

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction

LLS NO. 24-0819.01 Chelsea Princell x4335

HOUSE BILL 24-1102

HOUSE SPONSORSHIP

deGruy Kennedy and Soper,

SENATE SPONSORSHIP

Exum,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

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

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>.)

Current law requires the director of the office of the child's representative, the director of the respondent parents' counsel, and the alternate defense counsel (directors) to be licensed to practice law in Colorado for 5 years prior to being appointed as the director of the respective offices. The bill removes the requirement that the directors be

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

HOUSE
2nd Reading Unamended
February 9, 2024

licensed to practice law in Colorado and requires the directors to either be licensed to practice law in Colorado at the time of the appointment or be able to become licensed to practice law in Colorado within 6 months after the appointment.

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

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

4 **13-91-104. Office of the child's representative - board -**
5 **qualifications of director.** (3) The board ~~shall have~~ HAS the following
6 responsibilities:

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

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

18 **13-92-103. Respondent parents' counsel - commission - office**
19 **- duties - qualifications of director.** (4) (a) The director must have at
20 least five years of experience as a licensed attorney prior to appointment,
21 AND EITHER be licensed to practice law in Colorado at the time of
22 appointment OR BE ABLE TO BECOME LICENSED TO PRACTICE LAW IN
23 COLORADO WITHIN SIX MONTHS AFTER APPOINTMENT, and be familiar

1 with the unique demands of representing respondent parents in
2 dependency and neglect cases in Colorado. The director shall devote
3 ~~himself or herself~~ THE DIRECTOR'S full time to the performance of ~~his or~~
4 ~~her~~ THE DIRECTOR'S duties as director and shall not engage in the private
5 practice of law.

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

8 **21-2-102. Alternate defense counsel - qualifications -**
9 **employees.** (1) The alternate defense counsel shall have been licensed
10 to practice law ~~in this state~~ for at least five years prior to appointment,
11 ~~AND EITHER BE LICENSED TO PRACTICE LAW IN COLORADO AT THE TIME OF~~
12 ~~APPOINTMENT OR BE ABLE TO BECOME LICENSED TO PRACTICE LAW IN~~
13 ~~COLORADO WITHIN SIX MONTHS AFTER APPOINTMENT, and he or she~~ THE
14 ALTERNATE DEFENSE COUNSEL shall devote THE ALTERNATE DEFENSE
15 COUNSEL'S full time to the performance of ~~his or her~~ THE ALTERNATE
16 DEFENSE COUNSEL'S duties and shall not engage in the private practice of
17 law.

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