



Child & Domestic Matters

During the 2022 legislative session, the General Assembly considered numerous bills related to child & domestic matters. Following is a recap of the major legislation considered in this subject area.

Dependency and Neglect

A number of bills passed in 2022 that addressed dependency and neglect cases, when a parent is accused of neglecting or abusing a child.

House Bill 22-1113 requires the Child Welfare Appeals Workgroup to monitor and study changes made to the child welfare appeals system by the Child Welfare Appeals Workgroup in the State Judicial Department. The bill requires the district court to make written orders related to child welfare appeals within 35 days after the hearing.

House Bill 22-1240 creates the Mandatory Reporter Task Force to analyze best practices and recommend changes to training materials and reporting procedures for people required by law to report child abuse or neglect. The task force operates for two years and must submit a final report on its finding and recommendations on January 1, 2025.

House Bill 22-1090 clarifies that a child is not neglected when allowed to participate in certain independent activities that a reasonable parent, guardian, or legal custodian would consider safe given the child's maturity, condition, and

abilities. Under previous law, a child is neglected or dependent if the child's environment is injurious to the child's health or welfare.

Mental and Behavioral Health

Multiple bills passed this legislative session with a focus on the mental and behavioral health of children.

Senate Bill 22-147 creates in the University of Colorado the Colorado Pediatric Psychiatry Consultation and Access Program (CoPPCAP). The purpose of CoPPCAP is to support primary care providers in identifying and treating mild to moderate behavioral health conditions in children in primary care practices or school-based health centers. The bill requires the General Assembly to appropriate from the Behavioral Mental Cash Fund to CoPPCAP, the Behavioral Health Care Professional Matching Grant Program, and the School-based Health Center Grant Program.

House Bill 22-1375 creates the Timothy Montoya Task Force to prevent children from running away from out-of-home placement in the Office of the Child Protection Ombudsman. The Office of the Child Protection Ombudsman must enter into an agreement with an institution of higher education to perform research to support the task force's work. The task force is required to issue a preliminary report by October 1, 2023, and a final report by October 1, 2024.

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House Bill 22-1369 directs the Department of Early Childhood to contract with a Colorado-based nonprofit to provide children's mental health programs.

House Bill 22-1283 implements recommendations of the Behavioral Transformational Task Force concerning youth and family residential care. The bill creates in-home and residential respite care in up to seven regions of the state, provides operations support for psychiatric residential treatment facilities and qualified residential treatment programs for youth, and provides funds to build and staff a neuro-psych facility at the Colorado Mental Health Institute at Fort Logan.

Early Childhood

The creation of the Department of Early Childhood (DEC) was one of the major changes made in the previous session.

House Bill 22-1295 establishes powers, functions, and responsibilities of the DEC, the executive director of the department in overseeing and administering early childhood, and family support programs and services. The bill relocates most programs from the Department of Human Services (DHS) and the Department of Education (CDE) to the DEC, effective July 1, 2022. The authority to operate a preschool program transfers July 1, 2023.

Foster Care

Multiple pieces of legislation were introduced in the previous session regarding children in foster care.

Senate Bill 22-008 requires all public higher education institutions in Colorado to provide to Colorado resident students who have been in foster care or, in a noncertified kinship care in Colorado at any time on or after reaching the age of 13, financial assistance for the remaining

balance of the student's total cost of attendance in excess of any amount of private, state, or federal financial assistance received by the student. The institutions are required to designate an employee as a liaison to qualifying or prospective qualifying students.

House Bill 22-1374 creates the Fostering Education Opportunities for Youth in Foster Care program in DHS and modifies Department of Education training. It includes plans for expansion and reporting requirements.

House Bill 22-1231 creates the Foster Parent Bill of Rights, which creates certain rights for foster parents including training and support, clear expectations, certain court notices, and exceptions for parents who jeopardize the safety of children or youths.

Legal Matters

There were a number of bills related to the legal matters of youths discussed and passed during the 2022 session

House Bill 22-1131 changes the minimum age of a juvenile who is subject to the juvenile court's jurisdiction. The bill increases the age for prosecution in juvenile court to 13 except in the case of homicide, which is 10. The bill clarifies juveniles 10, 11, and 12 years of age may be taken into temporary custody. The bill extends certain sentencing limitations currently provided to juveniles 10 or 11 years of age to juveniles who are 13 or 14 years of age.

House Bill 22-1038 prohibits the waiver of a child's or youth's right to counsel in dependency and neglect proceedings. It also allows a child or youth to be a party in a dependency or neglect proceeding.

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House Bill 22-1003 establishes the Delinquency Prevention and Young Offender Intervention Pilot Grant Program in the Division of Criminal Justice within the Department of Public Safety. The program awards two-year grants to local governments, American Indian tribes, and nonprofit organizations to fund projects to reduce crime among youth. The division administers the program while the Juvenile Justice and Delinquency Prevention Council serves as an advisory board for the program. The program is a two-year pilot program.