

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0645.01 Jane Ritter x4342

**HOUSE BILL 21-1094**

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**HOUSE SPONSORSHIP**

**Daugherty and Van Beber,**

**SENATE SPONSORSHIP**

**Zenzinger and Rankin,**

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**House Committees**

Public & Behavioral Health & Human Services  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE TRANSITION OF YOUTH IN COLORADO'S FOSTER**  
102      **CARE SYSTEM TO SUCCESSFUL ADULTHOOD.**

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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>.)*

The bill creates the foster youth in transition program (transition program) in the state department of human services (state department) to be implemented in county departments of human or social services (county departments) throughout the state. The purpose of the transition program is to allow foster youth who meet eligibility criteria to voluntarily continue to receive certain child welfare services (services) up

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.

until the last day of the month of the youth's twenty-first birthday, or such greater age of foster care eligibility as required by federal law. Services provided through the transition program must be client-directed and developmentally appropriate as set forth in and agreed to through a voluntary services agreement (agreement) developed and entered into between the youth and county department.

The bill sets forth the eligibility criteria a youth must meet in order to voluntarily participate in the transition program. A youth who is no longer under the jurisdiction of the juvenile court and thinks he or she is eligible for the transition program may make a written request to the juvenile court (court) or county department where the youth resides. The county department shall make a determination of eligibility. If the youth is eligible, the county department shall explain the requirements and benefits of the transition program to the youth and, with the youth, develop an agreement that must be provided to the juvenile court together with a petition to renew jurisdiction with the juvenile court.

The bill describes the services and supports that will be made available to a youth through the transition program, including assistance with enrolling in medicaid; assistance with securing appropriate housing; and providing case management services, such as developing a roadmap to success, obtaining employment, obtaining critical documents and records, and accessing information about relatives and siblings, if available and appropriate.

The bill sets forth the form and content required for a petition to bring the youth under the juvenile court's jurisdiction. Upon receipt of informed, written consent of the youth, a person may be named as a special respondent in a case brought pursuant to the transition program.

A youth participating in the transition program must be appointed counsel from a list of attorneys approved by the office of the child's representative. If the youth is 18 years of age or older and, due to diminished capacity, needs a guardian ad litem, one may also be appointed.

Procedures for emancipation discharge and transition hearings (hearing) are described in the bill, including a requirement to have a personalized emancipation transition plan finalized for the youth no more than 90 days prior to a hearing. The county department shall file a report with the court at least 7 days prior to a transition hearing that includes relevant details concerning a youth's status and plans to either emancipate or enter the youth in transition program. With the youth's consent and in certain circumstances, the court may continue a transition hearing for up to 119 days.

The court shall hold periodic reviews of the youth's case at least every 6 months to ensure that the transition program is providing the youth with the necessary services to help the youth move toward permanency and a successful transition to adulthood. The bill sets forth



1 (d) YOUTH WHO ARE MAKING THE TRANSITION OUT OF FOSTER  
2 CARE INTO INDEPENDENT LIVING FACE NOT ONLY THE TYPICAL  
3 DEVELOPMENTAL CHANGES AND NEW EXPERIENCES THAT ARE COMMON TO  
4 YOUTH BUT ALSO THE DRAMATIC CHANGE FROM BEING UNDER THE  
5 COUNTY'S CARE TO BEING ON THEIR OWN, MANY WITHOUT ANY SUPPORT  
6 SYSTEMS TO HELP THEM SUCCEED;

7 (e) ADDITIONALLY, MANY OF THESE YOUTH ARE DEALING WITH  
8 THE LONG-TERM CONSEQUENCES OF TRAUMA RELATED TO THEIR  
9 EXPERIENCE WITH ABUSE, NEGLECT, REMOVAL, OR OVERALL LACK OF  
10 RESOURCES;

11 (f) THE ARRAY OF SERVICES AND SUPPORTS AVAILABLE TO YOUTH  
12 WHILE THEY ARE IN THE FOSTER CARE SYSTEM, INCLUDING HOUSING,  
13 FOOD, HEALTH CARE, AND CASEWORKER SUPPORT, DIMINISH WHEN THE  
14 YOUTH EXIT THE FOSTER CARE SYSTEM; AND

15 (g) AVAILABLE RESEARCH SHOWS THAT EMANCIPATING YOUTH  
16 BENEFIT FROM EXTENDED FOSTER CARE SERVICES AND SUPPORTS UNTIL  
17 AGE TWENTY-ONE, AND COMMUNITY-BASED SUPPORTS THROUGH EARLY  
18 ADULTHOOD, BUT FOR THE BENEFITS OF SUCH SERVICES AND SUPPORTS TO  
19 LAST, YOUTH IN FOSTER CARE NEED DEVELOPMENTALLY APPROPRIATE  
20 SERVICES, INCLUDING FREEDOM TO TEST THEIR INDEPENDENCE AND TO  
21 MAKE MISTAKES WITH PROPORTIONAL CONSEQUENCES AND A REASONABLE  
22 SAFETY NET.

23 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT BY  
24 ESTABLISHING A VOLUNTARY TRANSITIONAL FOSTER CARE PROGRAM,  
25 ALLOWING YOUTH TO REENTER THE STATE'S FOSTER CARE SYSTEM  
26 THROUGH A FOSTER YOUTH IN TRANSITION PROGRAM, AND ENSURING  
27 EQUITABLE ACCESS TO LESS RESTRICTIVE SUPPORTS IN THE COMMUNITY,

1 THE STATE CAN BETTER MEET THE NEEDS OF THOSE YOUTH WHO ARE  
2 MAKING THE TRANSITION FROM FOSTER CARE TO SUCCESSFUL  
3 ADULTHOOD.

4 **19-7-302. Definitions.** AS USED IN THIS PART 3, UNLESS THE  
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "ADVISORY BOARD" MEANS THE FOSTER YOUTH SUCCESSFUL  
7 TRANSITION TO ADULTHOOD GRANT PROGRAM ADVISORY BOARD CREATED  
8 IN SECTION 19-7-314.

9 (2) "COUNTY DEPARTMENT" HAS THE SAME MEANING AS SET  
10 FORTH IN SECTION 19-1-103.

11 (3) "EMANCIPATION TRANSITION PLAN" MEANS A PLAN DEVELOPED  
12 PURSUANT TO SECTION 19-7-310 THAT ADDRESSES HOW THE YOUTH WILL  
13 MEET THE YOUTH'S NEEDS UPON THE YOUTH'S IMMINENT EMANCIPATION  
14 FROM FOSTER CARE.

15 (4) "EVIDENCE-BASED SERVICE" MEANS A SERVICE THAT IS  
16 ELIGIBLE FOR REIMBURSEMENT PURSUANT TO THE FEDERAL "FAMILY  
17 FIRST PREVENTION SERVICES ACT", 42 U.S.C. SEC. 672, AND THAT IS  
18 TRAUMA-INFORMED, PROMISING, SUPPORTED, OR WELL-SUPPORTED.

19 (5) "EXECUTIVE DIRECTOR" HAS THE SAME MEANING AS SET FORTH  
20 IN SECTION 19-1-103.

21 (6) "FOSTER CARE" HAS THE SAME MEANING SET FORTH IN SECTION  
22 19-1-103 (51.3).

23 (7) "GRANT PROGRAM" MEANS THE FOSTER YOUTH SUCCESSFUL  
24 TRANSITION TO ADULTHOOD GRANT PROGRAM CREATED IN SECTION  
25 19-7-314.

26 (8) "PARTICIPATING YOUTH" MEANS A YOUTH WHO VOLUNTARILY  
27 AGREES TO PARTICIPATE IN THE TRANSITION PROGRAM AND MEETS THE

1 ELIGIBILITY REQUIREMENTS SET FORTH IN SECTION 19-7-304.

2 (9) "REASONABLE EFFORTS" HAS THE SAME MEANING AS SET  
3 FORTH IN SECTION 19-1-103 (89).

4 (10) "ROADMAP TO SUCCESS" MEANS A WRITTEN DESCRIPTION OF  
5 A YOUTH'S GOALS, PROGRAMS, AND SERVICES PROVIDED DURING AN OPEN  
6 CASE THAT WILL ASSIST YOUTH WHO ARE FOURTEEN YEARS OF AGE OR  
7 OLDER AND IN FOSTER CARE TO THE YOUTH'S EVENTUAL TRANSITION FROM  
8 FOSTER CARE TO SUCCESSFUL ADULTHOOD. THE DOCUMENT IS DEVELOPED  
9 COLLABORATIVELY WITH THE YOUTH.

10 (11) "SERVICE PROVIDER" MEANS AN AGENCY THAT APPLIES FOR  
11 FUNDING TO PROVIDE SERVICES THROUGH THE GRANT PROGRAM.

12 (12) "STATE DEPARTMENT" HAS THE SAME MEANING AS SET FORTH  
13 IN SECTION 19-1-103.

14 (13) "SUPERVISED INDEPENDENT LIVING PLACEMENT" MEANS A  
15 SETTING IN WHICH A YOUTH IS LIVING INDEPENDENTLY WITH COUNTY  
16 DEPARTMENT SUPERVISION. "SUPERVISED INDEPENDENT LIVING  
17 PLACEMENT" IS DESIGNED TO PROMOTE AND LEAD TO A YOUTH'S  
18 SUCCESSFUL EMANCIPATION.

19 (14) "TRANSITION PROGRAM" OR "FOSTER YOUTH IN TRANSITION  
20 PROGRAM" MEANS THE PROGRAM ESTABLISHED PURSUANT TO SECTION  
21 19-7-303 IN WHICH AN ELIGIBLE YOUTH MAY VOLUNTARILY OPT TO  
22 CONTINUE OR RESUME RECEIVING CHILD WELFARE SERVICES THAT MAY  
23 INCLUDE BUT ARE NOT LIMITED TO FOSTER CARE MAINTENANCE  
24 PAYMENTS.

25 (15) "VOLUNTARY SERVICES AGREEMENT" MEANS A  
26 STANDARDIZED VOLUNTARY SERVICES AGREEMENT ENTERED INTO BY A  
27 PARTICIPATING YOUTH PURSUANT TO SECTION 19-7-306.

1           **19-7-303. Foster youth in transition program - established.**

2           THE FOSTER YOUTH IN TRANSITION PROGRAM IS ESTABLISHED IN THE  
3           STATE DEPARTMENT TO BE IMPLEMENTED IN COUNTY DEPARTMENTS  
4           THROUGHOUT THE STATE TO PROVIDE EXTENDED CHILD WELFARE  
5           SERVICES TO ELIGIBLE YOUTH EIGHTEEN YEARS OF AGE OR OLDER BUT  
6           LESS THAN TWENTY-ONE YEARS OF AGE. EACH COUNTY DEPARTMENT  
7           SHALL MAKE THE TRANSITION PROGRAM AVAILABLE TO ELIGIBLE  
8           YOUTH ON A VOLUNTARY BASIS. THE CHILD WELFARE SERVICES PROVIDED  
9           THROUGH THE TRANSITION PROGRAM MUST BE CLIENT-DIRECTED AND  
10          DEVELOPMENTALLY APPROPRIATE, AS SET FORTH IN A VOLUNTARY  
11          SERVICES AGREEMENT DEVELOPED AND ENTERED INTO PURSUANT TO  
12          SECTION 19-7-306 AND, WHEN REQUIRED, OVERSEEN BY THE JUVENILE  
13          COURT IN A YOUTH IN TRANSITION PROCEEDING BROUGHT PURSUANT TO  
14          THIS PART 3. THE STATE DEPARTMENT IS ENCOURAGED TO SUBMIT, AS  
15          PART OF THE ANNUAL BUDGET PROCESS, A REQUEST FOR INCREASED  
16          APPROPRIATIONS TO FUND THE INCREASED CASELOAD FOR THE TRANSITION  
17          PROGRAM.

