

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0854.01 Michael Dohr x4347

SENATE BILL 25-239

SENATE SPONSORSHIP

Bridges and Kirkmeyer, Amabile

HOUSE SPONSORSHIP

Sirota and Taggart, Bird

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING NONATTORNEY ACCESS TO THE JUDICIAL DATABASE OF**
102 **PUBLIC CASE TYPES.**

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/>.)

Joint Budget Committee. Current law allows attorneys under contract with the office of the child's representative, the office of alternate defense counsel, and the office of the respondent parents' counsel to access the name index and register of actions of public case types. The bill allows other professionals under contract with these offices to access the information.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-1-119.5, **amend**
3 (1) introductory portion, (1)(c), (1)(d), and (1)(e); and **add** (1.5) as
4 follows:

5 **13-1-119.5. Electronic access to name index and register of**
6 **actions.** (1) Statewide electronic read-only access to the name index and
7 register of actions of public case types must be made available to the
8 following agencies or attorneys appointed by the court AND THEIR
9 PROFESSIONAL STAFF:

10 (c) Guardians ad litem or counsel for youth under contract with
11 the office of the child's representative, created in section 13-91-104, or
12 authorized by the office of the child's representative to act as a guardian
13 ad litem or counsel for youth, AND OTHER PROFESSIONALS UNDER
14 CONTRACT WITH THE OFFICE OF THE CHILD'S REPRESENTATIVE AND
15 AUTHORIZED TO WORK WITH AN APPOINTED ATTORNEY as it relates to a
16 case in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~

17 (d) Attorneys under contract with the office of ~~the~~ alternate
18 defense counsel, created in section 21-2-101, ~~C.R.S.~~, AND OTHER
19 PROFESSIONALS UNDER CONTRACT WITH THE OFFICE OF ALTERNATE
20 DEFENSE COUNSEL AND AUTHORIZED TO WORK WITH AN APPOINTED
21 ATTORNEY as it relates to a case in which ~~they are~~ THE ATTORNEY IS
22 appointed; ~~by the court;~~

23 (e) A respondent parent's counsel under contract with the office
24 of the respondent parents' counsel, created in section 13-92-103, or
25 authorized by the office of the respondent parents' counsel to act as a
26 respondent parent's counsel, AND OTHER PROFESSIONALS UNDER

1 CONTRACT WITH THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL AND
2 AUTHORIZED TO WORK WITH AN APPOINTED ATTORNEY, as it relates to a
3 case in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~

4 (1.5) THE OFFICE OF THE CHILD'S REPRESENTATIVE, THE OFFICE OF
5 ALTERNATE DEFENSE COUNSEL, AND THE OFFICE OF THE RESPONDENT
6 PARENTS' COUNSEL SHALL MANAGE USER ACCESS GRANTED TO EACH
7 AGENCY PURSUANT TO SUBSECTION (1) OF THIS SECTION.

8 **SECTION 2.** In Colorado Revised Statutes, 19-1-303, **amend**
9 (1)(a) and (1)(b) as follows:

10 **19-1-303. General provisions - delinquency and dependency**
11 **and neglect cases - exchange of information - civil penalty - rules -**
12 **definitions.** (1) (a) The judicial department or any agency that performs
13 duties and functions ~~under this title~~ PURSUANT TO THIS TITLE 19 with
14 respect to juvenile delinquency or dependency and neglect cases or any
15 other provisions of this ~~title~~ TITLE 19 may exchange information, to the
16 extent necessary, for the acquisition, provision, oversight, or referral of
17 services and support with the judicial department or any other agency or
18 individual, including ~~an attorney~~ A PROFESSIONAL representing state or
19 county agencies and ~~an attorney appointed by the court~~ AN APPOINTED
20 PROFESSIONAL, that performs duties and functions ~~under this title~~
21 PURSUANT TO THIS TITLE 19 with respect to such cases. In order to receive
22 such information, the judicial department, ~~attorney~~ PROFESSIONAL, or
23 agency shall have a need to know for purposes of investigations and case
24 management in the provision of services or the administration of their
25 respective programs. The judicial department or the agencies shall
26 exchange information in accordance with ~~paragraph (b) of this subsection~~
27 ~~(1)~~ SUBSECTION (1)(b) OF THIS SECTION.

