

CHAPTER 329

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**COURTS**

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**HOUSE BILL 02-1312**

BY REPRESENTATIVE(S) Paschall, Fairbank, Alexander, Borodkin, Boyd, Clapp, Coleman, Crane, Daniel, Decker, Fritz, Garcia, Groff, Harvey, Hefley, Hoppe, King, Larson, Mace, Mitchell, Rhodes, Sanchez, Schultheis, Tochtrop, Vigil, Weddig, Williams S., Witwer, Jahn, Lawrence, Madden, Romanoff, Spence, and Stafford;  
also SENATOR(S) Linkhart, Epps, Fitz-Gerald, Hanna, Hernandez, Isgar, McElhany, Nichol, Tate, and Windels.

**AN ACT**

**CONCERNING THE PRIORITY OF ADOPTION HEARINGS ON COURT DOCKETS.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** Part 2 of article 5 of title 19, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**19-5-202.5. Adoption hearings - termination appeals - court docket priority - exceptions.** (1) ON AND AFTER JULY 1, 2002, ANY HEARING CONCERNING A PETITION FOR ADOPTION FILED IN A DISTRICT COURT, THE COLORADO COURT OF APPEALS, OR THE COLORADO SUPREME COURT AND ANY HEARING CONCERNING A PETITION FILED IN THE COLORADO COURT OF APPEALS OR THE COLORADO SUPREME COURT RELATED TO A CHILD WHO IS AVAILABLE FOR ADOPTION DUE TO AN ORDER OF THE COURT TERMINATING THE PARENT-CHILD LEGAL RELATIONSHIP SHALL BE GIVEN A PRIORITY ON THE COURT'S DOCKET. ON AND AFTER JULY 1, 2002, IF THERE IS NO DETERMINATION ON A CASE CONCERNING A PETITION FOR ADOPTION OR A CASE CONCERNING A CHILD WHO IS AVAILABLE FOR ADOPTION DUE TO AN ORDER OF THE COURT TERMINATING THE PARENT-CHILD LEGAL RELATIONSHIP BY ANY SUCH COURT WITHIN SIX MONTHS OF THE FILING OF THE PETITION, IT SHALL BE GIVEN A PRIORITY ON THE COURT'S DOCKET THAT SUPERSEDES THE PRIORITY OF ANY OTHER PRIORITY CIVIL HEARING ON THE COURT'S DOCKET.

(2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, NOTHING IN THIS SECTION SHALL AFFECT THE PRIORITY OF A HEARING CONCERNING THE ISSUANCE OF A TEMPORARY RESTRAINING ORDER PURSUANT TO SECTION 13-14-102, C.R.S., SECTION 14-4-103, C.R.S., OR SECTION 14-10-108, C.R.S.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(3) THE PROVISIONS OF THIS SECTION SHALL BE IMPLEMENTED WITHIN EXISTING APPROPRIATIONS.

**SECTION 2.** Part 1 of article 5 of title 19, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**19-5-102.5. Relinquishment hearings - court docket priority.** (1) ON AND AFTER JULY 1, 2002, ANY HEARING CONCERNING A PETITION FOR RELINQUISHMENT FILED IN A DISTRICT COURT, THE COLORADO COURT OF APPEALS, OR THE COLORADO SUPREME COURT SHALL BE GIVEN A PRIORITY ON THE COURT'S DOCKET. ON AND AFTER JULY 1, 2002, IF THERE IS NO DETERMINATION ON A CASE CONCERNING A PETITION FOR RELINQUISHMENT BY ANY SUCH COURT WITHIN TWO MONTHS OF THE FILING OF THE PETITION, IT SHALL BE GIVEN A PRIORITY ON THE COURT'S DOCKET THAT SUPERSEDES THE PRIORITY OF ANY OTHER PRIORITY CIVIL HEARING ON THE COURT'S DOCKET.

(2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, NOTHING IN THIS SECTION SHALL AFFECT THE PRIORITY OF A HEARING CONCERNING THE ISSUANCE OF A TEMPORARY RESTRAINING ORDER PURSUANT TO SECTION 13-14-102, C.R.S., SECTION 14-4-103, C.R.S., OR SECTION 14-10-108, C.R.S.

(3) THE PROVISIONS OF THIS SECTION SHALL BE IMPLEMENTED WITHIN EXISTING APPROPRIATIONS.

**SECTION 3. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 4. Effective date - applicability.** This act shall take effect July 1, 2002, and shall apply to petitions for adoption filed on or after said date.

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

Approved: June 7, 2002