

**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. 21-0070.01 Jane Ritter x4342

HOUSE BILL 21-1228

HOUSE SPONSORSHIP

Froelich,

SENATE SPONSORSHIP

Smallwood and Winter,

House Committees

Public & Behavioral Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING OVERSIGHT OF COURT PERSONNEL WHO ARE REGULARLY**
102 **INVOLVED IN CASES RELATED TO DOMESTIC MATTERS, AND, IN**
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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 increases and clarifies domestic violence training requirements (training) for court personnel (personnel) who are regularly involved in cases related to domestic matters, including child and family investigators, parenting responsibility evaluators, and legal representatives of children.

*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.*

Training for all personnel must include both an initial training requirement as well as an ongoing annual continuing education requirement as follows:

- Six initial hours of training on domestic violence and its traumatic effects on children, adults, and families;
- Six initial hours of training on child abuse and its traumatic effects; and
- Four subsequent hours of training every 2 years on domestic violence and child abuse and the traumatic effects on children, adults, and families.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Approximately 15 million children are exposed each year to
5 domestic violence or child abuse, which are often linked;

6 (b) Child sexual abuse is significantly under-documented and
7 under-addressed in the legal system; and

8 (c) Child abuse is a major public health issue in the United States,
9 with total lifetime estimated financial costs associated with just one year
10 of confirmed cases of child maltreatment, including physical abuse,
11 sexual abuse, psychological abuse, and neglect, amounting to
12 approximately \$124 billion.

13 (2) The general assembly further finds that:

14 (a) Exposure to domestic violence is a leading cause of adverse
15 childhood experiences;

16 (b) Research confirms that allegations of domestic violence, child
17 abuse, and child sexual abuse are often discounted when raised in child
18 custody litigation, even when credible claims of abuse are presented in
19 court;

20 (c) Research shows that abusive parents are often granted custody

1 or unprotected parenting time by courts, placing children at ongoing risk;

2 (d) Research confirms that a child's risk of abuse increases after
3 a perpetrator of domestic violence separates from a domestic partner,
4 even when the perpetrator has not previously abused the child;

5 (e) Researchers have documented a minimum of 735 children
6 murdered in the United States since 2008 by a parent involved in a
7 divorce, separation, custody, visitation, or child support proceeding, often
8 after access was provided by family courts over the objections of a
9 protective parent;

10 (f) Scientifically unsound theories are frequently applied to reject
11 parents' and children's reports of abuse;

12 (g) In cases involving allegations of domestic violence, child
13 abuse, and child sexual abuse, courts should rely on the assistance of
14 third-party professionals only when the professionals possess the proper
15 experience or expertise for assessing domestic violence, child abuse, child
16 sexual abuse, and trauma, and when the professionals apply scientifically
17 sound and evidence-based theories; and

18 (h) Custody litigation involving domestic violence, child abuse,
19 and child sexual abuse allegations is sometimes prohibitively expensive,
20 resulting in parental bankruptcy as a result of court-mandated payments
21 to appointed fee-paid professionals, in addition to attorney fees, and
22 excessive civil action, especially regarding custody, is a documented
23 tactic of domestic offenders to control and harass the victim after
24 separation.

25 (3) The general assembly therefore declares that:

26 (a) Child safety is the first priority of custody and parenting
27 adjudications, and courts should resolve safety risks and claims of

1 domestic violence, child abuse, and child sexual abuse first as a
2 fundamental consideration in determining the best interests of the child
3 before assessing other best interest factors;

4 (b) Domestic violence is an important factor for courts to consider
5 when making decisions related to parenting time and parental
6 responsibilities;

7 (c) All evidence admitted in custody and parenting adjudications
8 should be subject to evidentiary admissibility standards;

9 (d) Evidence from a court-affiliated or appointed fee-paid
10 professional regarding allegations of domestic violence, child abuse, and
11 child sexual abuse in custody cases should be admitted only when the
12 professional has undergone proper and regular training, including training
13 on the effects of domestic abuse, child abuse, and child sexual abuse, and
14 the professional possesses documented expertise and experience in the
15 relevant types of abuse, trauma, and the behaviors of victims and
16 perpetrators; and

17 (e) All professional groups involved in parenting time and
18 parental responsibilities evaluations, including child and family
19 investigators, parenting coordinators, parent responsibility evaluators,
20 decision makers, family court facilitators, and judges and magistrates,
21 need to have appropriate and ongoing training in domestic violence,
22 coercive control, and related issues.

