

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

**PREAMENDED**

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

LLS NO. 23-0077.01 Chelsea Princell x4335

**HOUSE BILL 23-1108**

**HOUSE SPONSORSHIP**

**Duran and Evans**, Armagost, Bird, Boesenecker, Brown, Daugherty, Dickson, English, Froelich, Herod, Jodeh, Lieder, Lindsay, Martinez, McCluskie, Michaelson Jenet, Ortiz, Valdez, Velasco, Weinberg, Weissman, Young

**SENATE SPONSORSHIP**

**Hansen and Gardner**,

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

Judiciary  
Appropriations

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**A BILL FOR AN ACT**

101      **CONCERNING THE CREATION OF A TASK FORCE TO STUDY VICTIM AND**  
102                    **SURVIVOR AWARENESS AND RESPONSIVENESS TRAINING**  
103                    **REQUIREMENTS FOR JUDICIAL PERSONNEL, AND, IN CONNECTION**  
104                    **THEREWITH, MAKING AN APPROPRIATION.**

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**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 bill creates a task force to study victim and survivor awareness and responsiveness training requirements for judicial personnel (task force) in the office for victims programs in the division of criminal

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.*

HOUSE  
3rd Reading Unamended  
March 6, 2023

HOUSE  
Amended 2nd Reading  
March 3, 2023

justice. The task force consists of members who have experience representing victims and survivors of domestic violence, sexual assault, or other crimes; lived experience as a victim or survivor of domestic violence, sexual assault, or other crimes; or are members of the judicial community.

The task force is required to analyze current training provided to judicial personnel around the country on topics of domestic violence, sexual assault, and other crimes, in order to determine best practices and training requirements for judicial personnel in the state.

The task force is required to convene by July 1, 2023, and is required to meet at least 4 times but not more than 10 times. The task force is required to submit a report with its findings and recommendations to the house of representatives judiciary committee and the senate judiciary committee, or their successor committees, and the judicial department by November 1, 2023. The task force must convene its final meeting no later than October 15, 2023.

The task force is repealed, effective July 1, 2024.

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

2 **SECTION 1. In Colorado Revised Statutes, add article 5.7 to title**  
3 **13 as follows:**

4 **ARTICLE 5.7**  
5 **Task Force To Study Victim And Survivor Awareness And**  
6 **Responsiveness Training For Judicial Personnel**

7 **13-5.7-101. Definitions. (1) AS USED IN THIS SECTION, UNLESS**  
8 **THE CONTEXT OTHERWISE REQUIRES:**

9 **(a) "JUDICIAL PERSONNEL" MEANS JUDGES, OTHER JUDICIAL**  
10 **OFFICERS, AND COURT STAFF, BUT DOES NOT INCLUDE DISTRICT**  
11 **ATTORNEYS OR PUBLIC DEFENDERS.**

12 **(b) "TASK FORCE" MEANS THE TASK FORCE TO STUDY VICTIM AND**  
13 **SURVIVOR AWARENESS AND RESPONSIVENESS TRAINING REQUIREMENTS**  
14 **FOR JUDICIAL PERSONNEL CREATED IN SECTION 13-5.7-102.**

15 **13-5.7-102. Task force to study victim and survivor awareness**

1 and responsiveness training requirements for judicial personnel -  
2 creation - membership - duties - report - repeal. (1) THERE IS  
3 CREATED IN THE JUDICIAL DEPARTMENT THE TASK FORCE TO STUDY  
4 VICTIM AND SURVIVOR AWARENESS AND RESPONSIVENESS TRAINING  
5 REQUIREMENTS FOR JUDICIAL PERSONNEL.

