

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0911.01 Shelby Ross x4510

HOUSE BILL 24-1291

HOUSE SPONSORSHIP

English and Joseph,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A LICENSED LEGAL PARAPROFESSIONAL'S AUTHORITY TO
102 REPRESENT INDIVIDUALS IN CERTAIN DOMESTIC RELATIONS
103 MATTERS.

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 Colorado supreme court approved the licensure of legal paraprofessionals (LLPs), which allows LLPs to represent clients and perform certain types of legal services related to domestic relations matters, including:

- Legal separations, declarations of invalidity of marriage, or

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.

1 AGENCY.

2 (3) UPON REQUEST OF THE SUPREME COURT OR A REPRESENTATIVE
3 OF ITS OFFICE OF ATTORNEY REGULATION COUNSEL, AN APPLICANT SHALL
4 PROVIDE A NAME-BASED JUDICIAL RECORD CHECK, AS DEFINED IN SECTION
5 22-2-119.3 (6)(d), IF THE APPLICANT HAS A RECORD OF ARREST WITHOUT
6 A DISPOSITION.

7 (4) LOCAL LAW ENFORCEMENT AGENCIES SHALL COOPERATE WITH
8 ANY SUPREME COURT REQUEST FOR RECORDS RELATED TO AN APPLICANT'S
9 CRIMINAL HISTORY.

10 **13-93-302. Scope of authority to practice.** (1) A LICENSED
11 LEGAL PARAPROFESSIONAL'S SCOPE OF PRACTICE IS LIMITED TO
12 REPRESENTING A CLIENT IN:

13 (a) A LEGAL SEPARATION, DECLARATION OF INVALIDITY OF
14 MARRIAGE, OR DISSOLUTION OF MARRIAGE OR CIVIL UNION;

15 (b) AN INITIAL ALLOCATION OR MODIFICATION OF AN ALLOCATION
16 OF PARENTAL RESPONSIBILITY MATTER, INCLUDING PARENTAGE
17 DETERMINATIONS;

18 (c) A MATTER INVOLVING ESTABLISHMENT OR MODIFICATION OF
19 CHILD SUPPORT OR MAINTENANCE;

20 (d) SEEKING, MODIFYING, OR TERMINATING A CIVIL PROTECTION
21 ORDER PURSUANT TO ARTICLE 14 OF THIS TITLE 13;

22 (e) A MATTER INVOLVING A NAME CHANGE PURSUANT TO SECTION
23 13-15-101; AND

24 (f) A MATTER INVOLVING A REQUEST FOR AN AMENDED BIRTH
25 CERTIFICATE TO CHANGE THE SEX DESIGNATION OF AN ADULT PURSUANT
26 TO SECTION 25-2-113.8.

27 (2) A LICENSED LEGAL PARAPROFESSIONAL SHALL NOT ENGAGE IN

1 ANY TASKS OR ACTIVITIES THAT ARE PROHIBITED BY THE COLORADO
2 SUPREME COURT PURSUANT TO COURT RULES.

3 **13-93-303. No discrimination - issuance of license.** AN
4 INDIVIDUAL SHALL NOT DENY ANOTHER INDIVIDUAL A LICENSE TO
5 PRACTICE LAW AS A LEGAL PARAPROFESSIONAL ON ACCOUNT OF RACE,
6 CREED, COLOR, RELIGION, DISABILITY, AGE, SEX, SEXUAL ORIENTATION,
7 GENDER IDENTITY, GENDER EXPRESSION, MARITAL STATUS, NATIONAL
8 ORIGIN, OR ANCESTRY.

9 **13-93-304. License fee.** THE LICENSE FEE FOR A LICENSE TO
10 PRACTICE LAW AS A LEGAL PARAPROFESSIONAL IN THIS STATE IS SET BY
11 THE SUPREME COURT'S RULES GOVERNING LICENSED LEGAL
12 PARAPROFESSIONALS.

13 **13-93-305. Clerk of supreme court keeps roll of licensed legal**
14 **paraprofessionals.** THE CLERK OF THE SUPREME COURT SHALL MAKE AND
15 KEEP A ROLL OR RECORD OF INDIVIDUALS WHO ARE LICENSED TO PRACTICE
16 LAW AS A LICENSED LEGAL PARAPROFESSIONAL WITHIN THIS STATE AND
17 WHO HAVE TAKEN THE PRESCRIBED OATH.

