

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0911.01 Shelby Ross x4510

HOUSE BILL 24-1291

HOUSE SPONSORSHIP

English and Joseph,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A LICENSED LEGAL PARAPROFESSIONAL'S AUTHORITY TO**
102 **REPRESENT INDIVIDUALS IN CERTAIN DOMESTIC RELATIONS**
103 **MATTERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The Colorado supreme court approved the licensure of legal paraprofessionals (LLPs), which allows LLPs to represent clients and perform certain types of legal services related to domestic relations matters, including:

- Legal separations, declarations of invalidity of marriage, or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 AGENCY.

2 (3) UPON REQUEST OF THE SUPREME COURT OR A REPRESENTATIVE
3 OF ITS OFFICE OF ATTORNEY REGULATION COUNSEL, AN APPLICANT SHALL
4 PROVIDE A NAME-BASED JUDICIAL RECORD CHECK, AS DEFINED IN SECTION
5 22-2-119.3 (6)(d), IF THE APPLICANT HAS A RECORD OF ARREST WITHOUT
6 A DISPOSITION.

7 (4) LOCAL LAW ENFORCEMENT AGENCIES SHALL COOPERATE WITH
8 ANY SUPREME COURT REQUEST FOR RECORDS RELATED TO AN APPLICANT'S
9 CRIMINAL HISTORY.

10 **13-93-302. Scope of authority to practice.** (1) A LICENSED
11 LEGAL PARAPROFESSIONAL'S SCOPE OF PRACTICE IS LIMITED TO
12 REPRESENTING A CLIENT IN:

13 (a) A LEGAL SEPARATION, DECLARATION OF INVALIDITY OF
14 MARRIAGE, OR DISSOLUTION OF MARRIAGE OR CIVIL UNION;

15 (b) AN INITIAL ALLOCATION OR MODIFICATION OF AN ALLOCATION
16 OF PARENTAL RESPONSIBILITY MATTER, INCLUDING PARENTAGE
17 DETERMINATIONS;

18 (c) A MATTER INVOLVING ESTABLISHMENT OR MODIFICATION OF
19 CHILD SUPPORT OR MAINTENANCE;

20 (d) SEEKING, MODIFYING, OR TERMINATING A CIVIL PROTECTION
21 ORDER PURSUANT TO ARTICLE 14 OF THIS TITLE 13;

22 (e) A MATTER INVOLVING A NAME CHANGE PURSUANT TO SECTION
23 13-15-101; AND

24 (f) A MATTER INVOLVING A REQUEST FOR AN AMENDED BIRTH
25 CERTIFICATE TO CHANGE THE SEX DESIGNATION OF AN ADULT PURSUANT
26 TO SECTION 25-2-113.8.

27 (2) A LICENSED LEGAL PARAPROFESSIONAL SHALL NOT ENGAGE IN

1 ANY TASKS OR ACTIVITIES THAT ARE PROHIBITED BY THE COLORADO
2 SUPREME COURT PURSUANT TO COURT RULES.

3 (3) A LICENSED LEGAL PARAPROFESSIONAL SHALL NOT REPRESENT
4 A CLIENT IN MATTERS GOVERNED BY ARTICLE 2.5, 3, 3.1, 3.3, 4.5, 5, 5.5,
5 OR 7 OF TITLE 19.

6 **13-93-303. No discrimination - issuance of license.** AN
7 INDIVIDUAL SHALL NOT DENY ANOTHER INDIVIDUAL A LICENSE TO
8 PRACTICE LAW AS A LEGAL PARAPROFESSIONAL ON ACCOUNT OF RACE,
9 CREED, COLOR, RELIGION, DISABILITY, AGE, SEX, SEXUAL ORIENTATION,
10 GENDER IDENTITY, GENDER EXPRESSION, MARITAL STATUS, NATIONAL
11 ORIGIN, OR ANCESTRY.

12 **13-93-304. License fee.** THE LICENSE FEE FOR A LICENSE TO
13 PRACTICE LAW AS A LEGAL PARAPROFESSIONAL IN THIS STATE IS SET BY
14 THE SUPREME COURT'S RULES GOVERNING LICENSED LEGAL
15 PARAPROFESSIONALS.

16 **13-93-305. Clerk of supreme court keeps roll of licensed legal**
17 **paraprofessionals.** THE CLERK OF THE SUPREME COURT SHALL MAKE AND
18 KEEP A ROLL OR RECORD OF INDIVIDUALS WHO ARE LICENSED TO PRACTICE
19 LAW AS A LICENSED LEGAL PARAPROFESSIONAL WITHIN THIS STATE AND
20 WHO HAVE TAKEN THE PRESCRIBED OATH.

21 **13-93-306. Supreme court may strike name.** AN INDIVIDUAL
22 WHO IS NOT LISTED IN THE ROLL CREATED PURSUANT TO SECTION
23 13-93-305 SHALL NOT BE ADMITTED TO PRACTICE AS A LICENSED LEGAL
24 PARAPROFESSIONAL WITHIN THIS STATE AND IS SUBJECT TO THE PENALTY
25 DESCRIBED IN SECTION 13-93-309. THE JUSTICES OF THE SUPREME COURT
26 IN OPEN COURT, AT THE JUSTICES' DISCRETION, MAY STRIKE THE NAME OF
27 ANY LICENSED LEGAL PARAPROFESSIONAL FROM THE ROLL FOR

1 MALCONDUCT IN THE LEGAL PARAPROFESSIONAL'S OFFICE.

2 **13-93-307. Individuals forbidden to practice.** A CORONER,
3 SHERIFF, DEPUTY SHERIFF, OR JAILER, THOUGH QUALIFIED, SHALL NOT
4 PRACTICE AS A LICENSED LEGAL PARAPROFESSIONAL IN THE COUNTY IN
5 WHICH THE INDIVIDUAL IS COMMISSIONED OR APPOINTED, AND A CLERK OF
6 THE SUPREME COURT OR DISTRICT COURT SHALL NOT PRACTICE AS A
7 LICENSED LEGAL PARAPROFESSIONAL IN THE COURT IN WHICH THE
8 INDIVIDUAL IS THE CLERK.

