

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0214.01 Brita Darling x2241

**HOUSE BILL 21-1101**

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**HOUSE SPONSORSHIP**

**Ransom,**

**SENATE SPONSORSHIP**

**Buckner,**

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**  
101     **CONCERNING PRESERVING FAMILIAL CONNECTIONS IN ACTIONS**  
102     **INITIATED PURSUANT TO THE CHILDREN'S CODE.**

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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>.)*

With respect to a hearing in dependency and neglect for a child under 6 years of age, the bill states that a court may find good cause for granting a delay or continuance if there is evidence that in-person visitation or services were significantly delayed or interrupted by a public health emergency.

When a child is taken into the custody of a county department of

human or social services (county department) for allegations of neglect or for other reasons, the bill requires the court to enter temporary visitation orders with the child's parent if such orders are in the child's best interests. The bill sets forth the contents of those orders, including the minimum frequency and level of supervision of the visits. The court shall order ongoing, in-person visitation unless it finds that in-person visitation would endanger the child's health or welfare. Within 30 days after the initial hearing, the county department shall make recommendations to the court concerning ongoing visitation between the parent and child and between the child and the child's siblings. A parent is entitled to a hearing prior to an ongoing reduction in, suspension of, or increase in the level of supervision, including a change from in-person visitation to virtual visitation. The bill requires the court to enter visitation orders consistent with the bill in various phases of the court proceedings.

The bill sets forth requirements for an open adoption in Colorado, including provisions for entering into post-adoption contact agreements between a child and the child's birth parent or parents, a birth relative, or an Indian tribe if the child is a member. A post-adoption contact agreement may include provisions for contact, visitation, or the exchange of information. If a child is 12 years of age or older, the court shall not order a post-adoption contact agreement unless the child consents to all terms of the contact agreement. The bill includes provisions for the enforcement, modification, and termination of a post-adoption contact agreement.

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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 19-3-217 as**  
3        follows:

4           **19-3-217. Parent-child visitation upon removal.** (1) AT ANY  
5        HEARING HELD PURSUANT TO SECTION 19-3-403 (2) OR (3.5), THE COURT  
6        SHALL ENTER TEMPORARY ORDERS FOR REASONABLE VISITATION WITH THE  
7        CHILD'S PARENT THAT IS CONSISTENT WITH THE AGE AND DEVELOPMENTAL  
8        NEEDS OF A CHILD IF THE COURT FINDS THAT VISITATION IS IN A CHILD'S  
9        BEST INTERESTS. THE COURT SHALL ORDER CONTACT BETWEEN THE  
10      PARENT AND CHILD, WHICH CONTACT MAY INCLUDE BUT IS NOT LIMITED  
11      TO TELEPHONE, VIRTUAL, OR IN-PERSON VISITS, COMMENCING WITHIN

1 SEVENTY-TWO HOURS AFTER ANY HEARING PURSUANT TO SECTION  
2 19-3-403 (2) OR (3.5), EXCLUDING SATURDAYS, SUNDAYS, AND ANY  
3 COURT HOLIDAY. THE COURT MAY AUTHORIZE AN EXTENSION OF TIME FOR  
4 CONTACT TO COMMENCE IF THE DELAY IS AGREED UPON BY THE PARENT,  
5 COUNTY DEPARTMENT, AND GUARDIAN AD LITEM OR IF THE COURT FINDS  
6 THAT A DELAY IN CONTACT IS IN THE CHILD'S BEST INTERESTS.

7 (2) NOTHING IN THIS SECTION RESTRICTS THE COURT FROM  
8 GRANTING DISCRETIONARY AUTHORITY TO THE DEPARTMENT AND  
9 GUARDIAN AD LITEM TO INCREASE OPPORTUNITIES FOR ADDITIONAL  
10 PARENT-CHILD CONTACTS OR SIBLING CONTACTS WITHOUT FURTHER  
11 COURT ORDER.