18 **13-93-306. Supreme court may strike name.** AN INDIVIDUAL
19 WHO IS NOT LISTED IN THE ROLL CREATED PURSUANT TO SECTION
20 13-93-305 SHALL NOT BE ADMITTED TO PRACTICE AS A LICENSED LEGAL
21 PARAPROFESSIONAL WITHIN THIS STATE AND IS SUBJECT TO THE PENALTY
22 DESCRIBED IN SECTION 13-93-309. THE JUSTICES OF THE SUPREME COURT
23 IN OPEN COURT, AT THE JUSTICES' DISCRETION, MAY STRIKE THE NAME OF
24 ANY LICENSED LEGAL PARAPROFESSIONAL FROM THE ROLL FOR
25 MALCONDUCT IN THE LEGAL PARAPROFESSIONAL'S OFFICE.

26 **13-93-307. Individuals forbidden to practice.** A CORONER,
27 SHERIFF, DEPUTY SHERIFF, OR JAILER, THOUGH QUALIFIED, SHALL NOT

1 PRACTICE AS A LICENSED LEGAL PARAPROFESSIONAL IN THE COUNTY IN
2 WHICH THE INDIVIDUAL IS COMMISSIONED OR APPOINTED, AND A CLERK OF
3 THE SUPREME COURT OR DISTRICT COURT SHALL NOT PRACTICE AS A
4 LICENSED LEGAL PARAPROFESSIONAL IN THE COURT IN WHICH THE
5 INDIVIDUAL IS THE CLERK.

6 **13-93-308. Judge not to act as licensed legal paraprofessional.**

7 (1) IT IS UNLAWFUL FOR JUDGES OF THE DISTRICT, COUNTY, AND
8 MUNICIPAL COURTS TO:

9 (a) COUNSEL OR ADVISE IN OR WRITE ANY PETITION OR ANSWER OR
10 OTHER PLEADINGS IN ANY PROCEEDING AS A LICENSED LEGAL
11 PARAPROFESSIONAL;

12 (b) PERFORM ANY SERVICE AS A LICENSED LEGAL
13 PARAPROFESSIONAL; OR

14 (c) BE INTERESTED IN ANY PROFITS OR EMOLUMENTS ARISING OUT
15 OF ANY PRACTICE IN ANY OF THE COURTS, EXCEPT COSTS IN THE JUDGE'S
16 OWN COURTS.

17 (2) SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO:

18 (a) A COUNTY COURT JUDGE WHO IS ALSO A LICENSED LEGAL
19 PARAPROFESSIONAL WHO PRACTICES IN COUNTIES OF CERTAIN CLASSES AS
20 SPECIFIED BY THE LAWS RELATING TO COUNTY COURTS IN COURTS OTHER
21 THAN THE JUDGE'S COUNTY COURT AND IN MATTERS THAT HAVE NOT COME
22 BEFORE THE COUNTY COURT; AND

23 (b) A MUNICIPAL JUDGE WHO IS ALSO A LICENSED LEGAL
24 PARAPROFESSIONAL WHO PRACTICES IN COURTS OTHER THAN THE JUDGE'S
25 MUNICIPAL COURT AND IN MATTERS THAT HAVE NOT COME BEFORE THE
26 MUNICIPAL COURT.

27 **13-93-309. Practicing law without license deemed contempt.**

1 AN INDIVIDUAL WHO, WITHOUT HAVING OBTAINED A LICENSE FROM THE
2 SUPREME COURT OF THIS STATE, ADVERTISES, REPRESENTS, OR HOLDS THE
3 INDIVIDUAL'S SELF OUT IN ANY MANNER AS A LICENSED LEGAL
4 PARAPROFESSIONAL OR WHO APPEARS IN ANY COURT OF RECORD IN THIS
5 STATE TO CONDUCT A SUIT, ACTION, PROCEEDING, OR CAUSE FOR ANOTHER
6 INDIVIDUAL IS GUILTY OF CONTEMPT OF THE SUPREME COURT OF THIS
7 STATE AND OF THE COURT IN WHICH THE INDIVIDUAL APPEARS AND MUST
8 BE PUNISHED ACCORDING TO LAW.