18           **19-7-304. Eligibility and enrollment.** (1) AN ELIGIBLE YOUTH IS  
19          AN INDIVIDUAL WHO:

20           (a) IS AT LEAST EIGHTEEN YEARS OF AGE OR OLDER, BUT LESS  
21          THAN TWENTY-ONE YEARS OF AGE, OR SUCH GREATER AGE OF FOSTER  
22          CARE ELIGIBILITY AS REQUIRED BY FEDERAL LAW;

23           (b) HAS CURRENT OR RECENT PRIOR FOSTER CARE OR KINSHIP CARE  
24          INVOLVEMENT IN ONE OF THE FOLLOWING WAYS:

25           (I) THE YOUTH WAS IN FOSTER CARE, AS DEFINED IN SECTION  
26          19-1-103 (51.3), ON OR AFTER THE YOUTH'S SIXTEENTH BIRTHDAY; OR

27           (II) THE YOUTH WAS IN NONCERTIFIED KINSHIP CARE, AS DEFINED

1 IN SECTION 19-1-103, ON OR AFTER THE YOUTH'S SIXTEENTH BIRTHDAY  
2 AND WAS ADJUDICATED DEPENDENT AND NEGLECTED PURSUANT TO  
3 ARTICLE 3 OF THIS TITLE 19;

4 (c) (I) EXCEPT AS PROVIDED IN SUBSECTION (1)(c)(II) OF THIS  
5 SECTION, OR EXCEPT AS SUCH REQUIREMENTS MAY BE WAIVED BY  
6 FEDERAL LAW, IS ENGAGED IN, OR INTENDS TO ENGAGE IN, AT LEAST ONE  
7 OF THE FOLLOWING:

8 (A) COMPLETING SECONDARY EDUCATION OR AN EDUCATIONAL  
9 PROGRAM LEADING TO AN EQUIVALENT CREDENTIAL;

10 (B) ATTENDING AN INSTITUTION THAT PROVIDES POSTSECONDARY  
11 OR VOCATIONAL EDUCATION;

12 (C) WORKING PART- OR FULL-TIME FOR AT LEAST EIGHTY HOURS  
13 PER MONTH; OR

14 (D) PARTICIPATING IN A PROGRAM OR ACTIVITY DESIGNED TO  
15 PROMOTE EMPLOYMENT OR REMOVE BARRIERS TO EMPLOYMENT.

16 (II) THE REQUIREMENT DESCRIBED IN SUBSECTION (1)(c)(I) OF THIS  
17 SECTION DOES NOT APPLY TO A YOUTH WHO IS INCAPABLE OF ENGAGING  
18 IN ANY OF THE ACTIVITIES DESCRIBED IN SUBSECTION (1)(c)(I) OF THIS  
19 SECTION AS A RESULT OF A MEDICAL CONDITION THAT IS SUPPORTED BY  
20 REGULARLY UPDATED DOCUMENTATION IN THE YOUTH'S CASE PLAN; AND

21 (d) SEEKS TO ENTER INTO OR HAS ENTERED INTO AND IS  
22 SUBSTANTIALLY FULFILLING THE YOUTH'S OBLIGATIONS PURSUANT TO A  
23 VOLUNTARY SERVICES AGREEMENT WITH THE APPROPRIATE COUNTY  
24 DEPARTMENT.

25 (2) AN INDIVIDUAL WHO IS NO LONGER UNDER THE  
26 JURISDICTION OF THE JUVENILE COURT AND BELIEVES HE OR SHE MAY BE  
27 AN ELIGIBLE YOUTH MAY REQUEST TO PARTICIPATE IN THE TRANSITION



1 PROGRAM BY MAKING A REQUEST TO THE COUNTY DEPARTMENT WHERE  
2 THE YOUTH SELF-ATTESTS THAT THE YOUTH RESIDES. THE YOUTH SHALL  
3 PROVIDE DOCUMENTATION OF THE YOUTH'S LEGAL NAME AND DATE OF  
4 BIRTH, IF AVAILABLE. IF THE YOUTH DOES NOT HAVE SUCH  
5 DOCUMENTATION, THE YOUTH MAY ATTEST TO THE YOUTH'S LEGAL NAME  
6 AND DATE OF BIRTH. THE YOUTH SHALL PROVIDE CURRENT CONTACT  
7 INFORMATION. ■■■

8 (3) THE COUNTY DEPARTMENT SHALL DETERMINE WHETHER A  
9 YOUTH IS ELIGIBLE WITHIN THREE BUSINESS DAYS OF THE YOUTH'S  
10 REQUEST AND, IF SO, EXPLAIN THE TRANSITION PROGRAM AND THE  
11 VOLUNTARY SERVICES AGREEMENT TO THE ELIGIBLE YOUTH. ■■■ WITHIN  
12 THREE BUSINESS DAYS OF AN ELIGIBLE YOUTH'S DECISION TO ENTER THE  
13 PROGRAM, THE COUNTY DEPARTMENT SHALL PREPARE AND EXECUTE, IN  
14 COLLABORATION WITH THE ELIGIBLE YOUTH, A VOLUNTARY SERVICES  
15 AGREEMENT, AS DESCRIBED IN SECTION 19-7-306; PROVIDE A COPY OF THE  
16 VOLUNTARY SERVICES AGREEMENT TO THE ELIGIBLE YOUTH; AND, WITHIN  
17 NINETY DAYS OF A VOLUNTARY SERVICES AGREEMENT REMAINING IN  
18 EFFECT, FILE A PETITION WITH THE JUVENILE COURT PURSUANT TO SECTION  
19 19-7-307 THAT INCLUDES THE VOLUNTARY SERVICES AGREEMENT. IF THE  
20 COUNTY DEPARTMENT DETERMINES THAT THE YOUTH IS NOT ELIGIBLE, THE  
21 COUNTY DEPARTMENT SHALL NOTIFY THE YOUTH ■■■ OF THE COUNTY  
22 DEPARTMENT'S DETERMINATION AND THE REASONS FOR SUCH  
23 DETERMINATION, AND HOW TO APPEAL A DENIAL OF ELIGIBILITY.

24 (4) AN ELIGIBLE YOUTH MAY VOLUNTARILY PARTICIPATE IN THE  
25 TRANSITION PROGRAM FOR ANY LENGTH OF TIME UNTIL THE LAST DAY OF  
26 THE MONTH OF THE INDIVIDUAL'S TWENTY-FIRST BIRTHDAY, OR SUCH  
27 GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED BY FEDERAL

1 LAW.

2 (5) A PARTICIPATING YOUTH RETAINS ALL THE RIGHTS AND  
3 RESPONSIBILITIES THE INDIVIDUAL WOULD NORMALLY HAVE,   
4 INCLUDING BUT NOT LIMITED TO CONSENTING TO THE YOUTH'S OWN  
5 MEDICAL CARE; ENTERING INTO CONTRACTS, INCLUDING BUT NOT LIMITED  
6 TO LEASING CONTRACTS, EMPLOYMENT CONTRACTS, AND CONTRACTS FOR  
7 PURCHASE; AND OBTAINING AND MAINTAINING ACCOUNTS WITH  
8 FINANCIAL INSTITUTIONS.

9 **19-7-305. Available services and supports.** (1) EACH COUNTY  
10 DEPARTMENT SHALL OFFER, AT A MINIMUM, THE FOLLOWING SERVICES  
11 AND SUPPORTS TO PARTICIPATING YOUTH IN THE TRANSITION PROGRAM:

12 (a) ASSISTANCE WITH ENROLLING IN THE APPROPRIATE CATEGORY  
13 OF MEDICAID FOR WHICH THE PARTICIPATING YOUTH IS ELIGIBLE;

14 (b) (I) ASSISTANCE WITH SECURING SAFE, AFFORDABLE, AND  
15 STABLE HOUSING. IF A COUNTY DEPARTMENT HAS LEGAL AUTHORITY FOR  
16 PHYSICAL PLACEMENT:

17 (A) THE PARTICIPATING YOUTH'S HOUSING IS FULLY OR PARTIALLY  
18 FUNDED THROUGH FOSTER CARE MAINTENANCE PAYMENTS, IN ADDITION  
19 TO ANY OTHER HOUSING ASSISTANCE THE YOUTH IS ELIGIBLE TO RECEIVE.  
20 ANY EXPECTATIONS FOR THE YOUTH TO CONTRIBUTE TO THE YOUTH'S  
21 OWN EXPENSES MUST BE BASED UPON THE YOUTH'S ABILITY TO PAY.

22 (B) WITH THE PARTICIPATING YOUTH'S CONSENT, THE  
23 PARTICIPATING YOUTH'S HOUSING MAY BE IN ANY PLACEMENT APPROVED  
24 BY THE STATE DEPARTMENT OR THE COURT FOR WHICH THE PARTICIPATING  
25 YOUTH IS OTHERWISE ELIGIBLE AND THAT IS THE LEAST RESTRICTIVE  
26 OPTION TO MEET THE PARTICIPATING YOUTH'S NEEDS; OR

27 (C) IF THE PARTICIPATING YOUTH NEEDS PLACEMENT IN A

1 QUALIFIED RESIDENTIAL TREATMENT PROGRAM, THEN SUCH PLACEMENT  
2 MUST FOLLOW ALL RELEVANT PROCEDURES PURSUANT TO SECTION  
3 19-1-115 CONCERNING THE PLACEMENT OF A CHILD OR YOUTH IN A  
4 QUALIFIED RESIDENTIAL TREATMENT PROGRAM.

5 (II) IF A COUNTY DEPARTMENT DOES NOT HAVE LEGAL AUTHORITY  
6 FOR PHYSICAL PLACEMENT, THE PARTICIPATING YOUTH MAY:

7 (A) RESIDE ANYWHERE THAT THE PARTICIPATING YOUTH IS  
8 OTHERWISE ELIGIBLE TO RESIDE, INCLUDING A LICENSED HOST FAMILY  
9 HOME, AS DEFINED IN SECTION 26-5.7-102 (3.5); AND

10 (B) ACCESS ANY FINANCIAL SUPPORT FOR HOUSING THAT THE  
11 PARTICIPATING YOUTH IS OTHERWISE ELIGIBLE TO RECEIVE.