9 **13-93-308. Judge not to act as licensed legal paraprofessional.**

10 (1) IT IS UNLAWFUL FOR JUDGES OF THE DISTRICT, COUNTY, AND
11 MUNICIPAL COURTS TO:

12 (a) COUNSEL OR ADVISE IN OR WRITE ANY PETITION OR ANSWER OR
13 OTHER PLEADINGS IN ANY PROCEEDING AS A LICENSED LEGAL
14 PARAPROFESSIONAL;

15 (b) PERFORM ANY SERVICE AS A LICENSED LEGAL
16 PARAPROFESSIONAL; OR

17 (c) BE INTERESTED IN ANY PROFITS OR EMOLUMENTS ARISING OUT
18 OF ANY PRACTICE IN ANY OF THE COURTS, EXCEPT COSTS IN THE JUDGE'S
19 OWN COURTS.

20 (2) SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO:

21 (a) A COUNTY COURT JUDGE WHO IS ALSO A LICENSED LEGAL
22 PARAPROFESSIONAL WHO PRACTICES IN COUNTIES OF CERTAIN CLASSES AS
23 SPECIFIED BY THE LAWS RELATING TO COUNTY COURTS IN COURTS OTHER
24 THAN THE JUDGE'S COUNTY COURT AND IN MATTERS THAT HAVE NOT COME
25 BEFORE THE COUNTY COURT; AND

26 (b) A MUNICIPAL JUDGE WHO IS ALSO A LICENSED LEGAL
27 PARAPROFESSIONAL WHO PRACTICES IN COURTS OTHER THAN THE JUDGE'S

1 MUNICIPAL COURT AND IN MATTERS THAT HAVE NOT COME BEFORE THE
2 MUNICIPAL COURT.

3 **13-93-309. Practicing law without license deemed contempt.**

4 AN INDIVIDUAL WHO, WITHOUT HAVING OBTAINED A LICENSE FROM THE
5 SUPREME COURT OF THIS STATE, ADVERTISES, REPRESENTS, OR HOLDS THE
6 INDIVIDUAL'S SELF OUT IN ANY MANNER AS A LICENSED LEGAL
7 PARAPROFESSIONAL OR WHO APPEARS IN ANY COURT OF RECORD IN THIS
8 STATE TO CONDUCT A SUIT, ACTION, PROCEEDING, OR CAUSE FOR ANOTHER
9 INDIVIDUAL IS GUILTY OF CONTEMPT OF THE SUPREME COURT OF THIS
10 STATE AND OF THE COURT IN WHICH THE INDIVIDUAL APPEARS AND MUST
11 BE PUNISHED ACCORDING TO LAW.

12 **13-93-310. Notice of charges - time to show cause.** BEFORE A

13 LICENSED LEGAL PARAPROFESSIONAL'S NAME IS STRICKEN OFF THE ROLL
14 CREATED IN SECTION 13-93-305, THE CLERK OF THE SUPREME COURT
15 SHALL PROVIDE WRITTEN NOTICE TO THE LICENSED LEGAL
16 PARAPROFESSIONAL STATING DISTINCTLY THE GROUNDS OF COMPLAINT OR
17 THE CHARGES EXHIBITED AGAINST THE LICENSED LEGAL
18 PARAPROFESSIONAL. AFTER RECEIVING THE NOTICE, THE LICENSED LEGAL
19 PARAPROFESSIONAL MAY REQUEST A HEARING AND MUST BE ALLOWED
20 REASONABLE TIME TO COLLECT AND PREPARE TESTIMONY FOR THE
21 LICENSED LEGAL PARAPROFESSIONAL'S DEFENSE. ANY LICENSED LEGAL
22 PARAPROFESSIONAL WHOSE NAME, AT ANY TIME, IS STRICKEN FROM THE
23 ROLL BY ORDER OF THE COURT IS CONSIDERED AS THOUGH THE LICENSED
24 LEGAL PARAPROFESSIONAL'S NAME HAD NEVER BEEN WRITTEN ON THE
25 ROLL UNTIL A TIME WHEN THE JUSTICES, IN OPEN COURT, AUTHORIZE THE
26 LICENSED LEGAL PARAPROFESSIONAL TO BE LISTED ON THE ROLL.

27 **13-93-311. Licensed legal paraprofessional not to be surety.** A

1 LICENSED LEGAL PARAPROFESSIONAL SHALL NOT BECOME SURETY IN ANY
2 BOND OR RECOGNIZANCE OF ANY SHERIFF OR CORONER, IN ANY BOND OR
3 RECOGNIZANCE FOR THE APPEARANCE OF ANY PERSON CHARGED WITH
4 ANY PUBLIC OFFENSE, OR UPON ANY BOND OR RECOGNIZANCE AUTHORIZED
5 BY ANY STATUTE TO BE TAKEN FOR THE PAYMENT OF ANY SUM OF MONEY
6 INTO COURT IN DEFAULT OF THE PRINCIPAL, WITHOUT THE CONSENT OF A
7 JUDGE OF THE DISTRICT COURT FIRST HAVING APPROVED THE SURETY.

8 **13-93-312. Judge not to have law partner.** A JUDGE SHALL NOT
9 HAVE A PARTNER ACTING AS ATTORNEY, COUNSEL, OR LICENSED LEGAL
10 PARAPROFESSIONAL IN ANY COURT IN THE JUDGE'S JUDICIAL DISTRICT,
11 COUNTY, MUNICIPALITY, OR PRECINCT.