23 **SECTION 2.** In Colorado Revised Statutes, 13-22-311, **amend** (1)
24 as follows:

25 **13-22-311. Court referral to mediation - duties of mediator.**

26 (1) Any court of record may, in its discretion, refer any case for
27 mediation services or dispute resolution programs, subject to the

1 availability of mediation services or dispute resolution programs; except
2 that the court shall not refer the case to mediation services or dispute
3 resolution programs where one of the parties claims that ~~it~~ THE PARTY has
4 been the victim of physical or psychological abuse by the other party, AT
5 ANY TIME AND REGARDLESS OF PRIOR PARTICIPATION, and states that ~~it~~
6 THE PARTY is thereby unwilling to enter into mediation services or dispute
7 resolution programs. In addition, the court may exempt from referral any
8 case in which a party files with the court, within five days of a referral
9 order, a motion objecting to mediation and demonstrating compelling
10 reasons why mediation should not be ordered. Compelling reasons may
11 include, but are not limited to, that the costs of mediation would be higher
12 than the requested relief and previous attempts to resolve the issues were
13 not successful. Parties referred to mediation services or dispute resolution
14 programs may select said services or programs from mediators or
15 mediation organizations or from the office of dispute resolution. This
16 section shall not apply in any civil action where injunctive or similar
17 equitable relief is the only remedy sought.

18 **SECTION 3.** In Colorado Revised Statutes, 14-10-116, **amend**
19 (2) as follows:

20 **14-10-116. Appointment in domestic relations cases -**
21 **representation of the best interests of the child - legal representative**
22 **of the child - disclosure.** (2) The legal representative of the child,
23 appointed pursuant to subsection (1) of this section, shall represent the
24 best interests of the minor or dependent child, as described in section
25 14-10-124, with respect to the ~~child's custody~~ PARENTING TIME, the
26 allocation of parental responsibilities, FINANCIAL support for the child, the
27 child's property, ~~parenting time~~, or any other issue related to the child that

1 is identified by the legal representative of the child or the appointing
2 court. The legal representative of the child shall actively participate in all
3 aspects of the case involving the child, within the bounds of the law. The
4 legal representative of the child shall comply with the provisions set forth
5 in the Colorado rules of professional conduct and any applicable
6 provisions set forth in chief justice directives or other practice standards
7 established by rule or directive of the chief justice pursuant to section
8 13-91-105 (1)(c) ~~C.R.S.~~, concerning the duties or responsibilities of best
9 interest representation in legal matters affecting children, INCLUDING
10 TRAINING REQUIREMENTS RELATED TO DOMESTIC VIOLENCE AND ITS
11 EFFECT ON CHILDREN, ADULTS, AND FAMILIES. The legal representative
12 of the child shall not be called as a witness in the case. While the legal
13 representative of the child shall ascertain and consider the wishes of the
14 child, the legal representative of the child is not required to adopt the
15 child's wishes in ~~his or her~~ THE LEGAL REPRESENTATIVE OF THE CHILD'S
16 recommendation or advocacy for the child unless such wishes serve the
17 ~~child's best interest~~ BEST INTERESTS OF THE CHILD, as described in section
18 14-10-124.

19 **SECTION 4.** In Colorado Revised Statutes, 14-10-116.5, **amend**
20 (2) and (3)(a) as follows:

21 **14-10-116.5. Appointment in domestic relations cases - child**
22 **and family investigator - disclosure - background check.** (2) (a) A
23 child and family investigator appointed by the court FROM AN ELIGIBILITY
24 ROSTER ESTABLISHED PURSUANT TO CHIEF JUSTICE DIRECTIVE may be an
25 attorney, a mental health professional, or any other individual with
26 appropriate training AND qualifications, AS SET FORTH IN SUBSECTION
27 (2)(f) OF THIS SECTION, and an independent perspective acceptable to the

1 court. The child and family investigator for the court shall investigate
2 AND report ~~and make recommendations~~ as specifically directed by the
3 court in the appointment order, taking into consideration the relevant
4 factors for determining the best interests of the child, as ~~specified~~
5 DESCRIBED in section 14-10-124. THE PURPOSE OF THE INVESTIGATION IS
6 TO ASSIST IN DETERMINING THE BEST INTERESTS OF THE CHILD, WITH THE
7 CHILD'S SAFETY ALWAYS PARAMOUNT.

