

Members of the Legislative Interim Committee on Judicial Discipline

My suggestions for recommendations for improving judicial accountability and transparency focus on the experience I along with many others have had in the domestic relations courts with judges and magistrates who were not held accountable. According to the most recent annual court report, domestic relations cases rank third in total Colorado cases.

The lack of judicial oversight and lack of court appointed roles defined in state statutes in the domestic relations cases has resulted in parents being jailed or held in contempt repeatedly for unspecified reasons, children being murdered by the abusive parent or children and the protective parent being subjected to continued abuse and coercive control be it physical, emotional or financial or all of these.

Suggestions for legislation that will help hold judges and magistrates more accountable and put more focus on the safety and best interest of children and the protective parent or caregiver are as follows:

1) Limit judicial court appointees in parenting time disputes in domestic relations cases to roles that:

- are well defined in statute,
- have standards of practice, state standardized training specific to the court appointed role as defined in statute, continuing education requirements specific to the court appointed role
- have a well-defined standardized to the extent possible report criteria and process
- provide a complaint as well as an assessment of the role and appointee process

2) Specify in statute that all persons meeting the criteria for the court appointee role must be listed on the state court administrator's offices (SCAO) web site and selected by the parents or caregiver who are court ordered to use and pay for the appointee. Currently statutes for some of the roles say the judge will appoint the person for the role. This process has not worked well to ensure there is a separation of the roles, oversight and transparency in the process.

3) Ensure that statutes hold appointees to their licensed professional standard of practice when serving in the court appointed roles. This recommendation is number 70 (D &E) on page 33 of the [2002 Commission on Families in the Colorado Court Final Report](#). This has yet to be implemented.

3) Eliminate from statute any domestic relations court appointee role that is now currently in statute that does not meet these criteria outlined in (1) such as the parenting coordinator or mediator for domestic relations cases..

4) Disallow in statute the appointment by a judge or magistrate of any court appointee role that is NOT defined in statute such as a reunification therapist, early neutral assessment or divorce coach.

Many times these roles are ill defined or defined differently by the bench and individuals working in the court industry as and they lack transparency and clarity as to what the role actually entails.

Be wary of different groups within the courts industry such as the [MDC](#) or [COAFCC](#) who ask for a role such as this to be added to statute but lacks many or all of the criteria defined in (1) or any concrete valid assessment that demonstrates the actual need for such a role.

5) Limit the court appointee's role to an investigative role specific to the court order as it relates to the best interest of the child and the *specific* areas of dispute. The appointees report must be defined as to allow the judge (whose job it is and not the court appointee) to determine the final order. Eliminate any recommendations by the court appointee in the report.

There are multiple examples of cut and paste reports with errors and the judge or magistrate simply overlooks those and goes directly to the report recommendations and adopts them into an order.

Thank you for taking the time to look into these issues which affect the safety, financial stability and mental and emotional health of parents, caregivers and children in the domestic relations courts.

Submitted by

Judy Schure

13132 Saint Paul Drive

Thornton Co 80241

Thornton0711@gmail.com