12 **13-93-313. Licensed legal paraprofessional's lien - notice of**
13 **claim filed.** A LICENSED LEGAL PARAPROFESSIONAL HAS A LIEN ON ANY
14 MONEY, PROPERTY, CHOSE IN ACTION, OR CLAIMS AND DEMANDS IN THE
15 LICENSED LEGAL PARAPROFESSIONAL'S HANDS, ON ANY JUDGMENT THE
16 LICENSED LEGAL PARAPROFESSIONAL MAY HAVE OBTAINED OR ASSISTED
17 IN OBTAINING, IN WHOLE OR IN PART, AND ON ANY AND ALL CLAIMS AND
18 DEMANDS IN SUIT FOR ANY FEES OR BALANCE OF FEES DUE OR TO BECOME
19 DUE FROM ANY CLIENT. IN THE CASE OF DEMANDS IN SUIT AND IN THE CASE
20 OF JUDGMENTS OBTAINED IN WHOLE OR IN PART BY ANY LICENSED LEGAL
21 PARAPROFESSIONAL, THE LICENSED LEGAL PARAPROFESSIONAL MAY FILE,
22 WITH THE CLERK OF THE COURT WHEN A CAUSE IS PENDING, NOTICE OF THE
23 LICENSED LEGAL PARAPROFESSIONAL'S CLAIM AS LIENOR, SETTING FORTH
24 SPECIFICALLY THE AGREEMENT OF COMPENSATION BETWEEN THE
25 LICENSED LEGAL PARAPROFESSIONAL AND THE LICENSED LEGAL
26 PARAPROFESSIONAL'S CLIENT, WHICH NOTICE, DULY ENTERED OF RECORD,
27 IS NOTICE TO ALL PERSONS AND TO ALL PARTIES, INCLUDING THE

1 JUDGMENT CREDITOR, TO ALL PERSONS IN THE CASE AGAINST WHOM A
2 DEMAND EXISTS, AND TO ALL PERSONS CLAIMING BY, THROUGH, OR UNDER
3 ANY PERSON HAVING A DEMAND IN SUIT OR HAVING OBTAINED A
4 JUDGMENT THAT THE LICENSED LEGAL PARAPROFESSIONAL WHOSE
5 APPEARANCE HAS BEEN ENTERED HAS A FIRST LIEN ON THE DEMAND IN
6 SUIT OR ON THE JUDGMENT FOR THE AMOUNT OF THE LICENSED LEGAL
7 PARAPROFESSIONAL'S FEES. THE NOTICE OF LIEN SHALL NOT BE PRESENTED
8 IN ANY MANNER TO THE JURY IN THE CASE IN WHICH THE SAME IS FILED.
9 THE LIEN MAY BE ENFORCED BY THE PROPER CIVIL ACTION.

10 **13-93-314. Other property to which lien attaches.** A LICENSED
11 LEGAL PARAPROFESSIONAL HAS A LIEN FOR A GENERAL BALANCE OF
12 COMPENSATION UPON ANY PAPERS OF THE LICENSED LEGAL
13 PARAPROFESSIONAL'S CLIENT THAT HAVE COME INTO THE LICENSED LEGAL
14 PARAPROFESSIONAL'S POSSESSION IN THE COURSE OF THE LICENSED LEGAL
15 PARAPROFESSIONAL'S PROFESSIONAL EMPLOYMENT AND UPON MONEY DUE
16 TO THE LICENSED LEGAL PARAPROFESSIONAL'S CLIENT IN THE HANDS OF
17 THE ADVERSE PARTY IN AN ACTION OR PROCEEDING IN WHICH THE
18 LICENSED LEGAL PARAPROFESSIONAL WAS EMPLOYED FROM THE TIME OF
19 GIVING NOTICE OF THE LIEN TO THAT PARTY.

20 **SECTION 2.** In Colorado Revised Statutes, 13-14-104.5, **amend**
21 (6) as follows:

22 **13-14-104.5. Procedure for temporary civil protection order.**

23 (6) At the time a protection order is requested pursuant to this section,
24 the court shall inquire about, and the requesting party and ~~such~~ THE
25 party's attorney ~~shall~~ OR LICENSED LEGAL PARAPROFESSIONAL have an
26 independent duty to disclose, knowledge ~~such~~ THE party and ~~such~~ THE
27 party's attorney OR LICENSED LEGAL PARAPROFESSIONAL may have

1 concerning the existence of any prior protection or restraining order of
2 any court addressing in whole or in part the subject matter of the
3 requested protection order. In the event there are conflicting restraining
4 or protection orders, the court shall consider, as its first priority, issues of
5 public safety. An order that prevents assaults, threats of assault, or other
6 harm shall MUST be given precedence over an order that deals with the
7 disposition of property or other tangible assets. Every effort shall MUST
8 be made by judicial officers to clarify conflicting orders.

9 **SECTION 3.** In Colorado Revised Statutes, 13-14-108, **amend**
10 (3)(a)(II) as follows:

11 **13-14-108. Modification and termination of civil protection**
12 **orders.** (3) (a) (II) Notwithstanding the prohibition in ~~subparagraph (I)~~
13 ~~of this paragraph (a)~~ SUBSECTION (3)(a)(I) OF THIS SECTION, a protection
14 order may be modified or dismissed on the motion of the protected
15 person, or the person's attorney, LICENSED LEGAL PARAPROFESSIONAL,
16 parent or legal guardian if a minor, or conservator or legal guardian if one
17 has been appointed; except that this ~~paragraph (a)~~ SUBSECTION (3)(a) does
18 not apply if the parent, legal guardian, or conservator is the restrained
19 person.

20 **SECTION 4.** In Colorado Revised Statutes, **amend** 13-17-101 as
21 follows:

22 **13-17-101. Legislative declaration.** The general assembly
23 recognizes that courts of record of this state have become increasingly
24 burdened with litigation which is straining the judicial system and
25 interfering with the effective administration of civil justice. In response
26 to this problem, the general assembly hereby sets forth provisions for the
27 recovery of attorney fees OR LICENSED LEGAL PARAPROFESSIONAL FEES in

1 courts of record when the bringing or defense of an action, or part thereof
2 (including any claim for exemplary damages), is determined to have been
3 substantially frivolous, substantially groundless, or substantially
4 vexatious. All courts shall liberally construe the provisions of this ~~article~~
5 ARTICLE 17 to effectuate substantial justice and comply with the intent set
6 forth in this section.