8 (b) The child and family investigator shall ~~make independent and~~
9 ~~informed recommendations to the court, in the form of~~ FILE a written
10 report ~~filed~~ with the court, unless otherwise ordered by the court. While
11 the child and family investigator shall consider the wishes of the child,
12 the child and family investigator need not adopt such wishes in ~~making~~
13 ~~his or her recommendations to~~ THE REPORT FILED WITH the court, unless
14 they serve the ~~child's~~ best interests OF THE CHILD, as described in section
15 14-10-124. The child's wishes, if expressed, ~~shall~~ MUST be disclosed in
16 the child and family investigator's written report.

17 (c) The child and family investigator may be called to testify as a
18 COURT-APPOINTED EXPERT witness regarding ~~his or her recommendations~~
19 THE CHILD AND FAMILY INVESTIGATOR'S REPORTS, BUT ONLY IF THE
20 COURT FINDS THAT THE CHILD AND FAMILY INVESTIGATOR HAS THE
21 APPROPRIATE TRAINING AND QUALIFICATIONS SET FORTH IN SUBSECTION
22 (2)(f) OF THIS SECTION. RECOMMENDATIONS SHOULD BE CONSIDERED IN
23 FULL CONTEXT OF THE REPORT.

24 (d) IN ADDITION TO THE TRAINING REQUIREMENTS AND
25 QUALIFICATIONS SET FORTH IN SUBSECTION (2)(f) OF THIS SECTION, the
26 child and family investigator shall comply with applicable provisions set
27 forth in chief justice directives, and any other practice or ethical standards

1 established by rule, statute, or ANY licensing board that regulates the child
2 and family investigator. A CHILD AND FAMILY INVESTIGATOR SHALL
3 STRIVE TO ENGAGE IN CULTURALLY INFORMED AND NONDISCRIMINATORY
4 PRACTICES.

5 (e) A PARTY WISHING TO FILE A COMPLAINT RELATED TO A
6 PERSON'S DUTIES AS A CHILD AND FAMILY INVESTIGATOR SHALL FILE SUCH
7 COMPLAINT IN ACCORDANCE WITH THE APPLICABLE PROVISIONS IN CHIEF
8 JUSTICE DIRECTIVES.

9 (f) THE COURT SHALL NOT APPOINT A PERSON FROM THE
10 ELIGIBILITY REGISTRY TO BE A CHILD AND FAMILY INVESTIGATOR FOR A
11 CASE PURSUANT TO THIS SECTION UNLESS THE COURT FINDS THAT THE
12 PERSON IS QUALIFIED AS COMPETENT BY TRAINING AND EXPERIENCE IN, AT
13 A MINIMUM, DOMESTIC VIOLENCE AND ITS EFFECTS ON CHILDREN, ADULTS,
14 AND FAMILIES, CHILD ABUSE, AND CHILD SEXUAL ABUSE. THE PERSON'S
15 TRAINING AND EXPERIENCE MUST BE PROVIDED BY RECOGNIZED SOURCES
16 WITH EXPERTISE IN DOMESTIC VIOLENCE AND THE TRAUMATIC EFFECTS OF
17 DOMESTIC VIOLENCE. AS OF JANUARY 1, 2022, INITIAL AND ONGOING
18 TRAINING MUST INCLUDE, AT A MINIMUM:

19 (I) SIX INITIAL HOURS OF TRAINING ON DOMESTIC VIOLENCE,
20 INCLUDING COERCIVE CONTROL, AND ITS TRAUMATIC EFFECTS ON
21 CHILDREN, ADULTS, AND FAMILIES;

22 (II) SIX INITIAL HOURS OF TRAINING ON CHILD ABUSE AND CHILD
23 SEXUAL ABUSE AND ITS TRAUMATIC EFFECTS; AND

24 (III) FOUR SUBSEQUENT HOURS OF TRAINING EVERY TWO YEARS
25 ON DOMESTIC VIOLENCE, INCLUDING COERCIVE CONTROL, CHILD ABUSE,
26 AND CHILD SEXUAL ABUSE, AND THE TRAUMATIC EFFECTS ON CHILDREN,
27 ADULTS, AND FAMILIES.