9 **13-93-310. Notice of charges - time to show cause.** BEFORE A
10 LICENSED LEGAL PARAPROFESSIONAL'S NAME IS STRICKEN OFF THE ROLL
11 CREATED IN SECTION 13-93-305, THE CLERK OF THE SUPREME COURT
12 SHALL PROVIDE WRITTEN NOTICE TO THE LICENSED LEGAL
13 PARAPROFESSIONAL STATING DISTINCTLY THE GROUNDS OF COMPLAINT OR
14 THE CHARGES EXHIBITED AGAINST THE LICENSED LEGAL
15 PARAPROFESSIONAL. AFTER RECEIVING THE NOTICE, THE LICENSED LEGAL
16 PARAPROFESSIONAL MAY REQUEST A HEARING AND MUST BE ALLOWED
17 REASONABLE TIME TO COLLECT AND PREPARE TESTIMONY FOR THE
18 LICENSED LEGAL PARAPROFESSIONAL'S DEFENSE. ANY LICENSED LEGAL
19 PARAPROFESSIONAL WHOSE NAME, AT ANY TIME, IS STRICKEN FROM THE
20 ROLL BY ORDER OF THE COURT IS CONSIDERED AS THOUGH THE LICENSED
21 LEGAL PARAPROFESSIONAL'S NAME HAD NEVER BEEN WRITTEN ON THE
22 ROLL UNTIL A TIME WHEN THE JUSTICES, IN OPEN COURT, AUTHORIZE THE
23 LICENSED LEGAL PARAPROFESSIONAL TO BE LISTED ON THE ROLL.

24 **13-93-311. Licensed legal paraprofessional not to be surety.** A
25 LICENSED LEGAL PARAPROFESSIONAL SHALL NOT BECOME SURETY IN ANY
26 BOND OR RECOGNIZANCE OF ANY SHERIFF OR CORONER, IN ANY BOND OR
27 RECOGNIZANCE FOR THE APPEARANCE OF ANY PERSON CHARGED WITH

1 ANY PUBLIC OFFENSE, OR UPON ANY BOND OR RECOGNIZANCE AUTHORIZED
2 BY ANY STATUTE TO BE TAKEN FOR THE PAYMENT OF ANY SUM OF MONEY
3 INTO COURT IN DEFAULT OF THE PRINCIPAL, WITHOUT THE CONSENT OF A
4 JUDGE OF THE DISTRICT COURT FIRST HAVING APPROVED THE SURETY.

5 **13-93-312. Judge not to have law partner.** A JUDGE SHALL NOT
6 HAVE A PARTNER ACTING AS ATTORNEY, COUNSEL, OR LICENSED LEGAL
7 PARAPROFESSIONAL IN ANY COURT IN THE JUDGE'S JUDICIAL DISTRICT,
8 COUNTY, MUNICIPALITY, OR PRECINCT.

9 **13-93-313. Licensed legal paraprofessional's lien - notice of**
10 **claim filed.** A LICENSED LEGAL PARAPROFESSIONAL HAS A LIEN ON ANY
11 MONEY, PROPERTY, CHOSSES IN ACTION, OR CLAIMS AND DEMANDS IN THE
12 LICENSED LEGAL PARAPROFESSIONAL'S HANDS, ON ANY JUDGMENT THE
13 LICENSED LEGAL PARAPROFESSIONAL MAY HAVE OBTAINED OR ASSISTED
14 IN OBTAINING, IN WHOLE OR IN PART, AND ON ANY AND ALL CLAIMS AND
15 DEMANDS IN SUIT FOR ANY FEES OR BALANCE OF FEES DUE OR TO BECOME
16 DUE FROM ANY CLIENT. IN THE CASE OF DEMANDS IN SUIT AND IN THE CASE
17 OF JUDGMENTS OBTAINED IN WHOLE OR IN PART BY ANY LICENSED LEGAL
18 PARAPROFESSIONAL, THE LICENSED LEGAL PARAPROFESSIONAL MAY FILE,
19 WITH THE CLERK OF THE COURT WHEN A CAUSE IS PENDING, NOTICE OF THE
20 LICENSED LEGAL PARAPROFESSIONAL'S CLAIM AS LIENOR, SETTING FORTH
21 SPECIFICALLY THE AGREEMENT OF COMPENSATION BETWEEN THE
22 LICENSED LEGAL PARAPROFESSIONAL AND THE LICENSED LEGAL
23 PARAPROFESSIONAL'S CLIENT, WHICH NOTICE, DULY ENTERED OF RECORD,
24 IS NOTICE TO ALL PERSONS AND TO ALL PARTIES, INCLUDING THE
25 JUDGMENT CREDITOR, TO ALL PERSONS IN THE CASE AGAINST WHOM A
26 DEMAND EXISTS, AND TO ALL PERSONS CLAIMING BY, THROUGH, OR UNDER
27 ANY PERSON HAVING A DEMAND IN SUIT OR HAVING OBTAINED A