7 **SECTION 5.** In Colorado Revised Statutes, 13-17-102, **amend**
8 (2.1), (3), (4), (5), (6), and (7); and **add** (1.5), (2.5), and (9) as follows:

9 **13-17-102. Attorney fees - licensed legal paraprofessional -**
10 **definitions.** (1.5) SUBJECT TO THE PROVISIONS OF THIS SECTION, IN ANY
11 CIVIL ACTION, AS DESCRIBED IN SECTION 13-93-302, COMMENCED OR
12 APPEALED IN ANY COURT OF RECORD IN THIS STATE, THE COURT MAY
13 AWARD, EXCEPT AS PROVIDED IN THIS ARTICLE 17, AS PART OF ITS
14 JUDGMENT AND IN ADDITION TO ANY COSTS OTHERWISE ASSESSED,
15 REASONABLE LICENSED LEGAL PARAPROFESSIONAL FEES.

16 (2.1) Notwithstanding any other provision of this part 1, the filing
17 of a certificate of review pursuant to section 13-20-602 related to any
18 licensed health-care professional ~~shall create~~ CREATES a rebuttable
19 presumption that the claim or action is not frivolous or groundless, but it
20 ~~shall~~ DOES not relieve the plaintiff or ~~his~~ THE PLAINTIFF'S attorney OR
21 LICENSED LEGAL PARAPROFESSIONAL from ongoing obligations under rule
22 11 of Colorado rules of civil procedure.

23 (2.5) SUBJECT TO THE LIMITATIONS SET FORTH ELSEWHERE IN THIS
24 ARTICLE 17, IN ANY CIVIL ACTION, AS DESCRIBED IN SECTION 13-93-302,
25 COMMENCED OR APPEALED IN ANY COURT OF RECORD IN THIS STATE, THE
26 COURT SHALL AWARD, BY WAY OF JUDGMENT OR SEPARATE ORDER,
27 REASONABLE LICENSED LEGAL PARAPROFESSIONAL FEES AGAINST ANY

1 ATTORNEY, LICENSED LEGAL PARAPROFESSIONAL, OR PARTY WHO HAS
2 BROUGHT OR DEFENDED A CIVIL ACTION, EITHER IN WHOLE OR IN PART,
3 THAT THE COURT DETERMINES LACKED SUBSTANTIAL JUSTIFICATION.

4 (3) When a court determines that reasonable attorney fees OR
5 REASONABLE LICENSED LEGAL PARAPROFESSIONAL FEES should be
6 assessed, ~~it~~ THE COURT shall allocate the payment ~~thereof~~ OF THE FEES
7 among the offending attorneys, LICENSED LEGAL PARAPROFESSIONALS,
8 and parties, jointly or severally, as ~~it~~ THE COURT deems most just, and
9 may charge ~~such~~ AN amount or portion ~~thereof~~, to any offending attorney,
10 LICENSED LEGAL PARAPROFESSIONAL, or party.

11 (4) The court shall assess attorney fees OR LICENSED LEGAL
12 PARAPROFESSIONAL FEES if, upon the motion of any party or the court
13 itself, ~~it~~ THE COURT finds that an attorney, LICENSED LEGAL
14 PARAPROFESSIONAL, or party brought or defended an action, or any part
15 ~~thereof~~ OF AN ACTION, that lacked substantial justification or that the
16 action, or any part ~~thereof~~ OF THE ACTION, was interposed for delay or
17 harassment or if ~~it~~ THE COURT finds that an attorney, LICENSED LEGAL
18 PARAPROFESSIONAL, or party unnecessarily expanded the proceeding by
19 other improper conduct, including, but not limited to, abuses of discovery
20 procedures available under the Colorado rules of civil procedure or a
21 designation by a defending party ~~under~~ PURSUANT TO section 13-21-111.5

22 (3) that lacked substantial justification. ~~As used in this article, "lacked~~
23 ~~substantial justification" means substantially frivolous, substantially~~
24 ~~groundless, or substantially vexatious.~~

25 (5) ~~No~~ Attorney fees OR LICENSED LEGAL PARAPROFESSIONAL FEES
26 shall NOT be assessed if, after filing suit, a voluntary dismissal is filed as
27 to any claim or action within a reasonable time after the attorney,

1 LICENSED LEGAL PARAPROFESSIONAL, or party filing the dismissal knew,
2 or reasonably should have known, that ~~he~~ THE ATTORNEY, LICENSED
3 LEGAL PARAPROFESSIONAL, OR PARTY would not prevail on ~~said~~ THE
4 claim or action.

5 (6) ~~No~~ A party who is appearing without an attorney OR LICENSED
6 LEGAL PARAPROFESSIONAL shall NOT be assessed attorney fees OR
7 LICENSED LEGAL PARAPROFESSIONAL FEES unless the court finds that the
8 party clearly knew or reasonably should have known that ~~his~~ THE PARTY'S
9 action or defense, or any part ~~thereof~~ OF THE ACTION OR DEFENSE, was
10 substantially frivolous, substantially groundless, or substantially
11 vexatious; except that this subsection (6) ~~shall~~ DOES not apply to
12 situations in which an attorney OR LEGAL PARAPROFESSIONAL licensed to
13 practice law in this state is appearing without an attorney OR A LICENSED
14 LEGAL PARAPROFESSIONAL, in which case, ~~he shall be~~ THE ATTORNEY OR
15 LICENSED LEGAL PARAPROFESSIONAL IS held to the standards established
16 for attorneys OR LICENSED LEGAL PARAPROFESSIONALS elsewhere in this
17 ~~article~~ ARTICLE 17.

