

CHAPTER 63

COURTS

HOUSE BILL 24-1102

BY REPRESENTATIVE(S) deGruy Kennedy and Soper, Duran, Epps, Weissman, McCluskie;
also SENATOR(S) Exum, Buckner, Coleman, Cutter, Fields, Hinrichsen, Priola.

AN ACT

**CONCERNING REQUIREMENTS FOR INDIVIDUALS APPOINTED TO SERVE IN CERTAIN INDEPENDENT
AGENCIES OF THE JUDICIAL DEPARTMENT.**

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

SECTION 1. In Colorado Revised Statutes, 13-91-104, **amend** (3) introductory portion and (3)(a)(II) as follows:

13-91-104. Office of the child's representative - board - qualifications of director. (3) The board ~~shall have~~ HAS the following responsibilities:

(a) (II) The director shall have been licensed to practice law ~~in this state~~ for at least five years prior to appointment, AND EITHER BE LICENSED TO PRACTICE LAW IN COLORADO AT THE TIME OF APPOINTMENT OR BE ABLE TO BECOME LICENSED TO PRACTICE LAW IN COLORADO WITHIN SIX MONTHS AFTER APPOINTMENT, and shall be familiar with the unique demands of representing a child in the court system. The director shall devote ~~his or her~~ THE DIRECTOR'S full time to the performance of ~~his or her~~ THE DIRECTOR'S duties and shall not engage in the private practice of law.

SECTION 2. In Colorado Revised Statutes, 13-92-103, **amend** (4)(a) as follows:

13-92-103. Respondent parents' counsel - commission - office - duties - qualifications of director. (4) (a) The director must have at least five years of experience as a licensed attorney prior to appointment, AND EITHER be licensed to practice law in Colorado at the time of appointment OR BE ABLE TO BECOME LICENSED TO PRACTICE LAW IN COLORADO WITHIN SIX MONTHS AFTER APPOINTMENT, and be familiar with the unique demands of representing respondent parents in dependency and neglect cases in Colorado. The director shall devote

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~himself or herself~~ THE DIRECTOR'S full time to the performance of ~~his or her~~ THE DIRECTOR'S duties as director and shall not engage in the private practice of law.

SECTION 3. In Colorado Revised Statutes, 21-2-102, **amend** (1) as follows:

21-2-102. Alternate defense counsel - qualifications - employees. (1) The alternate defense counsel shall have been licensed to practice law ~~in this state~~ for at least five years prior to appointment, AND EITHER BE LICENSED TO PRACTICE LAW IN COLORADO AT THE TIME OF APPOINTMENT OR BE ABLE TO BECOME LICENSED TO PRACTICE LAW IN COLORADO WITHIN SIX MONTHS AFTER APPOINTMENT, and ~~he or she~~ THE ALTERNATE DEFENSE COUNSEL shall devote THE ALTERNATE DEFENSE COUNSEL'S full time to the performance of ~~his or her~~ THE ALTERNATE DEFENSE COUNSEL'S duties and shall not engage in the private practice of law.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 11, 2024