1 JUDGMENT THAT THE LICENSED LEGAL PARAPROFESSIONAL WHOSE
2 APPEARANCE HAS BEEN ENTERED HAS A FIRST LIEN ON THE DEMAND IN
3 SUIT OR ON THE JUDGMENT FOR THE AMOUNT OF THE LICENSED LEGAL
4 PARAPROFESSIONAL'S FEES. THE NOTICE OF LIEN SHALL NOT BE PRESENTED
5 IN ANY MANNER TO THE JURY IN THE CASE IN WHICH THE SAME IS FILED.
6 THE LIEN MAY BE ENFORCED BY THE PROPER CIVIL ACTION.

7 **13-93-314. Other property to which lien attaches.** A LICENSED
8 LEGAL PARAPROFESSIONAL HAS A LIEN FOR A GENERAL BALANCE OF
9 COMPENSATION UPON ANY PAPERS OF THE LICENSED LEGAL
10 PARAPROFESSIONAL'S CLIENT THAT HAVE COME INTO THE LICENSED LEGAL
11 PARAPROFESSIONAL'S POSSESSION IN THE COURSE OF THE LICENSED LEGAL
12 PARAPROFESSIONAL'S PROFESSIONAL EMPLOYMENT AND UPON MONEY DUE
13 TO THE LICENSED LEGAL PARAPROFESSIONAL'S CLIENT IN THE HANDS OF
14 THE ADVERSE PARTY IN AN ACTION OR PROCEEDING IN WHICH THE
15 LICENSED LEGAL PARAPROFESSIONAL WAS EMPLOYED FROM THE TIME OF
16 GIVING NOTICE OF THE LIEN TO THAT PARTY.

17 **SECTION 2.** In Colorado Revised Statutes, 13-14-104.5, **amend**
18 (6) as follows:

19 **13-14-104.5. Procedure for temporary civil protection order.**
20 (6) At the time a protection order is requested pursuant to this section,
21 the court shall inquire about, and the requesting party and ~~such~~ THE
22 party's attorney ~~shall~~ OR LICENSED LEGAL PARAPROFESSIONAL have an
23 independent duty to disclose, knowledge ~~such~~ THE party and ~~such~~ THE
24 party's attorney OR LICENSED LEGAL PARAPROFESSIONAL may have
25 concerning the existence of any prior protection or restraining order of
26 any court addressing in whole or in part the subject matter of the
27 requested protection order. In the event there are conflicting restraining

1 or protection orders, the court shall consider, as its first priority, issues of
2 public safety. An order that prevents assaults, threats of assault, or other
3 harm shall MUST be given precedence over an order that deals with the
4 disposition of property or other tangible assets. Every effort shall MUST
5 be made by judicial officers to clarify conflicting orders.

6 **SECTION 3.** In Colorado Revised Statutes, 13-14-108, **amend**
7 (3)(a)(II) as follows:

8 **13-14-108. Modification and termination of civil protection**
9 **orders.** (3) (a) (II) Notwithstanding the prohibition in ~~subparagraph (I)~~
10 ~~of this paragraph (a)~~ SUBSECTION (3)(a)(I) OF THIS SECTION, a protection
11 order may be modified or dismissed on the motion of the protected
12 person, or the person's attorney, LICENSED LEGAL PARAPROFESSIONAL,
13 parent or legal guardian if a minor, or conservator or legal guardian if one
14 has been appointed; except that this ~~paragraph (a)~~ SUBSECTION (3)(a) does
15 not apply if the parent, legal guardian, or conservator is the restrained
16 person.