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(3) (a) The court shall enter an order for costs, fees, and disbursements in favor of the child and family investigator appointed pursuant to subsection (1) of this section. The order ~~shall~~ MUST be made against any or all of the parties; except that, if the responsible parties are determined to be indigent, the costs, fees, and disbursements ~~shall be~~ ARE borne by the state.

SECTION 5. In Colorado Revised Statutes, 14-10-124, **amend** (1.5)(a) introductory portion; and **add** (1.5)(a)(III.5) as follows:

14-10-124. Best interests of the child. (1.5) Allocation of parental responsibilities. The court shall determine the allocation of parental responsibilities, including parenting time and decision-making responsibilities, in accordance with the best interests of the child giving paramount consideration to the child's safety and the physical, mental, and emotional conditions and needs of the child as follows:

(a) **Determination of parenting time.** The court, upon the motion of either party or upon its own motion, may make provisions for parenting time that the court finds are in the ~~child's~~ best interests ~~OF THE CHILD,~~ ~~WITH THE CHILD'S SAFETY ALWAYS PARAMOUNT,~~ unless the court finds, after a hearing, that parenting time by the party would endanger the child's physical health or significantly impair the child's emotional development. In addition to a finding that parenting time would endanger the child's physical health or significantly impair the child's emotional development, in any order imposing or continuing a parenting time restriction, the court shall enumerate the specific factual findings supporting the restriction, ~~INCLUDING FINDINGS RELATED TO DOMESTIC VIOLENCE,~~ ~~CHILD ABUSE,~~ ~~AND CHILD SEXUAL ABUSE,~~ and may enumerate

1 the conditions that the restricted party could fulfill in order to seek
2 modification in the parenting plan. When a claim of child abuse or
3 neglect, domestic violence, or sexual assault where there is also a claim
4 that the child was conceived as a result of the sexual assault has been
5 made to the court, or the court has reason to believe that a party has
6 committed child abuse or neglect, domestic violence, or sexual assault
7 where there is also a claim that the child was conceived as a result of the
8 sexual assault, prior to determining parenting time, the court shall follow
9 the provisions of subsection (4) of this section. In determining the best
10 interests of the child for purposes of parenting time, the court shall
11 consider all relevant factors, including:

12 (III.5) ANY REPORT RELATED TO DOMESTIC VIOLENCE THAT IS
13 SUBMITTED TO THE COURT BY A CHILD AND FAMILY INVESTIGATOR, IF ONE
14 IS APPOINTED PURSUANT TO SECTION 14-10-116.5; A PROFESSIONAL
15 PARENTAL RESPONSIBILITIES EVALUATOR, IF ONE IS APPOINTED PURSUANT
16 TO SECTION 14-10-127; OR A LEGAL REPRESENTATIVE OF THE CHILD, IF
17 ONE IS APPOINTED PURSUANT TO SECTION 14-10-116;

18 **SECTION 6.** In Colorado Revised Statutes, 14-10-127, **amend**
19 (1)(a)(I), (1)(a)(I.5) introductory portion, (1)(a)(II), (1)(b), (4)
20 introductory portion, (5), (6)(a), and (6)(b) introductory portion; and **add**
21 (1)(c), (1)(d), (4)(a.5), (6)(c), (9), and (10) as follows:

22 **14-10-127. Evaluation and reports - training and**
23 **qualifications of evaluators - disclosure.** (1) (a) (I) (A) In all
24 proceedings concerning the allocation of parental responsibilities with
25 respect to a child, the court may, upon motion of either party or upon its
26 own motion, order any county or district department of human or social
27 services or a licensed mental health professional qualified pursuant to

1 subsection (4) of this section AND REFERRED TO IN THIS SECTION AS AN
2 "EVALUATOR" to perform an evaluation and file a written report
3 concerning the disputed issues relating to the allocation of parental
4 responsibilities for the child, unless the motion by either party is made for
5 the purpose of delaying the proceedings. THE PURPOSE OF THE
6 EVALUATION AND REPORT IS TO ASSIST IN DETERMINING THE BEST
7 INTERESTS OF THE CHILD, WITH THE CHILD'S SAFETY ALWAYS PARAMOUNT.
8 THE EVALUATION AND SUBSEQUENT REPORT MUST FOCUS ON PARENTING
9 ATTRIBUTES, THE CHILD'S PSYCHOLOGICAL NEEDS, AND THE RESULTING
10 FIT.