18 (7) No attorney, LICENSED LEGAL PARAPROFESSIONAL, or party
19 shall be assessed attorney fees ~~as to~~ OR LICENSED LEGAL
20 PARAPROFESSIONAL FEES FOR any claim or defense ~~which~~ THAT the court
21 determines was asserted by ~~said~~ THE attorney, LICENSED LEGAL
22 PARAPROFESSIONAL, or party in a good faith attempt to establish a new
23 theory of law in Colorado.

24 (9) AS USED IN THIS ARTICLE 17, UNLESS THE CONTEXT OTHERWISE
25 REQUIRES:

26 (a) "LACKED SUBSTANTIAL JUSTIFICATION" MEANS
27 SUBSTANTIALLY FRIVOLOUS, SUBSTANTIALLY GROUNDLESS, OR

1 SUBSTANTIALLY VEXATIOUS.

2 (b) "LICENSED LEGAL PARAPROFESSIONAL" MEANS AN INDIVIDUAL
3 LICENSED BY THE COLORADO SUPREME COURT PURSUANT TO COLORADO
4 RULES OF CIVIL PROCEDURE AND ARTICLE 93 OF THIS TITLE 13 TO PERFORM
5 CERTAIN TYPES OF LEGAL SERVICES. A "LICENSED LEGAL
6 PARAPROFESSIONAL" DOES NOT INCLUDE AN INDIVIDUAL WITH A GENERAL
7 LICENSE TO PRACTICE LAW IN COLORADO.

8 **SECTION 6.** In Colorado Revised Statutes, 13-17-103, **amend**
9 (1) introductory portion as follows:

10 **13-17-103. Procedure for determining reasonable fee - judicial**
11 **discretion.** (1) In determining the amount of an attorney fee OR LICENSED
12 LEGAL PARAPROFESSIONAL FEE award, the court shall exercise ~~its~~ sound
13 discretion. When granting an award of attorney fees OR LICENSED LEGAL
14 PARAPROFESSIONAL FEES, the court shall specifically set forth the reasons
15 for ~~said~~ THE award and ~~shall~~ MUST consider the following factors, among
16 others, in determining whether to assess attorney fees OR LICENSED LEGAL
17 PARAPROFESSIONAL FEES and the amount of ~~attorney~~ fees to be assessed
18 against any offending attorney, LICENSED LEGAL PARAPROFESSIONAL, or
19 party:

20 **SECTION 7.** In Colorado Revised Statutes, **amend** 13-17-104 as
21 follows:

22 **13-17-104. Fee arrangements between attorney or licensed**
23 **legal paraprofessional and client.** The attorney OR LICENSED LEGAL
24 PARAPROFESSIONAL and ~~his~~ THE client ~~shall remain~~ ARE free to negotiate
25 in private the actual fee ~~which~~ THAT the client is to pay ~~his~~ THE CLIENT'S
26 attorney OR LICENSED LEGAL PARAPROFESSIONAL.

27 **SECTION 8.** In Colorado Revised Statutes, **amend** 13-17-105 as

1 follows:

2 **13-17-105. Stipulation as to fees.** With the approval of the court,
3 two or more parties to an action may agree, by written stipulation filed
4 with the court or by oral stipulation in open court, to no award of attorney
5 fees OR LICENSED LEGAL PARAPROFESSIONAL FEES or an award of attorney
6 fees OR LICENSED LEGAL PARAPROFESSIONAL FEES in a manner different
7 from that provided in this ~~article~~ ARTICLE 17.

8 **SECTION 9.** In Colorado Revised Statutes, **amend** 13-17-106 as
9 follows:

10 **13-17-106. Applicability.** This ~~article shall apply~~ ARTICLE 17
11 APPLIES in all cases covered by this ~~article~~ ARTICLE 17 unless attorney
12 fees OR LICENSED LEGAL PARAPROFESSIONAL FEES are otherwise
13 specifically provided by statute, in which case the provision allowing the
14 greater award ~~shall prevail~~ PREVAILS.

15 **SECTION 10.** In Colorado Revised Statutes, 13-90-107, **amend**
16 (1)(b) as follows:

17 **13-90-107. Who may not testify without consent - definitions.**

18 (1) There are particular relations in which it is the policy of the law to
19 encourage confidence and to preserve it inviolate; therefore, a person
20 must not be examined as a witness in the following cases:

21 (b) An attorney OR LICENSED LEGAL PARAPROFESSIONAL shall not
22 be examined without the consent of ~~his~~ THE ATTORNEY'S OR LICENSED
23 LEGAL PARAPROFESSIONAL'S client as to any communication made by the
24 client to ~~him or his advice given thereon~~ THE ATTORNEY OR LICENSED
25 LEGAL PARAPROFESSIONAL OR TO ANY ADVICE GIVEN TO THE CLIENT BY
26 THE CLIENT'S ATTORNEY OR LICENSED LEGAL PARAPROFESSIONAL in the
27 course of professional employment; nor shall an attorney's OR LICENSED

1 LEGAL PARAPROFESSIONAL'S secretary, paralegal, legal assistant,
2 stenographer, or clerk be examined without the consent of ~~his employer~~
3 THE ATTORNEY OR LICENSED LEGAL PARAPROFESSIONAL concerning any
4 fact, the knowledge of which ~~he has~~ IS acquired in ~~such~~ THE PERSON'S
5 capacity AS THE ATTORNEY'S OR LICENSED LEGAL PARAPROFESSIONAL'S
6 EMPLOYEE.