17 **SECTION 4.** In Colorado Revised Statutes, **amend** 13-17-101 as
18 follows:

19 **13-17-101. Legislative declaration.** The general assembly
20 recognizes that courts of record of this state have become increasingly
21 burdened with litigation which is straining the judicial system and
22 interfering with the effective administration of civil justice. In response
23 to this problem, the general assembly hereby sets forth provisions for the
24 recovery of attorney fees OR LICENSED LEGAL PARAPROFESSIONAL FEES in
25 courts of record when the bringing or defense of an action, or part thereof
26 (including any claim for exemplary damages), is determined to have been
27 substantially frivolous, substantially groundless, or substantially

1 vexatious. All courts shall liberally construe the provisions of this ~~article~~
2 ARTICLE 17 to effectuate substantial justice and comply with the intent set
3 forth in this section.

4 **SECTION 5.** In Colorado Revised Statutes, 13-17-102, **amend**
5 (2.1), (3), (4), (5), (6), and (7); and **add** (1.5), (2.5), and (9) as follows:

6 **13-17-102. Attorney fees - licensed legal paraprofessional -**
7 **definitions.** (1.5) SUBJECT TO THE PROVISIONS OF THIS SECTION, IN ANY
8 CIVIL ACTION, AS DESCRIBED IN SECTION 13-93-302, COMMENCED OR
9 APPEALED IN ANY COURT OF RECORD IN THIS STATE, THE COURT MAY
10 AWARD, EXCEPT AS PROVIDED IN THIS ARTICLE 17, AS PART OF ITS
11 JUDGMENT AND IN ADDITION TO ANY COSTS OTHERWISE ASSESSED,
12 REASONABLE LICENSED LEGAL PARAPROFESSIONAL FEES.

13 (2.1) Notwithstanding any other provision of this part 1, the filing
14 of a certificate of review pursuant to section 13-20-602 related to any
15 licensed health-care professional ~~shall create~~ CREATES a rebuttable
16 presumption that the claim or action is not frivolous or groundless, but it
17 ~~shall~~ DOES not relieve the plaintiff or ~~his~~ THE PLAINTIFF'S attorney OR
18 LICENSED LEGAL PARAPROFESSIONAL from ongoing obligations under rule
19 11 of Colorado rules of civil procedure.

20 (2.5) SUBJECT TO THE LIMITATIONS SET FORTH ELSEWHERE IN THIS
21 ARTICLE 17, IN ANY CIVIL ACTION, AS DESCRIBED IN SECTION 13-93-302,
22 COMMENCED OR APPEALED IN ANY COURT OF RECORD IN THIS STATE, THE
23 COURT SHALL AWARD, BY WAY OF JUDGMENT OR SEPARATE ORDER,
24 REASONABLE LICENSED LEGAL PARAPROFESSIONAL FEES AGAINST ANY
25 ATTORNEY, LICENSED LEGAL PARAPROFESSIONAL, OR PARTY WHO HAS
26 BROUGHT OR DEFENDED A CIVIL ACTION, EITHER IN WHOLE OR IN PART,
27 THAT THE COURT DETERMINES LACKED SUBSTANTIAL JUSTIFICATION.

1 (3) When a court determines that reasonable attorney fees OR
2 REASONABLE LICENSED LEGAL PARAPROFESSIONAL FEES should be
3 assessed, ~~it~~ THE COURT shall allocate the payment ~~thereof~~ OF THE FEES
4 among the offending attorneys, LICENSED LEGAL PARAPROFESSIONALS,
5 and parties, jointly or severally, as ~~it~~ THE COURT deems most just, and
6 may charge ~~such~~ AN amount or portion ~~thereof~~, to any offending attorney,
7 LICENSED LEGAL PARAPROFESSIONAL, or party.

