINATE
23 A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED PURSUANT TO
24 SECTION 19-5-208 (4.5), OR MAY, IN ITS DISCRETION, HOLD A HEARING ON
25 THE MOTION.

26 (8) THE COURT SHALL NOT ORDER FURTHER INVESTIGATION OR
27 EVALUATION BY ANY PUBLIC OR PRIVATE AGENCY OR INDIVIDUAL
28 RELATING TO A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED
29 PURSUANT TO SECTION 19-5-208 (4.5) ABSENT A FINDING BY CLEAR AND
30 CONVINCING EVIDENCE THAT THE BEST INTERESTS OF THE CHILD MAY BE
31 PROTECTED OR ADVANCED ONLY BY FURTHER INVESTIGATION OR
32 EVALUATION AND THAT THE INVESTIGATION OR EVALUATION WILL NOT
33 DISTURB THE STABILITY OF THE CHILD'S HOME TO THE DETRIMENT OF THE
34 CHILD.

35 **SECTION 5.** In Colorado Revised Statutes, **add** part 9 to article
36 3 of title 19 as follows:

37 **PART 9**

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

39 **19-3-901. Legislative declaration.** (1) THE GENERAL ASSEMBLY
40 FINDS AND DECLARES THAT:

41 (a) COLORADO HAS A STRONG INTEREST IN PRESERVING AND



1 STRENGTHENING FAMILY TIES AND REDUCING SEPARATION TRAUMA TO
2 CHILDREN WHO ARE REMOVED FROM THEIR BIRTH PARENTS;

3 (b) THE REMOVAL AND SUBSEQUENT CONTINUED SEPARATION
4 BETWEEN CHILD AND BIRTH PARENT MAKES SUSTAINING PRIMARY
5 RELATIONSHIPS DIFFICULT AND REUNIFICATION MORE PROBLEMATIC, AND
6 THE LOSS A CHILD EXPERIENCES WHEN SEPARATED FROM HIS OR HER BIRTH
7 PARENT OR PARENTS IS PROFOUND, SOMETIMES LASTING INTO
8 ADULTHOOD;

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

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

18 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS
19 VALUABLE TO CREATE A TASK FORCE OF PERSONS WITH EXPERIENCE IN OR
20 KNOWLEDGE OF THE CHILD WELFARE POLICY SYSTEM TO EXAMINE THE
21 CURRENT POLICIES AND STATUTES GOVERNING PARENTING TIME, TO STUDY
22 BEST PRACTICES FOR THE PROVISION OF AND DETERMINATION OF
23 INDIVIDUALIZED PLANS FOR PARENTING TIME, AND TO MAKE
24 RECOMMENDATIONS TO THE EXECUTIVE BRANCH AND TO THE GENERAL
25 ASSEMBLY ON ADMINISTRATIVE AND LEGISLATIVE CHANGES TO SUPPORT
26 HIGH-QUALITY PARENTING TIME IN COLORADO.

27 **19-3-902. Definitions.** AS USED IN THIS PART 9, UNLESS THE
28 CONTEXT OTHERWISE REQUIRES:

29 (1) "COUNTY DEPARTMENT" MEANS A COUNTY DEPARTMENT OF
30 HUMAN OR SOCIAL SERVICES.

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

35 (3) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
36 HUMAN SERVICES.

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

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

41 **19-3-903. Task force on high-quality parenting time - creation**

1 - **steering committee - membership.** (1) THERE IS CREATED IN THE
2 STATE DEPARTMENT THE TASK FORCE ON HIGH-QUALITY PARENTING TIME,
3 FOR THE PURPOSE OF STUDYING THE ISSUES SET FORTH IN SECTION
4 19-3-904 AND MAKING FINDINGS AND RECOMMENDATIONS TO THE
5 GOVERNOR, THE STATE DEPARTMENT, THE CHILD WELFARE TRAINING
6 ACADEMY, AND THE GENERAL ASSEMBLY ON ADMINISTRATIVE AND
7 LEGISLATIVE CHANGES TO IMPROVE HIGH-QUALITY PARENTING TIME
8 SERVICES AND PRACTICES IN DEPENDENCY AND NEGLECT CASES.

