

CHAPTER 18

COURTS

HOUSE BILL 95-1170

BY REPRESENTATIVES Kreutz, Adkins, DeGette, George, Kaufman, Kerns, Knox, Lyle, Nichol, Reeves, and Swenson;
also SENATOR Blickensderfer.

AN ACT**CONCERNING THE TRANSFER OF VENUE IN CERTAIN MATTERS INVOLVING CHILDREN.**

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

SECTION 1. Article 1 of title 13, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

13-1-123.5. Transfer of venue - actions involving related persons. IN ADDITION TO THE AUTHORITY TO CHANGE VENUE GRANTED BY SECTIONS 19-2-103 AND 19-3-201, C.R.S., FOR GOOD CAUSE SHOWN, A COURT, ON ITS OWN MOTION, ON THE MOTION OF ANOTHER COURT IN THIS STATE, OR ON THE MOTION OF A PARTY OR GUARDIAN AD LITEM, MAY ORDER THE TRANSFER OF A PENDING ACTION BROUGHT UNDER TITLE 14 OR TITLE 19, C.R.S., OR RULE 365 OF THE COLORADO RULES OF COUNTY COURT CIVIL PROCEDURE TO A COURT IN ANOTHER COUNTY WHEN THERE IS AN ACTION PENDING IN THE OTHER COUNTY THAT NAMES THE PARENT, GUARDIAN, OR LEGAL CUSTODIAN OF A CHILD WHO IS THE SUBJECT OF THE ACTION BROUGHT UNDER TITLE 14 OR TITLE 19, C.R.S. THE COUNTY TO WHICH THE ACTION IS BEING TRANSFERRED MUST BE ONE IN WHICH VENUE IS PROPER. UPON AN ORDER FOR SUCH TRANSFER, THE TRANSFERRING COURT SHALL NOTIFY ALL PARTIES OF THE TRANSFER AND TRANSMIT ALL DOCUMENTS TO THE RECEIVING COURT. THE TRANSFERRED ACTION SHALL CONTINUE IN THE COURT TO WHICH IT IS TRANSFERRED WITH THE SAME FORCE AND EFFECT AS THOUGH ORIGINALLY DOCKETED IN THE RECEIVING COURT.

SECTION 2. Effective date. This act shall take effect January 1, 1996; except that, if a referendum petition is filed against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, if approved by the people,

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 17, 1995

Editor's note: Since this act does not contain a Safety Clause, it is subject to the referendum provisions of section 1 (3) of article V of the state constitution. See Section 2 of this act for the effective date.