

**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. 23-0779.01 Conrad Imel x2313

**HOUSE BILL 23-1159**

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**HOUSE SPONSORSHIP**

**Luck**, Bottoms, Joseph, Wilson

**SENATE SPONSORSHIP**

**(None)**,

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING STUDYING FAMILY LAW COURT PROCEEDINGS, AND, IN**  
102 **CONNECTION 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 establishes the commission to study family courts (commission) to evaluate family courts in Colorado and make recommendations to the general assembly for changes to the administration of family courts to better serve the people of Colorado.

The commission is comprised of 4 parents who have been involved in a family court case, 4 persons with lived experience as a child in a

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.

family court case, a victim advocate, a representative of a child support agency, a parental responsibility evaluator or child and family investigator, 2 family law attorneys, a district judge with experience presiding over a family court, a representative of the state court administrator's office, a senator, and a member of the house of representatives. The legislative council staff and office of legislative legal services provide staff support to the commission. The commission may hire a person to assist the commission with compiling data and information relevant to the commission's duties and to prepare the commission's report.

The commission shall hold its first meeting no later than September 30, 2023, and shall meet at least once every 3 months. The commission may meet remotely and at locations throughout the state.

No later than September 30, 2024, the commission shall submit a report on family courts in Colorado to the judicial department and to the judiciary committees of the house of representatives and the senate. The report must include the commission's findings on issues it studied and any recommendations from the commission for improving the administration of family courts, including proposed legislation and funding sources for implementing any recommendations.

The commission is repealed December 31, 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** part 5 to article  
3 1 of title 13 as follows:

4 **PART 5**

5 **COMMISSION TO STUDY FAMILY COURTS**

6 **13-1-501. Definitions.** AS USED IN THIS PART 5, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

8 (1) "COMMISSION" MEANS THE COMMISSION TO STUDY FAMILY  
9 COURTS CREATED IN SECTION 13-1-502.

10 (2) "FAMILY COURT" MEANS A COLORADO COURT, INCLUDING A  
11 DEDICATED DOCKET OR DIVISION OF A DISTRICT COURT AND AN APPELLATE  
12 COURT, THAT HEARS CASES INVOLVING DOMESTIC RELATIONS, INCLUDING  
13 ACTIONS BROUGHT PURSUANT TO TITLE 14 AND ANY OTHER ACTION

1 INVOLVING CHILD CUSTODY AND SUPPORT; GRANDPARENTS' RIGHTS; AND  
2 MARRIAGES AND UNIONS, INCLUDING THE DISSOLUTION OR LEGAL  
3 SEPARATION OF MARRIAGES AND UNIONS.

4 **13-1-502. Commission to study family courts - creation -**  
5 **membership - staff assistance.** (1) THERE IS CREATED THE COMMISSION  
6 TO STUDY FAMILY COURTS TO CONDUCT AN OVERVIEW EXAMINATION OF  
7 FAMILY COURTS IN COLORADO AND MAKE RECOMMENDATIONS TO THE  
8 JUDICIAL DEPARTMENT AND GENERAL ASSEMBLY FOR AREAS REQUIRING  
9 TARGETED EXAMINATION AND FOR CHANGES TO THE ADMINISTRATION OF  
10 FAMILY COURTS TO BETTER SERVE THE PEOPLE OF COLORADO.

11 (2) (a) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:

12 (I) FOUR MEMBERS WHO ARE PARENTS WHO HAVE BEEN INVOLVED  
13 IN A FAMILY COURT CASE. THE PRESIDENT OF THE SENATE, THE MINORITY  
14 LEADER OF THE SENATE, THE SPEAKER OF THE HOUSE OF  
15 REPRESENTATIVES, AND THE MINORITY LEADER OF THE HOUSE OF  
16 REPRESENTATIVES SHALL EACH APPOINT ONE PARENT MEMBER TO THE  
17 COMMISSION.

18 (II) FOUR MEMBERS WHO HAD LIVED EXPERIENCE AS A CHILD  
19 WHILE UNDER EIGHTEEN YEARS OF AGE IN A FAMILY COURT CASE. THE  
20 PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE  
21 SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE MINORITY LEADER  
22 OF THE HOUSE OF REPRESENTATIVES SHALL EACH APPOINT ONE MEMBER  
23 WHO HAD LIVED EXPERIENCE AS A CHILD WHILE UNDER EIGHTEEN YEARS  
24 OF AGE TO THE COMMISSION.