6 (2) THE MANAGER OF THE OFFICE FOR VICTIMS PROGRAMS IN THE  
7 DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY IS  
8 A MEMBER OF THE TASK FORCE AND SHALL APPOINT THE FOLLOWING  
9 MEMBERS TO SERVE ON THE TASK FORCE:

10 (a) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT  
11 SERVES OR REPRESENTS VICTIMS AND SURVIVORS OF DOMESTIC VIOLENCE;

12 (b) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT  
13 SUPPORTS VICTIMS AND SURVIVORS OF CRIMES OR VIOLENCE OTHER THAN  
14 DOMESTIC VIOLENCE OR SEXUAL ASSAULT;

15 (c) A REPRESENTATIVE OF AN ORGANIZATION PROVIDING LEGAL  
16 SERVICES TO VICTIMS AND SURVIVORS;

17 (d) A FAMILY LAW ATTORNEY;

18 (e) A REPRESENTATIVE OF A CULTURALLY SPECIFIC ORGANIZATION  
19 THAT PROVIDES VICTIM SERVICES OR WORKS WITH VICTIMS OR SURVIVORS  
20 OF DOMESTIC VIOLENCE OR SEXUAL ASSAULT;

21 (f) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT  
22 SERVES OR REPRESENTS SURVIVORS OF SEXUAL ASSAULT;

23 (g) A REPRESENTATIVE OF A FAMILY JUSTICE CENTER;

24 (h) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT  
25 TREATS CHILDREN WHO ARE VICTIMS OF DOMESTIC VIOLENCE AND  
26 PROVIDES EXPERTISE ON CHILD ABUSE PREVENTION AND NEGLECT;

27 (i) A PRIVATE CRIMINAL DEFENSE ATTORNEY WITH EXPERIENCE

1 REPRESENTING VICTIMS OF DOMESTIC VIOLENCE OR SEXUAL ASSAULT; AND

2 (j) A REPRESENTATIVE OF THE OFFICE OF THE STATE PUBLIC  
3 DEFENDER WITH EXPERIENCE REPRESENTING VICTIMS OF DOMESTIC  
4 VIOLENCE OR SEXUAL ASSAULT.

5 (3) THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT IS A  
6 MEMBER OF THE TASK FORCE AND SHALL APPOINT THE FOLLOWING  
7 MEMBERS TO SERVE ON THE TASK FORCE:

8 (a) A STATE COURT JUDGE;

9 (b) AN INDIVIDUAL OTHER THAN A JUDGE WHO IS COURT  
10 PERSONNEL;

11 (c) A DISTRICT COURT JUDGE WITH EXPERIENCE IN DOMESTIC  
12 MATTERS;

13 (d) A COUNTY COURT JUDGE; AND

14 (e) A JUDGE FROM A RURAL COUNTY.

15 (4) IN MAKING APPOINTMENTS TO THE TASK FORCE, THE MANAGER  
16 OF THE OFFICE FOR VICTIMS PROGRAMS AND THE CHIEF JUSTICE OF THE  
17 COLORADO SUPREME COURT SHALL ENSURE THAT THE MEMBERSHIP OF  
18 THE TASK FORCE INCLUDES INDIVIDUALS WHO REFLECT THE ETHNIC,  
19 CULTURAL, AND GENDER DIVERSITY OF THE STATE AND REPRESENT ALL  
20 AREAS OF THE STATE.

21 (5) THE MANAGER OF THE OFFICE FOR VICTIMS PROGRAMS AND THE  
22 CHIEF JUSTICE OF THE COLORADO SUPREME COURT SHALL SERVE AS  
23 CO-CHAIRS OF THE TASK FORCE FOR THE DURATION OF THE TASK FORCE.  
24 IN THE EVENT OF A VACANCY OR AN UNFORESEEN CIRCUMSTANCE THAT  
25 PREVENTS A CO-CHAIR FROM CARRYING OUT THE CO-CHAIR'S DUTIES, THE  
26 TASK FORCE SHALL NOMINATE AND ELECT A REPLACEMENT CO-CHAIR AT  
27 THE NEXT MEETING.

