

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

INTRODUCED

LLS NO. 23-0225.03 Conrad Imel x2313

SENATE BILL 23-194

SENATE SPONSORSHIP

Hansen,

HOUSE SPONSORSHIP

Amabile and Joseph,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO IMPROVE THE ADMINISTRATION OF**
102 **DOMESTIC RELATIONS PROCEEDINGS.**

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 a domestic relations judicial training advisory committee (advisory committee) to develop a domestic relations training program (training program) for judges, magistrates, and court personnel to improve decision-making in domestic relations cases. In carrying out its duties, the advisory committee shall seek input from judges and magistrates from each judicial district, the state court administrator's

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.*

office, and other stakeholders. The advisory committee is repealed September 1, 2027, and is subject to a sunset review prior to its repeal.

The training program must satisfy training standards established by the chief justice of the Colorado supreme court (chief justice). The state court administrator must begin providing the training program no later than July 1, 2024, and may contract with a third party to provide the training. The training program must include both initial training and continuing training. The bill requires the general assembly to fund development of the training program and requires the judicial department to include in its annual budget request an amount necessary to ensure that judicial officers who hear domestic relations cases and domestic relations court personnel may attend the training program at no cost.

The bill requires the advisory committee to collaborate with the chief justice and state court administrator on the development of the training standards. If the chief justice does not establish training standards by November 30, 2023, the advisory committee establishes the standards. The state court administrator shall coordinate with the advisory committee to establish an ongoing review process to measure outcomes of the training program. The bill requires the state court administrator to study strategies for increasing opportunities for judicial officers to attend domestic relations judicial training.

The general assembly encourages the chief justice and the chief judges of each judicial district to establish dedicated domestic relations dockets in each district and to assign to those dockets judges, magistrates, and court personnel who have completed the training program. The general assembly further encourages each judicial district nominating commission and the governor, when nominating and appointing replacements for domestic relations judges, to consider candidates who have substantial experience in domestic relations litigation, have attended the domestic relations program as a private attorney, and who demonstrate willingness to serve on a domestic relations docket.

Under existing law, a child or youth who has special needs that create a barrier to the child or youth's adoption is eligible for adoption benefits. To be eligible for adoption benefits, the child or youth must be legally available for adoption. The bill expands this requirement to make a child or youth eligible for adoption benefits if the child or youth has been legally available for adoption within 90 days before the application for the benefits.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

1 (a) Parties to a dissolution of marriage often present issues to
2 courts that are complex and require the help of educated domestic
3 relations court personnel, including judges and magistrates, to resolve
4 those issues; and

5 (b) In many cases, the future health of parties involved in
6 domestic relations cases, including children and the community at large,
7 depends on the existence of a judicial system in which all domestic
8 relations court personnel are trained in all aspects of family law, family
9 systems, child development, and relevant mental health issues.

10 (2) Therefore, the general assembly declares that all domestic
11 relations court personnel, including judges and magistrates, should
12 receive comprehensive and ongoing training before and during the time
13 in which they hear or participate in domestic relations cases.

14 **SECTION 2.** In Colorado Revised Statutes, **add** article 5.2 to title
15 13 as follows:

16 **ARTICLE 5.2**

17 **Domestic Relations Judicial Training**

18 **13-5.2-101. Legislative intent.** (1) IT IS THE INTENT OF THE
19 GENERAL ASSEMBLY IN ENACTING THIS ARTICLE 5.2 TO:

20 (a) PROMOTE INFORMED AND COMPASSIONATE DECISION-MAKING
21 FOR PARTIES INVOLVED IN DOMESTIC RELATIONS CASES BY PROVIDING
22 TRAINING REGARDING ALL ASPECTS OF DOMESTIC RELATIONS LAW FOR ALL
23 JUDGES AND MAGISTRATES SERVING COLORADO FAMILIES;

24 (b) ENSURE THAT COLORADO'S JUDICIAL PROCESS IS ACCESSIBLE
25 AND RESPONSIVE TO ALL PARTICIPANTS IN DOMESTIC RELATIONS CASES,
26 INCLUDING SELF-REPRESENTED LITIGANTS AND CHILDREN; AND

27 (c) IMPLEMENT A TRAINING PROGRAM FOR DOMESTIC RELATIONS

1 PROFESSIONALS, INCLUDING JUDGES, MAGISTRATES, COURT PERSONNEL,
2 AND PRIVATE ATTORNEYS.

3 (2) THE GENERAL ASSEMBLY STRONGLY ENCOURAGES THE CHIEF
4 JUSTICE OF THE COLORADO SUPREME COURT AND THE CHIEF JUDGE OF
5 EACH JUDICIAL DISTRICT, PURSUANT TO THE AUTHORITY GRANTED TO
6 THEM IN ARTICLE VI, SECTION 5 OF THE STATE CONSTITUTION, TO:

7 (a) ESTABLISH A DEDICATED DOCKET IN EACH JUDICIAL DISTRICT
8 TO HEAR DOMESTIC RELATIONS CASES;

9 (b) ASSIGN ONLY JUDGES WHO HAVE ATTENDED THE DOMESTIC
10 RELATIONS TRAINING PROGRAM ESTABLISHED IN SECTION 13-5.2-104 TO
11 THE DEDICATED DOMESTIC RELATIONS DOCKET; AND

12 (c) REQUIRE ALL COURT PERSONNEL WHO ARE ASSIGNED TO THE
13 DEDICATED DOMESTIC RELATIONS DOCKET TO ATTEND THE DOMESTIC
14 RELATIONS TRAINING PROGRAM.

