

CHAPTER 129

COURTS

HOUSE BILL 06-1334

BY REPRESENTATIVE(S) Clapp, Berens, Carroll M., Crane, Frangas, Jahn, Madden, May M., Paccione, Solano, Stafford, Stengel, and Sullivan; also SENATOR(S) Gordon.

AN ACT

CONCERNING THE CONFIDENTIALITY OF EVALUATIONS PERFORMED IN PROCEEDINGS INVOLVING THE ALLOCATION OF PARENTAL RESPONSIBILITIES WITH RESPECT TO CHILDREN.

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

SECTION 1. 14-10-127, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

14-10-127. Evaluation and reports. (8) ALL EVALUATIONS AND REPORTS, INCLUDING BUT NOT LIMITED TO SUPPLEMENTAL EVALUATIONS AND RELATED MEDICAL AND MENTAL HEALTH INFORMATION, THAT ARE SUBMITTED TO THE COURT PURSUANT TO THIS SECTION SHALL BE DEEMED CONFIDENTIAL WITHOUT THE NECESSITY OF FILING A MOTION TO SEAL OR OTHERWISE LIMIT ACCESS TO THE COURT FILE UNDER THE COLORADO RULES OF CIVIL PROCEDURE. AN EVALUATION OR REPORT THAT IS DEEMED CONFIDENTIAL UNDER THIS SUBSECTION (8) SHALL NOT BE MADE AVAILABLE FOR PUBLIC INSPECTION WITHOUT AN ORDER OF THE COURT AUTHORIZING PUBLIC INSPECTION.

SECTION 2. Effective date - applicability. This act shall take effect upon passage and shall apply to evaluations, reports, and related information submitted to a court pursuant to section 14-10-127, Colorado Revised Statutes, on or after the effective date of this act.

SECTION 3. 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: April 13, 2006

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