9 (2) THERE IS CREATED A STEERING COMMITTEE FOR THE TASK
10 FORCE. THE MEMBERS OF THE STEERING COMMITTEE SERVE AS THE
11 EXECUTIVE COMMITTEE OF THE TASK FORCE. THE STEERING COMMITTEE
12 IS COMPOSED OF A REPRESENTATIVE OF THE FOLLOWING AGENCIES OR
13 ORGANIZATIONS, SELECTED BY THE EXECUTIVE DIRECTOR OF THE AGENCY
14 OR ORGANIZATION:

- 15 (a) THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL;
- 16 (b) THE DIVISION OF CHILD WELFARE IN THE DEPARTMENT OF
17 HUMAN SERVICES;
- 18 (c) THE OFFICE OF THE CHILD'S REPRESENTATIVE;
- 19 (d) THE CHILD PROTECTION OMBUDSMAN'S OFFICE; AND
- 20 (e) A STATEWIDE ASSOCIATION OF HUMAN AND SOCIAL SERVICES
21 DIRECTORS.

22 (3) THE MEMBERSHIP OF THE TASK FORCE MUST NOT EXCEED
23 TWENTY-FIVE MEMBERS AND, TO THE EXTENT PRACTICABLE, MUST
24 INCLUDE PERSONS FROM THROUGHOUT THE STATE AND MUST REFLECT THE
25 RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE. THE
26 STEERING COMMITTEE MEMBERS ARE MEMBERS OF THE TASK FORCE. THE
27 STEERING COMMITTEE SHALL JOINTLY APPOINT THE REMAINING TASK
28 FORCE MEMBERS BY CONSENSUS, OR, IF NO CONSENSUS IS REACHED, BY
29 MAJORITY VOTE OF THE STEERING COMMITTEE. THE REMAINING TASK
30 FORCE MEMBERS MUST MEET THE FOLLOWING CRITERIA:

- 31 (a) ONE MEMBER REPRESENTING THE COURT IMPROVEMENT
32 PROGRAM;
- 33 (b) ONE MEMBER WHO IS EITHER RETIRED OR CURRENTLY SERVING
34 AS A JUDGE OR MAGISTRATE WITH EXPERIENCE IN THE CHILD PROTECTION
35 SYSTEM;
- 36 (c) TWO MEMBERS WHO REPRESENT SERVICE PROVIDERS, WITH ONE
37 MEMBER REPRESENTING SERVICE PROVIDERS WHO PROVIDE SERVICES IN
38 AN URBAN COUNTY AND ONE MEMBER REPRESENTING SERVICE PROVIDERS
39 WHO PROVIDE SERVICES IN A RURAL COUNTY;
- 40 (d) ONE MEMBER WHO IS A DIRECTOR OR ADMINISTRATOR OF A
41 COUNTY DEPARTMENT;

1 (e) THREE MEMBERS REPRESENTING THE COUNTY DEPARTMENTS
2 OF HUMAN OR SOCIAL SERVICES, AT LEAST ONE OF WHICH MUST BE A
3 COUNTY ATTORNEY, WITH TWO MEMBERS REPRESENTING URBAN COUNTIES
4 AND ONE MEMBER REPRESENTING A RURAL COUNTY;

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

8 (g) TWO PARENTS WITH LIVED EXPERIENCE IN THE CHILD WELFARE
9 SYSTEM, INCLUDING A PARENT WHO HAS A DISABILITY OR HAS A CHILD
10 WITH A DISABILITY;

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

13 (i) ONE MEMBER WHO IS A FOSTER PARENT OR KINSHIP PROVIDER;

14 (j) A SERVICE PROVIDER WHO WORKS WITH PARENTS OR CHILDREN
15 WITH DISABILITIES;

16 (k) A SOCIAL WORKER, FAMILY ADVOCATE, OR PARENT ADVOCATE
17 WITH EXPERIENCE SERVING FAMILIES IN DEPENDENCY AND NEGLECT
18 CASES; AND

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

21 (4) (a) THE EXECUTIVE DIRECTORS OF THE AGENCIES OR
22 ORGANIZATIONS SPECIFIED IN SUBSECTION (2) OF THIS SECTION SHALL
23 APPOINT THE STEERING COMMITTEE MEMBERS NOT LATER THAN FIFTEEN
24 DAYS AFTER THE EFFECTIVE DATE OF THIS PART 9. STEERING COMMITTEE
25 MEMBERS SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY.