15 (3) THE GENERAL ASSEMBLY ENCOURAGES THE CHIEF JUSTICE OF
16 THE COLORADO SUPREME COURT TO CONVENE A DOMESTIC RELATIONS
17 JUDICIAL OFFICERS' CONFERENCE AT LEAST ANNUALLY TO ENCOURAGE
18 UNIFORM PRACTICES OF JUDICIAL ADMINISTRATION, LEGAL
19 INTERPRETATION, AND LEGAL ANALYSIS IN THE AREA OF DOMESTIC
20 RELATIONS, AND TO FOSTER JUDICIAL COLLEGIALITY.

21 (4) THE GENERAL ASSEMBLY FURTHER ENCOURAGES EACH
22 JUDICIAL DISTRICT NOMINATING COMMISSION AND THE GOVERNOR, WHEN
23 NOMINATING AND APPOINTING A REPLACEMENT FOR A DISTRICT JUDGE
24 WHO WAS ASSIGNED TO A DEDICATED DOMESTIC RELATIONS DOCKET, TO
25 CONSIDER CANDIDATES WHO HAVE SUBSTANTIAL EXPERIENCE IN
26 DOMESTIC RELATIONS LITIGATION, HAVE ATTENDED THE DOMESTIC
27 RELATIONS PROGRAM AS A PRIVATE ATTORNEY, AND DEMONSTRATE

1 WILLINGNESS TO SERVE ON A DOMESTIC RELATIONS DOCKET.

2 **13-5.2-102. Definitions.** AS USED IN THIS ARTICLE 5.2, UNLESS
3 THE CONTEXT OTHERWISE REQUIRES:

4 (1) "ADJUNCT PROFESSIONAL" MEANS A PROFESSIONAL WITH
5 EXPERIENCE ASSISTING COURTS IN DOMESTIC RELATIONS CASES. ADJUNCT
6 PROFESSIONALS INCLUDE SPECIAL MASTERS, DISCOVERY MASTERS,
7 PSYCHOLOGISTS, ACCOUNTANTS, CHILD SPECIALISTS, MEDIATORS, AND
8 OTHER PROFESSIONALS. FOR PROFESSIONS FOR WHICH COLORADO LAW
9 REQUIRES LICENSURE, "ADJUNCT PROFESSIONAL" ONLY INCLUDES A
10 PERSON IN GOOD STANDING IN THE PERSON'S PROFESSION.

11 (2) "ADVISORY COMMITTEE" MEANS THE DOMESTIC RELATIONS
12 JUDICIAL TRAINING ADVISORY COMMITTEE ESTABLISHED IN SECTION
13 13-5.2-103.

14 (3) "CHIEF JUSTICE" MEANS THE CHIEF JUSTICE OF THE COLORADO
15 SUPREME COURT.

16 (4) "DOMESTIC RELATIONS CASE" MEANS:

17 (a) AN ACTION, INCLUDING THE FILING OF A COMPLAINT, PETITION,
18 WRIT, OR MOTION WITH A COURT, BROUGHT PURSUANT TO TITLE 14;

19 (b) A PROCEEDING COMMENCED PURSUANT TO THE "UNIFORM
20 PARENTAGE ACT", ARTICLE 4 OF TITLE 19;

21 (c) A PROCEEDING COMMENCED PURSUANT TO THE "COLORADO
22 SURROGACY AGREEMENT ACT", ARTICLE 4.5 OF TITLE 19; AND

23 (d) AN ACTION OR PETITION TO ESTABLISH CHILD SUPPORT
24 BROUGHT PURSUANT TO ARTICLE 6 OF TITLE 19.

25 (5) "DOMESTIC RELATIONS COURT PERSONNEL" MEANS A JUDICIAL
26 DEPARTMENT OR JUDICIAL DISTRICT EMPLOYEE ASSIGNED TO WORK ON
27 DOMESTIC RELATIONS CASES IN A JUDICIAL DISTRICT OR A PERSON WHO

1 WORKS ON DOMESTIC RELATIONS CASES IN A JUDICIAL DISTRICT PURSUANT
2 TO A CONTRACT WITH THE JUDICIAL DEPARTMENT OR JUDICIAL DISTRICT.
3 "DOMESTIC RELATIONS COURT PERSONNEL" INCLUDES, BUT IS NOT LIMITED
4 TO, A COURT CLERK, FAMILY COURT FACILITATOR, SPECIAL MASTER,
5 MEDIATOR, AND SELF-REPRESENTED LITIGANT AIDE OR COORDINATOR.
6 "DOMESTIC RELATIONS COURT PERSONNEL" DOES NOT INCLUDE A JUDICIAL
7 OFFICER.