11 (B) Any court or any personnel of a county or district department
12 of human or social services appointed by the court to do ~~such~~ AN
13 evaluation PURSUANT TO THIS SECTION must be qualified pursuant to
14 subsection (4) of this section AND BE SELECTED FROM AN ELIGIBILITY
15 ROSTER ESTABLISHED PURSUANT TO APPLICABLE CHIEF JUSTICE DIRECTIVE.

16 (C) When a mental health professional performs the evaluation,
17 the court shall appoint or approve the selection of the mental health
18 professional AS THE EVALUATOR. Within seven days after the
19 appointment, the evaluator shall comply with the disclosure provisions of
20 subsection (1.2) of this section. The court shall, at the time of the
21 EVALUATOR'S appointment, ~~of the evaluator,~~ order one or more of the
22 parties to deposit a reasonable sum with the court to pay the cost of the
23 evaluation. The court may order the reasonable charge for the evaluation
24 and report to be assessed as costs between the parties at the time the
25 evaluation is completed.

26 (I.5) A party may request a supplemental evaluation to the
27 evaluation ordered pursuant to ~~subparagraph (I) of this paragraph (a)~~

1 SUBSECTION (1)(a)(I) OF THIS SECTION. The court shall appoint another
2 ~~mental health professional~~ QUALIFIED EVALUATOR to perform the
3 supplemental evaluation at the initial expense of the moving party. The
4 ~~person~~ EVALUATOR appointed to perform the supplemental evaluation
5 shall comply with the disclosure provisions of subsection (1.2) of this
6 section. The court shall not order a supplemental evaluation if it
7 determines that any of the following applies, based on motion and
8 supporting affidavits:

9 (II) Each party and the child, IF POSSIBLE, shall cooperate in the
10 supplemental evaluation. If the court finds that the supplemental
11 evaluation was necessary and materially assisted the court, the court may
12 order the costs of such supplemental evaluation to be assessed as costs
13 between the parties. Except as otherwise provided in this section, ~~such~~
14 ~~THE report shall be considered~~ IS confidential and ~~shall not be~~ IS NOT
15 available for public inspection unless by order of court. The cost of each
16 department of human services evaluation ~~shall be~~ IS based on an ability
17 to pay and ~~shall~~ MUST be assessed as part of the costs of the action or
18 proceeding, and, upon receipt of such sum by the clerk of court, ~~it shall~~
19 ~~be transmitted~~ THE CLERK OF COURT SHALL TRANSMIT THE MONEY to the
20 department or agency performing the evaluation.

21 (b) The person signing a report or evaluation and supervising its
22 preparation ~~shall~~ MUST be a licensed mental health professional. ~~The~~
23 ~~mental health professional may have associates or persons working under~~
24 ~~him or her who are unlicensed.~~ THE LICENSED MENTAL HEALTH
25 PROFESSIONAL SIGNING A REPORT OR EVALUATION MUST BE QUALIFIED AS
26 COMPETENT, BY TRAINING AND EXPERIENCE, AS DESCRIBED IN SUBSECTION
27 (4) OF THIS SECTION. UNLICENSED ASSOCIATES OR OTHER PERSONS MAY

1 WORK WITH THE MENTAL HEALTH PROFESSIONAL TO PREPARE THE REPORT.

2 (c) IF IT IS NECESSARY FOR AN EVALUATOR TO INTERVIEW A CHILD
3 FOR THE PURPOSES OF PREPARING THE REPORT, THE EVALUATOR SHALL
4 FOLLOW THE REQUIREMENTS SET FOR IN SECTION 19-3-308 AND IN
5 SECTION 19-3-308.5 IF THE INTERVIEW IS RECORDED.

6 (d) AN EVALUATOR SHALL STRIVE TO ENGAGE IN CULTURALLY
7 INFORMED AND NONDISCRIMINATORY PRACTICES, AND STRIVE TO AVOID
8 CONFLICTS OF INTEREST OR MULTIPLE RELATIONSHIPS IN CONDUCTING
9 EVALUATIONS.