12 (3) ABSENT THE ISSUANCE OF AN EMERGENCY ORDER, A PARENT  
13 GRANTED VISITATION IS ENTITLED TO A HEARING PRIOR TO AN ONGOING  
14 REDUCTION IN, SUSPENSION OF, OR INCREASE IN THE LEVEL OF  
15 SUPERVISION, INCLUDING A CHANGE FROM IN-PERSON VISITATION TO  
16 VIRTUAL VISITATION. IF THE COURT ISSUES AN EMERGENCY ORDER  
17 SUSPENDING, REDUCING, OR RESTRICTING VISITATION, A PARENT IS  
18 ENTITLED TO A HEARING WITHIN SEVENTY-TWO HOURS AFTER THE ORDER  
19 IS ISSUED, EXCLUDING SATURDAYS, SUNDAYS, AND COURT HOLIDAYS. THE  
20 COURT NEED NOT HOLD A HEARING IF THERE IS AGREEMENT BY THE  
21 PETITIONER, GUARDIAN AD LITEM, AND PARENT TO THE REDUCTION,  
22 SUSPENSION, OR INCREASE IN LEVEL OF SUPERVISION OF VISITS. ANY SUCH  
23 AGREEMENT MUST BE REDUCED TO WRITING AND FILED WITH THE COURT.  
24 NOTHING IN THIS SECTION PREVENTS THE COUNTY DEPARTMENT FROM  
25 CANCELING A VISIT IF THE CHILD'S HEALTH OR WELFARE WOULD BE  
26 ENDANGERED OR IF THE PARENT CONSENTS TO THE CANCELLATION OF THE  
27 VISIT.

8                   **SECTION 2.** In Colorado Revised Statutes, 19-3-403, amend (7)  
9                   as follows:

10                   **19-3-403. Temporary custody - hearing - time limits -**  
11                   **restriction - rules.** (7) The court may also issue temporary orders for  
12                   legal custody as provided in section 19-1-115. THE COURT SHALL ENTER  
13                   VISITATION ORDERS CONSISTENT WITH SECTION 19-3-217.

16                   **19-5-208. Petition for adoption - open adoption - post-adoption**  
17                   **contact agreement.** (4.5) (a) AN AGREEMENT ENTERED INTO PURSUANT  
18                   TO THIS SUBSECTION (4.5) IS CONSIDERED AN OPEN ADOPTION.

19 (b) THE PETITIONER MAY REQUEST A POST-ADOPTION CONTACT  
20 AGREEMENT FOR CONTACT BETWEEN A CHILD AND THE BIRTH PARENT OR  
21 PARENTS; A BIRTH RELATIVE, AS SET FORTH IN SECTION 19-3-605 (1); OR  
22 AN INDIAN TRIBE IF THE CHILD IS A MEMBER OF THE INDIAN TRIBE. A  
23 POST-ADOPTION CONTACT AGREEMENT MAY INCLUDE PROVISIONS FOR  
24 CONTACT, VISITATION, OR THE EXCHANGE OF INFORMATION, AND THE  
25 GROUNDS, IF ANY, ON WHICH THE ADOPTIVE PARENT MAY DECLINE TO  
26 PERMIT VISITS OR CEASE PROVIDING CONTACT OR INFORMATION. IF A  
27 CHILD IS AVAILABLE FOR ADOPTION THROUGH AN EXPEDITED

1 RELINQUISHMENT PURSUANT TO SECTION 19-5-103.5, THE CONTACT  
2 AGREEMENT MUST BE LIMITED TO CONTACT BETWEEN THE CHILD AND THE  
3 BIRTH PARENTS AND BIOLOGICAL SIBLINGS OF THE CHILD.

4 (c) IF A CHILD IS TWELVE YEARS OF AGE OR OLDER, THE COURT  
5 SHALL NOT ORDER A POST-ADOPTION CONTACT AGREEMENT UNLESS THE  
6 CHILD CONSENTS TO ALL TERMS OF THE CONTACT AGREEMENT.

7 (d) THE COURT SHALL INCLUDE THE POST-ADOPTION CONTACT  
8 AGREEMENT IN THE ADOPTION DECREE IF THE COURT FINDS THE CONTACT  
9 AGREEMENT IS IN THE CHILD'S BEST INTERESTS, AFTER CONSIDERING THE  
10 CHILD'S WISHES AND ANY OTHER RELEVANT INFORMATION.

11 (e) A PARENT WHO HAS RELINQUISHED PARENTAL RIGHTS  
12 PURSUANT TO SECTION 19-5-104, OR WHOSE PARENTAL RIGHTS HAVE BEEN  
13 TERMINATED PURSUANT TO SECTION 19-3-604 OR 19-5-105, OR ANY BIRTH  
14 RELATIVE, AS SET FORTH IN SECTION 19-3-605 (1), MUST NOT BE A PARTY  
15 TO THE ADOPTION. ACCESS TO THE ADOPTION FILE, WITH THE EXCEPTION  
16 OF THE POST-ADOPTION CONTACT AGREEMENT AND ANY PLEADINGS OR  
17 ORDERS MADE PURSUANT TO THIS SECTION TO ENFORCE THE CONTACT  
18 AGREEMENT, IS GOVERNED BY PART 3 OF THIS ARTICLE 5.