7 **SECTION 11.** In Colorado Revised Statutes, 14-10-108, **amend**
8 (1) and (7) as follows:

9 **14-10-108. Temporary orders in a dissolution case.** (1) In a
10 proceeding for dissolution of marriage, legal separation, the allocation of
11 parental responsibilities, or declaration of invalidity of marriage or a
12 proceeding for disposition of property, maintenance, or support following
13 dissolution of the marriage, either party may move for temporary payment
14 of debts, use of property, maintenance, parental responsibilities, support
15 of a child of the marriage entitled to support, or payment of attorney fees
16 OR LICENSED LEGAL PARAPROFESSIONAL FEES. The motion may be
17 supported by an affidavit setting forth the factual basis for the motion and
18 the amounts requested.

19 (7) At the time a protection order is requested pursuant to part 1
20 of article 14 of title 13, ~~C.R.S.~~, the court shall inquire about, and the
21 requesting party and ~~such~~ THE party's attorney ~~shall have~~ OR LICENSED
22 LEGAL PARAPROFESSIONAL HAS an independent duty to disclose,
23 knowledge ~~such~~ THE party and ~~such~~ THE party's attorney OR LICENSED
24 LEGAL PARAPROFESSIONAL may have concerning the existence of any
25 prior protection orders or restraining orders of any court addressing in
26 whole or in part the subject matter of the requested protection order.

27 **SECTION 12.** In Colorado Revised Statutes, 14-10-114, **amend**

1 (7)(b) as follows:

2 **14-10-114. Spousal maintenance - advisory guidelines -**
3 **legislative declaration - definitions. (7) Maintenance agreements -**
4 **waiver - unrepresented parties.** (b) In any proceeding that falls within
5 the maintenance guidelines set forth in subsection (3) of this section, at
6 the time of either temporary orders or permanent orders, if either party is
7 not represented by an attorney OR A LICENSED LEGAL PARAPROFESSIONAL,
8 the court shall not approve an agreement waiving maintenance or
9 agreeing to an amount or term of maintenance that does not follow the
10 maintenance guidelines unless the unrepresented party has indicated that
11 ~~he or she~~ THE PARTY is aware of the maintenance guidelines pursuant to
12 this section.

13 **SECTION 13.** In Colorado Revised Statutes, 14-10-116, **amend**
14 (2.5)(a) as follows:

15 **14-10-116. Appointment in domestic relations cases -**
16 **representation of the best interests of the child - legal representative**
17 **of the child - disclosure - short title.** (2.5) (a) Within seven days after
18 ~~his or her~~ THE appointment, the appointed person shall disclose to each
19 party, attorneys OR LICENSED LEGAL PARAPROFESSIONALS of record, and
20 the court any familial, financial, or social relationship that the appointed
21 person has or has had with the child, either party, the attorneys OR
22 LICENSED LEGAL PARAPROFESSIONALS of record, or the judicial officer
23 and, if a relationship exists, the nature of the relationship.

24 **SECTION 14.** In Colorado Revised Statutes, 14-10-116.5,
25 **amend** (2.5)(a) as follows:

26 **14-10-116.5. Appointment in domestic relations cases - child**
27 **and family investigator - disclosure - background check.**

1 (2.5) (a) Within seven days after ~~his or her~~ THE appointment, the
2 appointed person shall disclose to each party, attorneys OR LICENSED
3 LEGAL PARAPROFESSIONALS of record, and the court any familial,
4 financial, or social relationship that the appointed person has or has had
5 with the child, either party, the attorneys OR LICENSED LEGAL
6 PARAPROFESSIONALS of record, or the judicial officer and, if a
7 relationship exists, the nature of the relationship.

8 **SECTION 15.** In Colorado Revised Statutes, **amend** 14-10-119
9 as follows:

10 **14-10-119. Attorney and licensed legal paraprofessional fees.**

11 The court from time to time, after considering the financial resources of
12 both parties, may order a party to pay a reasonable amount for the cost to
13 the other party of maintaining or defending any proceeding ~~under~~
14 PURSUANT TO this ~~article~~ ARTICLE 10 and for ~~attorney's~~ ATTORNEY fees OR
15 LICENSED LEGAL PARAPROFESSIONAL FEES, including sums for legal
16 services rendered and costs incurred prior to the commencement of the
17 proceeding or after entry of judgment. The court may order that the
18 amount be paid directly to the attorney OR THE LICENSED LEGAL
19 PARAPROFESSIONAL, who may enforce the order in ~~his~~ THE ATTORNEY'S
20 OR THE LICENSED LEGAL PARAPROFESSIONAL'S name.

21 **SECTION 16.** In Colorado Revised Statutes, 14-10-120.3,
22 **amend** (1)(a) as follows:

23 **14-10-120.3. Dissolution of marriage or legal separation upon**
24 **affidavit - requirements.** (1) Final orders in a proceeding for dissolution
25 of marriage or legal separation may be entered upon the affidavit of either
26 or both parties when:

27 (a) There are no minor children of the husband and wife and the

1 wife is not pregnant or the husband and wife are both represented by
2 counsel OR BY A LICENSED LEGAL PARAPROFESSIONAL and have entered
3 into a separation agreement that provides for the allocation of parental
4 responsibilities concerning the children of the marriage and setting out the
5 amount of child support to be provided by the husband or wife or both;
6 and

7 **SECTION 17.** In Colorado Revised Statutes, 14-10-122, **amend**
8 (1.5)(f)(I) introductory portion and (1.5)(f)(I)(J) as follows:

9 **14-10-122. Modification and termination of provisions for**
10 **maintenance, support, and property disposition - automatic lien -**
11 **definitions.** (1.5) (f) **Notice of lien - contents.** (I) The notice of lien
12 ~~shall~~ MUST contain the following information:

13 (J) A statement that interest may accrue on all amounts ordered to
14 be paid, pursuant to sections 14-14-106 and 5-12-101, ~~C.R.S.~~, and may
15 be collected from the obligor in addition to costs of sale, attorney fees,
16 LICENSED LEGAL PARAPROFESSIONAL FEES, and any other costs or fees
17 incident to ~~such~~ THE sale for liens arising pursuant to ~~paragraphs (b) and~~
18 ~~(c) of this subsection (1.5)~~ SUBSECTIONS (1.5)(b) AND (1.5)(c) OF THIS
19 SECTION.