1           (6) THE TERM OF EACH APPOINTMENT TO THE TASK FORCE IS FOR  
2           THE DURATION OF THE TASK FORCE. A VACANCY MUST BE FILLED AS SOON  
3           AS POSSIBLE BY THE MANAGER OF THE OFFICE FOR VICTIMS PROGRAMS OR  
4           THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT.

5           (7) THE MANAGER OF THE OFFICE FOR VICTIMS PROGRAMS AND THE  
6           CHIEF JUSTICE OF THE COLORADO SUPREME COURT SHALL MAKE THEIR  
7           APPOINTMENTS ON OR BEFORE JULY 1, 2023. IN MAKING APPOINTMENTS  
8           TO THE TASK FORCE, THE MANAGER OF THE OFFICE FOR VICTIMS  
9           PROGRAMS AND THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT  
10          SHALL ENSURE THAT THE APPOINTEES INCLUDE INDIVIDUALS WHO HAVE  
11          EXPERIENCE WITH OR INTEREST IN THE TASK FORCE STUDY AREAS SET  
12          FORTH IN SUBSECTIONS (10) AND (11) OF THIS SECTION.

13          (8) MEMBERS OF THE TASK FORCE SERVE WITHOUT  
14          COMPENSATION. HOWEVER, MEMBERS OF THE TASK FORCE MAY RECEIVE  
15          REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES ASSOCIATED  
16          WITH THEIR DUTIES ON THE TASK FORCE.

17          (9) THE TASK FORCE SHALL CONVENE ITS FIRST MEETING NO LATER  
18          THAN JULY 15, 2023. THE TASK FORCE SHALL MEET AT LEAST FOUR TIMES  
19          BUT NOT MORE THAN TEN TIMES. THE TASK FORCE SHALL CONVENE ITS  
20          FINAL MEETING NO LATER THAN JANUARY 15, 2024.

21          (10) THE TASK FORCE SHALL, AT A MINIMUM, DETERMINE AND  
22          ANALYZE THE FOLLOWING:

23                 (a) CURRENT JUDICIAL TRAINING AROUND THE COUNTRY ON  
24                 TOPICS RELATED TO SEXUAL ASSAULT, HARASSMENT, STALKING, AND  
25                 DOMESTIC VIOLENCE;

26                 (b) GAPS IN CURRENT TRAINING IN COLORADO AND HOW TO FILL  
27                 THOSE GAPS;

1           (c) BEST PRACTICES TO PROMOTE TRAUMA-INFORMED PRACTICES  
2           AND APPROACHES IN THE COURTS;

3           (d) STRATEGIES TO ENSURE TRAINING IS EFFECTIVE FOR LEARNING  
4           ABOUT VICTIMS AND SURVIVORS AND THE IMPACT THAT CRIME, DOMESTIC  
5           VIOLENCE, AND SEXUAL ASSAULT HAVE ON VICTIMS AND SURVIVORS, AND  
6           THAT INCLUDES INFORMATION ON TRAUMA AND METHODS TO MINIMIZE  
7           RETRAUMATIZATION OF VICTIMS AND SURVIVORS;

8           (e) APPROACHES TO BEST PROVIDE TRAINING ON GENDER-BASED  
9           VIOLENCE AND ISSUES AFFECTING MARGINALIZED COMMUNITIES;

10          (f) THE AMOUNT OF TRAINING JUDICIAL PERSONNEL CURRENTLY  
11          RECEIVE CONCERNING THE PROTECTION OF THE RIGHTS OF VICTIMS IN  
12          ORDER TO ENSURE ANY IMPLEMENTED TRAINING EMPHASIZES THAT THE  
13          RIGHTS OF VICTIMS ARE TO BE PROTECTED AS VIGOROUSLY AS THE RIGHTS  
14          OF DEFENDANTS;

15          (g) THE SCOPE OF JUDICIAL EDUCATION OPPORTUNITIES ALREADY  
16          PROVIDED TO JUDGES RELATED TO DOMESTIC VIOLENCE, THE RIGHTS OF  
17          VICTIMS, CASE MANAGEMENT, DOMESTIC RELATIONS DOCKETS,  
18          DEPENDENCY AND NEGLECT DOCKETS, JUVENILE PROCEEDINGS, AND  
19          CRIMINAL PROCEEDINGS;