25 (III) ONE VICTIM ADVOCATE, APPOINTED BY A STATEWIDE  
26 ORGANIZATION OF VICTIM ADVOCATES;

27 (IV) ONE REPRESENTATIVE OF A CHILD SUPPORT AGENCY,

1 APPOINTED BY A STATEWIDE CHILD SUPPORT AGENCY;

2 (V) ONE MEMBER WHO IS A PARENTAL RESPONSIBILITY  
3 EVALUATOR, AS DESCRIBED IN SECTION 14-10-127, OR A CHILD AND  
4 FAMILY INVESTIGATOR, AS DESCRIBED IN SECTION 14-10-116.5, WHO HAS  
5 EXPERIENCE BEING APPOINTED TO CONDUCT EVALUATIONS OR  
6 INVESTIGATIONS IN FAMILY COURT CASES, APPOINTED BY A STATEWIDE  
7 ORGANIZATION REPRESENTING MENTAL HEALTH PROFESSIONALS;

8 (VI) TWO FAMILY LAW ATTORNEYS, AT LEAST ONE OF WHOM MUST  
9 HAVE APPELLATE EXPERIENCE IN FAMILY LAW, APPOINTED BY THE  
10 EXECUTIVE COUNCIL OF THE FAMILY LAW SECTION OF THE COLORADO BAR  
11 ASSOCIATION. ONE OF THE ATTORNEYS MUST PRACTICE LAW IN A RURAL  
12 AREA OF THE STATE AND THE OTHER MUST PRACTICE LAW IN AN URBAN  
13 AREA OF THE STATE.

14 (VII) ONE DISTRICT JUDGE WITH EXPERIENCE PRESIDING OVER A  
15 FAMILY COURT, APPOINTED BY THE CHIEF JUSTICE OF THE COLORADO  
16 SUPREME COURT;

17 (VIII) A REPRESENTATIVE OF THE STATE COURT ADMINISTRATOR'S  
18 OFFICE, APPOINTED BY THE CHIEF JUSTICE OF THE COLORADO SUPREME  
19 COURT;

20 (IX) ONE SENATOR, APPOINTED BY THE PRESIDENT OF THE SENATE;  
21 AND

22 (X) ONE REPRESENTATIVE, APPOINTED BY THE MINORITY LEADER  
23 OF THE HOUSE OF REPRESENTATIVES.

24 (b) THE APPOINTING AUTHORITIES SHALL MAKE APPOINTMENTS TO  
25 THE COMMISSION NO LATER THAN SEPTEMBER 8, 2023, AND SHALL INFORM  
26 THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL OF THE  
27 APPOINTMENTS.

1 (c) IF, ON SEPTEMBER 9, 2023, A PERSON HAS NOT BEEN APPOINTED  
2 AS A VICTIM ADVOCATE MEMBER AS DESCRIBED IN SUBSECTION (2)(a)(III)  
3 OF THIS SECTION, AS A REPRESENTATIVE OF A CHILD SUPPORT AGENCY AS  
4 DESCRIBED IN SUBSECTION (2)(a)(IV) OF THIS SECTION, OR AS AN  
5 EVALUATOR OR INVESTIGATOR AS DESCRIBED IN SUBSECTION (2)(a)(V) OF  
6 THIS SECTION, OR THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE  
7 COUNCIL HAS RECEIVED MORE THAN ONE VALID APPOINTMENT PURSUANT  
8 TO SUBSECTION (2)(a)(III), (2)(a)(IV), OR (2)(a)(V) OF THIS SECTION, THE  
9 POSITION IS INITIALLY VACANT, AND THE FOUR PARENT MEMBERS  
10 APPOINTED PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION SHALL,  
11 AT THE FIRST MEETING OF THE COMMISSION, APPOINT A MEMBER WHO  
12 MEETS THE QUALIFICATIONS FOR THE VACANT POSITION.

13 (3) NOTWITHSTANDING SECTION 2-2-326, EACH MEMBER OF THE  
14 COMMISSION SERVES WITHOUT COMPENSATION BUT IS ENTITLED TO  
15 RECEIVE REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES  
16 INCURRED IN THE PERFORMANCE OF THE MEMBER'S DUTIES.