8 (6) "JUDICIAL OFFICER" MEANS A COLORADO SUPREME COURT
9 JUSTICE OR JUDGE, INCLUDING A JUSTICE OR JUDGE SERVING ON SENIOR
10 BASIS, OR A MAGISTRATE.

11 (7) "STATE COURT ADMINISTRATOR" MEANS THE STATE COURT
12 ADMINISTRATOR ESTABLISHED PURSUANT TO SECTION 13-3-101.

13 (8) "TRAINING PROGRAM" MEANS THE DOMESTIC RELATIONS
14 TRAINING PROGRAM ESTABLISHED PURSUANT TO SECTION 13-5.2-104.

15 (9) "TRAINING PROVIDER" MEANS AN ENTITY THAT PROVIDES A
16 TRAINING PROGRAM, INCLUDING A THIRD-PARTY PROVIDER THAT HAS
17 ENTERED INTO AN AGREEMENT TO PROVIDE DOMESTIC RELATIONS
18 TRAINING AS DESCRIBED IN SECTION 13-5.2-104 (3).

19 (10) "TRAINING STANDARDS" MEANS THE DOMESTIC RELATIONS
20 TRAINING STANDARDS ADOPTED PURSUANT TO SECTION 13-5.2-104 (1).

21 **13-5.2-103. Domestic relations judicial training advisory**
22 **committee - reports - court data - legislative intent - sunset review -**
23 **repeal.** (1) THERE IS ESTABLISHED IN THE OFFICE OF THE STATE COURT
24 ADMINISTRATOR A DOMESTIC RELATIONS JUDICIAL TRAINING ADVISORY
25 COMMITTEE TO DEVELOP THE TRAINING PROGRAM, AS DESCRIBED IN
26 SECTION 13-5.2-104 (2), AND TO ADVISE AND COLLABORATE WITH THE
27 CHIEF JUSTICE AND STATE COURT ADMINISTRATOR ABOUT ONGOING

1 TRAINING AND STANDARDS FOR JUDICIAL OFFICERS AND DOMESTIC
2 RELATIONS COURT PERSONNEL, THE EFFICIENCY OF COURT PROCESSES
3 WITHIN DOMESTIC RELATIONS DOCKETS, AND ALL ASPECTS REGARDING
4 THE EFFICACY OF COLORADO'S DOMESTIC RELATIONS COURTS.

5 (2) (a) THE ADVISORY COMMITTEE CONSISTS OF SEVEN MEMBERS,
6 AS FOLLOWS:

7 (I) ONE MEMBER FROM THE ADMINISTRATIVE MANAGEMENT OF
8 THE JUDICIAL DEPARTMENT, APPOINTED BY THE CHIEF JUSTICE;

9 (II) ONE DISTRICT JUDGE WITH EXPERIENCE PRESIDING OVER
10 DOMESTIC RELATIONS CASES, APPOINTED BY THE CHIEF JUSTICE;

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

16 (IV) TWO ATTORNEYS LICENSED TO PRACTICE LAW IN COLORADO,
17 APPOINTED BY THE EXECUTIVE COUNCIL OF THE FAMILY LAW SECTION OF
18 THE COLORADO BAR ASSOCIATION;

19 (V) ONE ACTIVELY PRACTICING FINANCIAL PROFESSIONAL WITH
20 TESTIMONIAL OR DISPUTE RESOLUTION PRACTICE IN DOMESTIC RELATIONS
21 CASES, APPOINTED BY THE CHIEF JUSTICE FROM AMONG CANDIDATES
22 RECOMMENDED BY THE FAMILY LAW SECTION OF THE COLORADO BAR
23 ASSOCIATION; AND

24 (VI) THE CHIEF JUSTICE OR THE CHIEF JUSTICE'S DESIGNEE.

25 (b) THE CHIEF JUSTICE, OR THE CHIEF JUSTICE'S DESIGNEE, IS THE
26 CHAIR OF THE ADVISORY COMMITTEE. THE CHAIR MAY NOT VOTE ON
27 QUESTIONS BEFORE THE COMMITTEE; EXCEPT THAT THE CHAIR MAY VOTE

1 IN THE CASE OF A TIE ON ANY QUESTION VOTED ON BY THE ADVISORY
2 COMMITTEE.

3 (c) IN MAKING APPOINTMENTS TO THE ADVISORY COMMITTEE, THE
4 APPOINTING AUTHORITIES SHALL ENSURE THAT THE MEMBERSHIP OF THE
5 ADVISORY COMMITTEE REFLECTS THE CULTURAL AND GEOGRAPHIC
6 DIVERSITY OF THE STATE.

