



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 22-0045
Prime Sponsors: Rep. Van Beber; Kipp
Date: February 15, 2022
Bill Status: House HHS
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Bill Topic: **APPEAL PROCEDURES DEPENDENCY & NEGLECT CASES**

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires the Judicial Department's Child Welfare Appeals Workgroup to monitor and report on the implementation of recommendations from its 2021 final report. It also requires district courts to issue written orders within 35 days after hearings concerning termination of the parent-child legal relationship. The bill increases state expenditures in FY 2022-23 and FY 2023-24.

Appropriation Summary: No appropriations are required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

In 2021, the Judicial Department's Child Welfare Appeals Workgroup published a report with recommendations to improve the appeals process for relinquishment, adoption, and dependency and neglect cases. The full report and recommendations can be found here:

[https://www.courts.state.co.us/Media/Opinion_Docs/Appellate%20Workgroup%20Final%20Report%20\(2021-04-23\).pdf](https://www.courts.state.co.us/Media/Opinion_Docs/Appellate%20Workgroup%20Final%20Report%20(2021-04-23).pdf)

This bill requires the workgroup to monitor implementation of these recommendations for two years, beginning in January 2022, including:

- determining if other issues are contributing to delays in appeals;
- studying opportunities to reduce delays in child welfare appeals; and
- providing related training.

The workgroup must report to the General Assembly on the status of its activities by January 1, 2023, and must issue a final report by July 1, 2024. The bill also requires all written orders by a district court for an appealable hearing to be made within 35 days of the hearing.

State Expenditures

The bill minimally increases state expenditures for multiple agencies in FY 2022-23 and FY 2022-24, as described below.

Child Welfare Appeals Workgroup. The bill increases expenditures for the Judicial Department, the Department of Human Services, and the Office of the Respondent Parents' Counsel to participate in the Child Welfare Appeals Workgroup and to publish a final report. This work can be accomplished within existing appropriations.

Written orders in appealable hearings. The bill requires district courts to issue written orders in hearings that involve appealable issues within 35 days. This will require judicial officers to prioritize issuance of these orders, but will not increase trial court workload. Therefore, no additional appropriations are required.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Child Welfare Counties
Information Technology

Human Services
Legislative Council Staff