17 (4) THE REPRESENTATIVE MEMBER OF THE COMMISSION APPOINTED  
18 PURSUANT TO SUBSECTION (2)(a)(X) OF THIS SECTION IS THE CHAIR OF THE  
19 COMMISSION AND THE SENATOR MEMBER OF THE COMMISSION APPOINTED  
20 PURSUANT TO SUBSECTION (2)(a)(IX) OF THIS SECTION IS THE VICE-CHAIR  
21 OF THE COMMISSION.

22 (5) (a) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL  
23 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL  
24 SUPPLY STAFF ASSISTANCE TO THE COMMISSION. THE STAFF ASSISTANCE  
25 PROVIDED BY THE DIRECTOR OF RESEARCH MAY INCLUDE DATA ANALYSIS.  
26 THE STAFF ASSISTANCE DOES NOT INCLUDE DRAFTING OR FINALIZING THE  
27 COMMISSION'S REPORT DESCRIBED IN SECTION 13-1-504, BUT MAY

1 INCLUDE, UPON REQUEST OF THE COMMISSION, SUBMITTING THE REPORT  
2 TO THE JUDICIAL DEPARTMENT AND LEGISLATIVE COMMITTEES.

3 (b) THE CHAIR, WITH THE APPROVAL OF THE COMMISSION, MAY  
4 HIRE A PERSON TO ASSIST THE COMMISSION WITH COMPILING DATA AND  
5 INFORMATION RELEVANT TO THE COMMISSION'S DUTIES AND TO PREPARE  
6 THE COMMISSION'S REPORT DESCRIBED IN SECTION 13-1-504.

7 (c) (I) THE JUDICIAL DEPARTMENT IS NOT REQUIRED TO PROVIDE  
8 STAFF ASSISTANCE TO THE COMMISSION. THE JUDICIAL DEPARTMENT MAY  
9 PROVIDE MEETING LOCATIONS OUTSIDE OF THE DENVER METROPOLITAN  
10 AREA FOR THE COMMISSION'S USE.

11 (II) UPON REQUEST AND DIRECTION OF THE COMMISSION, THE  
12 DEPARTMENT SHALL RETRIEVE, REDACT, AND PROVIDE TO THE  
13 COMMISSION ALL CASE DOCUMENTS FOR A SAMPLING OF UP TO TWO  
14 THOUSAND CASES FROM THE DEPARTMENT'S CASE MANAGEMENT SYSTEM.  
15 IN ADDITION, THE DEPARTMENT SHALL, UPON REQUEST, PROVIDE THE  
16 COMMISSION WITH ANY OTHER RELEVANT REQUESTED DATA FROM THE  
17 DEPARTMENT'S CASE MANAGEMENT SYSTEM THAT DOES NOT INCLUDE  
18 PROTECTED DISAGGREGATE INFORMATION.

19 (III) NOTWITHSTANDING ANY REQUIREMENT IN THIS SUBSECTION  
20 (5)(c), THE JUDICIAL DEPARTMENT SHALL NOT PROVIDE CONFIDENTIAL  
21 INFORMATION TO THE COMMISSION.

22 **13-1-503. Commission meetings - duties - areas of study -**  
23 **legislative intent.** (1) (a) THE REPRESENTATIVE MEMBER OF THE  
24 COMMISSION APPOINTED PURSUANT TO SECTION 13-1-502 (2)(a)(X) SHALL  
25 SCHEDULE THE FIRST MEETING OF THE COMMISSION, TO BE HELD NO LATER  
26 THAN SEPTEMBER 30, 2023.

27 (b) THE COMMISSION SHALL MEET AT LEAST ONCE EVERY THREE

1 MONTHS UNTIL IT SUBMITS THE REPORT REQUIRED PURSUANT TO SECTION  
2 13-1-504. THE CHAIR MAY CALL ADDITIONAL MEETINGS AS NECESSARY  
3 FOR THE COMMISSION TO COMPLETE ITS DUTIES; EXCEPT THAT THE  
4 COMMISSION SHALL NOT MEET MORE THAN TWELVE TIMES. THE  
5 COMMISSION MAY MEET REMOTELY.