12 (c) CASE MANAGEMENT SERVICES, INCLUDING THE DEVELOPMENT  
13 OF A CASE PLAN WITH A ROADMAP TO SUCCESS FOR THE PARTICIPATING  
14 YOUTH, AS WELL AS ASSISTANCE IN THE FOLLOWING AREAS, AS  
15 APPROPRIATE, AND WITH THE AGREEMENT OF THE PARTICIPATING YOUTH:

16 (I) PROVISION OF RESOURCES TO ASSIST THE PARTICIPATING YOUTH  
17 IN THE TRANSITION TO ADULTHOOD;

18 (II) OBTAINING EMPLOYMENT OR OTHER FINANCIAL SUPPORT AND  
19 ENHANCING FINANCIAL LITERACY;

20 (III) OBTAINING A DRIVER'S LICENSE OR OTHER  
21 GOVERNMENT-ISSUED IDENTIFICATION CARD;

22 (IV) OBTAINING APPROPRIATE COMMUNITY RESOURCES AND  
23 PUBLIC BENEFITS;

24 (V) UPON REQUEST, AND IF SERVICES ARE AVAILABLE, REFERRAL  
25 TO SERVICES SATISFYING ANY JUVENILE OR CRIMINAL JUSTICE SYSTEM  
26 REQUIREMENTS AND ASSISTING WITH EXPUNGING THE PARTICIPATING  
27 YOUTH'S COURT RECORDS, AS APPROPRIATE, PURSUANT TO SECTION

1 19-1-306;

2 (VI) PURSUING EDUCATIONAL GOALS AND APPLYING FOR  
3 FINANCIAL AID, IF NECESSARY;

4 (VII) UPON REQUEST, AND IF SERVICES ARE AVAILABLE, REFERRAL  
5 TO OBTAINING THE NECESSARY STATE COURT FINDINGS AND APPLYING FOR  
6 SPECIAL IMMIGRANT JUVENILE STATUS PURSUANT TO FEDERAL LAW, AS  
7 APPLICABLE, OR APPLYING FOR OTHER IMMIGRATION RELIEF FOR WHICH  
8 THE PARTICIPATING YOUTH MAY BE QUALIFIED;

9 (VIII) OBTAINING COPIES OF HEALTH AND EDUCATION RECORDS;

10 (IX) MAINTAINING AND BUILDING RELATIONSHIPS WITH  
11 INDIVIDUALS WHO ARE IMPORTANT TO THE PARTICIPATING YOUTH,  
12 INCLUDING SEARCHING FOR INDIVIDUALS WITH WHOM THE PARTICIPATING  
13 YOUTH HAS LOST CONTACT; AND

14 (X) ACCESSING INFORMATION ABOUT MATERNAL AND PATERNAL  
15 RELATIVES, INCLUDING ANY SIBLINGS.

16 **19-7-306. Voluntary services agreement.** (1) A VOLUNTARY  
17 SERVICES AGREEMENT ENTERED INTO PURSUANT TO THIS PART 3 IS A  
18 BINDING STANDARDIZED AGREEMENT, WRITTEN IN A CLIENT-DRIVEN AND  
19 DEVELOPMENTALLY APPROPRIATE MANNER, BETWEEN THE COUNTY  
20 DEPARTMENT AND A PARTICIPATING YOUTH. THE AGREEMENT SPECIFIES  
21 THE TERMS OF THE YOUTH'S PARTICIPATION IN THE TRANSITION PROGRAM,  
22 INCLUDING, AT A MINIMUM:

23 (a) THE PARTICIPATING YOUTH'S STATUS AS A LEGAL ADULT, AS  
24 DESCRIBED IN SECTION 19-7-304 (5);

25 (b) THE PARTICIPATING YOUTH'S RIGHTS AND OBLIGATIONS WHILE  
26 THE AGREEMENT IS IN EFFECT, INCLUDING THE RIGHT TO COUNSEL. UPON  
27 ENTERING INTO A VOLUNTARY EXTENDED FOSTER CARE AGREEMENT WITH

1 AN ELIGIBLE YOUTH, THE COUNTY DEPARTMENT SHALL MAKE A REFERRAL  
2 AND PROVIDE THE YOUTH WITH CONTACT INFORMATION AND AN  
3 APPLICATION FOR THE OFFICE OF THE CHILD'S REPRESENTATIVE FOR  
4 APPOINTMENT OF COUNSEL IF THE YOUTH NEEDS COUNSEL. NOTHING IN  
5 THIS SECTION LIMITS THE POWER OF THE COURT TO APPOINT COUNSEL OR  
6 THE POWER OF THE OFFICE OF THE CHILD'S REPRESENTATIVE TO ASSIGN  
7 COUNSEL PRIOR TO THE FILING OF A PETITION;

8 (c) A STATEMENT CONCERNING THE VOLUNTARY NATURE OF THE  
9 TRANSITION PROGRAM AND THE PARTICIPATING YOUTH'S RIGHT TO  
10 TERMINATE THE AGREEMENT AT ANY TIME AND THE PROCEDURES FOR  
11 SUCH TERMINATION;

12 (d) THE COUNTY DEPARTMENT'S RIGHTS AND OBLIGATIONS WHILE  
13 THE AGREEMENT IS IN EFFECT;

14 (e) THE SERVICES THAT WILL BE AVAILABLE TO THE PARTICIPATING  
15 YOUTH THROUGH THE TRANSITION PROGRAM, AS SPECIFIED IN THE  
16 ROADMAP TO SUCCESS; AND

17 (f) THE CIRCUMSTANCES UNDER WHICH A COUNTY DEPARTMENT  
18 MAY REQUEST THAT THE COURT TERMINATE THE AGREEMENT AND THE  
19 COURT'S JURISDICTION OVER THE OBJECTION OF THE PARTICIPATING  
20 YOUTH.

21 **19-1-307. Petition - form and content.** (1) A YOUTH OR A  
22 PARTICIPATING YOUTH MAY FILE A PETITION ON THE YOUTH'S OWN BEHALF  
23 AT ANY TIME. OR, IF SUCH A PETITION HAS NOT YET BEEN FILED AND IF NO  
24 MORE THAN NINETY DAYS OF A VOLUNTARY SERVICES AGREEMENT  
25 REMAINS IN EFFECT AFTER A VOLUNTARY SERVICES AGREEMENT IS  
26 EXECUTED PURSUANT TO SECTION 19-7-306, A COUNTY DEPARTMENT  
27 SHALL FILE A PETITION WITH THE COURT INITIATING A PROCEEDING

1 PURSUANT TO THIS PART 3 TITLED "THE PEOPLE OF THE STATE OF  
2 COLORADO, IN THE MATTER OF \_\_\_\_\_, A YOUTH IN TRANSITION". THE  
3 PETITION MUST BE VERIFIED AND THE STATEMENTS MAY BE MADE UPON  
4 INFORMATION AND BELIEF.

5 (2) THE PETITION MUST PLAINLY SET FORTH THE FACTS THAT  
6 BRING THE PARTICIPATING YOUTH UNDER THE COURT'S JURISDICTION. THE  
7 PETITION MUST ALSO STATE THE PARTICIPATING YOUTH'S NAME, AGE, AND  
8 COUNTY WHERE THE PARTICIPATING YOUTH SELF-ATTESTS THE  
9 PARTICIPATING YOUTH RESIDES.

10 (3) IN EACH CASE WHERE REMOVAL OF A PARTICIPATING YOUTH  
11 FROM THE HOME IS SOUGHT, THE PETITION MUST EITHER STATE THAT  
12 REASONABLE EFFORTS WERE MADE TO PREVENT FOSTER CARE, INCLUDING  
13 A SUMMARY OF THOSE EFFORTS, OR, IF NO SERVICES TO PREVENT  
14 OUT-OF-HOME PLACEMENT WERE PROVIDED, THE PETITION MUST CONTAIN  
15 AN EXPLANATION OF WHY SUCH SERVICES WERE NOT PROVIDED OR A  
16 DESCRIPTION OF THE EMERGENCY THAT PRECLUDED THE USE OF SERVICES  
17 TO PREVENT FOSTER CARE OR OUT-OF-HOME PLACEMENT. ASSIGNMENT OF  
18 LEGAL AUTHORITY FOR PHYSICAL PLACEMENT OF A PARTICIPATING YOUTH  
19 TO A COUNTY DEPARTMENT FOR PURPOSES OF PLACEMENT IN A  
20 SUPERVISED INDEPENDENT LIVING PLACEMENT CONSTITUTES A REMOVAL  
21 AND IS FOSTER CARE.

22 (4) EACH PETITION FILED FOR A FOSTER YOUTH IN TRANSITION  
23 PURSUANT TO THIS PART 3 MUST INCLUDE THE FOLLOWING STATEMENTS:

24 (a) THAT THE PARTICIPATING YOUTH RETAINS ALL THE ADULT  
25 RIGHTS AND RESPONSIBILITIES THAT THE PARTICIPATING YOUTH WOULD  
26 OTHERWISE HAVE, AS DESCRIBED IN SECTION 19-7-304 (5); AND

27 (b) THAT BY CONSENTING TO THE FACTS SET FORTH IN THE

1 PETITION AND THE JURISDICTION OF THE COURT, THE PARTICIPATING  
2 YOUTH MAY BE REQUIRED TO ATTEND COURT AT LEAST ONCE EVERY SIX  
3 MONTHS PURSUANT TO SECTION 19-3-702. THE PARTICIPATING YOUTH  
4 MAY REQUEST THAT THE CASE BE DISMISSED AT ANY TIME, FORGOING THE  
5 BENEFITS AND OBLIGATIONS OF THE TRANSITION PROGRAM.

6 [REDACTED]  
7 (5) IN ADDITION TO PROVIDING NOTICE TO THE PARTICIPATING  
8 YOUTH, THE COURT SHALL ENSURE THAT NOTICE OF ALL HEARINGS AND  
9 REVIEWS HELD REGARDING THE PARTICIPATING YOUTH IS PROVIDED TO  
10 LICENSED FOSTER PARENTS WITH WHOM A PARTICIPATING YOUTH IS  
11 PLACED, NOT INCLUDING ADULTS WITH WHOM A PARTICIPATING YOUTH  
12 LIVES THROUGH A SUPERVISED INDEPENDENT LIVING PLACEMENT.  
13 LICENSED FOSTER PARENTS HAVE THE RIGHT TO BE HEARD AT SUCH  
14 HEARINGS AND REVIEWS BUT MUST NOT BE MADE A PARTY TO THE ACTION  
15 SOLELY ON THE BASIS OF NOTICE AND THE RIGHT TO BE HEARD.

16 (6) THE PETITION MUST BE ACCOMPANIED BY A COPY OF THE  
17 VOLUNTARY SERVICES AGREEMENT EXECUTED PURSUANT TO SECTION  
18 19-7-306 AND, FOR A PARTICIPATING YOUTH ENTERING THE TRANSITION  
19 PROGRAM DIRECTLY FROM AN OPEN CASE PURSUANT TO ARTICLE 3 OF THIS  
20 TITLE 19, THE PETITION MUST ALSO INCLUDE A CURRENT COPY OF THE  
21 PARTICIPATING YOUTH'S ROADMAP TO SUCCESS.

22 **19-7-308. Right to counsel - guardian ad litem - representation**  
23 **of petitioner.** (1) A PARTICIPATING YOUTH HAS A RIGHT TO COUNSEL. IF  
24 THE YOUTH ACCEPTS THE PUBLICLY PROVIDED COUNSEL, COUNSEL MUST  
25 BE ASSIGNED BY THE OFFICE OF THE CHILD'S REPRESENTATIVE OR  
26 APPROVED BY THE COURT FROM A LIST OF ATTORNEYS APPROVED BY THE  
27 OFFICE OF THE CHILD'S REPRESENTATIVE. [REDACTED] THE OFFICE OF THE CHILD'S

1 REPRESENTATIVE SHALL DEVELOP PRACTICE STANDARDS AND GUIDELINES  
2 FOR REPRESENTING PARTICIPATING YOUTH IN PROCEEDINGS BROUGHT  
3 PURSUANT TO THIS PART 3.

4 (2) A PARTICIPATING YOUTH WHO IS EIGHTEEN YEARS OF AGE OR  
5 OLDER AND, DUE TO DIMINISHED CAPACITY, NEEDS A GUARDIAN AD LITEM  
6 MAY ALSO HAVE A GUARDIAN AD LITEM APPOINTED FROM THE LIST  
7 APPROVED BY THE OFFICE OF THE CHILD'S REPRESENTATIVE.

8 (3) IN ALL PROCEEDINGS BROUGHT PURSUANT TO THIS PART 3, THE  
9 COUNTY DEPARTMENT MUST BE REPRESENTED BY A COUNTY ATTORNEY,  
10 A SPECIAL COUNTY ATTORNEY, OR AN ATTORNEY OF A CITY OR CITY AND  
11 COUNTY.