20 **SECTION 18.** In Colorado Revised Statutes, **amend** 14-10-126
21 as follows:

22 **14-10-126. Interviews.** (1) The court may interview the child in
23 chambers to ascertain the child's wishes as to the allocation of parental
24 responsibilities. The court may permit counsel OR A LICENSED LEGAL
25 PARAPROFESSIONAL to be present at the interview. The court shall cause
26 a record of the interview to be made, and ~~it shall~~ THE INTERVIEW MUST be
27 made part of the record in the case.

1 (2) The court may seek the advice of professional personnel
2 whether or not they are employed on a regular basis by the court. The
3 advice given ~~shall~~ MUST be in writing and ~~shall be~~ made available by the
4 court to counsel of record OR LICENSED LEGAL PARAPROFESSIONAL OF
5 RECORD, parties, and other expert witnesses upon request, but ~~it shall~~ THE
6 ADVICE MUST otherwise be considered confidential, ~~and shall~~ be sealed,
7 and ~~shall~~ not be open to inspection, except by consent of the court.
8 Counsel OR A LICENSED LEGAL PARAPROFESSIONAL may call for
9 cross-examination any professional personnel consulted by the court.

10 **SECTION 19.** In Colorado Revised Statutes, 14-10-127, **amend**
11 (1.2)(a) and (3) as follows:

12 **14-10-127. Evaluation and reports - training and**
13 **qualifications of evaluators - disclosure.** (1.2) (a) Within seven days
14 after ~~his or her~~ THE appointment, the evaluator shall disclose to each
15 party, attorneys OR LICENSED LEGAL PARAPROFESSIONALS of record, and
16 the court any familial, financial, or social relationship that the evaluator
17 has or has had with the child, either party, the attorneys OR LICENSED
18 LEGAL PARAPROFESSIONALS of record, or the judicial officer and, if a
19 relationship exists, the nature of the relationship.

20 (3) The evaluator shall mail the report to the court and to counsel
21 OR A LICENSED LEGAL PARAPROFESSIONAL, and to any party not
22 represented by counsel OR A LICENSED LEGAL PARAPROFESSIONAL, at least
23 twenty-one days prior to the hearing. The evaluator shall make available
24 to counsel OR THE LICENSED LEGAL PARAPROFESSIONAL, and to any party
25 not represented by counsel ~~his or her~~ OR A LICENSED LEGAL
26 PARAPROFESSIONAL, THE EVALUATOR'S file of underlying data and
27 reports, complete texts of diagnostic reports made to the evaluator

1 pursuant to ~~the provisions of~~ subsections (2), (5), and (6) of this section,
2 and the names and addresses of all persons whom the evaluator has
3 consulted. Any party to the proceeding may call the evaluator and any
4 person with whom the evaluator has consulted for cross-examination. ~~No~~
5 A party ~~may~~ SHALL NOT waive ~~his or her~~ THE PARTY'S right of
6 cross-examination prior to the hearing.

7 **SECTION 20.** In Colorado Revised Statutes, 14-10-128.1,
8 **amend** (2.5)(a) and (7)(d) as follows:

9 **14-10-128.1. Appointment of parenting coordinator -**
10 **disclosure.** (2.5) (a) Within seven days after ~~his or her~~ THE appointment,
11 the appointed person shall disclose to each party, attorneys OR LICENSED
12 LEGAL PARAPROFESSIONALS of record, and the court any familial,
13 financial, or social relationship that the appointed person has or has had
14 with the child, either party, the attorneys OR LICENSED LEGAL
15 PARAPROFESSIONALS of record, or the judicial officer and, if a
16 relationship exists, the nature of the relationship.

17 (7) (d) If a person commences a civil action against a parenting
18 coordinator arising from the services of the parenting coordinator, or if
19 a person seeks to compel a parenting coordinator to testify or produce
20 records in violation of ~~paragraph (c) of this subsection (7)~~ SUBSECTION
21 (7)(c) OF THIS SECTION, and the court determines that the parenting
22 coordinator is immune from civil liability or that the parenting
23 coordinator is not competent to testify, the court shall award to the
24 parenting coordinator reasonable attorney fees OR REASONABLE LICENSED
25 LEGAL PARAPROFESSIONAL FEES and reasonable expenses of litigation.

26 **SECTION 21.** In Colorado Revised Statutes, 14-10-128.3,
27 **amend** (3), (4.5)(a), and (7)(d) as follows:

1 **14-10-128.3. Appointment of decision-maker - disclosure.**

2 (3) All decisions made by the decision-maker pursuant to this section
3 ~~shall~~ MUST be in writing, dated, and signed by the decision-maker.
4 Decisions of the decision-maker ~~shall~~ MUST be filed with the court and
5 mailed to the parties or to counsel OR LICENSED LEGAL
6 PARAPROFESSIONAL for the parties, if any, no later than twenty days after
7 the date the decision is issued. All decisions ~~shall be~~ ARE effective
8 immediately upon issuance and ~~shall~~ continue in effect until vacated,
9 corrected, or modified by the decision-maker or until an order is entered
10 by a court pursuant to a de novo hearing ~~under~~ PURSUANT TO subsection
11 (4) of this section.

12 (4.5) (a) Within seven days after ~~his or her~~ THE appointment, the
13 appointed person shall disclose to each party, attorneys OR LICENSED
14 LEGAL PARAPROFESSIONALS of record, and the court any familial,
15 financial, or social relationship that the appointed person has or has had
16 with the child, either party, the attorneys OR LICENSED LEGAL
17 PARAPROFESSIONALS of record, or the judicial officer and, if a
18 relationship exists, the nature of the relationship.