20          (h) THE RESOURCES NECESSARY TO PROVIDE ADDITIONAL JUDICIAL  
21          EDUCATION;

22          (i) THE RESOURCES NECESSARY TO ALLOW JUDGES TO PARTICIPATE  
23          IN ADDITIONAL EDUCATION; AND

24          (j) ANY OTHER TOPIC OR CONCERN THE TASK FORCE BELIEVES IS  
25          NECESSARY TO ADEQUATELY STUDY TRAINING FOR JUDICIAL PERSONNEL  
26          REGARDING VICTIMS AND SURVIVORS OF DOMESTIC VIOLENCE, SEXUAL  
27          ASSAULT, AND OTHER CRIMES.

1           (11) IN ADDITION TO THE TOPIC AREAS SPECIFIED IN SUBSECTION  
2           (10) OF THIS SECTION, THE TASK FORCE SHALL ENSURE THE TRAINING  
3           RECOMMENDATIONS COMPLY WITH THE FEDERAL "KEEPING CHILDREN  
4           SAFE FROM FAMILY VIOLENCE ACT", 34 U.S.C. SEC. 10446, AS AMENDED.  
5           AT A MINIMUM, THE PORTION OF THE TRAINING THAT IMPLEMENTS THESE  
6           FEDERAL REQUIREMENTS MUST:

7           (a) BE PROVIDED TO ANY JUDGE OR MAGISTRATE WHO PRESIDES  
8           OVER PARENTAL RESPONSIBILITY PROCEEDINGS;

9           (b) INCLUDE NO LESS THAN TWENTY HOURS OF INITIAL TRAINING  
10           AND NO LESS THAN FIFTEEN HOURS OF ONGOING TRAINING EVERY FIVE  
11           YEARS;

12           (c) FOCUS ON DOMESTIC VIOLENCE AND CHILD ABUSE, INCLUDING:

13           (I) CHILD SEXUAL ABUSE;

14           (II) PHYSICAL AND EMOTIONAL ABUSE;

15           (III) COERCIVE CONTROL;

16           (IV) IMPLICIT AND EXPLICIT BIAS, INCLUDING BIAS RELATING TO  
17           INDIVIDUALS WITH DISABILITIES;

18           (V) TRAUMA;

19           (VI) LONG-TERM AND SHORT-TERM IMPACTS ON CHILDREN; AND

20           (VII) VICTIM AND PERPETRATOR BEHAVIORAL PATTERNS AND  
21           RELATIONSHIP DYNAMICS;

22           (d) BE CONDUCTED BY A PROFESSIONAL TRAINER WHO HAS  
23           SUBSTANTIAL EXPERIENCE IN ASSISTING SURVIVORS OF DOMESTIC  
24           VIOLENCE OR CHILD ABUSE AND WHO MAY BE A PROFESSIONAL  
25           REPRESENTING A VICTIM SERVICES PROVIDER OR A SURVIVOR WITH LIVED  
26           EXPERIENCE OF DOMESTIC VIOLENCE OR PHYSICAL OR SEXUAL ABUSE AS  
27           A CHILD. IN CONDUCTING THE TRAINING, THE PROFESSIONAL TRAINER

1 SHALL RELY ON EVIDENCE-BASED AND PEER-REVIEWED RESEARCH  
2 CONDUCTED BY RECOGNIZED EXPERTS THAT FOCUSES ON THE TYPES OF  
3 ABUSE DESCRIBED IN SUBSECTION (11)(c) OF THIS SECTION AND SHALL  
4 ONLY INCLUDE THEORIES, CONCEPTS, OR BELIEF SYSTEMS IN THE REQUIRED  
5 TRAINING THAT ARE SUPPORTED BY EVIDENCE-BASED AND  
6 PEER-REVIEWED RESEARCH; AND