12 **19-7-309. Supervised independent living placements -**  
13 **background checks not required.** A COUNTY DEPARTMENT IS NOT  
14 REQUIRED TO CONDUCT BACKGROUND CHECKS FOR OTHER RESIDENTS OF  
15 A SUPERVISED INDEPENDENT LIVING PLACEMENT AS A CONDITION OF  
16 APPROVING A PARTICIPATING YOUTH'S INDEPENDENT LIVING SETTING.

17 **19-7-310. Emancipation discharge hearings - emancipation**  
18 **transition plan.** (1) AT THE DIRECTION OF A PARTICIPATING YOUTH, WITH  
19 ASSISTANCE AND SUPPORT FROM A COUNTY DEPARTMENT, AN  
20 EMANCIPATION TRANSITION PLAN THAT IS PERSONALIZED FOR THE  
21 PARTICIPATING YOUTH MUST BE DEVELOPED AND FINALIZED NO MORE  
22 THAN NINETY DAYS PRIOR TO THE PARTICIPATING YOUTH'S EMANCIPATION  
23 DISCHARGE HEARING. THE EMANCIPATION TRANSITION PLAN INCLUDES  
24 SPECIFIC OPTIONS CONCERNING HOUSING, HEALTH INSURANCE,  
25 EDUCATION, LOCAL OPPORTUNITIES FOR MENTORS AND CONTINUING  
26 SUPPORT SERVICES, AND WORKFORCE SUPPORTS AND EMPLOYMENT  
27 SERVICES. THE EMANCIPATION TRANSITION PLAN MUST ALSO INCLUDE



1 INFORMATION CONCERNING THE IMPORTANCE OF DESIGNATING ANOTHER  
2 INDIVIDUAL TO MAKE HEALTH CARE TREATMENT DECISIONS ON THE  
3 PARTICIPATING YOUTH'S BEHALF IF THE YOUTH BECOMES UNABLE TO  
4 PARTICIPATE IN SUCH DECISIONS AND THE PARTICIPATING YOUTH DOES  
5 NOT HAVE, OR DOES NOT WANT, A RELATIVE OR LEGAL GUARDIAN WHO  
6 WOULD OTHERWISE BE AUTHORIZED TO MAKE SUCH DECISIONS. THE  
7 EMANCIPATION TRANSITION PLAN MUST PROVIDE THE PARTICIPATING  
8 YOUTH WITH THE OPTION TO EXECUTE A HEALTH CARE POWER OF  
9 ATTORNEY AND INCLUDE DETAILS AT THE PARTICIPATING YOUTH'S  
10 DISCRETION.

11 (2) IF A PARTICIPATING YOUTH REMAINS IN THE TRANSITION  
12 PROGRAM UNTIL THE PARTICIPATING YOUTH TURNS TWENTY-ONE YEARS  
13 OF AGE, OR SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED  
14 BY FEDERAL LAW, AT LEAST NINETY DAYS PRIOR TO THE PARTICIPATING  
15 YOUTH'S LAST DAY OF ELIGIBILITY FOR THE TRANSITION PROGRAM, THE  
16 COUNTY DEPARTMENT SHALL PROVIDE THE PARTICIPATING YOUTH WITH:

17 (a) A CLEAR AND DEVELOPMENTALLY APPROPRIATE WRITTEN  
18 NOTICE OF THE DATE THAT THE PARTICIPATING YOUTH'S VOLUNTARY  
19 SERVICES AGREEMENT WILL TERMINATE;

20 (b) THE PARTICIPATING YOUTH'S EMANCIPATION TRANSITION PLAN;  
21 AND

22 (c) INFORMATION ABOUT AND CONTACT INFORMATION FOR  
23 COMMUNITY RESOURCES THAT MAY BENEFIT THE PARTICIPATING YOUTH,  
24 SPECIFICALLY INCLUDING INFORMATION REGARDING PROGRAMS THAT  
25 HAVE BEEN ESTABLISHED PURSUANT TO SECTION 19-7-314 OR TO FEDERAL  
26 LAW THAT PROVIDE TRANSITIONAL FOSTER CARE ASSISTANCE TO YOUNG  
27 ADULTS.

1           (3) PRIOR TO A PARTICIPATING YOUTH'S EMANCIPATION, THE  
2 COURT SHALL:

3           (a) REVIEW THE PARTICIPATING YOUTH'S EMANCIPATION  
4 TRANSITION PLAN AND CONSULT WITH THE PARTICIPATING YOUTH ON THE  
5 PARTICIPATING YOUTH'S READINESS;

6           (b) DETERMINE WHETHER THE COUNTY DEPARTMENT HAS MADE  
7 REASONABLE EFFORTS TOWARD THE PARTICIPATING YOUTH'S  
8 PERMANENCY GOALS AND TO PREPARE THE PARTICIPATING YOUTH FOR A  
9 SUCCESSFUL TRANSITION TO ADULTHOOD;

10          (c) DETERMINE WHETHER THE PARTICIPATING YOUTH HAS BEEN  
11 PROVIDED WITH ALL NECESSARY RECORDS AND DOCUMENTS AS DESCRIBED  
12 IN SUBSECTION (4)(b) OF THIS SECTION;

13          (d) DETERMINE WHETHER THE PARTICIPATING YOUTH HAS BEEN  
14 ENROLLED IN MEDICAID AND ADVISE THE PARTICIPATING YOUTH ON THE  
15 PARTICIPATING YOUTH'S ELIGIBILITY FOR FORMER FOSTER CARE MEDICAID  
16 UP TO THE PARTICIPATING YOUTH'S TWENTY-SIXTH BIRTHDAY PURSUANT  
17 TO SECTION 25.5-5-101 (1)(e); AND

18          (e) ADVISE THE PARTICIPATING YOUTH THAT IF THE YOUTH  
19 CHOOSES TO EMANCIPATE BUT LATER DECIDES SUPPORT IS NEEDED, THE  
20 YOUTH HAS THE RIGHT TO BEGIN RECEIVING CHILD WELFARE SERVICES  
21 AGAIN THROUGH THE FOSTER YOUTH IN TRANSITION PROGRAM, CREATED  
22 IN SECTION 19-7-303, UNTIL THE YOUTH'S TWENTY-FIRST BIRTHDAY, OR  
23 SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED BY  
24 FEDERAL LAW; AND ADVISE THE YOUTH OF THE NECESSITY OF KEEPING THE  
25 PARTICIPATING YOUTH'S CONTACT INFORMATION UP TO DATE WITH THE  
26 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING OR THE  
27 APPROPRIATE COUNTY DEPARTMENT.

1           (4) AT LEAST SEVEN DAYS PRIOR TO A PARTICIPATING YOUTH'S  
2 EMANCIPATION DISCHARGE HEARING, THE COUNTY DEPARTMENT SHALL  
3 FILE A REPORT WITH THE COURT THAT INCLUDES:

4           (a) A DESCRIPTION OF THE COUNTY DEPARTMENT'S REASONABLE  
5 EFFORTS TOWARD ACHIEVING THE PARTICIPATING YOUTH'S PERMANENCY  
6 GOALS AND A SUCCESSFUL TRANSITION TO ADULTHOOD;

7           (b) AN AFFIRMATION THAT THE COUNTY DEPARTMENT HAS  
8 PROVIDED THE PARTICIPATING YOUTH WITH ALL NECESSARY RECORDS AND  
9 DOCUMENTS, INCLUDING COPIES OF ALL DOCUMENTS LISTED IN SECTION  
10 19-3-702 (4)(d), HEALTH RECORDS, EDUCATION RECORDS, AND WRITTEN  
11 INFORMATION CONCERNING THE PARTICIPATING YOUTH'S FAMILY HISTORY  
12 AND CONTACT INFORMATION FOR SIBLINGS, IF APPROPRIATE; AND

13           (c) A COPY OF THE PARTICIPATING YOUTH'S EMANCIPATION  
14 TRANSITION PLAN, FINALIZED NO MORE THAN NINETY DAYS PRIOR TO THE  
15 PARTICIPATING YOUTH'S EMANCIPATION DISCHARGE HEARING.

16           (5) WITH THE PARTICIPATING YOUTH'S CONSENT, THE COURT MAY  
17 CONTINUE THE EMANCIPATION DISCHARGE HEARING FOR UP TO ONE  
18 HUNDRED NINETEEN DAYS, BUT NOT PAST THE LAST DAY OF THE MONTH  
19 IN WHICH THE PARTICIPATING YOUTH TURNS TWENTY-ONE YEARS OF AGE,  
20 OR SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED BY  
21 FEDERAL LAW. THE CONTINUANCE MUST BE TO ALLOW TIME TO IMPROVE  
22 THE PARTICIPATING YOUTH'S EMANCIPATION TRANSITION PLAN, GATHER  
23 NECESSARY DOCUMENTS AND RECORDS FOR THE PARTICIPATING YOUTH,  
24 OR ANY OTHER REASON NECESSARY TO ALLOW FOR THE PARTICIPATING  
25 YOUTH TO HAVE A SUCCESSFUL TRANSITION TO ADULTHOOD.

26           **19-7-311. Permanency planning hearings.** A PERMANENCY  
27 PLANNING HEARING MUST BE HELD FOR A PARTICIPATING YOUTH UNDER

1 THE COURT'S JURISDICTION PURSUANT TO THIS PART 3 IN THE SAME  
2 MANNER AS PROVIDED IN SECTION 19-3-702; EXCEPT THAT PERMANENCY  
3 HEARINGS NEED ONLY BE HELD AT LEAST EVERY TWELVE MONTHS.

4 **19-7-312. Periodic reviews.** (1) THE COURT SHALL HOLD A  
5 PERIODIC REVIEW HEARING FOR EACH PARTICIPATING YOUTH AT LEAST  
6 ONCE EVERY SIX MONTHS. A REVIEW HEARING NOT COINCIDING WITH A  
7 PERMANENCY HEARING MAY BE HELD ON THE COURT'S ADMINISTRATIVE  
8 DOCKET BY WRITTEN REPORT UPON AGREEMENT OF THE PARTIES. THE  
9 REVIEW HEARING AND PERMANENCY HEARING MUST BE HELD TOGETHER  
10 IN THE SAME HEARING WHEN POSSIBLE.

11 (2) THE PRIMARY PURPOSE OF THE REVIEW HEARING IS TO ENSURE  
12 THAT THE TRANSITION PROGRAM IS PROVIDING THE PARTICIPATING YOUTH  
13 WITH THE NECESSARY SERVICES AND SUPPORTS TO HELP THE  
14 PARTICIPATING YOUTH MOVE TOWARD PERMANENCY AND A SUCCESSFUL  
15 TRANSITION TO ADULTHOOD.

16 (3) PRIOR TO A PERIODIC REVIEW HELD PURSUANT TO THIS  
17 SECTION, THE COUNTY DEPARTMENT SHALL FILE A REPORT WITH THE  
18 COURT THAT INCLUDES:

19 (a) A COPY OF THE PARTICIPATING YOUTH'S ROADMAP TO SUCCESS;

20 (b) A STATEMENT OF THE PARTICIPATING YOUTH'S PROGRESS ON  
21 THE PARTICIPATING YOUTH'S GOALS AND WHETHER THE PARTICIPATING  
22 YOUTH IS MEETING THE PARTICIPATING YOUTH'S OBLIGATIONS PURSUANT  
23 TO THE VOLUNTARY SERVICES AGREEMENT, INCLUDING ANY REQUIRED  
24 ACTIVITIES;

25 (c) A STATEMENT OF THE COUNTY DEPARTMENT'S REASONABLE  
26 EFFORTS TO SUPPORT THE PARTICIPATING YOUTH IN MEETING THE  
27 PARTICIPATING YOUTH'S GOALS; AND

1 (d) A STATEMENT OF ANY BARRIERS TO THE PARTICIPATING YOUTH  
2 IN MEETING THE PARTICIPATING YOUTH'S GOALS AND ANY PLANS TO  
3 ADDRESS SUCH BARRIERS.

