



Date: October 15, 2017

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### **Proposed Changes to Colorado Revised Statute Section 19, C.R.S.**

In regards to the legal parent-child relationship, the definition of “court” be expanded to include the option for a jury as a single subject petition pursuant to Article V, section 1 (5.5) of the Colorado Constitution:

#### **Be it Enacted by the People of the State of Colorado,**

SECTION 1. In Colorado Revised Statutes, 19-1-103 **amend** (70) as follows:

**19-1-103. Definitions.** (70) “Juvenile court” or “court” means the juvenile court of the city and county of Denver or the juvenile division of the district court outside of the city and county of Denver OR A JURY BEFORE TERMINATING THE LEGAL PARENT-CHILD RELATIONSHIP.

SECTION 2. In Colorado Revised Statutes, 19-1-104 **amend** (d) as follows:

**19-1-104. Jurisdiction.** (d) To terminate the legal parent-child relationship, EXCEPT PARENTS SHALL ALSO HAVE THE RIGHT TO A JURY.

The fiscal impact estimate is as follows: Unknown ongoing net fiscal impact on state courts that would depend significantly on (1) how the measure is interpreted and implemented by the juvenile court or court; (2) how parents respond to the ability to choose a jury trial in termination of a legal parent-child relationship; (3) how children respond when able to stay within the care, companionship and control of their legal parent-child relationship as a result of a jury nullifying its termination.

Would the option for a jury trial include temporary or emergency orders relating to child custody? NO

Would the option for a jury trial include hearings on motions to modify legal custody orders? NO

Would the option for a jury trial include the determination of parenting time after legal custody or decision-making responsibility has been allocated? NO

## #65 Courts of Record Under the Colorado Children's Code

Would the option for a jury trial include matters relating to child support? NO

When will the right to a jury trial option commence? As soon as it is passed

Would it apply only to new cases that are filed after the change to statute takes effect? YES

Would the jury be instructed to apply the same legal standard to determine the "legal custody" of the child as the court? YES

Is it the proponents' intent that the general assembly make conforming amendments to other statutory sections, as necessary, to clarify or implement the jury trial option for hearings related to legal custody of a child? YES

What will be the effective date of the proposed initiative? The date of the next election

Please provide us with a number for this proposal and schedule the required public meeting to discuss this proposal further.

Thank you,

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