

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

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 21-0214.01 Brita Darling x2241

**HOUSE BILL 21-1101**

**HOUSE SPONSORSHIP**

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**Buckner**, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Priola, Smallwood

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

State, Veterans, & Military Affairs  
Appropriations

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**A BILL FOR AN ACT**

101      **CONCERNING PRESERVING FAMILIAL CONNECTIONS IN ACTIONS**  
102                    **INITIATED PURSUANT TO THE CHILDREN'S CODE, AND, IN**  
103                    **CONNECTION THEREWITH, MAKING AN APPROPRIATIONS.**

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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.

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

SENATE  
3rd Reading Unamended  
June 7, 2021

SENATE  
2nd Reading Unamended  
June 4, 2021

HOUSE  
3rd Reading Unamended  
June 2, 2021

HOUSE  
Amended 2nd Reading  
June 1, 2021

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.

1 (4) NOTHING IN THIS SECTION REQUIRES OR PERMITS A COUNTY  
2 DEPARTMENT TO ARRANGE A VISIT IF THE VISIT WOULD VIOLATE AN  
3 EXISTING PROTECTION ORDER IN ANY CASE PENDING IN THIS STATE OR ANY  
4 OTHER STATE. THE COUNTY DEPARTMENT IS NOT REQUIRED TO PRODUCE  
5 A CHILD FOR COURT-ORDERED VISITATION IF THE VISITATION IS MADE  
6 IMPOSSIBLE DUE TO THE POLICIES OF A FACILITY WHERE THE PARENT IS  
7 INCARCERATED OR IN TREATMENT.

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.

14 **SECTION 3.** In Colorado Revised Statutes, 19-5-208, **add** (4.5)  
15 as follows:

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

1 EXPEDITED RELINQUISHMENT PURSUANT TO SECTION 19-5-103.5, THE  
2 CONTACT AGREEMENT MUST BE LIMITED TO CONTACT BETWEEN THE CHILD  
3 AND THE 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 REQUEST 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 GUARDIAN AD LITEM'S REPRESENTATION IN THESE  
18 PROCEEDINGS IS LIMITED SOLELY TO MAKING A RECOMMENDATION AS TO  
19 WHETHER THE AGREEMENT PROPOSED BY THE PETITIONER IS IN THE BEST  
20 INTERESTS OF THE CHILD AND SHOULD BE ADOPTED AS PROPOSED. THE  
21 COURT SHALL NOT MAKE ADDITIONS OR MODIFICATIONS TO THE  
22 AGREEMENT IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE  
23 GUARDIAN AD LITEM UNLESS THE PETITIONER CONSENTS TO THE  
24 ADDITIONS OR MODIFICATIONS. THE DUTIES OF THE GUARDIAN AD LITEM  
25 TERMINATE UPON THE ENTRY OF THE DECREE OF ADOPTION.

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

1           **19-5-217. Enforcement or termination of post-adoption**

2 **contact agreement.** (1) IF THE DECREE OF ADOPTION CONTAINS A  
3 POST-ADOPTION CONTACT AGREEMENT PURSUANT TO SECTION 19-5-208  
4 (4.5), THE COURT RETAINS JURISDICTION AFTER THE DECREE OF ADOPTION  
5 IS ENTERED TO HEAR MOTIONS TO ENFORCE OR TERMINATE THE CONTACT  
6 AGREEMENT, OR TO ENTER STIPULATED AGREEMENTS OF THE PARTIES TO  
7 MODIFY THE CONTACT AGREEMENT.

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

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

23           (4) PRIOR TO FILING A MOTION SEEKING THE ENFORCEMENT OR  
24 TERMINATION OF A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED  
25 PURSUANT TO SECTION 19-5-208 (4.5), THE PARTY SEEKING ENFORCEMENT  
26 OR TERMINATION SHALL SHOW THAT THE PARTY ATTEMPTED IN GOOD  
27 FAITH TO RESOLVE THE DISPUTED MATTERS THROUGH MEDIATION OR

1 OTHER METHOD OF DISPUTE RESOLUTION. THIS REQUIREMENT IS WAIVED  
2 IF THE PARTY'S WHEREABOUTS ARE UNKNOWN AND THE PARTY CANNOT BE  
3 LOCATED DESPITE DILIGENT EFFORTS TO DO SO.