4 (4) THE COURT MAY ORDER THE COUNTY DEPARTMENT TO  
5 PROVIDE ADDITIONAL SERVICES AND SUPPORTS TO HELP THE  
6 PARTICIPATING YOUTH ACHIEVE THE GOALS OUTLINED ON THE  
7 PARTICIPATING YOUTH'S ROADMAP TO SUCCESS OR COMPLY WITH STATE  
8 OR FEDERAL LAW.

9 (5) IF THE COURT FINDS THE PARTICIPATING YOUTH IS NOT  
10 SUBSTANTIALLY FULFILLING THE PARTICIPATING YOUTH'S OBLIGATIONS  
11 PURSUANT TO THE VOLUNTARY SERVICES AGREEMENT, THE COURT MAY  
12 ENTER ORDERS FOR THE PARTICIPATING YOUTH TO FOLLOW IN ORDER TO  
13 CONTINUE TO BE ELIGIBLE FOR THE TRANSITION PROGRAM.

14 (6) THE COURT SHALL CONDUCT A PERIODIC REVIEW HEARING IN  
15 A MANNER THAT SEEKS THE PARTICIPATING YOUTH'S MEANINGFUL  
16 PARTICIPATION, INCLUDING OFFERING REMOTE OPTIONS FOR  
17 PARTICIPATION TO ACCOMMODATE THE PARTICIPATING YOUTH'S WORK,  
18 SCHOOL, OR TREATMENT COMMITMENTS.

19 (7) DURING THE PERIODIC REVIEW HEARING, THE COURT SHALL  
20 FIND WHETHER:

21 (a) THE COUNTY DEPARTMENT MADE REASONABLE EFFORTS TO  
22 IMPLEMENT THE PARTICIPATING YOUTH'S CASE PLAN, INCLUDING THE  
23 PARTICIPATING YOUTH'S ROADMAP TO SUCCESS; AND

24 (b) THE PARTICIPATING YOUTH CONTINUES TO NEED FOSTER CARE  
25 AND WHETHER SUCH PLACEMENT IS THE LEAST RESTRICTIVE TO MEET THE  
26 PARTICIPATING YOUTH'S NEEDS.

27 **19-7-313. Continuing jurisdiction.** (1) THE COURT HAS

1 CONTINUING JURISDICTION OVER THE PARTICIPATING YOUTH UNTIL ANY OF  
2 THE FOLLOWING OCCURS:

3 (a) THE PARTICIPATING YOUTH MOVES THE COURT, AT ANY TIME,  
4 TO WITHDRAW THE YOUTH'S PARTICIPATION IN THE TRANSITION PROGRAM  
5 AND TO TERMINATE THE COURT'S JURISDICTION. THE COURT SHALL HOLD  
6 AN EMANCIPATION DISCHARGE HEARING WITHIN THIRTY-FIVE DAYS AFTER  
7 RECEIPT OF THE PARTICIPATING YOUTH'S MOTION TO REVIEW THE  
8 PARTICIPATING YOUTH'S EMANCIPATION TRANSITION PLAN AND ADVISE  
9 THE PARTICIPATING YOUTH AS PROVIDED IN SECTION 19-7-310.

10 (b) A COUNTY DEPARTMENT MOVES THE COURT AT LEAST NINETY  
11 DAYS PRIOR TO A PARTICIPATING YOUTH'S TWENTY-FIRST BIRTHDAY, OR  
12 SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED BY  
13 FEDERAL LAW, TO REQUEST AN EMANCIPATION DISCHARGE HEARING BE  
14 HELD PRIOR TO THE LAST DAY OF THE MONTH IN WHICH THE  
15 PARTICIPATING YOUTH TURNS TWENTY-ONE YEARS OF AGE. THE COURT  
16 SHALL HOLD AN EMANCIPATION DISCHARGE HEARING TO REVIEW THE  
17 PARTICIPATING YOUTH'S EMANCIPATION TRANSITION PLAN AND ADVISE  
18 THE PARTICIPATING YOUTH AS PROVIDED IN SECTION 19-7-310.

19 (c) A COUNTY DEPARTMENT MOVES THE COURT TO TERMINATE A  
20 PARTICIPATING YOUTH'S VOLUNTARY SERVICES AGREEMENT AND THE  
21 COURT'S JURISDICTION BECAUSE THE PARTICIPATING YOUTH NO LONGER  
22 MEETS THE ELIGIBILITY REQUIREMENTS DESCRIBED IN SECTION 19-7-304  
23 FOR THE TRANSITION PROGRAM. THE COUNTY DEPARTMENT SHALL  
24 INCLUDE IN THE MOTION ITS EFFORTS TO REENGAGE THE PARTICIPATING  
25 YOUTH, INCLUDING:

26 (I) THE PROVISION OF WRITTEN NOTICE TO THE PARTICIPATING  
27 YOUTH IN A CLEAR AND DEVELOPMENTALLY APPROPRIATE MANNER THAT

1       INFORMS THE PARTICIPATING YOUTH OF THE COUNTY DEPARTMENT'S  
2       INTENT TO REQUEST THAT THE COURT TERMINATE THE PARTICIPATING  
3       YOUTH'S VOLUNTARY SERVICES AGREEMENT WITH AN EXPLANATION OF  
4       THE REASONS; AND

5               (II)       DOCUMENTATION OF THE COUNTY DEPARTMENT'S  
6       REASONABLE EFFORTS TO MEET IN PERSON WITH THE PARTICIPATING  
7       YOUTH TO EXPLAIN THE INFORMATION IN THE WRITTEN TERMINATION  
8       NOTICE AND TO ASSIST THE PARTICIPATING YOUTH IN REESTABLISHING  
9       ELIGIBILITY IF THE PARTICIPATING YOUTH WISHES TO CONTINUE TO  
10       PARTICIPATE IN THE TRANSITION PROGRAM.

11               (2)       THE COURT SHALL HOLD THE EMANCIPATION DISCHARGE  
12       HEARING PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION AT LEAST  
13       THIRTY-FIVE DAYS AFTER RECEIPT OF THE COUNTY DEPARTMENT'S MOTION  
14       TO DETERMINE WHETHER THE PARTICIPATING YOUTH STILL MEETS THE  
15       ELIGIBILITY REQUIREMENTS FOR THE TRANSITION PROGRAM, INCLUDING  
16       SUBSTANTIALLY FULFILLING THE PARTICIPATING YOUTH'S OBLIGATIONS  
17       SET FORTH IN THE PARTICIPATING YOUTH'S VOLUNTARY SERVICES  
18       AGREEMENT. IF THE PARTICIPATING YOUTH NO LONGER MEETS THE  
19       REQUIREMENTS OF THE TRANSITION PROGRAM AND THE COUNTY  
20       DEPARTMENT HAS MADE REASONABLE BUT UNSUCCESSFUL EFFORTS TO  
21       REENGAGE THE PARTICIPATING YOUTH, THEN THE COURT SHALL HOLD AN  
22       EMANCIPATION DISCHARGE HEARING TO REVIEW THE PARTICIPATING  
23       YOUTH'S EMANCIPATION TRANSITION PLAN AND ADVISE THE  
24       PARTICIPATING YOUTH AS PROVIDED IN SECTION 19-7-310. THE COURT  
25       MAY ACCOMPLISH ALL OF THESE ELEMENTS IN THE SAME EMANCIPATION  
26       DISCHARGE HEARING IF ALL OF THE NECESSARY INFORMATION HAS BEEN  
27       FILED IN A TIMELY FASHION.

1           **19-7-314. Foster youth successful transition to adulthood**  
2           **grant program - creation - standards - application - fund - advisory**  
3           **board - duties. (1) (a) THE FOSTER YOUTH SUCCESSFUL TRANSITION TO**

4           ADULTHOOD GRANT PROGRAM IS CREATED WITHIN THE STATE  
5           DEPARTMENT. THE PURPOSE OF THE GRANT PROGRAM IS TO CREATE AND  
6           ADMINISTER PROGRAMS THAT SUPPORT ELIGIBLE YOUTH IN MAKING A  
7           SUCCESSFUL TRANSITION TO ADULTHOOD.

8           (b) THE STATE DEPARTMENT SHALL ENSURE THAT SERVICES ARE  
9           AVAILABLE TO ELIGIBLE YOUTH THROUGHOUT COLORADO AND, IN ORDER  
10          TO DO SO, ADMINISTER A MERIT-BASED APPLICATION PROCESS TO SELECT  
11          SERVICE PROVIDERS AS FOLLOWS:

12          (I) AN APPLICATION FROM A COUNTY DEPARTMENT MUST RECEIVE  
13          PREFERENCE OVER APPLICATIONS FROM OTHER TYPES OF ENTITIES; AND

14          (II) AN APPLICATION FOR A PROPOSED PROGRAM MUST RECEIVE  
15          PREFERENCE IF IT INCLUDES THE PROVISION OF EVIDENCE-BASED SERVICES.

16          (c) YOUTH WHO MEET THE FOLLOWING CRITERIA ARE ELIGIBLE FOR  
17          SERVICES FROM A PROGRAM THAT HAS RECEIVED A GRANT FROM THE  
18          GRANT PROGRAM:

19          (I) THE YOUTH IS EIGHTEEN YEARS OF AGE OR OLDER BUT LESS  
20          THAN TWENTY-THREE YEARS OF AGE, OR THE UPPER AGE LIMIT  
21          ESTABLISHED IN THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC.  
22          677 (a), WHICHEVER IS GREATER;

23          (II) THE YOUTH WAS IN FOSTER CARE OR ADJUDICATED DEPENDENT  
24          AND NEGLECTED ON OR AFTER THE YOUTH'S FOURTEENTH BIRTHDAY; AND

25          (III) THE YOUTH VOLUNTARILY AGREES TO PARTICIPATE IN THE  
26          PROGRAM THAT IS RECEIVING A GRANT FROM THE GRANT PROGRAM.

27          (2) THERE IS CREATED IN THE STATE TREASURY THE COLORADO



1 FOSTER YOUTH SUCCESSFUL TRANSITION TO ADULTHOOD GRANT PROGRAM  
2 FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND CONSISTS  
3 OF ANY MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE  
4 FUND. MONEY IN THE FUND IS SUBJECT TO ANNUAL APPROPRIATION BY THE  
5 GENERAL ASSEMBLY TO THE STATE DEPARTMENT FOR THE PURPOSE OF  
6 PROVIDING GRANTS PURSUANT TO THIS SECTION AND FOR THE DIRECT AND  
7 INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS  
8 SECTION. ANY MONEY IN THE FUND NOT EXPENDED FOR THE PURPOSE OF  
9 THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED  
10 BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND  
11 DEPOSIT OF MONEY IN THE FUND MUST BE CREDITED TO THE FUND. ANY  
12 UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AT  
13 THE END OF A STATE FISCAL YEAR MUST REMAIN IN THE FUND AND  
14 AVAILABLE FOR EXPENDITURE BY THE STATE DEPARTMENT IN THE NEXT  
15 FISCAL YEAR WITHOUT FURTHER APPROPRIATION. ■ ■

16 (3) (a) THE STATE DEPARTMENT SHALL CONVENE AN ADVISORY  
17 BOARD, WHICH SHALL MEET AT LEAST TWO TIMES PER YEAR, TO REVIEW  
18 THE GRANT PROGRAM AND PROVIDE RECOMMENDATIONS TO THE STATE  
19 DEPARTMENT INCLUDING THE FOLLOWING ITEMS:

- 20 (I) IMPLEMENTATION OF THE GRANT PROGRAM;
- 21 (II) FUNDING MODELS AND ALLOCATION METHODOLOGIES,  
22 INCLUDING CONSULTATION WITH THE ADVISORY BOARD BEFORE THE  
23 STATE DEPARTMENT ALLOCATES FUNDING RECEIVED THROUGH THE  
24 FEDERAL "JOHN H. CHAFEE FOSTER CARE PROGRAM FOR SUCCESSFUL  
25 TRANSITION TO ADULTHOOD", 42 U.S.C. SEC. 677, FOR THE GRANT  
26 PROGRAM;
- 27 (III) CONTENT FOR GRANT PROGRAM APPLICATIONS; AND

1 (IV) SCORING METHODOLOGY FOR GRANT PROGRAM APPLICATION  
2 REVIEW.