19 (f) A POST-ADOPTION CONTACT AGREEMENT ENTERED INTO  
20 PURSUANT TO THIS SUBSECTION (4.5) MUST BE SUBMITTED TO THE COURT  
21 ON A STANDARDIZED AFFIDAVIT FORM PRESCRIBED BY THE JUDICIAL  
22 DEPARTMENT THAT CONTAINS THE FOLLOWING WARNINGS  
23 ACKNOWLEDGED BY ALL PARTIES TO THE CONTACT AGREEMENT:

24 (I) AFTER THE ENTRY OF A DECREE FOR ADOPTION, AN ADOPTION,  
25 RELINQUISHMENT, OR TERMINATION OF PARENTAL RIGHTS CANNOT BE SET  
26 ASIDE DUE TO THE FAILURE OF THE ADOPTIVE PARENT, BIOLOGICAL  
27 PARENT, A BIRTH RELATIVE, OR THE CHILD TO FOLLOW THE TERMS OF THE

1 CONTACT AGREEMENT OR ANY SUBSEQUENT MODIFICATIONS OF THE  
2 AGREEMENT; AND

3 (II) A DISAGREEMENT BETWEEN THE PARTIES OR LITIGATION  
4 BROUGHT PURSUANT TO SECTION 19-5-217 TO ENFORCE OR TERMINATE  
5 THE CONTACT AGREEMENT DOES NOT AFFECT THE VALIDITY OF THE  
6 ADOPTION, RELINQUISHMENT, OR TERMINATION OF PARENTAL RIGHTS AND  
7 IS NOT A BASIS FOR ORDERS AFFECTING THE CUSTODY OF THE CHILD.

8 (g) NOTHING IN THIS SUBSECTION (4.5) PERMITS THE COURT TO  
9 ORDER ONGOING CONTACT OR OTHER DUTIES FOR THE PETITIONER WHEN  
10 THE PETITIONER DOES NOT CONSENT TO A POST-ADOPTION CONTACT  
11 AGREEMENT AS SET FORTH IN THIS SUBSECTION (4.5).

12 (h) IN ANY CASE WHERE A POST-ADOPTION CONTACT AGREEMENT  
13 IS BEING CONSIDERED BY THE COURT AND A GUARDIAN AD LITEM IS  
14 CURRENTLY APPOINTED FOR THE CHILD PURSUANT TO SECTION 19-3-203,  
15 THE COURT SHALL APPOINT THE GUARDIAN AD LITEM TO REPRESENT THE  
16 BEST INTERESTS OF THE CHILD WITH RESPECT TO THE CONTACT  
17 AGREEMENT. THE DUTIES OF THE GUARDIAN AD LITEM OR THE CHILD'S  
18 ATTORNEY TERMINATE UPON THE ENTRY OF THE DECREE OF ADOPTION,  
19 UNLESS OTHERWISE ORDERED BY THE COURT.

20 SECTION 4. In Colorado Revised Statutes, **add** 19-5-217 as  
21 follows:

22 **19-5-217. Enforcement or termination of post-adoption  
23 contact agreement.** (1) IF THE DECREE OF ADOPTION CONTAINS A  
24 POST-ADOPTION CONTACT AGREEMENT PURSUANT TO SECTION 19-5-208  
25 (4.5), THE COURT RETAINS JURISDICTION AFTER THE DECREE OF ADOPTION  
26 IS ENTERED TO HEAR MOTIONS TO ENFORCE OR TERMINATE THE CONTACT  
27 AGREEMENT, OR TO ENTER STIPULATED AGREEMENTS OF THE PARTIES TO

1 MODIFY THE CONTACT AGREEMENT.

2 (2) THE COURT MAY APPOINT A GUARDIAN AD LITEM FOR THE  
3 ADOPTED CHILD AT THE TIME OF ANY ACTION FOR THE ENFORCEMENT OR  
4 TERMINATION OF THE POST-ADOPTION CONTACT AGREEMENT IF THE COURT  
5 DETERMINES THAT CONSIDERATION OF THE FACTORS SET FORTH IN  
6 SECTION 19-5-103 (9)(a) REQUIRE THE APPOINTMENT OF A GUARDIAN AD  
7 LITEM. IN ALL ADOPTIONS OTHER THAN THOSE IN WHICH THE CHILD IS  
8 PLACED BY THE COUNTY DEPARTMENT, A PARTY OR PARTIES SHALL PAY  
9 REASONABLE FEES FOR THE SERVICES OF THE GUARDIAN AD LITEM AND  
10 COUNSEL FOR THE CHILD, UNLESS A PARTY IS INDIGENT, IN WHICH CASE  
11 SUCH FEES SHALL BE PAID BY THE OFFICE OF THE CHILD'S REPRESENTATIVE.

