



**Colorado
Legislative
Council
Staff**

SB17-177

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 17-0934

Date: February 20, 2017

Prime Sponsor(s): Sen. Cooke
Rep. Rosenthal

Bill Status: Senate Judiciary

Fiscal Analyst: Chris Creighton (303-866-5834)

BILL TOPIC: CHILDREN'S CODE DEFINITION OF SPECIAL RESPONDENT

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue		
State Expenditures	Potential increase.	
General Fund		
Appropriation Required: None.		
Future Year Impacts: Ongoing potential expenditure and minimal workload increase.		

Summary of Legislation

Currently, a special respondent to a dependency and neglect proceeding may only be joined to the case involuntarily. This bill allows a special respondent to voluntarily join the proceeding.

Background

In dependency or neglect proceedings, a person who is not a parent, guardian, or legal custodian may be named as a special respondent on the grounds that he or she resides with, has assumed a parenting role toward, has participated in whole or in part in the neglect or abuse of, or maintains a significant relationship with the child. When involuntarily joined to a case, a special respondent may contest the appropriateness of being joined in the case and any orders that affect them.

State Expenditures

Beginning in FY 2017-18, this bill potentially increases costs in the Office of Respondent Parents' Counsel and may increase workload in the trial courts in the Judicial Department as described below.

Office of Respondent Parents' Counsel. This bill potentially increases costs in the Office of Respondent Parents' Counsel. Adding a voluntary special respondent may increase the amount of attorney time spent on a dependency and neglect case, which will increase contract attorney costs for counsel representing indigent respondents. Also, to the extent that more parties seek to

be voluntarily added to a case and another respondent objects, workload could further increase to litigate this objection. The increase in time to litigate a dependency or child neglect proceeding when a voluntary special respondent is added will vary by case and cannot be estimated, but is assumed to be minimal. Should additional appropriations be needed this analysis assumes, they will be requested through the annual budget process.

Judicial Department. To the extent that adding voluntary special respondents increases the amount of time it takes to litigate dependency or neglect cases, trial court workload will increase. It is assumed that any workload increase resulting from this bill will be minimal and can be accomplished within existing appropriations.

Local Government Impact

Similar to the state, to the extent that adding voluntary special respondents increases the amount of time it takes to litigate a dependency and neglect case workload will increase for county departments of social services involved in such cases. Workload will also increase in the Denver Juvenile Court. Any increase in workload resulting from this bill is expected to be minimal.

Effective Date

The bill takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

District Attorneys
Information Technology
Office of Respondent Parents' Counsel
Office of the Child's Representative

Human Services
Judicial
Office of the Child Protection Ombudsman