3 (b) THE EXECUTIVE DIRECTOR SHALL APPOINT MEMBERS OF THE  
4 ADVISORY BOARD FOR TWO-YEAR TERMS. THE BOARD MUST INCLUDE:

5 (I) TWO DIRECTORS OF COUNTY DEPARTMENTS OF HUMAN OR  
6 SOCIAL SERVICES, OR THEIR DESIGNEES;

7 (II) TWO DIRECTORS OF RUNAWAY HOMELESS YOUTH PROVIDERS,  
8 OR THEIR DESIGNEES;

9 (III) ONE STAFF MEMBER FROM THE STATE DEPARTMENT WITH  
10 ADMINISTRATIVE RESPONSIBILITY FOR PROGRAMMING FUNDED THROUGH  
11 THE FEDERAL "JOHN H. CHAFEE FOSTER CARE PROGRAM FOR SUCCESSFUL  
12 TRANSITION TO ADULTHOOD", 42 U.S.C. SEC. 677;

13 (IV) THE MANAGING DIRECTOR OF THE COLORADO WORKFORCE  
14 DEVELOPMENT COUNCIL, OR THE DIRECTOR'S DESIGNEE;

15 (V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER  
16 EDUCATION OR THE DIRECTOR'S DESIGNEE; AND

17 (VI) TWO YOUTH WHO HAVE PREVIOUSLY PARTICIPATED IN THE  
18 TRANSITION PROGRAM OR THE FEDERAL "JOHN H. CHAFEE FOSTER CARE  
19 PROGRAM FOR SUCCESSFUL TRANSITION TO ADULTHOOD", 42 U.S.C. SEC.  
20 677.

21 (c) THE ADVISORY BOARD SHALL HAVE ITS FIRST MEETING ON OR  
22 BEFORE OCTOBER 1, 2022.

23 **19-7-315. Rules.** THE STATE DEPARTMENT SHALL PROMULGATE  
24 RULES FOR THE IMPLEMENTATION OF THIS PART 3, INCLUDING BUT NOT  
25 LIMITED TO RULES CONCERNING ELIGIBILITY DETERMINATIONS,  
26 ADMINISTRATIVE APPEALS OF ELIGIBILITY DETERMINATIONS, ENROLLMENT  
27 INTO THE TRANSITION PROGRAM, EMANCIPATION TRANSITION PLANS AND

1 ROADMAPS TO SUCCESS, AND EXPEDITED PROCEDURES FOR SECURING  
2 TEMPORARY SHELTER FOR YOUTH WHO ARE CURRENTLY HOMELESS OR AT  
3 IMMINENT RISK OF HOMELESSNESS.

4 **SECTION 2.** In Colorado Revised Statutes, 19-1-103, **amend**  
5 (32)(a), (47.5), (51.3), (89), and (103) as follows:

6 **19-1-103. Definitions.** As used in this title 19 or in the specified  
7 portion of this title 19, unless the context otherwise requires:

8 (32) (a) "County department", as used in this ~~article~~; and ARTICLE 1; part  
9 2, part 3, and part 7 of article 3 of this ~~title~~; and TITLE 19; part 2 of article  
10 5 OF THIS TITLE 19; AND PART 3 OF ARTICLE 7 of this ~~title~~ TITLE 19, means  
11 the county or district department of human or social services.

12 (47.5) "Executive director", as used in article 3.3 of this ~~title~~ TITLE  
13 19 AND PART 3 OF ARTICLE 7 OF THIS TITLE 19, means the executive  
14 director of the department of human services.

15 (51.3) "Foster care" means the placement of a child OR YOUTH  
16 into the legal custody or legal authority of a county department of human  
17 or social services for physical placement of the child OR YOUTH in a  
18 kinship care placement; SUPERVISED INDEPENDENT LIVING PLACEMENT,  
19 AS DEFINED IN SECTION 19-7-302; or certified or licensed facility or the  
20 physical placement of a juvenile committed to the custody of the state  
21 department of human services into a community placement.

22 (89) "Reasonable efforts", as used in articles 1, 2, ~~and~~ 3, AND 7 of  
23 this ~~title~~ TITLE 19, means the exercise of diligence and care throughout the  
24 state of Colorado for children AND YOUTH who are in FOSTER CARE OR  
25 out-of-home placement, or are at imminent risk of FOSTER CARE OR  
26 out-of-home placement. In determining whether it is appropriate to  
27 provide, purchase, or develop the supportive and rehabilitative services

1 that are required to prevent unnecessary placement of a child OR YOUTH  
2 outside of a child's OR YOUTH'S home or to foster the safe reunification of  
3 a child OR YOUTH with a child's OR YOUTH'S family, as described in  
4 section 19-3-208, or whether it is appropriate to find and finalize an  
5 alternative permanent plan for a child OR YOUTH, and in making  
6 reasonable efforts, the child's OR YOUTH'S health and safety shall be IS the  
7 paramount concern. Services provided by a county or city and county in  
8 accordance with section 19-3-208 are deemed to meet the reasonable  
9 effort standard described in this subsection (89). Nothing in this  
10 subsection (89) shall be construed to conflict with federal law.

11 (103) "State department", as used in section 19-3-211, part 3 of  
12 article 3 of this title, and TITLE 19, article 3.3 of this title TITLE 19, AND  
13 PART 3 OF ARTICLE 7 OF THIS TITLE 19, means the department of human  
14 services created by section 24-1-120. ~~C.R.S.~~

15 **SECTION 3.** In Colorado Revised Statutes, 19-1-104, **amend** (7);  
16 and **add** (1)(n) as follows:

17 **19-1-104. Jurisdiction.** (1) Except as otherwise provided by law,  
18 the juvenile court has exclusive original jurisdiction in proceedings:

19 (n) CONCERNING ANY YOUTH WHO IS VOLUNTARILY  
20 PARTICIPATING IN THE FOSTER YOUTH IN TRANSITION PROGRAM  
21 ESTABLISHED IN SECTION 19-7-303.

22 (7) Upon motion of the city or county attorney, guardian ad litem,  
23 COUNSEL FOR YOUTH, or respondent parent counsel, the district or the  
24 juvenile court has jurisdiction to enter a civil protection order pursuant to  
25 article 14 of title 13 in actions brought pursuant to article 3 of this title 19  
26 OR PART 3 OF ARTICLE 7 OF THIS TITLE 19. The court shall use the  
27 standardized forms developed by the judicial department pursuant to

1 section 13-1-136 and shall follow the standards and procedures for the  
2 issuance of civil protection orders set forth in article 14 of title 13,  
3 including but not limited to personal service upon the restrained person.  
4 Once issued, the clerk of the issuing court shall enter the civil protection  
5 order into the computerized central registry of protection orders created  
6 pursuant to section 18-6-803.7. If the person who is the subject of the  
7 civil protection order has not been personally served pursuant to section  
8 13-14-107 (3), a peace officer responding to a call for assistance shall  
9 serve a copy of the civil protection order on the person who is subject to  
10 the order. If the civil protection order is made permanent pursuant to the  
11 provisions of section 13-14-106, the civil protection order remains in  
12 effect upon termination of the juvenile court action. The clerk of the court  
13 issuing the order shall file a certified copy of the permanent civil  
14 protection order into an existing case in the district court, if applicable,  
15 or with the county court in the county where the protected party resides.  
16 Civil protection orders issued by the district or the juvenile court pursuant  
17 to article 14 of title 13 have the same force and effect as protection orders  
18 issued pursuant to article 14 of title 13 by a court with concurrent  
19 jurisdiction.

20 **SECTION 4.** In Colorado Revised Statutes, 19-3-203, **add** (4)  
21 and (5) as follows:

22 **19-3-203. Guardian ad litem.** (4) A GUARDIAN AD LITEM  
23 ALREADY APPOINTED TO REPRESENT A YOUTH'S BEST INTERESTS  
24 PURSUANT TO THIS ARTICLE 3 SHALL BEGIN ACTING AS COUNSEL AND  
25 PROVIDING CLIENT-DIRECTED REPRESENTATION IMMEDIATELY UPON THE  
26 YOUTH'S EIGHTEENTH BIRTHDAY AND SHALL ACT IN THIS ROLE UNTIL  
27 EITHER THE CASE IS DISMISSED OR NEW COUNSEL IS APPOINTED.

1           (5) AT THE FIRST HEARING FOLLOWING A YOUTH'S EIGHTEENTH  
2 BIRTHDAY, THE COURT SHALL ADVISE EACH YOUTH WHO HAS A CURRENT  
3 GUARDIAN AD LITEM APPOINTED PURSUANT TO THIS SECTION OF THE  
4 YOUTH'S RIGHT TO COUNSEL AND THE OPTION TO EITHER CONSENT TO  
5 HAVE THE SAME PERSON CONTINUE AS COUNSEL, IF THE LAWYER REMAINS  
6 AVAILABLE AND HAS NO CONFLICT OF INTEREST, OR TO HAVE A NEW  
7 PERSON APPOINTED AS COUNSEL. IF THE YOUTH ELECTS TO HAVE A NEW  
8 PERSON APPOINTED AS COUNSEL, THE COURT SHALL APPOINT AN  
9 ATTORNEY FROM THE LIST OF ATTORNEYS APPROVED BY THE OFFICE OF  
10 THE CHILD'S REPRESENTATIVE.

11           **SECTION 5.** In Colorado Revised Statutes, 19-3-205, **amend** (1);  
12 and **add** (3) and (4) as follows:

13           **19-3-205. Continuing jurisdiction.** (1) Except as otherwise  
14 provided in this ~~article~~ ARTICLE 19, the jurisdiction of the court over any  
15 child OR YOUTH adjudicated as neglected or dependent shall continue  
16 until ~~he~~ THE CHILD OR YOUTH becomes ~~twenty-one~~ EIGHTEEN AND  
17 ONE-HALF years of age unless earlier terminated by court order; EXCEPT  
18 THAT:

19           (a) IF A DETERMINATION IS PENDING OR THE YOUTH HAS BEEN  
20 DETERMINED TO BE AN INCAPACITATED PERSON PURSUANT TO SECTION  
21 15-14-102, THEN JURISDICTION CONTINUES UNTIL EITHER THE YOUTH HAS  
22 MADE A COMPLETE TRANSITION INTO ADULT DISABILITY SERVICES AND IT  
23 IS IN THE YOUTH'S BEST INTERESTS FOR THE JUVENILE COURT TO  
24 TERMINATE JURISDICTION OR THE YOUTH REACHES TWENTY-ONE YEARS  
25 OF AGE OR SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED  
26 BY FEDERAL LAW, WHICHEVER COMES FIRST; OR

27           (b) IF A YOUTH IS MAKING THE TRANSITION TO ADULT SERVICES

1 PURSUANT TO SECTION 25.5-6-409.5, THEN THE COURT MAY EXTEND  
2 JURISDICTION UNTIL SUCH TRANSITION IS COMPLETE.

3 (3) "AN ELIGIBLE YOUTH HAS THE RIGHT TO CHOOSE WHETHER TO  
4 PARTICIPATE IN THE FOSTER YOUTH IN TRANSITION PROGRAM CREATED IN  
5 SECTION 19-7-303.