12 (3) IF THERE IS A POST-ADOPTION AGREEMENT FOR CONTACT  
13 ESTABLISHED PURSUANT TO SECTION 19-5-208 (4.5), A PARTY TO THE  
14 CONTACT AGREEMENT, EVEN IF HE OR SHE IS NOT A PARTY TO THE  
15 ADOPTION, MAY FILE A MOTION TO ENFORCE OR TERMINATE THE CONTACT  
16 AGREEMENT AS SET FORTH IN THIS SECTION.

17 (4) PRIOR TO FILING A MOTION SEEKING THE ENFORCEMENT OR  
18 TERMINATION OF A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED  
19 PURSUANT TO SECTION 19-5-208 (4.5), THE PARTY SEEKING ENFORCEMENT  
20 OR TERMINATION SHALL SHOW THAT THE PARTY ATTEMPTED IN GOOD  
21 FAITH TO RESOLVE THE DISPUTED MATTERS THROUGH MEDIATION OR  
22 OTHER METHOD OF DISPUTE RESOLUTION. THIS REQUIREMENT IS WAIVED  
23 IF THE PARTY'S WHEREABOUTS ARE UNKNOWN AND THE PARTY CANNOT BE  
24 LOCATED DESPITE DILIGENT EFFORTS TO DO SO.

25 (5) THE COURT SHALL NOT TERMINATE A POST-ADOPTION CONTACT  
26 AGREEMENT ESTABLISHED PURSUANT TO SECTION 19-5-208 (4.5) UNLESS  
27 THE MOVING PARTY ESTABLISHES THAT THERE HAS BEEN A CHANGE IN

1 CIRCUMSTANCES AND THAT THE CONTACT AGREEMENT IS NO LONGER IN  
2 THE ADOPTED CHILD'S BEST INTERESTS. FOLLOWING THE ADOPTION, THE  
3 COURT SHALL PRESUME THAT THE ADOPTIVE PARENT'S JUDGEMENT IS IN  
4 THE BEST INTERESTS OF THE CHILD IN ANY ACTION SEEKING TO ENFORCE  
5 OR TERMINATE THE CONTACT AGREEMENT, AND SUCH PRESUMPTION MAY  
6 ONLY BE OVERCOME BY CLEAR AND CONVINCING EVIDENCE. A  
7 POST-ADOPTION CONTACT AGREEMENT MAY NOT LIMIT THE ADOPTIVE  
8 PARENT'S ABILITY TO MOVE OUT OF STATE.

9 (6) AT ANY TIME AFTER THE ENTRY OF A POST-ADOPTION CONTACT  
10 AGREEMENT PURSUANT TO SECTION 19-5-208 (4.5), THE PARTIES TO THE  
11 AGREEMENT MAY FILE WITH THE COURT A SIGNED, MODIFIED  
12 POST-ADOPTION CONTACT AGREEMENT. THE COURT SHALL NOT MODIFY  
13 THE TERMS OF THE INITIAL POST-ADOPTION CONTACT AGREEMENT ABSENT  
14 THE CONSENT OF ALL PARTIES TO THE AGREEMENT, BUT THE COURT MAY  
15 ENFORCE OR TERMINATE THE AGREEMENT OVER THE OBJECTION OF A  
16 PARTY TO THE AGREEMENT. AN ADOPTED CHILD TWELVE YEARS OF AGE OR  
17 OLDER AT THE TIME OF THE TERMINATION OR MODIFICATION OF THE  
18 CONTACT AGREEMENT MUST CONSENT TO ANY MODIFICATION OR  
19 TERMINATION OF THE CONTACT AGREEMENT.

20 (7) THE COURT MAY CONSIDER DOCUMENTARY EVIDENCE AND  
21 OFFERS OF PROOF IN DETERMINING MOTIONS TO ENFORCE OR TERMINATE  
22 A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED PURSUANT TO  
23 SECTION 19-5-208 (4.5), OR MAY, IN ITS DISCRETION, HOLD A HEARING ON  
24 THE MOTION.

25 (8) THE COURT SHALL NOT ORDER FURTHER INVESTIGATION OR  
26 EVALUATION BY ANY PUBLIC OR PRIVATE AGENCY OR INDIVIDUAL  
27 RELATING TO A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED

1 PURSUANT TO SECTION 19-5-208 (4.5) ABSENT A FINDING BY CLEAR AND  
2 CONVINCING EVIDENCE THAT THE BEST INTERESTS OF THE CHILD MAY BE  
3 PROTECTED OR ADVANCED ONLY BY FURTHER INVESTIGATION OR  
4 EVALUATION AND THAT THE INVESTIGATION OR EVALUATION WILL NOT  
5 DISTURB THE STABILITY OF THE CHILD'S HOME TO THE DETRIMENT OF THE  
6 CHILD.