4 (5) THE COURT SHALL NOT TERMINATE A POST-ADOPTION CONTACT  
5 AGREEMENT ESTABLISHED PURSUANT TO SECTION 19-5-208 (4.5) UNLESS  
6 THE MOVING PARTY ESTABLISHES THAT THERE HAS BEEN A CHANGE IN  
7 CIRCUMSTANCES AND THAT THE CONTACT AGREEMENT IS NO LONGER IN  
8 THE ADOPTED CHILD'S BEST INTERESTS. FOLLOWING THE ADOPTION, THE  
9 COURT SHALL PRESUME THAT THE ADOPTIVE PARENT'S JUDGEMENT IS IN  
10 THE BEST INTERESTS OF THE CHILD IN ANY ACTION SEEKING TO ENFORCE  
11 OR TERMINATE THE CONTACT AGREEMENT, AND SUCH PRESUMPTION MAY  
12 ONLY BE OVERCOME BY CLEAR AND CONVINCING EVIDENCE. A  
13 POST-ADOPTION CONTACT AGREEMENT MAY NOT LIMIT THE ADOPTIVE  
14 PARENT'S ABILITY TO MOVE OUT OF STATE.

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

25 (7) THE COURT MAY CONSIDER DOCUMENTARY EVIDENCE AND  
26 OFFERS OF PROOF IN DETERMINING MOTIONS TO ENFORCE OR TERMINATE  
27 A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED PURSUANT TO

1 SECTION 19-5-208 (4.5), OR MAY, IN ITS DISCRETION, HOLD A HEARING ON  
2 THE MOTION.

3 (8) THE COURT SHALL NOT ORDER FURTHER INVESTIGATION OR  
4 EVALUATION BY ANY PUBLIC OR PRIVATE AGENCY OR INDIVIDUAL  
5 RELATING TO A POST-ADOPTION CONTACT AGREEMENT ESTABLISHED  
6 PURSUANT TO SECTION 19-5-208 (4.5).

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 (l) 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.

13 (b) THE STEERING COMMITTEE SHALL APPOINT THE REMAINING  
14 TASK FORCE MEMBERS DESCRIBED IN SUBSECTION (3) OF THIS SECTION NOT  
15 LATER THAN FORTY-FIVE DAYS AFTER THE EFFECTIVE OF THIS PART 9,  
16 UNLESS THE STEERING COMMITTEE BY MAJORITY VOTE EXTENDS THE TIME  
17 FRAME IN WHICH TO APPOINT TASK FORCE MEMBERS. EACH MEMBER OF  
18 THE TASK FORCE APPOINTED BY THE STEERING COMMITTEE SERVES AT THE  
19 PLEASURE OF THE STEERING COMMITTEE AND MAY BE REMOVED BY A  
20 CONSENSUS OF THE STEERING COMMITTEE, OR, IF CONSENSUS CANNOT BE  
21 REACHED, BY MAJORITY VOTE OF THE STEERING COMMITTEE.

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.

11 **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. Appropriation.** (1) For the 2021-22 state fiscal  
4 year, \$13,879 is appropriated to the department of human services for use  
5 by the office of information technology services. This appropriation is  
6 from the general fund. To implement this act, the office may use this  
7 appropriation for Colorado trails.

8           (2) For the 2021-22 state fiscal year, the general assembly  
9 anticipates that the department of human services will receive \$7,473 in  
10 federal funds for use by the office of information technology services to  
11 implement this act. The appropriation in subsection (1) of this section is  
12 based on the assumption that the department will receive this amount of  
13 federal funds, which is subject to the "(I)" notation as defined in the  
14 annual general appropriation act for the same fiscal year.

15           **SECTION 7. Effective date.** This act takes effect upon passage;  
16 except that sections 1, 2, 3, and 4 of this act take effect September 1,  
17 2021.

18           **SECTION 8. Safety clause.** The general assembly hereby finds,  
19 determines, and declares that this act is necessary for the immediate  
20 preservation of the public peace, health, or safety. June 2, 2021