1 (b) The judicial department, an agency, an attorney representing
2 an agency, or ~~an attorney appointed by the court~~ AN APPOINTED
3 PROFESSIONAL described in ~~paragraph (a) of this subsection (1)~~
4 SUBSECTION (1)(a) OF THIS SECTION shall exchange information with the
5 judicial department or similar agencies or individuals who have a need to
6 know to the extent necessary for the acquisition, provision, oversight, and
7 referral of services and support and if provided in the course of an
8 investigation or for case management purposes. The provision of
9 information by the judicial department shall include electronic read-only
10 access to the name index and register of actions for agencies or ~~attorneys~~
11 ~~appointed by the court~~ APPOINTED PROFESSIONALS to those case types
12 necessary to carry out their statutory purpose and the duties of their ~~court~~
13 appointment as provided in this part 3. The state court administrator of
14 the judicial department and the executive directors of the affected
15 agencies shall ensure that there is a process for electronically exchanging
16 information pursuant to this section. Agencies, ~~attorneys~~ PROFESSIONALS,
17 and individuals shall maintain the confidentiality of the information
18 obtained.

19 **SECTION 3.** In Colorado Revised Statutes, 19-1-304, **amend**
20 (7)(c), (7)(d), and (7)(e) as follows:

21 **19-1-304. Juvenile delinquency records - division of youth**
22 **services critical incident information - definitions.** (7) In addition to
23 the persons who have access to court records pursuant to subsection (1)(a)
24 of this section, statewide electronic read-only access to the name index
25 and register of actions of the judicial department must be allowed to the
26 following agencies or persons:

27 (c) ~~Guardians ad litem or counsel for youth~~ PROFESSIONALS under

1 contract with the office of the child's representative, created in section
2 13-91-104, or authorized by the office of the child's representative to act
3 as a guardian ad litem, or ~~an attorney~~ A PROFESSIONAL under contract or
4 employed by the office of the child's representative, as it relates to a case
5 in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~

6 (d) ~~Attorneys~~ PROFESSIONALS under contract with the office of ~~the~~
7 alternate defense counsel, created in section 21-2-101, as it relates to a
8 case in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~

9 (e) A ~~respondent parent's counsel~~ PROFESSIONAL under contract
10 with the office of the respondent parents' counsel, created in section
11 13-92-103, or authorized by the office of the respondent parents' counsel
12 to act as a respondent parent's counsel, as it relates to a case in which ~~they~~
13 ~~are~~ THE ATTORNEY IS appointed; ~~by the court;~~ and

14 **SECTION 4.** In Colorado Revised Statutes, 19-1-307, **amend**
15 (2.3) introductory portion, (2.3)(c), and (2.3)(d) as follows:

16 **19-1-307. Dependency and neglect records and information -**
17 **access - fee - records and reports fund - misuse of information -**
18 **penalty - adult protective services data system check - rules.**

19 (2.3) The following agencies or APPOINTED attorneys ~~appointed by the~~
20 ~~court~~ must be granted statewide read-only access to the name index and
21 register of actions for the judiciary department:

22 (c) ~~Guardians ad litem or counsel for youth~~ PROFESSIONALS under
23 contract with the office of the child's representative, created in section
24 13-91-104, or authorized by the office of the child's representative to act
25 as a guardian ad litem or counsel for youth, as it relates to a case in which
26 ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~ and

27 (d) A ~~respondent parent's counsel~~ PROFESSIONAL under contract

1 with the office of the respondent parents' counsel, created in section
2 13-92-103, or authorized by the office of the respondent parents' counsel
3 to act as a respondent parent's counsel, as it relates to a case in which they
4 ~~are~~ THE ATTORNEY IS appointed. ~~by the court.~~

5 **SECTION 5. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly; except
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V
9 of the state constitution against this act or an item, section, or part of this
10 act within such period, then the act, item, section, or part will not take
11 effect unless approved by the people at the general election to be held in
12 November 2026 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.