6 (4) (a) IF A YOUTH WHO IS SIXTEEN YEARS OF AGE OR OLDER BUT  
7 LESS THAN EIGHTEEN YEARS OF AGE AND WHO IS IN THE CUSTODY OF A  
8 COUNTY DEPARTMENT RUNS AWAY, AND THE YOUTH'S WHEREABOUTS  
9 HAVE BEEN UNKNOWN FOR MORE THAN NINETY DAYS, THEN THE COUNTY  
10 DEPARTMENT MAY FILE A MOTION TO TERMINATE JURISDICTION.

11 (b) THE COURT SHALL SET A HEARING NO LATER THAN THIRTY-FIVE  
12 DAYS AFTER THE COUNTY DEPARTMENT FILES THE MOTION TO DETERMINE  
13 WHETHER THE COUNTY DEPARTMENT HAS MADE REASONABLE EFFORTS TO  
14 LOCATE THE YOUTH PRIOR TO TERMINATING JURISDICTION. THE HEARING  
15 MAY BE WAIVED UPON STIPULATION BY ALL PARTIES.

16 (c) THE MOTION MUST BE WITHDRAWN AND THE HEARING MAY BE  
17 VACATED OR CONVERTED TO A REVIEW HEARING IF THE YOUTH RETURNS.

18 **SECTION 6.** In Colorado Revised Statutes, 19-3-702, **amend**  
19 (1)(a) and (4)(c) as follows:

20 **19-3-702. Permanency hearing.** (1) (a) In order to provide  
21 stable, permanent homes for every child or youth placed out of the home,  
22 in as short a time as possible, a court shall conduct a permanency  
23 planning hearing. The court shall hold the permanency planning hearing  
24 as soon as possible following THE INITIAL HEARING HELD PURSUANT TO A  
25 PROCEEDING PURSUANT TO PART 3 OF ARTICLE 7 OF THIS TITLE 19 OR the  
26 initial dispositional hearing pursuant to this article 3; except that the  
27 permanency planning hearing must be held no later than ~~ninety~~

1 NINETY-ONE days after the initial decree of disposition. After the initial  
2 permanency planning hearing, the court shall hold additional hearings at  
3 least every six months while the case remains open or more often in the  
4 discretion of the court, or upon the motion of any party. When possible,  
5 the permanency planning hearing must be combined with the in-person  
6 six-month review as provided for in section 19-1-115 (4)(c), ~~or~~ subsection  
7 (6)(a) of this section, OR SECTION 19-7-312. The court shall hold all  
8 permanency planning hearings in person, provide proper notice to all  
9 parties, and provide all parties the opportunity to be heard. The court shall  
10 consult with the child or youth in a developmentally appropriate manner  
11 regarding the child's or youth's permanency goal.

12 (4) (c) Prior to closing a case before a ~~child's~~ YOUTH'S eighteenth  
13 birthday, the court or the ~~child's~~ YOUTH'S guardian ad litem shall notify  
14 the ~~child~~ YOUTH that ~~he or she~~ THE YOUTH will lose the right to receive  
15 medicaid until the maximum age provided by federal law if the case is  
16 closed prior to the ~~child's~~ YOUTH'S eighteenth birthday. PRIOR TO CLOSING  
17 A CASE AFTER A YOUTH'S SIXTEENTH BIRTHDAY, THE COURT SHALL ADVISE  
18 THE YOUTH OF THE YOUTH'S ELIGIBILITY FOR THE FOSTER YOUTH IN  
19 TRANSITION PROGRAM, CREATED IN SECTION 19-7-303, SHOULD THE  
20 YOUTH LATER DETERMINE HE OR SHE NEEDS CHILD WELFARE ASSISTANCE  
21 FROM A COUNTY DEPARTMENT.

22 **SECTION 7.** In Colorado Revised Statutes, **add** 19-3-704 and  
23 19-3-705 as follows:

24 **19-3-704. Youth with disabilities - incapacitated persons.**

25 (1) A PARTY MAY REQUEST THE COURT TO DETERMINE WHETHER A YOUTH  
26 IS AN INCAPACITATED PERSON, AS DEFINED IN SECTION 15-14-102. THE  
27 MOTION MUST BE FILED WITH THE COURT PRIOR TO THE YOUTH'S



1 EIGHTEENTH BIRTHDAY.

2 (2) IF THERE HAS BEEN A DETERMINATION, OR IF A DETERMINATION  
3 IS PENDING, THAT A YOUTH IS AN INCAPACITATED PERSON, AS DEFINED IN  
4 SECTION 15-14-102, THEN JURISDICTION CONTINUES AS PROVIDED IN  
5 SECTION 19-3-205.

6 **19-3-705. Transition hearing.** (1) WHEN A YOUTH TURNS  
7 EIGHTEEN YEARS OF AGE WHILE IN FOSTER CARE OR NONCERTIFIED KINSHIP  
8 CARE, THE COURT SHALL HOLD A TRANSITION HEARING WITHIN  
9 THIRTY-FIVE DAYS AFTER THE YOUTH'S EIGHTEENTH BIRTHDAY. THE  
10 PURPOSE OF THE TRANSITION HEARING IS TO DETERMINE WHETHER THE  
11 YOUTH WILL OPT INTO THE FOSTER YOUTH IN TRANSITION PROGRAM,  
12 ESTABLISHED IN SECTION 19-7-303, OR, ALTERNATIVELY, CHOOSE TO  
13 EMANCIPATE.

14 (2) AT LEAST SEVEN DAYS PRIOR TO A TRANSITION HEARING, A  
15 COUNTY DEPARTMENT SHALL FILE A REPORT WITH THE COURT THAT  
16 INCLUDES:

17 (a) A DESCRIPTION OF THE COUNTY DEPARTMENT'S REASONABLE  
18 EFFORTS TOWARD ACHIEVING THE YOUTH'S PERMANENCY GOALS AND A  
19 SUCCESSFUL TRANSITION TO ADULTHOOD;

20 (b) AN AFFIRMATION THAT THE COUNTY DEPARTMENT HAS  
21 PROVIDED THE YOUTH WITH ALL NECESSARY RECORDS AND DOCUMENTS,  
22 INCLUDING COPIES OF ALL DOCUMENTS LISTED IN SECTION 19-3-702 (4)(d),  
23 HEALTH RECORDS, EDUCATION RECORDS, AND WRITTEN INFORMATION  
24 CONCERNING THE YOUTH'S FAMILY HISTORY AND CONTACT INFORMATION  
25 FOR SIBLINGS, IF AVAILABLE AND APPROPRIATE;

26 (c) AN AFFIRMATION THAT THE COUNTY DEPARTMENT HAS  
27 INFORMED THE YOUTH, IN A DEVELOPMENTALLY APPROPRIATE MANNER,

1 OF THE BENEFITS AND OPTIONS AVAILABLE TO THE YOUTH BY  
2 PARTICIPATING IN THE FOSTER YOUTH IN TRANSITION PROGRAM CREATED  
3 IN SECTION 19-7-303 AND THE VOLUNTARY NATURE OF THAT PROGRAM;  
4 AND

5 (d) A STATEMENT OF WHETHER THE YOUTH HAS MADE A  
6 PRELIMINARY DECISION WHETHER TO EMANCIPATE OR TO ENTER THE  
7 FOSTER YOUTH IN TRANSITION PROGRAM CREATED IN SECTION 19-7-303  
8 AND EITHER OR BOTH OF THE FOLLOWING:

9 (I) IF IT IS ANTICIPATED THAT THE YOUTH WILL CHOOSE TO  
10 EMANCIPATE, THE REPORT MUST INCLUDE A COPY OF THE YOUTH'S  
11 EMANCIPATION TRANSITION PLAN EXECUTED PURSUANT TO SECTION  
12 19-7-310, FINALIZED NO MORE THAN NINETY DAYS PRIOR TO THE YOUTH'S  
13 TRANSITION; OR

14 (II) IF IT IS ANTICIPATED THAT THE YOUTH WILL CHOOSE TO ENTER  
15 THE FOSTER YOUTH IN TRANSITION PROGRAM CREATED IN SECTION  
16 19-7-303, THE COUNTY DEPARTMENT SHALL FILE A PETITION PURSUANT TO  
17 SECTION 19-7-307.

18 (3) THE COURT SHALL ADVISE THE YOUTH THAT:

19 (a) EXCEPT AS PROVIDED IN SECTION 19-3-704, THE YOUTH HAS  
20 THE RIGHT TO CHOOSE WHETHER TO EMANCIPATE OR TO VOLUNTARILY  
21 CONTINUE RECEIVING SERVICES THROUGH THE FOSTER YOUTH IN  
22 TRANSITION PROGRAM CREATED IN SECTION 19-7-303;

23 (b) TO PARTICIPATE IN THE FOSTER YOUTH IN TRANSITION  
24 PROGRAM CREATED IN SECTION 19-7-303, THE YOUTH MUST ENTER INTO  
25 A VOLUNTARY SERVICES AGREEMENT WITH THE COUNTY DEPARTMENT.  
26 THE TRANSITION PROGRAM PROVIDES THE YOUTH WITH ACCESS TO  
27 FINANCIAL SUPPORT WITH HOUSING AND OTHER SERVICES, AS OUTLINED

1 IN SECTION 19-7-305.

2 (c) SERVICES PROVIDED THROUGH THE FOSTER YOUTH IN  
3 TRANSITION PROGRAM CREATED IN SECTION 19-7-303 ARE VOLUNTARY  
4 FOR THE YOUTH, AND THE YOUTH MAY REMAIN IN THE TRANSITION  
5 PROGRAM UNTIL THE LAST DAY OF THE MONTH IN WHICH THE YOUTH  
6 TURNS TWENTY-ONE YEARS OF AGE, OR SUCH GREATER AGE OF FOSTER  
7 CARE ELIGIBILITY AS REQUIRED BY FEDERAL LAW, SO LONG AS THE YOUTH  
8 MEETS ALL OTHER PROGRAM ELIGIBILITY REQUIREMENTS PURSUANT TO  
9 SECTION 19-7-304;

10 (d) IF THE YOUTH CHOOSES TO EMANCIPATE BUT LATER DECIDES  
11 SUPPORT IS NEEDED, THE YOUTH HAS THE RIGHT TO BEGIN RECEIVING  
12 CHILD WELFARE SERVICES AGAIN THROUGH THE FOSTER YOUTH IN  
13 TRANSITION PROGRAM, CREATED IN SECTION 19-7-303, UNTIL THE YOUTH'S  
14 TWENTY-FIRST BIRTHDAY OR SUCH GREATER AGE OF FOSTER CARE  
15 ELIGIBILITY AS REQUIRED BY FEDERAL LAW; AND

16 (e) THE YOUTH HAS THE RIGHT TO COUNSEL WHO WILL REPRESENT  
17 THE YOUTH'S OBJECTIVES, BEGINNING ON THE YOUTH'S EIGHTEENTH  
18 BIRTHDAY. THE YOUTH HAS THE RIGHT TO CHOOSE WHETHER TO HAVE THE  
19 YOUTH'S CURRENT GUARDIAN AD LITEM REAPPOINTED AS COUNSEL OR TO  
20 HAVE A DIFFERENT INDIVIDUAL APPOINTED AS COUNSEL PURSUANT TO  
21 SECTION 19-3-203. THE YOUTH HAS THE RIGHT TO CONSULT WITH THE  
22 YOUTH'S COUNSEL ABOUT THE DECISION WHETHER TO EMANCIPATE. THE  
23 COURT SHALL ADVISE THE YOUTH THAT THE CURRENT EMANCIPATION  
24 TRANSITION HEARING MAY BE CONTINUED FOR UP TO ONE HUNDRED  
25 NINETEEN DAYS IF THE YOUTH WOULD LIKE ADDITIONAL TIME TO MAKE A  
26 DECISION OR TO PREPARE FOR EMANCIPATION. THE COURT SHALL ASK THE  
27 YOUTH WHETHER THE YOUTH HAS HAD SUFFICIENT OPPORTUNITY TO

1 CONSULT WITH COUNSEL AND IF THE YOUTH IS READY TO MAKE A DECISION  
2 AT THE CURRENT TIME OR, ALTERNATIVELY, IF THE YOUTH WOULD LIKE TO  
3 REQUEST A CONTINUANCE OF UP TO ONE HUNDRED NINETEEN DAYS.