7 (d) EACH MEMBER OF THE ADVISORY COMMITTEE SERVES AT THE
8 PLEASURE OF THE APPOINTING AUTHORITY. THE TERM OF APPOINTMENT IS
9 TWO YEARS; EXCEPT THAT THE INITIAL TERM OF EACH MEMBER INITIALLY
10 APPOINTED PURSUANT TO SUBSECTIONS (2)(a)(II) AND (2)(a)(III) OF THIS
11 SECTION AND ONE MEMBER APPOINTED PURSUANT TO SUBSECTION
12 (2)(a)(IV) OF THIS SECTION IS THREE YEARS. WHEN MAKING ITS INITIAL
13 APPOINTMENTS PURSUANT TO SUBSECTION (2)(a)(IV) OF THIS SECTION,
14 THE EXECUTIVE COUNCIL OF THE FAMILY LAW SECTION OF THE COLORADO
15 BAR ASSOCIATION SHALL DESIGNATE THE MEMBER APPOINTED TO THE
16 THREE-YEAR TERM DESCRIBED IN THIS SUBSECTION (2)(d).

17 (e) EACH MEMBER OF THE ADVISORY COMMITTEE SERVES WITHOUT
18 COMPENSATION BUT IS ENTITLED TO RECEIVE REIMBURSEMENT FOR
19 ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF
20 THE MEMBER'S DUTIES. THE CHIEF JUSTICE SHALL ADOPT GUIDELINES
21 GOVERNING EXPENSE REIMBURSEMENT.

22 (3) THE CHIEF JUSTICE SHALL CONVENE THE FIRST MEETING OF THE
23 ADVISORY COMMITTEE ON OR BEFORE SEPTEMBER 30, 2023. AFTER THE
24 FIRST MEETING, THE ADVISORY COMMITTEE MUST MEET AT LEAST
25 MONTHLY. THE ADVISORY COMMITTEE SHALL ALLOW COMMITTEE
26 MEMBERS TO ATTEND MEETINGS REMOTELY.

27 (4) THE STATE COURT ADMINISTRATOR SHALL ASSIGN ONE

1 ADMINISTRATIVE SUPPORT STAFF MEMBER TO FACILITATE THE WORK OF
2 THE ADVISORY COMMITTEE.

3 (5) THE OFFICE OF THE STATE COURT ADMINISTRATOR SHALL
4 PROVIDE THE FOLLOWING DATA TO THE ADVISORY COMMITTEE ON OR
5 BEFORE JULY 1, 2024, AND ANNUALLY THEREAFTER:

6 (a) 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 (b) THE NUMBER OF CASES IN EACH JUDICIAL DISTRICT IN WHICH
10 A PARTY SEEKS TO REOPEN A CLOSED DOMESTIC RELATIONS CASE;

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

13 (I) 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 (II) 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 (III) THE NUMBER OF CASES IN WHICH THERE WAS A WITHDRAWAL
22 BY COUNSEL; AND

23 (IV) 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 NUMBER OF CASES IN EACH JUDICIAL DISTRICT, INCLUDING
26 BOTH INITIAL FILINGS AND REOPENED PROCEEDINGS, FOR WHICH AN
27 UNEMANCIPATED CHILD IS LISTED IN A PETITION OR MOTION IN THE CASE,

1 AND THE NUMBER OF CHILDREN INVOLVED;

2 (e) THE NUMBER OF DOMESTIC RELATIONS CASES IN EACH JUDICIAL
3 DISTRICT, BY TYPE, REFERRED TO MEDIATION;

4 (f) THE NUMBER OF DOMESTIC RELATIONS STATUS CONFERENCES
5 AND TIME SPENT BY JUDICIAL OFFICERS IN STATUS CONFERENCES IN EACH
6 JUDICIAL DISTRICT; AND

7 (g) THE NUMBER OF CONTESTED HEARINGS ON PERMANENT
8 ORDERS AND TIME SPENT ON THE PERMANENT ORDERS HEARINGS BY
9 JUDICIAL OFFICERS IN EACH JUDICIAL DISTRICT.

10 (6) (a) ON OR BEFORE APRIL 30 OF EACH YEAR, THE ADVISORY
11 COMMITTEE SHALL DELIVER AN ANNUAL REPORT TO THE CHIEF JUSTICE,
12 THE OFFICE OF THE STATE COURT ADMINISTRATOR, AND THE HOUSE OF
13 REPRESENTATIVES JUDICIARY COMMITTEE AND THE SENATE JUDICIARY
14 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES. THE ADVISORY
15 COMMITTEE'S ANNUAL REPORT AND ANY SUPPORTING DOCUMENTATION IS
16 AN OPEN RECORD. THE JUDICIAL DEPARTMENT SHALL PUBLISH A COPY OF
17 THE REPORT ON A PUBLICLY AVAILABLE PAGE OF THE DEPARTMENT'S
18 WEBSITE.

