

CHAPTER 124

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 15-1153

BY REPRESENTATIVE(S) Young, Hamner, Rankin, Fields, Pettersen;
 also SENATOR(S) Steadman, Grantham, Lambert, Aguilar, Carroll, Crowder, Garcia, Guzman, Heath, Kefalas, Kerr, Merrifield,
 Newell, Todd.

AN ACT

CONCERNING OVERSIGHT OF CHILD AND FAMILY INVESTIGATORS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.

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

SECTION 1. In Colorado Revised Statutes, 13-91-105, **amend** (1) (c) as follows:

13-91-105. Duties of the office of the child's representative - guardian ad litem programs - CASA programs. (1) In addition to any responsibilities assigned to it by the chief justice, the office of the child's representative shall:

(c) Enhance the provision of services in Colorado by attorneys appointed to serve as legal representatives of children pursuant to section 14-10-116, C.R.S., ~~and attorneys appointed to serve as child and family investigators pursuant to section 14-10-116.5, C.R.S.,~~ when the costs of such appointments are borne by the state, by:

(I) Ensuring the provision and availability of high-quality, accessible training throughout the state for attorneys seeking to serve as legal representatives of children, ~~and attorneys seeking to serve as child and family investigators,~~ as well as to judges and magistrates who regularly hear domestic matters under article 10 of title 14, C.R.S.;

(II) Making recommendations to the chief justice concerning the establishment, by rule or chief justice directive, of the minimum training requirements that an attorney seeking to serve as a legal representative of a child ~~and an attorney seeking to serve as a child and family investigator shall~~ **MUST** meet;

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

(III) Making recommendations to the chief justice concerning the establishment, by rule or chief justice directive, of standards to which attorneys serving as legal representatives of children ~~and attorneys serving as child and family investigators shall~~ MUST be held;

(IV) Overseeing the practice of legal representatives of children appointed pursuant to section 14-10-116, C.R.S., ~~and overseeing the practice of attorneys serving as child and family investigators appointed pursuant to section 14-10-116.5, C.R.S.~~; to ensure compliance with all relevant statutes, orders, rules, directives, policies, and procedures;

(V) Seeking to enhance existing funding sources for and studying the availability of or developing new funding sources for the provision of services by attorneys serving as court-appointed legal representatives of children; ~~and attorneys serving as court-appointed child and family investigators;~~

(VI) Effective July 1, 2001, allocating moneys appropriated to the office of the child's representative in the state judicial department for the provision of services by attorneys serving as court-appointed legal representatives of children; ~~and attorneys serving as court-appointed child and family investigators;~~

SECTION 2. Appropriation - adjustments to 2015 long bill. (1) To implement this act, appropriations made in the annual general appropriation act for the 2015-16 state fiscal year to the judicial department are adjusted as follows:

(a) The general fund appropriation for trial court programs is increased by \$12,500;

(b) The general fund appropriation for court costs, jury costs, and court-appointed counsel is increased by \$131,419; and

(c) The general fund appropriation for use by the office of the child's representative for court-appointed counsel is decreased by \$143,919.

(2) For the 2015-16 state fiscal year, \$27,580 is appropriated to the judicial department. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.5 FTE. To implement this act, the department may use this appropriation for general courts administration.

SECTION 3. Act subject to petition - effective date - applicability. (1) This act takes effect January 1, 2016; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment

of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to existing and new child and family investigator appointments.

Approved: May 1, 2015