19 (7) (d) If a person commences a civil action against a
20 decision-maker arising from the services of the decision-maker, or if a
21 person seeks to compel a decision-maker to testify or produce records in
22 violation of ~~paragraph (c) of this subsection (7)~~ SUBSECTION (7)(c) OF
23 THIS SECTION, and the court decides that the decision-maker is immune
24 from civil liability or that the decision-maker is not competent to testify,
25 the court shall award to the decision-maker reasonable attorney fees OR
26 REASONABLE LICENSED LEGAL PARAPROFESSIONAL FEES and reasonable
27 expenses of litigation.

1 **SECTION 22.** In Colorado Revised Statutes, 14-10-129, **amend**
2 (2.5)(b), (3)(a), and (5) as follows:

3 **14-10-129. Modification of parenting time.** (2.5) (b) If the court
4 finds that the filing of a motion ~~under paragraph (a) of this subsection~~
5 ~~(2.5)~~ PURSUANT TO SUBSECTION (2.5)(a) OF THIS SECTION was
6 substantially frivolous, substantially groundless, substantially vexatious,
7 or intended to harass or intimidate the other party, the court shall require
8 the moving party to pay the reasonable and necessary attorney fees OR
9 LICENSED LEGAL PARAPROFESSIONAL FEES and costs of the other party.

10 (3) (a) If a parent has been convicted of any of the crimes listed
11 in ~~paragraph (b) of this subsection (3)~~ SUBSECTION (3)(b) OF THIS SECTION
12 or convicted in another state or jurisdiction, including, but not limited to,
13 a military or federal jurisdiction, of an offense that, if committed in
14 Colorado, would constitute any of the crimes listed in ~~paragraph (b) of~~
15 ~~this subsection (3)~~ SUBSECTION (3)(b) OF THIS SECTION, or convicted of
16 any crime in which the underlying factual basis has been found by the
17 court on the record to include an act of domestic violence, as defined in
18 section 18-6-800.3 (1), ~~C.R.S.~~, that constitutes a potential threat or
19 endangerment to the child, the other parent, or any other person who has
20 been granted custody of or parental responsibility for the child pursuant
21 to court order may file an objection to parenting time with the court. The
22 other parent or other person having custody or parental responsibility
23 shall give notice to the offending parent of ~~such~~ THE objection as
24 provided by the Colorado rules of civil procedure, and the offending
25 parent ~~shall have~~ HAS twenty-one days from ~~such~~ THE notice to respond.
26 If the offending parent fails to respond within twenty-one days, the
27 parenting time rights of ~~such~~ THE parent ~~shall be~~ ARE suspended until

1 further order of the court. If ~~such~~ THE parent responds and objects, a
2 hearing ~~shall~~ MUST be held within thirty-five days ~~of such~~ AFTER THE
3 response. The court may determine that any offending parent who
4 responds and objects ~~shall be~~ IS responsible for the costs associated with
5 any hearing, including reasonable attorney fees OR LICENSED LEGAL
6 PARAPROFESSIONAL FEES incurred by the other parent. In making ~~such~~
7 THE determination, the court ~~shall~~ MUST consider the criminal record of
8 the offending parent and any actions to harass the other parent and the
9 children, any mitigating actions by the offending parent, and whether the
10 actions of either parent have been substantially frivolous, substantially
11 groundless, or substantially vexatious. The offending parent ~~shall have~~
12 HAS the burden at the hearing to prove that parenting time by ~~such~~ THE
13 parent is in the best interests of the child or children.

14 (5) If the court finds that ~~the~~ filing of a motion ~~under~~ PURSUANT
15 TO subsection (4) of this section was substantially frivolous, substantially
16 groundless, or substantially vexatious, the court shall require the moving
17 party to pay the reasonable and necessary attorney fees and costs OR
18 LICENSED LEGAL PARAPROFESSIONAL FEES AND COSTS of the other party.

19 **SECTION 23.** In Colorado Revised Statutes, 14-10-129.5,
20 **amend** (4) as follows:

21 **14-10-129.5. Disputes concerning parenting time.** (4) In
22 addition to any other order entered pursuant to subsection (2) of this
23 section, the court shall order a parent who has failed to provide
24 court-ordered parenting time or to exercise court-ordered parenting time
25 to pay to the aggrieved party, ~~attorney's~~ ATTORNEY fees OR LICENSED
26 LEGAL PARAPROFESSIONAL FEES, court costs, and expenses that are
27 associated with an action brought pursuant to this section. In the event the

1 parent responding to an action brought pursuant to this section is found
2 not to be in violation of the parenting time order or schedule, the court
3 may order the petitioning parent to pay the court costs, attorney fees OR
4 LICENSED LEGAL PARAPROFESSIONAL FEES, and expenses incurred by such
5 THE responding parent. ~~Nothing in~~ This section ~~shall~~ DOES NOT preclude
6 a party's right to a separate and independent legal action in tort.

7 **SECTION 24.** In Colorado Revised Statutes, **amend** 19-4-120 as
8 follows:

9 **19-4-120. Represented by counsel.** At the pretrial hearing and in
10 further proceedings, any party may be represented by counsel OR A
11 LICENSED LEGAL PARAPROFESSIONAL, BUT A LICENSED LEGAL
12 PARAPROFESSIONAL SHALL NOT ENGAGE IN ANY TASKS OR ACTIVITIES
13 THAT ARE PROHIBITED BY THE COLORADO SUPREME COURT PURSUANT TO
14 COURT RULES.

15 **SECTION 25.** In Colorado Revised Statutes, 19-6-103, **amend**
16 (1) as follows:

17 **19-6-103. Summons.** (1) Upon filing of the petition, the clerk of
18 the court, ~~or the attorney~~ OR LICENSED LEGAL PARAPROFESSIONAL for the
19 petitioner, or the delegate child support enforcement unit shall issue a
20 summons stating the substance of the petition and requiring the
21 respondent to appear at the time and place set for hearing on the petition.

22 **SECTION 26. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this
27 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in
2 November 2024 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.