19 (b) IN ITS ANNUAL REPORT, THE ADVISORY COMMITTEE MAY MAKE
20 RECOMMENDATIONS REGARDING PROCEDURAL CHANGES, SUBSTANTIVE
21 CHANGES, OR STATUTORY CHANGES NECESSARY FOR THE EFFICIENT
22 ADMINISTRATION OF DOMESTIC RELATIONS CASES, AND ANY RELATED
23 CHANGES TO JUDICIAL TRAINING NECESSARY TO IMPLEMENT ANY
24 RECOMMENDED CHANGE.

25 (c) THE ADVISORY COMMITTEE SHALL INCLUDE IN THE ANNUAL
26 REPORT ALL DATA PROVIDED BY THE OFFICE OF THE STATE COURT
27 ADMINISTRATOR TO THE ADVISORY COMMITTEE.

1 (d) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
2 REQUIREMENT TO SUBMIT AN ANNUAL REPORT PURSUANT TO THIS
3 SUBSECTION (6) CONTINUES INDEFINITELY.

4 (7) IN CARRYING OUT ITS DUTIES DESCRIBED IN THIS ARTICLE 5.2,
5 THE ADVISORY COMMITTEE SHALL SEEK INPUT FROM JUDGES AND
6 MAGISTRATES FROM EACH JUDICIAL DISTRICT AND FROM THE STATE COURT
7 ADMINISTRATOR'S OFFICE. THE COMMITTEE SHALL SEEK INPUT FROM
8 OTHER STAKEHOLDERS ABOUT, OR RELATING TO, THE ISSUES CONSIDERED
9 BY THE ADVISORY COMMITTEE, INCLUDING DOMESTIC VIOLENCE; ACCESS
10 TO JUSTICE; AND INCLUSION, EQUITY, AND DIVERSITY.

11 (8) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.
12 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN
13 ACCORDANCE WITH SECTION 2-3-1203.

14 **13-5.2-104. Domestic relations training standards - training**
15 **program - assessment tool - funding - legislative intent.** (1) (a) THE
16 CHIEF JUSTICE SHALL, AFTER COLLABORATING WITH THE ADVISORY
17 COMMITTEE, ESTABLISH DOMESTIC RELATIONS TRAINING STANDARDS FOR
18 JUDICIAL OFFICERS AND DOMESTIC RELATIONS COURT PERSONNEL TO
19 IMPROVE DECISION-MAKING IN DOMESTIC RELATIONS CASES. THE
20 TRAINING STANDARDS MAY INCLUDE STANDARDS FOR INITIAL TRAINING
21 AND CONTINUING TRAINING.

22 (b) IF THE CHIEF JUSTICE DOES NOT ESTABLISH TRAINING
23 STANDARDS ON OR BEFORE NOVEMBER 30, 2023, THE ADVISORY
24 COMMITTEE SHALL ESTABLISH THE TRAINING STANDARDS NO LATER THAN
25 DECEMBER 31, 2023. IF THE ADVISORY COMMITTEE ESTABLISHES
26 TRAINING STANDARDS PURSUANT TO THIS SUBSECTION (1)(b), THE CHIEF
27 JUSTICE MAY UPDATE THE STANDARDS AT ANY TIME.

1 (2) (a) THE ADVISORY COMMITTEE SHALL DEVELOP A DOMESTIC
2 RELATIONS TRAINING PROGRAM THAT SATISFIES THE TRAINING
3 STANDARDS ESTABLISHED PURSUANT TO SUBSECTION (1) OF THIS SECTION.

4 (b) THE TRAINING PROGRAM MUST INCLUDE INITIAL TRAINING AND
5 CONTINUING TRAINING. THE INITIAL TRAINING PROGRAM MUST NOT
6 EXCEED FORTY HOURS OF INSTRUCTION, INCLUDING ADMINISTRATION OF
7 THE ASSESSMENT TOOL DESCRIBED IN SUBSECTION (5) OF THIS SECTION OR
8 ANY EXAMINATION. A CONTINUING TRAINING PROGRAM MUST NOT EXCEED
9 EIGHT HOURS OF INSTRUCTION, INCLUDING ADMINISTRATION OF THE
10 ASSESSMENT TOOL OR ANY EXAMINATION.

11 (c) THE COURSES IN THE PROGRAM MUST BE DESIGNED TO PERMIT
12 REMOTE PARTICIPATION.

13 (d) THE ADVISORY COMMITTEE SHALL DEVELOP AND FINALIZE THE
14 TRAINING PROGRAM NO LATER THAN MARCH 31, 2024. THE ADVISORY
15 COMMITTEE MAY PERIODICALLY, BUT NO MORE FREQUENTLY THAN
16 ANNUALLY, REVISE THE TRAINING PROGRAM.