7 (e) BE DESIGNED TO IMPROVE THE ABILITY OF COURTS TO:

8 (I) RECOGNIZE AND RESPOND TO PHYSICAL ABUSE OF A CHILD,  
9 SEXUAL ASSAULT OF A CHILD, DOMESTIC VIOLENCE, AND FAMILY TRAUMA;  
10 AND

11 (II) MAKE APPROPRIATE CUSTODY DECISIONS THAT PRIORITIZE  
12 CHILD SAFETY AND WELL-BEING AND THAT ARE CULTURALLY SENSITIVE  
13 AND APPROPRIATE FOR DIVERSE COMMUNITIES.

14 (12) THE TASK FORCE MAY WORK WITH OTHER GROUPS, TASK  
15 FORCES, OR ORGANIZATIONS THAT HAVE EXPERIENCE WITH THE TOPICS  
16 THE TASK FORCE IS RESPONSIBLE FOR STUDYING.

17 (13) (a) THE TASK FORCE MAY FORM WORKING GROUPS IN  
18 ADDITION TO THE WORKING GROUP DESCRIBED IN SUBSECTION (13)(b) OF  
19 THIS SECTION TO FURTHER THE PURPOSE OF THE TASK FORCE.

20 (b) THE TASK FORCE SHALL ESTABLISH A WORKING GROUP TO  
21 ANALYZE AND DETERMINE TRAINING STANDARDS FOR JUDICIAL  
22 PERSONNEL REGARDING DOMESTIC RELATIONS CASES THAT INCLUDES, BUT  
23 IS NOT LIMITED TO, TOPICS RELATED TO PARENTING ISSUES, ISSUES  
24 REGARDING RELATIONS WITHIN A FAMILY OR HOUSEHOLD, PHYSICAL AND  
25 MENTAL HEALTH CHALLENGES THAT MAY IMPACT FAMILIES, ISSUES THAT  
26 MAY IMPACT THE RELATIONSHIP BETWEEN A CHILD AND FAMILY MEMBERS,  
27 AND IDENTIFICATION AND MANAGEMENT OF FAMILY CONFLICT. THE



1 WORKING GROUP MUST ALSO CONSIDER THE DATA DESCRIBED IN  
2 SUBSECTION (13)(c) OF THIS SECTION.

3 (c) THE OFFICE OF THE STATE COURT ADMINISTRATOR SHALL  
4 PROVIDE THE FOLLOWING DATA TO THE WORKING GROUP AS SOON AS  
5 PRACTICABLE BUT NOT LATER THAN NOVEMBER 1, 2023:

6 (I) THE NUMBER OF DOMESTIC RELATIONS CASES IN EACH JUDICIAL  
7 DISTRICT AND THE NUMBER OF DOMESTIC RELATIONS CASES AS A  
8 PERCENTAGE OF THE TOTAL NUMBER OF CASES IN EACH DISTRICT;

9 (II) THE NUMBER OF CASES IN EACH JUDICIAL DISTRICT IN WHICH  
10 A PARTY SEEKS TO REOPEN A CLOSED DOMESTIC RELATIONS CASE; AND

11 (III) THE STATUS OF REPRESENTATION FOR PARTIES IN DOMESTIC  
12 RELATIONS CASES IN EACH JUDICIAL DISTRICT, INCLUDING:

13 (A) THE NUMBER OF CASES IN WHICH BOTH PARTIES WERE  
14 REPRESENTED BY COUNSEL AT THE COMMENCEMENT OF THE CASE AND THE  
15 NUMBER OF CASES IN WHICH ONLY ONE PARTY WAS REPRESENTED BY  
16 COUNSEL AT THE COMMENCEMENT OF THE CASE;

17 (B) THE NUMBER OF CASES IN WHICH THERE WAS A SUBSEQUENT  
18 ENTRY OF APPEARANCE BY COUNSEL IN A CASE IN WHICH ONE OR BOTH  
19 PARTIES PROCEEDED WITHOUT REPRESENTATION BY COUNSEL AT THE  
20 COMMENCEMENT OF THE CASE;

21 (C) THE NUMBER OF CASES IN WHICH THERE WAS A WITHDRAWAL  
22 BY COUNSEL; AND

23 (D) THE NUMBER OF CASES IN WHICH AN ATTORNEY WAS NOT  
24 COUNSEL OF RECORD BUT PROVIDED SERVICES TO A PARTY TO THE CASE.

