

## CHAPTER 254

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**EDUCATION - PUBLIC SCHOOLS**


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## SENATE BILL 15-004

BY SENATOR(S) Jahn, Aguilar, Garcia, Guzman, Heath, Johnston, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Todd, Ulibarri;  
 also REPRESENTATIVE(S) Primavera, Esgar, Fields, Ginal, Hamner, Kagan, Kraft-Tharp, Lee, Lontine, McCann, Melton, Rosenthal, Ryden, Singer, Vigil, Williams, Young, Hullinghorst.

## AN ACT

**CONCERNING TRAINED VOLUNTEER COURT-APPOINTED SPECIAL ADVOCATES FOR YOUTH BROUGHT BEFORE A COURT IN A TRUANCY PROCEEDING.**

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

**SECTION 1.** In Colorado Revised Statutes, 19-1-202, **amend** (1), (2) introductory portion, and (2) (a) as follows:

**19-1-202. Creation of CASA programs.** (1) CASA programs may be established in each judicial district or any two or more judicial districts and shall operate pursuant to a memorandum of understanding between the chief judge of the judicial district and the CASA program. The memorandum of understanding ~~shall~~ **MUST** identify the roles and responsibilities of any CASA volunteer appointed in the judicial district or districts and ~~shall~~ **MUST** indicate whether any CASA volunteer may be made a party to the action. THE MEMORANDUM OF UNDERSTANDING MAY BE AMENDED OR MODIFIED AT ANY TIME TO ADD OR DELETE ROLES AND RESPONSIBILITIES PURSUANT TO THIS PART 2.

(2) A CASA program established pursuant to the provisions of this part 2 ~~shall~~ **MUST**:

(a) Be a community organization that screens, trains, and supervises CASA volunteers to advocate for the best interests of children in actions brought pursuant to this title and titles 14 and 15, C.R.S., OR FOR A CHILD IN A TRUANCY PROCEEDING PURSUANT TO THE "SCHOOL ATTENDANCE LAW OF 1963", PART 1 OF ARTICLE 33 OF TITLE 22, 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.*

**SECTION 2.** In Colorado Revised Statutes, 19-1-204, **amend** (1) as follows:

**19-1-204. Training requirements.** (1) All CASA volunteers shall participate fully in preservice training, including instruction on recognizing child abuse and neglect, cultural awareness, child development, EDUCATION STANDARDS, the juvenile court process, permanency planning, volunteer roles and responsibilities, advocacy, information gathering, and documentation. CASA volunteers shall be required to participate in observation of court proceedings prior to appointment.

**SECTION 3.** In Colorado Revised Statutes, 19-1-206, **amend** (1) and (3) introductory portion as follows:

**19-1-206. Appointment of CASA volunteers.** (1) (a) ~~Any~~ A judge or magistrate may appoint a CASA volunteer in any action brought pursuant to this title and titles 14 and 15, C.R.S., when, in the opinion of the judge or magistrate, a child who may be affected by such action requires services that a CASA volunteer can provide. At the discretion of the judge or magistrate, a CASA volunteer may be a party to the action if so provided for in the memorandum of understanding.

(b) A JUDGE OR MAGISTRATE MAY APPOINT A CASA VOLUNTEER IN ANY ACTION BROUGHT IN A PROCEEDING PURSUANT TO THE "SCHOOL ATTENDANCE LAW OF 1963", PART 1 OF ARTICLE 33 OF TITLE 22, C.R.S., PROVIDED THAT AT LEAST ONE PARENT OR LEGAL GUARDIAN OF THE CHILD INVOLVED IS PROVIDED WITH NOTICE OF THE APPOINTMENT OF A CASA VOLUNTEER.

(3) The CASA volunteer's appointment ~~shall conclude~~ CONCLUDES:

**SECTION 4.** In Colorado Revised Statutes, 19-1-208, **add** (1) (c) as follows:

**19-1-208. Duties of CASA volunteer.** (1) **Independent case investigation.** Upon appointment in an action, a CASA volunteer may have the duty to:

(c) DETERMINE IF ADDITIONAL SERVICES ARE NECESSARY TO ENSURE EDUCATIONAL SUCCESS FOR A CHILD IN A PROCEEDING PURSUANT TO THE "SCHOOL ATTENDANCE LAW OF 1963", PART 1 OF ARTICLE 33 OF TITLE 22, C.R.S.

**SECTION 5. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2015, if adjournment sine die is on May 6, 2015); 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 such period, 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.

Approved: May 29, 2015