

CHAPTER 62

CHILDREN AND DOMESTIC MATTERS

SENATE BILL 96-141

BY SENATORS Wham and Tanner;
also REPRESENTATIVES Kaufman, Knox, and Mace.**AN ACT**

CONCERNING EDUCATIONAL PROGRAMS FOR PARENTS OF MINORS IN DOMESTIC PROCEEDINGS, AND, IN CONNECTION THEREWITH, PROVIDING SUCH PROGRAMS FOR PARENTS WHO ARE PARTIES IN DISSOLUTION OF MARRIAGE, LEGAL SEPARATION, CUSTODY OR PARENTING TIME, POSTDECREE CUSTODY OR PARENTING TIME, OR RESTRAINING ORDER PROCEEDINGS.

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

SECTION 1. Article 10 of title 14, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

14-10-123.7. Parental education - legislative declaration. (1) THE GENERAL ASSEMBLY RECOGNIZES RESEARCH THAT DOCUMENTS THE NEGATIVE IMPACT DIVORCE AND SEPARATION CAN HAVE ON CHILDREN WHEN THE PARENTS CONTINUE THE MARITAL CONFLICT, EXPOSE THE CHILDREN TO THIS CONFLICT, OR PLACE THE CHILDREN IN THE MIDDLE OF THE CONFLICT OR WHEN ONE PARENT DROPS OUT OF THE CHILD'S LIFE. THIS RESEARCH ESTABLISHES THAT CHILDREN OF DIVORCE OR SEPARATION MAY EXHIBIT A DECREASED ABILITY TO FUNCTION ACADEMICALLY, SOCIALLY, AND PSYCHOLOGICALLY BECAUSE OF THE STRESS OF THE DIVORCE OR SEPARATION PROCESS. THE GENERAL ASSEMBLY ALSO FINDS THAT, BY UNDERSTANDING THE PROCESS OF DIVORCE AND ITS IMPACT ON BOTH ADULTS AND CHILDREN, PARENTS CAN MORE EFFECTIVELY HELP AND SUPPORT THEIR CHILDREN DURING THIS TIME OF FAMILY RECONFIGURATION. ACCORDINGLY, THE GENERAL ASSEMBLY FINDS THAT IT IS IN THE BEST INTERESTS OF CHILDREN TO AUTHORIZE COURTS TO ESTABLISH, OR CONTRACT WITH PROVIDERS FOR THE ESTABLISHMENT OF, EDUCATIONAL PROGRAMS FOR SEPARATING, DIVORCING, AND DIVORCED PARENTS WITH MINOR CHILDREN. THE INTENT OF THESE PROGRAMS IS TO EDUCATE PARENTS ABOUT THE DIVORCE PROCESS AND ITS IMPACT ON ADULTS AND CHILDREN AND TO TEACH COPARENTING SKILLS AND STRATEGIES SO THAT PARENTS MAY CONTINUE TO

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

PARENT THEIR CHILDREN IN A COOPERATIVE MANNER.

(2) A COURT MAY ORDER A PARENT OF A CHILD UNDER EIGHTEEN YEARS OF AGE TO ATTEND A PROGRAM DESIGNED TO PROVIDE EDUCATION CONCERNING THE IMPACT OF SEPARATION AND DIVORCE ON CHILDREN IN CASES IN WHICH THE PARENT OF A MINOR IS A NAMED PARTY IN A DISSOLUTION OF MARRIAGE PROCEEDING, A LEGAL SEPARATION PROCEEDING, CUSTODY OR PARENTING TIME PROCEEDINGS, OR POSTDECREE PROCEEDINGS INVOLVING CUSTODY OR PARENTING TIME OR PROCEEDINGS IN WHICH THE PARENT IS THE SUBJECT OF A RESTRAINING ORDER ISSUED PURSUANT TO THIS TITLE.

(3) EACH JUDICIAL DISTRICT, OR COMBINATION OF JUDICIAL DISTRICTS AS DESIGNATED BY THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT, MAY ESTABLISH AN EDUCATIONAL PROGRAM FOR DIVORCING AND SEPARATING PARENTS WHO ARE PARTIES TO ANY OF THE TYPES OF PROCEEDINGS SPECIFIED IN SUBSECTION (2) OF THIS SECTION OR ARRANGE FOR THE PROVISION OF SUCH EDUCATIONAL PROGRAMS BY PRIVATE PROVIDERS THROUGH COMPETITIVELY NEGOTIATED CONTRACTS. THE EDUCATIONAL PROGRAM SHALL INFORM PARENTS ABOUT THE DIVORCE PROCESS AND ITS IMPACT ON ADULTS AND CHILDREN AND SHALL TEACH PARENTS COPARENTING SKILLS AND STRATEGIES SO THAT THEY MAY CONTINUE TO PARENT THEIR CHILDREN IN A COOPERATIVE MANNER. ANY SUCH EDUCATIONAL PROGRAM SHALL BE ADMINISTERED AND MONITORED BY THE IMPLEMENTING JUDICIAL DISTRICT OR DISTRICTS AND SHALL BE PAID FOR BY THE PARTICIPATING PARENTS IN ACCORDANCE WITH EACH PARENT'S ABILITY TO PAY.

SECTION 2. Effective date. This act shall take effect July 1, 1996.

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

Approved: April 8, 1996