17 (3) (a) BEGINNING NO LATER THAN JULY 1, 2024, THE STATE
18 COURT ADMINISTRATOR SHALL PROVIDE THE INITIAL TRAINING PROGRAM
19 ON A SCHEDULE SUFFICIENT TO MAXIMIZE PARTICIPATION BY DISTRICT
20 COURT JUDICIAL OFFICERS AND DOMESTIC RELATIONS COURT PERSONNEL.
21 BEGINNING NO LATER THAN JULY 1, 2025, THE STATE COURT
22 ADMINISTRATOR SHALL PROVIDE A CONTINUING TRAINING PROGRAM. THE
23 STATE COURT ADMINISTRATOR MAY PROVIDE THE TRAINING OR MAY
24 CONTRACT WITH A THIRD PARTY TO PROVIDE THE TRAINING.

25 (b) (I) AN INSTRUCTOR FOR ANY SESSION OF A TRAINING PROGRAM
26 MUST BE AN EXPERIENCED DOMESTIC RELATIONS ATTORNEY OR ADJUNCT
27 PROFESSIONAL. AN INSTRUCTOR IS NOT COMPENSATED FOR PROVIDING

1 INSTRUCTION, EXCEPT WHEN THE STATE COURT ADMINISTRATOR
2 DETERMINES THAT APPROPRIATE INSTRUCTION ON A SUBJECT IS NOT
3 AVAILABLE WITHOUT PROVIDING COMPENSATION TO AN INSTRUCTOR. THE
4 STATE COURT ADMINISTRATOR SHALL REIMBURSE INSTRUCTORS FOR
5 REASONABLE EXPENSES INCURRED FOR CONDUCTING THE TRAINING.

6 (II) A STATEMENT MADE BY A PARTICIPANT OR AN INSTRUCTOR IN
7 A DOMESTIC RELATIONS JUDICIAL TRAINING PROGRAM SHALL NOT BE USED
8 TO IMPEACH, CROSS-EXAMINE, OR DISQUALIFY THE PARTICIPANT OR
9 INSTRUCTOR IN ANY SUBSEQUENT COURT PROCEEDING.

10 (c) UNLESS THE CHIEF JUSTICE REQUIRES IN-PERSON ATTENDANCE,
11 THE STATE COURT ADMINISTRATOR SHALL PERMIT REMOTE PARTICIPATION
12 IN THE TRAINING PROGRAM.

13 (d) THE STATE COURT ADMINISTRATOR SHALL COORDINATE WITH
14 THE ADVISORY COMMITTEE TO ESTABLISH AN ONGOING REVIEW PROCESS
15 TO MEASURE OUTCOMES OF THE TRAINING PROGRAM.

16 (4) THE GENERAL ASSEMBLY STRONGLY RECOMMENDS THAT THE
17 TRAINING STANDARDS AND TRAINING PROGRAM INCLUDE THE FOLLOWING
18 SUBJECTS:

19 (a) PARENTING ISSUES, INCLUDING CHILD DEVELOPMENT; HEALTH
20 ISSUES THAT MAY PRESENT CHALLENGES TO CHILD EDUCATION, SUCH AS
21 ATTENTION-DEFICIT/HYPERACTIVITY DISORDER, DYSLEXIA, AND AUTISM
22 SPECTRUM DISORDERS; MENTAL AND PHYSICAL HEALTH CHALLENGES THAT
23 IMPACT FAMILIES, INCLUDING TRAUMA, ABUSE, POST-TRAUMATIC STRESS,
24 CHRONIC ILLNESS, DEPRESSION, MENTAL HEALTH ISSUES, PERSONALITY
25 DISORDERS, AND ADDICTION; DOMESTIC VIOLENCE, INCLUDING COERCIVE
26 CONTROL AND ITS TRAUMATIC EFFECTS, AND PARENTING STYLES
27 INVOLVING ABUSIVE CONDUCT; EMOTIONAL ISSUES THAT MAY AFFECT THE

1 WELL-BEING OF CHILDREN AND FAMILY RELATIONS; CHILD RESISTANCE TO
2 AND REFUSAL OF PARENTING TIME, ESTRANGEMENT, AND OTHER
3 PSYCHOLOGICAL ISSUES THAT MAY ARISE IN FAMILIES UNDERGOING
4 TRANSITIONS; PARENTING STYLES AND THEIR IMPACT ON CHILDREN;
5 IDENTIFICATION AND MANAGEMENT OF FAMILY CONFLICT;
6 AGE-APPROPRIATE PARENTING PLANS; CULTURALLY SENSITIVE PARENTING
7 PLANS; THERAPY MODALITIES; AND THE CHALLENGES OF RELOCATION;