10 (4) A person ~~shall not be~~ IS NOT allowed to testify AS AN EXPERT
11 WITNESS regarding a parental responsibilities or parenting time evaluation
12 that the person has performed pursuant to this section unless the court
13 finds that the person is qualified as competent, by training and
14 experience, in the areas of:

15 (a.5) THE EFFECTS OF DOMESTIC VIOLENCE ON CHILDREN, ADULTS,
16 AND FAMILIES, INCLUDING THE CONNECTION BETWEEN DOMESTIC
17 VIOLENCE AND TRAUMA ON CHILDREN, CHILD ABUSE, AND CHILD SEXUAL
18 ABUSE. THE PERSON'S TRAINING AND EXPERIENCE MUST BE PROVIDED BY
19 RECOGNIZED SOURCES WITH EXPERTISE IN DOMESTIC VIOLENCE AND THE
20 TRAUMATIC EFFECTS OF DOMESTIC VIOLENCE. AS OF JANUARY 1, 2022,
21 INITIAL AND ONGOING TRAINING MUST INCLUDE, AT A MINIMUM:

22 (I) SIX INITIAL HOURS OF TRAINING ON DOMESTIC VIOLENCE,
23 INCLUDING COERCIVE CONTROL, AND ITS TRAUMATIC EFFECTS ON
24 CHILDREN, ADULTS, AND FAMILIES;

25 (II) SIX INITIAL HOURS OF TRAINING ON CHILD ABUSE AND CHILD
26 SEXUAL ABUSE AND ITS TRAUMATIC EFFECTS; AND

27 (III) FOUR SUBSEQUENT HOURS OF TRAINING EVERY TWO YEARS

1 ON DOMESTIC VIOLENCE, CHILD ABUSE, AND CHILD SEXUAL ABUSE AND
2 THE TRAUMATIC EFFECTS ON CHILDREN, ADULTS, AND FAMILIES.

3 (5) If AN evaluation is indicated in an area ~~which is~~ beyond the
4 training or experience of the evaluator, the evaluator shall consult with a
5 mental health professional qualified by training or experience, AS
6 DESCRIBED IN SUBSECTION (4) OF THIS SECTION, in that area. Such areas
7 may include, but are not limited to, domestic violence, child abuse, CHILD
8 SEXUAL ABUSE, alcohol or substance abuse, or psychological testing.

9 (6) (a) ~~A mental health professional~~ AN EVALUATOR may make
10 specific ~~recommendations~~ REPORTS when the ~~mental health professional~~
11 EVALUATOR has interviewed and assessed all parties to the dispute,
12 assessed the quality of the relationship, or the potential for establishing
13 a quality relationship, between the child and each of the parties, and had
14 access to pertinent information from outside sources.

15 (b) ~~A mental health professional~~ AN EVALUATOR may make
16 ~~recommendations~~ REPORTS even though all parties and the child have not
17 been evaluated by the same ~~mental health professional~~ EVALUATOR in the
18 following circumstances, if the ~~mental health professional~~ EVALUATOR
19 states with particularity ~~in his or her opinion~~ the limitations of ~~his or her~~
20 THE EVALUATOR'S findings and ~~recommendations~~ REPORTS:

21 (c) ~~RECOMMENDATIONS SHOULD BE CONSIDERED IN FULL CONTEXT~~
22 ~~OF THE REPORT.~~

23 (9) ~~ON AND AFTER JANUARY 1, 2022,~~ A PARTY WISHING TO FILE A
24 COMPLAINT RELATED TO A PERSON'S DUTIES AS AN EVALUATOR SHALL FILE
25 SUCH COMPLAINT IN ACCORDANCE WITH THE APPLICABLE PROVISIONS IN
26 CHIEF JUSTICE DIRECTIVES.

27 (10) ~~THE REQUIREMENTS OF THIS SECTION APPLY ONLY TO~~

1 ACTIVITIES RELATED TO WORK PERFORMED THAT IS RELATED TO
2 PROCEEDINGS CONCERNING THE ALLOCATION OF PARENTAL
3 RESPONSIBILITIES. ALL OTHER LICENSURE REQUIREMENTS FOR MENTAL
4 HEALTH PROFESSIONALS, AS ESTABLISHED BY THE DEPARTMENT OF
5 REGULATORY AGENCIES AND SET FORTH IN ARTICLE 245 OF TITLE 12, STILL
6 APPLY.

7 **SECTION 7. Appropriation.** (1) For the 2021-22 state fiscal
8 year, \$86,680 is appropriated to the judicial department. This
9 appropriation is from the general fund. To implement this act, the
10 department may use this appropriation as follows:

11 (a) \$80,480 for general courts administration, which amount is
12 based on an assumption that the department will require an additional 0.9
13 FTE; and

14 (b) \$6,200 for capital outlay.

15

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