6 (c) IN ORDER TO RECEIVE INPUT FROM THROUGHOUT THE STATE AS  
7 DESCRIBED IN SUBSECTION (3) OF THIS SECTION, THE COMMISSION SHALL  
8 TAKE PUBLIC TESTIMONY AT EACH COMMISSION MEETING AND MAY, AT  
9 THE COMMISSION'S DISCRETION, HOLD UP TO FOUR IN-PERSON MEETINGS  
10 OUTSIDE OF THE CAPITOL BUILDING AT ANY LOCATION IN THE STATE.

11 (2) THE COMMISSION SHALL CONDUCT AN OVERVIEW  
12 EXAMINATION OF THE ADMINISTRATION OF FAMILY COURTS, INCLUDING  
13 COURT OPERATIONS, JUDICIAL DECISIONS, AND THE SHORT-TERM AND  
14 LONG-TERM OUTCOMES FOR FAMILIES INVOLVED IN FAMILY COURT CASES.  
15 THE OVERVIEW EXAMINATION MUST INCLUDE AN EVALUATION OF, AND  
16 COMPILE ACTIONABLE DATA ABOUT, THE FOLLOWING:

17 (a) THE COSTS TO PARTIES IN FAMILY COURT PROCEEDINGS,  
18 INCLUDING COURT COSTS, FILING FEES, AND LITIGATION EXPENSES;

19 (b) THE TIMELINESS OF FAMILY COURT RULINGS AND EFFICIENCY  
20 OF THE FAMILY COURT PROCESSES;

21 (c) THE EFFECTIVENESS OF COURT-APPOINTED INVESTIGATORS OR  
22 EVALUATORS IN FAMILY COURT CASES, INCLUDING THE PROCEDURES FOR  
23 APPOINTING, EVALUATING, OR MAKING A COMPLAINT ABOUT AN  
24 INVESTIGATOR OR EVALUATOR;

25 (d) THE TRAINING AVAILABLE OR REQUIRED FOR JUDGES WHO  
26 PRESIDE OVER A FAMILY COURT AND FOR COURT-APPOINTED  
27 INVESTIGATORS OR EVALUATORS IN FAMILY COURT CASES;

1 (e) THE REVENUE GENERATED FOR COURTS AND THE JUDICIAL  
2 DEPARTMENT FROM FAMILY COURT CASES, INCLUDING FILING FEES AND  
3 ANY OTHER SOURCES OF REVENUE FROM THE ADMINISTRATION OF FAMILY  
4 COURTS;

5 (f) THE IMPACT OF PARTIES' DEMOGRAPHIC INFORMATION ON  
6 COURT DECISIONS, INCLUDING DECISIONS CONCERNING CHILD SUPPORT,  
7 ALIMONY, AND CHILD CUSTODY;

8 (g) THE IMPACT OF INDIGENCY AND SELF-REPRESENTED LITIGANTS  
9 ON FAMILY COURTS' FACT-FINDING AND RULINGS;

10 (h) THE CONSISTENCY OF FAMILY COURT RULINGS IN CASES  
11 INVOLVING SIMILARLY SITUATED INDIVIDUALS;

12 (i) THE APPEAL OPTIONS FOR PARTIES IN FAMILY COURT CASES AND  
13 OTHER RECOURSE OPTIONS FOR PARTIES WHO ARE AGGRIEVED BY THE  
14 CONDUCT OF A JUDICIAL OFFICER OR ATTORNEY, INCLUDING REPORTS TO  
15 THE COLORADO JUDICIAL DISCIPLINE COMMISSION, THE ATTORNEY  
16 REGULATION COUNSEL, AND THE COLORADO BAR ASSOCIATION;

17 (j) THE LONG-TERM EFFECT OF FAMILY COURT RULINGS ON THE  
18 FAMILIES INVOLVED IN A FAMILY COURT CASE; AND

19 (k) JUDICIAL MISCONDUCT COMPLAINTS AND DISCIPLINE FINDINGS.