8 (b) DIVISION OF PROPERTY, INCLUDING BUSINESS VALUATION; THE
9 FEDERAL "EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974", 29
10 U.S.C. SEC. 1001 ET SEQ., AND THE VALUATION AND DIVISION OF
11 RETIREMENT ASSETS; TRUST LAW AS APPLICABLE TO DISSOLUTION OF
12 MARRIAGE CASES; VALUATION AND DIVISION OF REAL ESTATE; PARTITION;
13 IMPACT OF BANKRUPTCY ON DISSOLUTION OF MARRIAGE CASES;
14 IDENTIFICATION OF PROPERTY INTERESTS INVOLVING COMPENSATION
15 SCHEMES; IDENTIFICATION AND VALUATION OF PRIVATE EQUITY
16 INVESTMENTS; AND TAX IMPLICATIONS OF COMMONLY HELD ASSETS;

17 (c) CHILD SUPPORT AND MAINTENANCE, INCLUDING HOW TO
18 IDENTIFY INCOME; UNDEREMPLOYMENT; REASONABLE AND ORDINARY
19 BUSINESS EXPENSES; IN-KIND BENEFITS; AND STATUTORY DEFINITIONS OF
20 INCOME AND EXPENSES; AND

21 (d) JUDICIAL ADMINISTRATION, INCLUDING STANDARDS FOR CASE
22 MANAGEMENT CONSISTENT WITH THE COLORADO RULES OF CIVIL
23 PROCEDURE APPLICABLE TO DOMESTIC RELATIONS CASES; THE ADVERSE
24 IMPACTS OF INCONSISTENT, PROTRACTED, OR EXCESSIVELY HOSTILE
25 JUDICIAL PROCEEDINGS ON THE EMOTIONAL WELL-BEING OF PARTIES AND
26 CHILDREN; CULTURAL IMPEDIMENTS TO EQUITABLE PARTICIPATION IN
27 JUDICIAL PROCEEDINGS; THE IMPACT OF CONSTRAINTS ON FINANCIAL

1 RESOURCES ON THE ABILITY TO PARTICIPATE IN JUDICIAL PROCEEDINGS;
2 AND THE EFFECT OF JUDICIAL PROCEEDINGS ON THE INTEGRITY OF FAMILY
3 PROCESSES.

4 (5) (a) TO ASSESS THE EFFICACY OF THE TRAINING PROGRAM, THE
5 STATE COURT ADMINISTRATOR SHALL DEVELOP A COMPREHENSIVE
6 WRITTEN ASSESSMENT TOOL DESIGNED TO DETERMINE IF THE PROGRAM IS
7 PROVIDING EFFECTIVE TRAINING TO ATTENDEES. IN DEVELOPING THE
8 ASSESSMENT TOOL, THE STATE COURT ADMINISTRATOR SHALL CONSULT
9 WITH THE ADVISORY COMMITTEE AND PROFESSIONAL ASSOCIATIONS OF
10 ATTORNEYS WHO WORK ON DOMESTIC RELATIONS CASES, INCLUDING THE
11 AMERICAN ACADEMY OF MATRIMONIAL LAWYERS AND RELEVANT
12 SECTIONS AND COMMITTEES OF THE COLORADO BAR ASSOCIATION.

13 (b) THE STATE COURT ADMINISTRATOR SHALL ADMINISTER THE
14 ASSESSMENT TOOL AT THE CONCLUSION OF AN INITIAL TRAINING PROGRAM
15 OR CONTINUING TRAINING PROGRAM TO EACH ATTENDEE. THE
16 ASSESSMENT TOOL MUST BE ADMINISTERED ON AN OPEN-BOOK BASIS, TO
17 FAMILIARIZE ATTENDEES WITH SUPPLEMENTAL RESOURCES.

18 (c) (I) UPON REQUEST FROM A JUDICIAL OFFICER OR PRIVATE
19 ATTORNEY, THE STATE COURT ADMINISTRATOR SHALL PROVIDE THE
20 OFFICER OR ATTORNEY WITH THE OFFICER'S OR ATTORNEY'S
21 INDIVIDUALIZED ASSESSMENT RESULTS. THE STATE COURT
22 ADMINISTRATOR SHALL NOT RELEASE INDIVIDUALIZED RESULTS TO ANY
23 PERSON OTHER THAN THE PERSON WHO COMPLETED THE ASSESSMENT;
24 EXCEPT THAT UPON REQUEST OF A PRIVATE ATTORNEY, THE STATE COURT
25 ADMINISTRATOR MAY PROVIDE THE ATTORNEY'S INDIVIDUALIZED
26 ASSESSMENT RESULTS TO A THIRD PARTY.