7 **SECTION 5.** In Colorado Revised Statutes, **add** part 9 to article  
8 3 of title 19 as follows:

9 **PART 9**

10 **TASK FORCE ON HIGH-QUALITY PARENTING TIME**

11 **19-3-901. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
12 FINDS AND DECLARES THAT:

13 (a) COLORADO HAS A STRONG INTEREST IN PRESERVING AND  
14 STRENGTHENING FAMILY TIES AND REDUCING SEPARATION TRAUMA TO  
15 CHILDREN WHO ARE REMOVED FROM THEIR BIRTH PARENTS;

16 (b) THE REMOVAL AND SUBSEQUENT CONTINUED SEPARATION  
17 BETWEEN CHILD AND BIRTH PARENT MAKES SUSTAINING PRIMARY  
18 RELATIONSHIPS DIFFICULT AND REUNIFICATION MORE PROBLEMATIC, AND  
19 THE LOSS A CHILD EXPERIENCES WHEN SEPARATED FROM HIS OR HER BIRTH  
20 PARENT OR PARENTS IS PROFOUND, SOMETIMES LASTING INTO  
21 ADULTHOOD;

22 (c) FOR THESE REASONS, IT IS IMPORTANT TO ESTABLISH CLEAR  
23 STANDARDS TO ACHIEVE CONSISTENT PRACTICES RELATING TO THE  
24 AVAILABILITY OF HIGH-QUALITY PARENTING TIME FOR CHILDREN WHO  
25 HAVE BEEN REMOVED FROM A BIRTH PARENT BY GOVERNMENT ACTION;

26 AND

27 (d) CLEAR STANDARDS AND CONSISTENT PRACTICES WILL HELP

1 ENSURE THAT ALL PARENTS AND CHILDREN HAVE A FAIR PROCESS FOR  
2 DETERMINING A PARENTING TIME PLAN THAT IS IN THE BEST INTERESTS OF  
3 CHILDREN AND THAT PROMOTES POSITIVE OUTCOMES FOR FAMILIES.

4 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS  
5 VALUABLE TO CREATE A TASK FORCE OF PERSONS WITH EXPERIENCE IN OR  
6 KNOWLEDGE OF THE CHILD WELFARE POLICY SYSTEM TO EXAMINE THE  
7 CURRENT POLICIES AND STATUTES GOVERNING PARENTING TIME, TO STUDY  
8 BEST PRACTICES FOR THE PROVISION OF AND DETERMINATION OF  
9 INDIVIDUALIZED PLANS FOR PARENTING TIME, AND TO MAKE  
10 RECOMMENDATIONS TO THE EXECUTIVE BRANCH AND TO THE GENERAL  
11 ASSEMBLY ON ADMINISTRATIVE AND LEGISLATIVE CHANGES TO SUPPORT  
12 HIGH-QUALITY PARENTING TIME IN COLORADO.

13 **19-3-902. Definitions.** AS USED IN THIS PART 9, UNLESS THE  
14 CONTEXT OTHERWISE REQUIRES:

15 (1) "COUNTY DEPARTMENT" MEANS A COUNTY DEPARTMENT OF  
16 HUMAN OR SOCIAL SERVICES.

17 (2) "PARENTING TIME" MEANS ANY FORM OF CONTACT OR  
18 ENGAGEMENT BETWEEN PARENTS, LEGAL CUSTODIANS, OR GUARDIANS  
19 AND CHILDREN WHEN CHILDREN ARE PLACED IN OUT-OF-HOME CARE IN A  
20 CASE BROUGHT PURSUANT TO THIS ARTICLE 3.

21 (3) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF  
22 HUMAN SERVICES.

23 (4) "STEERING COMMITTEE" MEANS THE TASK FORCE STEERING  
24 COMMITTEE CREATED IN SECTION 19-3-903.

25 (5) "TASK FORCE" MEANS THE TASK FORCE ON HIGH-QUALITY  
26 PARENTING TIME CREATED IN SECTION 19-3-903.