25 (d) THE FAMILY LAW ATTORNEY THAT SERVES ON THE TASK FORCE  
26 SHALL SERVE AS CHAIR OF THE WORKING GROUP.

27 (e) THE CO-CHAIRS OF THE TASK FORCE SHALL APPOINT THE

1 FOLLOWING MEMBERS TO SERVE ON THE WORKING GROUP:

2 (I) ONE ACTIVELY PRACTICING MENTAL HEALTH PROFESSIONAL  
3 WITH TESTIMONIAL OR DISPUTE RESOLUTION PRACTICE IN DOMESTIC  
4 RELATIONS CASES, RECOMMENDED BY THE CHIEF JUSTICE OF THE  
5 COLORADO SUPREME COURT FROM AMONG CANDIDATES RECOMMENDED  
6 BY THE FAMILY LAW SECTION OF THE COLORADO BAR ASSOCIATION;

7 (II) TWO ATTORNEYS LICENSED TO PRACTICE LAW IN COLORADO,  
8 RECOMMENDED BY THE EXECUTIVE COUNCIL OF THE FAMILY LAW SECTION  
9 OF THE COLORADO BAR ASSOCIATION;

10 (III) ONE ACTIVELY PRACTICING FINANCIAL PROFESSIONAL WITH  
11 TESTIMONIAL OR DISPUTE RESOLUTION PRACTICE IN DOMESTIC RELATIONS  
12 CASES, RECOMMENDED BY THE CHIEF JUSTICE OF THE COLORADO SUPREME  
13 COURT FROM AMONG CANDIDATES RECOMMENDED BY THE FAMILY LAW  
14 SECTION OF THE COLORADO BAR ASSOCIATION; AND

15 (IV) THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT OR  
16 THE CHIEF JUSTICE'S DESIGNEE.

17 (f) ON OR BEFORE NOVEMBER 1, 2023, THE WORKING GROUP  
18 SHALL CREATE A REPORT THAT INCLUDES RECOMMENDATIONS ON  
19 TRAINING REQUIREMENTS REGARDING DOMESTIC RELATIONS AND SUBMIT  
20 THE REPORT TO THE TASK FORCE FOR REVIEW.

21 (14) ON OR BEFORE FEBRUARY 1, 2024, THE TASK FORCE SHALL  
22 SUBMIT A REPORT, INCLUDING ITS FINDINGS AND RECOMMENDATIONS ON  
23 CONSIDERATIONS AND GUIDANCE IDENTIFIED IN SUBSECTIONS (10) AND  
24 (11) OF THIS SECTION AND FROM THE WORKING GROUP ESTABLISHED IN  
25 SUBSECTION (13) OF THIS SECTION TO THE HOUSE OF REPRESENTATIVES  
26 JUDICIARY COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR  
27 SUCCESSOR COMMITTEES, AND THE JUDICIAL DEPARTMENT. ALL

1 RECOMMENDATIONS MADE BY THE TASK FORCE MUST BE APPROVED BY A  
2 MAJORITY OF THE TASK FORCE MEMBERS IN ORDER TO BE INCLUDED IN THE  
3 REPORT.

4 (15) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024.

5 **SECTION 2. Appropriation.** For the 2023-24 state fiscal year,  
6 \$11,900 is appropriated to the judicial department for use by courts  
7 administration. This appropriation is from the general fund. To implement  
8 this act, the department may use this appropriation for general courts  
9 administration.

10 **SECTION 3. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, or safety.