27 (II) THE STATE COURT ADMINISTRATOR SHALL REPORT

1 AGGREGATE RESULTS, WITHOUT INDIVIDUALLY IDENTIFIABLE
2 INFORMATION, FROM THE ASSESSMENT TOOL TO THE ADVISORY
3 COMMITTEE IN ORDER TO HELP THE ADVISORY COMMITTEE IDENTIFY
4 AREAS REQUIRING IMPROVED EDUCATION AND TRAINING. THE AGGREGATE
5 RESULTS MUST BE DISAGGREGATED BY ASSESSMENTS COMPLETED BY
6 JUDICIAL OFFERS AND ASSESSMENTS COMPLETED BY PRIVATE ATTORNEYS.
7 THE STATE COURT ADMINISTRATOR AND THE ADVISORY COMMITTEE SHALL
8 NOT PUBLICLY RELEASE THE AGGREGATE RESULTS; EXCEPT THAT, UPON
9 DIRECTION FROM THE CHIEF JUSTICE, THE ADMINISTRATOR OR COMMITTEE
10 SHALL PUBLICLY RELEASE THE AGGREGATE RESULTS OF ASSESSMENTS
11 COMPLETED BY JUDICIAL OFFICERS.

12 (6) (a) FOR STATE FISCAL YEAR 2023-24, THE GENERAL ASSEMBLY
13 SHALL APPROPRIATE MONEY NECESSARY FOR THE ESTABLISHMENT OF THE
14 TRAINING STANDARDS AND DEVELOPMENT OF THE TRAINING PROGRAM.

15 (b) BEGINNING WITH ITS BUDGET REQUEST FOR STATE FISCAL YEAR
16 2024-25, AND IN ITS BUDGET REQUEST FOR EACH FISCAL YEAR
17 THEREAFTER, THE JUDICIAL DEPARTMENT SHALL INCLUDE IN ITS REQUEST
18 THE AMOUNT OF FUNDING NECESSARY TO ENSURE THAT ALL JUDICIAL
19 OFFICERS ASSIGNED TO A DEDICATED DOMESTIC RELATIONS DOCKET OR
20 WHO REGULARLY PRESIDE OVER DOMESTIC RELATIONS CASES AND ALL
21 DOMESTIC RELATIONS COURT PERSONNEL MAY ATTEND THE TRAINING
22 PROGRAM AT NO COST TO THE ATTENDEE OR ANY JUDICIAL DISTRICT.

23 **13-5.2-105. Training study - repeal.** (1) THE STATE COURT
24 ADMINISTRATOR SHALL STUDY STRATEGIES FOR INCREASING
25 OPPORTUNITIES FOR JUDICIAL OFFICERS TO ATTEND AT LEAST THE
26 EQUIVALENT OF ONE FULL DAY OF DOMESTIC RELATIONS JUDICIAL
27 TRAINING IN EACH CALENDAR YEAR. AS PART OF THE STUDY, THE STATE

1 COURT ADMINISTRATOR SHALL IDENTIFY BARRIERS, INCLUDING
2 WORKLOAD, SCHEDULING, AND OTHER TIME CONSTRAINTS, THAT INHIBIT
3 JUDICIAL OFFICERS, INCLUDING NEWLY APPOINTED JUDICIAL OFFICERS,
4 FROM ATTENDING DOMESTIC RELATIONS JUDICIAL TRAINING, AND
5 POTENTIAL REMEDIES FOR OVERCOMING IDENTIFIED BARRIERS.

6 (2) NO LATER THAN DECEMBER 31, 2023, THE STATE COURT
7 ADMINISTRATOR SHALL COMPLETE THE STUDY AND DELIVER THE RESULTS
8 OF THE STUDY TO THE CHIEF JUSTICE.

9 (3) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2024.

10 **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **add**
11 (18.5)(a)(IV) as follows:

12 **2-3-1203. Sunset review of advisory committees - legislative**
13 **declaration - definition - repeal.**

14 (18.5) (a) The following statutory authorizations for the
15 designated advisory committees will repeal on September 1, 2027:

16 (IV) THE DOMESTIC RELATIONS JUDICIAL TRAINING ADVISORY
17 COMMITTEE ESTABLISHED IN SECTION 13-5.2-103.

18 **SECTION 4.** In Colorado Revised Statutes, 26-7-105, **amend**
19 (2)(a) as follows:

20 **26-7-105. Eligibility for adoption benefits.** (2) The following
21 conditions must be present at the time the eligible child or youth was
22 placed for adoption; except that a child or youth who meets the medical
23 and disability requirements for federal supplemental security income does
24 not need to meet the additional conditions:

25 (a) The eligible child or youth was in the custody of a county
26 department, a person to whom the custody of the child has been given by
27 proper order of a dependency and neglect court, or a nonprofit child

1 placement agency, and THE ELIGIBLE CHILD OR YOUTH is legally available
2 for adoption OR HAS BEEN LEGALLY AVAILABLE FOR ADOPTION WITHIN
3 NINETY DAYS BEFORE THE APPLICATION FOR THE ADOPTION BENEFITS,
4 including the resolution of all appeals; and

5 **SECTION 5. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly; except
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V
9 of the state constitution against this act or an item, section, or part of this
10 act within such period, then the act, item, section, or part will not take
11 effect unless approved by the people at the general election to be held in
12 November 2024 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.