27 **19-3-903. Task force on high-quality parenting time - creation**

1 - steering committee - membership. (1) THERE IS CREATED IN THE  
2 STATE DEPARTMENT THE TASK FORCE ON HIGH-QUALITY PARENTING TIME,  
3 FOR THE PURPOSE OF STUDYING THE ISSUES SET FORTH IN SECTION  
4 19-3-904 AND MAKING FINDINGS AND RECOMMENDATIONS TO THE  
5 GOVERNOR, THE STATE DEPARTMENT, THE CHILD WELFARE TRAINING  
6 ACADEMY, AND THE GENERAL ASSEMBLY ON ADMINISTRATIVE AND  
7 LEGISLATIVE CHANGES TO IMPROVE HIGH-QUALITY PARENTING TIME  
8 SERVICES AND PRACTICES IN DEPENDENCY AND NEGLECT CASES.

9 (2) THERE IS CREATED A STEERING COMMITTEE FOR THE TASK  
10 FORCE. THE MEMBERS OF THE STEERING COMMITTEE SERVE AS THE  
11 EXECUTIVE COMMITTEE OF THE TASK FORCE. THE STEERING COMMITTEE  
12 IS COMPOSED OF A REPRESENTATIVE OF THE FOLLOWING AGENCIES OR  
13 ORGANIZATIONS, SELECTED BY THE EXECUTIVE DIRECTOR OF THE AGENCY  
14 OR ORGANIZATION:

15 (a) THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL;

16 (b) THE DIVISION OF CHILD WELFARE IN THE DEPARTMENT OF

17 HUMAN SERVICES;

18 (c) THE OFFICE OF THE CHILD'S REPRESENTATIVE;

19 (d) THE CHILD PROTECTION OMBUDSMAN'S OFFICE; AND

20 (e) A STATEWIDE ASSOCIATION OF HUMAN AND SOCIAL SERVICES

21 DIRECTORS.

22 (3) THE MEMBERSHIP OF THE TASK FORCE MUST NOT EXCEED  
23 TWENTY-FIVE MEMBERS AND, TO THE EXTENT PRACTICABLE, MUST  
24 INCLUDE PERSONS FROM THROUGHOUT THE STATE AND MUST REFLECT THE  
25 RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE. THE  
26 STEERING COMMITTEE MEMBERS ARE MEMBERS OF THE TASK FORCE. THE  
27 STEERING COMMITTEE SHALL JOINTLY APPOINT THE REMAINING TASK

1 FORCE MEMBERS BY CONSENSUS, OR, IF NO CONSENSUS IS REACHED, BY  
2 MAJORITY VOTE OF THE STEERING COMMITTEE. THE REMAINING TASK  
3 FORCE MEMBERS MUST MEET THE FOLLOWING CRITERIA:

4 (a) ONE MEMBER REPRESENTING THE COURT IMPROVEMENT  
5 PROGRAM;

6 (b) ONE MEMBER WHO IS EITHER RETIRED OR CURRENTLY SERVING  
7 AS A JUDGE OR MAGISTRATE WITH EXPERIENCE IN THE CHILD PROTECTION  
8 SYSTEM;

9 (c) TWO MEMBERS WHO REPRESENT SERVICE PROVIDERS, WITH ONE  
10 MEMBER REPRESENTING SERVICE PROVIDERS WHO PROVIDE SERVICES IN  
11 AN URBAN COUNTY AND ONE MEMBER REPRESENTING SERVICE PROVIDERS  
12 WHO PROVIDE SERVICES IN A RURAL COUNTY;

13 (d) ONE MEMBER WHO IS A DIRECTOR OR ADMINISTRATOR OF A  
14 COUNTY DEPARTMENT;

15 (e) THREE MEMBERS REPRESENTING THE COUNTY DEPARTMENTS  
16 OF HUMAN OR SOCIAL SERVICES, AT LEAST ONE OF WHICH MUST BE A  
17 COUNTY ATTORNEY, WITH TWO MEMBERS REPRESENTING URBAN COUNTIES  
18 AND ONE MEMBER REPRESENTING A RURAL COUNTY;

19 (f) ONE MEMBER WHO IS A LICENSED PSYCHIATRIST,  
20 PSYCHOLOGIST, SOCIAL WORKER, OR THERAPIST WHO WORKS WITH  
21 CHILDREN WHO HAVE BEEN ABUSED OR NEGLECTED;

22 (g) TWO PARENTS WITH LIVED EXPERIENCE IN THE CHILD WELFARE  
23 SYSTEM, INCLUDING A PARENT WHO HAS A DISABILITY OR HAS A CHILD  
24 WITH A DISABILITY;

25 (h) TWO MEMBERS WITH LIVED EXPERIENCE IN THE CHILD WELFARE  
26 SYSTEM AS CHILDREN;

27 (i) ONE MEMBER WHO IS A FOSTER PARENT OR KINSHIP PROVIDER;

1 (j) A SERVICE PROVIDER WHO WORKS WITH PARENTS OR CHILDREN  
2 WITH DISABILITIES;

3 (k) A SOCIAL WORKER, FAMILY ADVOCATE, OR PARENT ADVOCATE  
4 WITH EXPERIENCE SERVING FAMILIES IN DEPENDENCY AND NEGLECT  
5 CASES; AND

6 (I) ANY OTHER INDIVIDUAL OR REPRESENTATIVE WITH RELEVANT  
7 EXPERIENCE, AS DETERMINED BY THE STEERING COMMITTEE.