4 (4) PRIOR TO A YOUTH EMANCIPATING, THE COURT SHALL:

5 (a) REVIEW THE YOUTH'S EMANCIPATION TRANSITION PLAN  
6 EXECUTED PURSUANT TO SECTION 19-7-310 AND CONSULT WITH THE  
7 YOUTH ON READINESS FOR EMANCIPATION;

8 (b) DETERMINE WHETHER THE COUNTY DEPARTMENT HAS MADE  
9 REASONABLE EFFORTS TOWARD THE YOUTH'S PERMANENCY GOAL AND A  
10 SUCCESSFUL TRANSITION TO ADULTHOOD;

11 (c) DETERMINE WHETHER THE YOUTH HAS BEEN PROVIDED WITH  
12 ALL NECESSARY RECORDS AND DOCUMENTS DESCRIBED IN SUBSECTION  
13 (2)(b) OF THIS SECTION; AND

14 (d) DETERMINE WHETHER THE YOUTH HAS BEEN ENROLLED IN  
15 MEDICAID AND ADVISE THE YOUTH ON THE YOUTH'S ELIGIBILITY FOR  
16 FORMER FOSTER CARE MEDICAID UP TO TWENTY-SIX YEARS OF AGE  
17 PURSUANT TO SECTION 26-5-113 AND OF THE NECESSITY OF KEEPING THE  
18 YOUTH'S CONTACT INFORMATION UP TO DATE.

19 (5) THE COURT MAY CONTINUE THE EMANCIPATION TRANSITION  
20 HEARING FOR UP TO ONE HUNDRED NINETEEN DAYS TO ALLOW TIME TO  
21 IMPROVE THE YOUTH'S EMANCIPATION TRANSITION PLAN, GATHER  
22 NECESSARY DOCUMENTS AND RECORDS, OR FOR ANY OTHER REASON  
23 NECESSARY TO ALLOW THE YOUTH A SUCCESSFUL TRANSITION TO  
24 ADULTHOOD. THE YOUTH'S WISHES AND WILLINGNESS TO REMAIN  
25 ENGAGED IN THE PROCESS MUST BE A STRONG CONSIDERATION IN  
26 WHETHER A CONTINUANCE IS GRANTED.

27 (6) IF A YOUTH IS OPTING INTO THE FOSTER YOUTH IN TRANSITION

1 PROGRAM CREATED IN SECTION 19-7-303 AND A PETITION HAS BEEN FILED  
2 PURSUANT TO SECTION 19-7-307, THE COURT SHALL DISMISS THE CASE  
3 PURSUANT TO THIS ARTICLE 3 OR DISMISS THE YOUTH FROM THE CASE  
4 BROUGHT PURSUANT TO THIS ARTICLE 3, LEAVE THE CASE OPEN FOR  
5 REMAINING SIBLINGS, AND OPEN A NEW CASE BROUGHT PURSUANT TO  
6 PART 3 OF ARTICLE 7 OF THIS TITLE 19. SUCH AN ACTION MUST NOT RESULT  
7 IN AN INTERRUPTION IN CASE MANAGEMENT SERVICES, HOUSING,  
8 MEDICAID COVERAGE, OR IN FOSTER CARE MAINTENANCE PAYMENTS.

9 **SECTION 8.** In Colorado Revised Statutes, 13-91-103, **amend**  
10 **introductory portion; and add (2.5) and (7) as follows:**

11 **13-91-103. Definitions.** As used in this ~~article~~ ARTICLE 91, unless  
12 the context otherwise requires:

13 (2.5) "COUNSEL FOR YOUTH" MEANS AN ATTORNEY WHO IS  
14 LICENSED TO PRACTICE LAW IN COLORADO AND APPOINTED BY THE COURT  
15 TO REPRESENT A CHILD OR YOUTH IN A PROCEEDING PURSUANT TO ARTICLE  
16 3 OR 7 OF TITLE 19, OR ASSIGNED BY THE OFFICE OF THE CHILD'S  
17 REPRESENTATIVE PURSUANT TO ARTICLE 7 OF TITLE 19.

18 (7) "YOUTH" MEANS AN INDIVIDUAL WHO IS LESS THAN  
19 TWENTY-ONE YEARS OF AGE.

20 **SECTION 9.** In Colorado Revised Statutes, 13-91-105, **amend**  
21 **(1)(a) as follows:**

22 **13-91-105. Duties of the office of the child's representative -**  
23 **guardian ad litem and counsel for youth programs.** (1) In addition to  
24 any responsibilities assigned to it by the chief justice, the office of the  
25 child's representative shall:

26 (a) Enhance the provision of GAL OR COUNSEL FOR YOUTH  
27 services in Colorado by:

1 (I) Ensuring the provision and availability of high-quality,  
2 accessible training throughout the state for persons seeking to serve as  
3 guardians ad litem OR COUNSEL FOR YOUTH, as well as to judges and  
4 magistrates who regularly hear matters involving children and families;

5 (II) Making recommendations to the chief justice concerning the  
6 establishment, by rule or chief justice directive, of the minimum training  
7 requirements that an attorney seeking to serve as a guardian ad litem OR  
8 COUNSEL FOR YOUTH shall meet;

9 (III) Making recommendations to the chief justice concerning the  
10 establishment, by rule or chief justice directive, of standards to which  
11 attorneys serving as guardians ad litem shall OR COUNSEL FOR YOUTH  
12 MUST be held, including but not limited to minimum practice standards.  
13 ~~which standards shall~~ MINIMUM PRACTICE STANDARDS MUST include:

14 (A) Incorporation of the federal guidelines for persons serving as  
15 guardians ad litem OR COUNSEL FOR YOUTH, as set forth in the federal  
16 department of health and human services' "Adoption 2002" guidelines,  
17 and incorporation of the guidelines for guardians ad litem OR COUNSEL  
18 FOR YOUTH adopted by the Colorado bar association in 1993;

19 (B) Minimum duties of guardians ad litem OR COUNSEL FOR  
20 YOUTH in representing children involved in judicial proceedings;

21 (C) Minimum responsibilities of guardians ad litem OR COUNSEL  
22 FOR YOUTH in representing children involved in judicial proceedings; and

23 (D) A determination of an appropriate maximum-caseload  
24 limitation for persons serving as guardians ad litem OR COUNSEL FOR  
25 YOUTH;

26 (IV) Overseeing the practice of guardians ad litem OR COUNSEL  
27 FOR YOUTH to ensure compliance with all relevant statutes, orders, rules,

1 directives, policies, and procedures;

2 (V) Working cooperatively with the chief judge in each judicial  
3 district or group of judicial districts to jointly establish a local body to  
4 oversee the provision of guardian ad litem OR COUNSEL FOR YOUTH  
5 services in that judicial district or districts. ~~which~~ THE oversight bodies  
6 would operate and report directly to the director concerning the practice  
7 of guardians ad litem OR COUNSEL FOR YOUTH in that judicial district or  
8 districts pursuant to oversight procedures established by the office of the  
9 child's representative.

10 (VI) Establishing fair and realistic state rates by which to  
11 compensate state-appointed guardians ad litem ~~which will~~ OR COUNSEL  
12 FOR YOUTH THAT take into consideration the caseload limitations placed  
13 on guardians ad litem OR COUNSEL FOR YOUTH and ~~which will be~~ THAT  
14 ARE sufficient to attract and retain high-quality, experienced attorneys to  
15 serve as guardians ad litem OR COUNSEL FOR YOUTH;

16 (VII) Seeking to enhance existing funding sources for the  
17 provision of high-quality guardian ad litem OR COUNSEL FOR YOUTH  
18 services in Colorado;

19 (VIII) Studying the availability of or developing new funding  
20 sources for the provision of guardian ad litem OR COUNSEL FOR YOUTH  
21 services in Colorado, including but not limited to long-term pooling of  
22 funds programs;

23 (IX) Accepting grants, gifts, donations, and other  
24 nongovernmental contributions to be used to fund the work of the office  
25 of the child's representative relating to guardians ad litem OR COUNSEL  
26 FOR YOUTH. Such grants, gifts, donations, and other nongovernmental  
27 contributions ~~shall~~ MUST be credited to the guardian ad litem fund,

1 created in section 13-91-106 (1). ~~Moneys in such fund shall be~~ MONEY  
2 IN THE FUND IS subject to annual appropriation by the general assembly  
3 for the purposes of this ~~paragraph (a)~~ SUBSECTION (1)(a) and for the  
4 purposes of enhancing the provision of guardian ad litem OR COUNSEL  
5 FOR YOUTH services in Colorado.

6 (X) Effective July 1, 2001, allocating ~~moneys~~ MONEY  
7 appropriated to the office of the child's representative in the state judicial  
8 department for the provision of GAL OR COUNSEL FOR YOUTH services;

9 **SECTION 10.** In Colorado Revised Statutes, 13-91-106, **amend**  
10 (1) as follows:

11 **13-91-106. Guardian ad litem fund - court-appointed special**  
12 **advocate (CASA) fund - created.** (1) There is hereby created in the  
13 state treasury the guardian ad litem fund, referred to in this subsection (1)  
14 as the "fund". The fund ~~shall consist of such~~ CONSISTS OF general fund  
15 ~~moneys~~ MONEY as may be appropriated ~~thereto~~ by the general assembly  
16 and any ~~moneys~~ MONEY received pursuant to section 13-91-105  
17 (1)(a)(IX). The ~~moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual  
18 appropriation by the general assembly to the state judicial department for  
19 allocation to the office of the child's representative for the purposes of  
20 funding the work of the office of the child's representative relating to the  
21 provision of guardian ad litem OR COUNSEL FOR YOUTH services and for  
22 the provision of guardian ad litem OR COUNSEL FOR YOUTH services in  
23 Colorado. All interest derived from the deposit and investment of ~~moneys~~  
24 MONEY in the fund ~~shall~~ MUST be credited to the fund. Any ~~moneys~~  
25 MONEY not appropriated ~~shall remain~~ REMAINS in the fund and ~~shall~~ MUST  
26 not be transferred or revert to the general fund of the state at the end of  
27 any fiscal year.



1           **SECTION 11. Safety clause.** The general assembly hereby finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, or safety.