

Colorado Proposed Ballot Initiative – 2026

Title:

Family Court Reform for Protection of Domestic Violence Survivors, Victim Rights, and Disability Access

Legislative Declaration

The People of Colorado find that current family court procedures do not adequately protect survivors of domestic violence or meet the needs of children and individuals with disabilities. Courts often force mediation between victims and their abusers, disregard mandatory protection orders, and allow interference in federally protected services such as therapy and in-home supports. These failures violate both the spirit and letter of the Colorado Victim Rights Act and the Americans with Disabilities Act.

This measure ensures that family courts prioritize safety, victim rights, and disability access by aligning procedures with criminal court protections in domestic violence cases, enforcing protection orders, prohibiting forced mediation, and ensuring uninterrupted care for individuals with special needs.

Proposed Amendment to the Colorado Revised Statutes

Be it enacted by the People of the State of Colorado:

Add Section 14-10-129.5 to the Colorado Revised Statutes to read:

(1) Legislative Declaration

See above.

(2) Applicability

This section applies to all family law cases under Article 10 of Title 14 in which:

- (a) A protection order under section 13-14-104.5 or a conviction or charge under article 6 of title 18 is present;
- (b) A party is actively involved in a criminal domestic violence case; or
- (c) An affidavit or formal documentation of domestic violence has been submitted to the court.

(3) Procedural Alignment with Criminal Courts

When domestic violence is present, the family court shall:

- (a) Coordinate proceedings with criminal courts when parallel cases exist;
- (b) Prohibit mediation and require trauma-informed custody evaluations by trained professionals;
- (c) Provide expedited emergency relief and incorporate findings from criminal proceedings into family law rulings.

(4) District Attorney Oversight

(a) In any family law matter with an active or adjudicated domestic violence case, the District Attorney shall be notified and may:

- File recommendations;
- Request stays or temporary orders;
- Coordinate inter-court communication.

(b) The DA will not act as a party's attorney but will serve to protect public safety and victim rights.

(5) Enforcement of Mandatory Protection Orders (MPOs)

(a) Courts shall not allow mediation or joint services that violate a mandatory protection order under section 18-1-1001.

(b) No waiver of an MPO may occur without:

- A written request by the protected party; and
- A separate hearing with the District Attorney present to determine if mediation is safe, appropriate, and does not compromise probable cause or victim rights.

(c) Violation of this process is a violation of the Colorado Victim Rights Act (24-4.1-302.5).

(6) Waiver of Initial Status Conference (ISC)

(a) In cases involving domestic violence, the protected party shall have the right to waive the Initial Status Conference.

(b) This waiver shall not delay emergency hearings or court protection.

(c) The court may schedule individual conferences if necessary, without requiring joint participation.

(7) ADA Enforcement for Children and Individuals with Disabilities

(a) Family courts shall enforce care plans required by the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act.

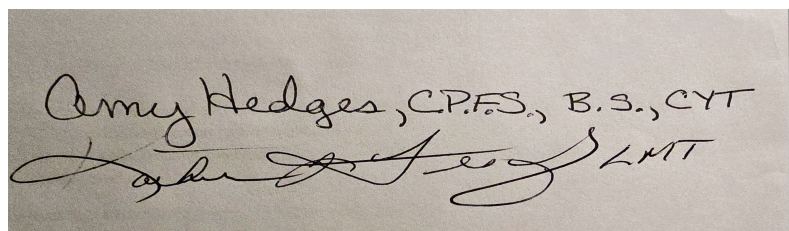
(b) Courts shall:

- Enforce services including ABA, OT, Speech, and Medicaid-approved care;
- Consider obstruction by a parent as medical and emotional neglect;
- Prioritize expert recommendations and expedite hearings when care is disputed.

(c) Judicial officers shall receive ADA training and enforce compliance in parenting orders.

Submission Clause

Shall there be a change to the Colorado Revised Statutes concerning reforms to family court procedures in cases involving domestic violence or individuals with disabilities, and, in connection therewith, requiring courts to enforce protection orders, prohibit mediation in abuse cases, allow waivers of status conferences, enforce ADA care plans, and involve the District Attorney in cases that overlap with criminal domestic violence proceedings?



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