8 (4) (a) THE EXECUTIVE DIRECTORS OF THE AGENCIES OR  
9 ORGANIZATIONS SPECIFIED IN SUBSECTION (2) OF THIS SECTION SHALL  
10 APPOINT THE STEERING COMMITTEE MEMBERS NOT LATER THAN FIFTEEN  
11 DAYS AFTER THE EFFECTIVE DATE OF THIS PART 9. STEERING COMMITTEE  
12 MEMBERS SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY.

22 (5) THE MEMBERS OF THE TASK FORCE SERVE WITHOUT  
23 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

24 (6) (a) THE TASK FORCE SHALL CONVENE WITHIN THIRTY DAYS  
25 AFTER THE FINAL MEMBER HAS BEEN APPOINTED TO THE TASK FORCE.

26 (b) THE TASK FORCE SHALL ELECT A CHAIR AND VICE-CHAIR FROM  
27 AMONG ITS MEMBERS.

1 (c) THE TASK FORCE SHALL MEET AT LEAST MONTHLY THROUGH  
2 SEPTEMBER 2022, AND MAY MEET THEREAFTER TO COMPLETE ITS DUTIES.

3 (d) THE STEERING COMMITTEE MAY SEEK INPUT FROM  
4 SUBJECT-MATTER EXPERTS OR OTHERS TO FACILITATE THE WORK OF THE  
5 TASK FORCE.

6 (e) THE STEERING COMMITTEE SHALL SELECT A FACILITATOR TO BE  
7 FUNDED THROUGH GIFTS, GRANTS, DONATIONS, OR FEDERALLY  
8 ALLOCATED FUNDS THAT MAY BE USED FOR THIS PURPOSE, AND IS  
9 AUTHORIZED TO SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR  
10 DONATIONS.

## 19-3-904. Task force - purposes - issues to study - written

12 **reports. (1) THE PURPOSE OF THE TASK FORCE IS TO:**

13 (a) STUDY CURRENT LAWS, RULES, AND PRACTICES FOLLOWED IN  
14 THE STATE INCLUDING CURRENT CAPACITY FOR SUPERVISED PARENTING  
15 TIME IN DEPENDENCY AND NEGLECT CASES WHERE CHILDREN HAVE BEEN  
16 REMOVED FROM A PARENT;

17 (b) STUDY AND REVIEW RESEARCH AND BEST PRACTICES FOR  
18 PARENTING TIME IN DEPENDENCY AND NEGLECT CASES WHILE ENSURING  
19 THE SAFETY AND WELL-BEING OF ALL PARTICIPANTS:

20 (c) STUDY BEST PRACTICES FOR JUDICIAL REVIEW OF VISITATION  
21 AND PARENTING TIME PLANS:

22 (d) EVALUATE THE RIGHTS AND REMEDIES FOR PARENTS AND  
23 CHILDREN OR YOUTH PERTAINING TO PARENTING TIME, INCLUDING SIBLING  
24 VISITATION;

25 (e) CONSIDER WHETHER THE STATUTES AND LEGAL STANDARDS  
26 FOR ORDERING PARENTING TIME ARE CONSISTENT WITH BEST PRACTICES;

27 (f) CONSIDER WHETHER CURRENT LANGUAGE IN THE "COLORADO

1 CHILDREN'S CODE" AND RULES SHOULD BE UPDATED OR MODERNIZED,  
2 INCLUDING REPLACING THE TERM "VISITATION" WITH "PARENTING TIME"  
3 OR "FAMILY TIME";

4 (g) STUDY BEST PRACTICES TO MEET THE DEVELOPMENTAL NEEDS  
5 OF YOUTH THROUGH PARENTING TIME IN A TRAUMA-INFORMED MANNER;

6 (h) STUDY BEST PRACTICES FOR PARENTING TIME WITH  
7 INCARCERATED PARENTS;

8 (i) STUDY BEST PRACTICES FOR USE OF LEVELS OF SUPERVISED  
9 PARENTING TIME AND CONSISTENCY IN THE AVAILABILITY AND  
10 DEFINITIONS OF DIFFERENT LEVELS OF SUPERVISED PARENTING TIME;

11 (j) RECOMMEND NECESSARY CHANGES TO STATUTE AND RULE TO  
12 EFFECTUATE THE RECOMMENDED PRACTICES; AND

13 (k) RECOMMEND BEST PRACTICES TO ENSURE THAT FAMILIES  
14 ACROSS THE STATE HAVE CONSISTENT ACCESS TO HIGH-QUALITY  
15 PARENTING TIME WHERE CHILDREN ARE IN OUT-OF-HOME CARE.