20 (3) IT IS THE GENERAL ASSEMBLY'S INTENT THAT THE COMMISSION  
21 CONDUCT A GENERAL OVERVIEW EXAMINATION OF THE SUBJECTS  
22 DESCRIBED IN SUBSECTION (2) OF THIS SECTION IN ORDER TO IDENTIFY  
23 AREAS OF FAMILY COURT ADMINISTRATION THAT WARRANT FURTHER,  
24 MORE DETAILED EXAMINATION AND ANALYSIS, AND RECOMMEND INITIAL  
25 CHANGES TO FAMILY COURTS TO BETTER SERVE PARTICIPANTS IN FAMILY  
26 COURT CASES. THE GENERAL ASSEMBLY DOES NOT INTEND THAT THE  
27 COMMISSION WILL CONDUCT A DETAILED EXAMINATION AND ANALYSIS OF



1 FAMILY COURT ADMINISTRATION.

2 (4) THE COMMISSION SHALL COMMUNICATE WITH AND OBTAIN  
3 INPUT FROM INDIVIDUALS AND GROUPS THROUGHOUT THE STATE  
4 AFFECTED BY THE ISSUES STUDIED BY THE COMMISSION. THE COMMISSION  
5 SHALL ALSO ACCEPT AND CONSIDER WRITTEN TESTIMONY, REPORTS, AND  
6 RESEARCH FROM INDIVIDUALS AND PRIVATE ENTITIES.

7 **13-1-504. Commission report.** (1) NO LATER THAN SEPTEMBER  
8 30, 2024, THE COMMISSION SHALL SUBMIT A REPORT ON FAMILY COURTS  
9 IN COLORADO TO THE JUDICIAL DEPARTMENT AND TO THE HOUSE OF  
10 REPRESENTATIVES JUDICIARY COMMITTEE AND THE SENATE JUDICIARY  
11 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

12 (2) THE REPORT MUST INCLUDE:

13 (a) A SUMMARY OF THE COMMISSION'S WORK;

14 (b) THE COMMISSION'S FINDINGS ON ISSUES STUDIED PURSUANT TO  
15 SECTION 13-1-503 (2);

16 (c) ANY COMMISSION RECOMMENDATIONS FOR IMPROVING THE  
17 ADMINISTRATION OF FAMILY COURTS IN COLORADO, INCLUDING PROPOSED  
18 LEGISLATION AND FUNDING SOURCES FOR IMPLEMENTING ANY  
19 RECOMMENDATIONS; AND

20 (d) AS AN APPENDIX TO THE REPORT, THE DATA AND INFORMATION  
21 COMPILED BY THE COMMISSION, IN AGGREGATE FORM AND EXCLUDING  
22 PERSONALLY IDENTIFIABLE INFORMATION THAT MAY BE USED, ALONE OR  
23 IN CONJUNCTION WITH ANY OTHER INFORMATION, TO IDENTIFY A SPECIFIC  
24 INDIVIDUAL. IN THE ELECTRONIC VERSION OF THE REPORT, THE DATA AND  
25 INFORMATION MUST BE IN A SEARCHABLE AND SORTABLE FORMAT.

26 **13-1-505. Repeal of part.** THIS PART 5 IS REPEALED, EFFECTIVE  
27 DECEMBER 31, 2024.

1           **SECTION 2. Appropriation.** (1) For the 2023-24 state fiscal  
2 year, \$119,057 is appropriated to the legislative department. This  
3 appropriation is from the general fund. To implement this act, the  
4 department may use this appropriation as follows:

- 5           (a) \$24,170 for use by the general assembly;
- 6           (b) \$85,544 for use by the legislative council, which amount is  
7 based on an assumption that the legislative council will require an  
8 additional 0.3 FTE; and
- 9           (c) \$9,343 for use by the office of legislative legal services, which  
10 amount is based on an assumption that the office will require an  
11 additional 0.1 FTE.

12           (2) For the 2023-24 state fiscal year, \$67,267 is appropriated to  
13 the judicial department for use by courts administration. This  
14 appropriation is from the general fund. To implement this act, the division  
15 may use this appropriation as follows:

- 16           (a) \$60,597 for general courts administration, which amount is  
17 based on an assumption that the division will require an additional 0.8  
18 FTE; and
- 19           (b) \$6,670 for capital outlay.

20           **SECTION 3. Act subject to petition - effective date.** This act  
21 takes effect at 12:01 a.m. on the day following the expiration of the  
22 ninety-day period after final adjournment of the general assembly; except  
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
24 of the state constitution against this act or an item, section, or part of this  
25 act within such period, then the act, item, section, or part will not take  
26 effect unless approved by the people at the general election to be held in

- 1 November 2024 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.