26 (b) THE STEERING COMMITTEE SHALL APPOINT THE REMAINING
27 TASK FORCE MEMBERS DESCRIBED IN SUBSECTION (3) OF THIS SECTION NOT
28 LATER THAN FORTY-FIVE DAYS AFTER THE EFFECTIVE OF THIS PART 9,
29 UNLESS THE STEERING COMMITTEE BY MAJORITY VOTE EXTENDS THE TIME
30 FRAME IN WHICH TO APPOINT TASK FORCE MEMBERS. EACH MEMBER OF
31 THE TASK FORCE APPOINTED BY THE STEERING COMMITTEE SERVES AT THE
32 PLEASURE OF THE STEERING COMMITTEE AND MAY BE REMOVED BY A
33 CONSENSUS OF THE STEERING COMMITTEE, OR, IF CONSENSUS CANNOT BE
34 REACHED, BY MAJORITY VOTE OF THE STEERING COMMITTEE.

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

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

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

41 (c) THE TASK FORCE SHALL MEET AT LEAST MONTHLY THROUGH

1 SEPTEMBER 2022, AND MAY MEET THEREAFTER TO COMPLETE ITS DUTIES.

2 (d) THE STEERING COMMITTEE MAY SEEK INPUT FROM
3 SUBJECT-MATTER EXPERTS OR OTHERS TO FACILITATE THE WORK OF THE
4 TASK FORCE.

5 (e) THE STEERING COMMITTEE SHALL SELECT A FACILITATOR TO BE
6 FUNDED THROUGH GIFTS, GRANTS, DONATIONS, OR FEDERALLY
7 ALLOCATED FUNDS THAT MAY BE USED FOR THIS PURPOSE, AND IS
8 AUTHORIZED TO SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR
9 DONATIONS.

10 **19-3-904. Task force - purposes - issues to study - written**
11 **reports.** (1) THE PURPOSE OF THE TASK FORCE IS TO:

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

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

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

21 (d) EVALUATE THE RIGHTS AND REMEDIES FOR PARENTS AND
22 CHILDREN OR YOUTH PERTAINING TO PARENTING TIME, INCLUDING SIBLING
23 VISITATION;

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

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

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

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

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

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

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

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

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

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

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

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

16 (3) THE TASK FORCE SHALL CONSIDER AND RECOMMEND:

17 (a) THE BEST PRACTICES IN PARENTING TIME FOR CHILDREN
18 PLACED IN OUT-OF-HOME CARE;

19 (b) CHANGES TO STATUTE, RULE, AND PRACTICE NECESSARY TO
20 IMPLEMENT THE RECOMMENDATIONS;

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

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

28 (4) ON OR BEFORE OCTOBER 1, 2022, THE TASK FORCE SHALL
29 SUBMIT A WRITTEN REPORT TO THE GOVERNOR; THE STATE DEPARTMENT;
30 THE CHILD WELFARE TRAINING ACADEMY; THE JOINT BUDGET COMMITTEE;
31 THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND
32 HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN
33 SERVICES COMMITTEE, OR ANY SUCCESSOR COMMITTEES. THE REPORT
34 MUST INCLUDE, BUT IS NOT LIMITED TO THE TASK FORCE'S FINDINGS
35 CONCERNING BEST PRACTICES TO IMPROVE HIGH-QUALITY PARENTING
36 TIME SERVICES AND PRACTICES IN DEPENDENCY AND NEGLECT CASES AND
37 RECOMMENDATIONS CONCERNING NECESSARY CHANGES IN STATE
38 STATUTE AND ADMINISTRATIVE RULES TO IMPLEMENT THOSE BEST
39 PRACTICES AND RECOMMENDATIONS.

40 **19-3-905. Repeal of part.** THIS PART 9 IS REPEALED, EFFECTIVE
41 JULY 1, 2023.



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

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

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