16 (2) IN CARRYING OUT THE PURPOSES SET FORTH IN SUBSECTION (1)  
17 OF THIS SECTION, THE TASK FORCE SHALL CONSIDER:

18 (a) THE U.S. CONSTITUTION AND STATE CONSTITUTION, CASE LAW,  
19 STATUTES, RULES, PRACTICES, AND STANDARDS THAT GOVERN FAMILY  
20 PARENTING TIME OR VISITATION IN COLORADO;

21 (b) BEST PRACTICES FOLLOWED IN OTHER STATES OR  
22 RECOMMENDED BY NATIONAL CHILD WELFARE EXPERTS TO PROVIDE AND  
23 DETERMINE PARENTING TIME PLANS THAT ARE IN THE BEST INTERESTS OF  
24 CHILDREN AND WHICH PROMOTE POSITIVE OUTCOMES FOR FAMILIES;

25 (c) FEDERAL GUIDANCE FROM THE ADMINISTRATION ON  
26 CHILDREN, YOUTH AND FAMILIES REGARDING BEST PRACTICES IN  
27 PARENTING TIME AND VISITATION FOR CHILDREN AND YOUTH IN

1 OUT-OF-HOME CARE; AND

2 (d) JUVENILE CODES AND RULES FROM OTHER STATES

3 IMPLEMENTING BEST PRACTICES IN PARENTING TIME.

4 (3) THE TASK FORCE SHALL CONSIDER AND RECOMMEND:

5 (a) THE BEST PRACTICES IN PARENTING TIME FOR CHILDREN  
6 PLACED IN OUT-OF-HOME CARE;

7 (b) CHANGES TO STATUTE, RULE, AND PRACTICE NECESSARY TO  
8 IMPLEMENT THE RECOMMENDATIONS;

9 (c) CONSIDERATIONS TO ENSURE FAIR AND EQUAL ACCESS TO  
10 HIGH-QUALITY PARENTING TIME FOR ALL FAMILIES, INCLUDING  
11 RECOMMENDATIONS TO ENSURE THAT CULTURALLY APPROPRIATE AND  
12 INCLUSIVE SERVICES ARE EQUALLY AVAILABLE ACROSS THE STATE; AND

13 (d) IDENTIFICATION OF BARRIERS TO IMPLEMENTING BEST  
14 PRACTICES ACROSS THE STATE AND RECOMMENDATIONS FOR ADDRESSING  
15 THE BARRIERS.

16 (4) ON OR BEFORE OCTOBER 1, 2022, THE TASK FORCE SHALL  
17 SUBMIT A WRITTEN REPORT TO THE GOVERNOR; THE STATE DEPARTMENT;  
18 THE CHILD WELFARE TRAINING ACADEMY; THE JOINT BUDGET COMMITTEE;  
19 THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND  
20 HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN  
21 SERVICES COMMITTEE, OR ANY SUCCESSOR COMMITTEES. THE REPORT  
22 MUST INCLUDE, BUT IS NOT LIMITED TO THE TASK FORCE'S FINDINGS  
23 CONCERNING BEST PRACTICES TO IMPROVE HIGH-QUALITY PARENTING  
24 TIME SERVICES AND PRACTICES IN DEPENDENCY AND NEGLECT CASES AND  
25 RECOMMENDATIONS CONCERNING NECESSARY CHANGES IN STATE  
26 STATUTE AND ADMINISTRATIVE RULES TO IMPLEMENT THOSE BEST  
27 PRACTICES AND RECOMMENDATIONS.

1                   **19-3-905. Repeal of part.** THIS PART 9 IS REPEALED, EFFECTIVE  
2    JULY 1, 2023.

3                   **SECTION 6. Effective date.** This act takes effect upon passage;  
4    except that sections 1, 2, 3, and 4 of this act take effect September 1,  
5    2021.

6                   **SECTION 7. Safety clause.** The general assembly hereby finds,  
7    determines, and declares that this act is necessary for the immediate  
8    preservation of the public peace, health, or safety.