



**Legislative Council Staff**

*Nonpartisan Services for Colorado's Legislature*

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**Final Fiscal Note**

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<b>Drafting Number:</b>	LLS 24-0326	<b>Date:</b>	June 25, 2024
<b>Prime Sponsors:</b>	Rep. Froelich; Story Sen. Winter F.; Michaelson Jenet	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:** **PARENTAL RESPONSIBILITIES PROCEEDINGS CHILD SAFETY**

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<b>Summary of Fiscal Impact:</b>	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill makes several changes to family court proceedings. Starting in FY 2024-25, the bill increases state workload.

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**Appropriation Summary:** No appropriation is required.

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**Fiscal Note Status:** This final fiscal note reflects the enacted bill.

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**Summary of Legislation**

The bill makes several changes to domestic relations court proceedings and requirements for court personnel, as described below.

**Child and family investigator and evaluator requirements.** The bill requires child and family investigators and evaluators to provide options that serve the best interest of the child for the court to consider. In their written reports, investigators and evaluators must include all information acquired during the investigation concerning domestic violence and child abuse, regardless of the manner in which the information was acquired or who presented the information, and strive to ensure the report does not include information and recommendations that are biased.

The bill increases the hours of training required for investigators and evaluators and requires them to provide written disclosures to each party describing their duties, their compliance with training requirements, and information on filing a complaint about an investigator with the State Court Administrator.

Finally, courts may cap fees paid to family investigators and evaluators, and allocate the responsibility for paying these fees.

**Domestic relations court proceedings.** When determining the best interest of the child for allocating parenting time, the bill requires the court to:

- strive not to consider biased information and recommendations;
- give paramount consideration to the safety and the physical, mental and emotional conditions and needs of the child and abused party; and
- give strong consideration to a child's preference when there are allegations of domestic violence or child abuse.

If the court orders unsupervised parenting time for a parent accused of domestic violence, child abuse, or child sexual abuse, the court must make a statement on why the decision is in the best interest of the child. The court must also make a finding explaining why the court granted or denied a request to interview a child. The bill allows courts to seek the advice of professional personnel, and for advice to be made available to counsel, parties, and other expert witnesses and that the personnel be cross-examined.

**Coercive control and domestic violence training.** The bill defines coercive control and requires training opportunities for recognizing coercive control for court personnel in domestic violence and child abuse cases, including for family investigators, evaluators and judges. Courts must consider evidence on coercive control in these cases. The bill requires training for child and family investigators, evaluators, and legal representatives of children to include interviewing and forensic report writing and for the training to be culturally informed. The bill allows non-governmental professional trainers conduct the training. An investigator who completed the training before January 1, 2025, is not required to complete supplemental training.

**Reporting.** The State Court Administrator must accept complaints against family investigators and evaluators. Annually, the Judicial Department must report these complaints and other family court metrics to the legislature during their SMART Act hearing.

## State Expenditures

Starting in FY 2024-25, the bill will minimally increase workload for the Judicial Department to update its case management system to collect and post the data required by the bill. No change in appropriations is required.

## Effective Date

The bill was signed into law by the Governor on June 3, 2024, and takes effect on August 7, 2024, assuming no referendum petition is filed.

## State and Local Government Contacts

Judicial

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).