8 (4) The court shall assess attorney fees OR LICENSED LEGAL
9 PARAPROFESSIONAL FEES if, upon the motion of any party or the court
10 itself, ~~it~~ THE COURT finds that an attorney, LICENSED LEGAL
11 PARAPROFESSIONAL, or party brought or defended an action, or any part
12 ~~thereof~~ OF AN ACTION, that lacked substantial justification or that the
13 action, or any part ~~thereof~~ OF THE ACTION, was interposed for delay or
14 harassment or if ~~it~~ THE COURT finds that an attorney, LICENSED LEGAL
15 PARAPROFESSIONAL, or party unnecessarily expanded the proceeding by
16 other improper conduct, including, but not limited to, abuses of discovery
17 procedures available under the Colorado rules of civil procedure or a
18 designation by a defending party ~~under~~ PURSUANT TO section 13-21-111.5
19 (3) that lacked substantial justification. ~~As used in this article, "lacked~~
20 ~~substantial justification" means substantially frivolous, substantially~~
21 ~~groundless, or substantially vexatious.~~

22 (5) ~~No~~ Attorney fees OR LICENSED LEGAL PARAPROFESSIONAL FEES
23 shall NOT be assessed if, after filing suit, a voluntary dismissal is filed as
24 to any claim or action within a reasonable time after the attorney,
25 LICENSED LEGAL PARAPROFESSIONAL, or party filing the dismissal knew,
26 or reasonably should have known, that ~~he~~ THE ATTORNEY, LICENSED
27 LEGAL PARAPROFESSIONAL, OR PARTY would not prevail on ~~said~~ THE

1 claim or action.

2 (6) ~~No~~ A party who is appearing without an attorney OR LICENSED
3 LEGAL PARAPROFESSIONAL shall NOT be assessed attorney fees OR
4 LICENSED LEGAL PARAPROFESSIONAL FEES unless the court finds that the
5 party clearly knew or reasonably should have known that ~~his~~ THE PARTY'S
6 action or defense, or any part ~~thereof~~ OF THE ACTION OR DEFENSE, was
7 substantially frivolous, substantially groundless, or substantially
8 vexatious; except that this subsection (6) ~~shall~~ DOES not apply to
9 situations in which an attorney OR LEGAL PARAPROFESSIONAL licensed to
10 practice law in this state is appearing without an attorney OR A LICENSED
11 LEGAL PARAPROFESSIONAL, in which case, ~~he shall be~~ THE ATTORNEY OR
12 LICENSED LEGAL PARAPROFESSIONAL IS held to the standards established
13 for attorneys OR LICENSED LEGAL PARAPROFESSIONALS elsewhere in this
14 ~~article~~ ARTICLE 17.

15 (7) No attorney, LICENSED LEGAL PARAPROFESSIONAL, or party
16 shall be assessed attorney fees ~~as to~~ OR LICENSED LEGAL
17 PARAPROFESSIONAL FEES FOR any claim or defense ~~which~~ THAT the court
18 determines was asserted by ~~said~~ THE attorney, LICENSED LEGAL
19 PARAPROFESSIONAL, or party in a good faith attempt to establish a new
20 theory of law in Colorado.

21 (9) AS USED IN THIS ARTICLE 17, UNLESS THE CONTEXT OTHERWISE
22 REQUIRES:

23 (a) "LACKED SUBSTANTIAL JUSTIFICATION" MEANS
24 SUBSTANTIALLY FRIVOLOUS, SUBSTANTIALLY GROUNDLESS, OR
25 SUBSTANTIALLY VEXATIOUS.

26 (b) "LICENSED LEGAL PARAPROFESSIONAL" MEANS AN INDIVIDUAL
27 LICENSED BY THE COLORADO SUPREME COURT PURSUANT TO COLORADO

1 RULES OF CIVIL PROCEDURE AND ARTICLE 93 OF THIS TITLE 13 TO PERFORM
2 CERTAIN TYPES OF LEGAL SERVICES. A "LICENSED LEGAL
3 PARAPROFESSIONAL" DOES NOT INCLUDE AN INDIVIDUAL WITH A GENERAL
4 LICENSE TO PRACTICE LAW IN COLORADO.

5 **SECTION 6.** In Colorado Revised Statutes, 13-17-103, **amend**
6 (1) introductory portion as follows:

7 **13-17-103. Procedure for determining reasonable fee - judicial**
8 **discretion.** (1) In determining the amount of an attorney fee OR LICENSED
9 LEGAL PARAPROFESSIONAL FEE award, the court shall exercise ~~its~~ sound
10 discretion. When granting an award of attorney fees OR LICENSED LEGAL
11 PARAPROFESSIONAL FEES, the court shall specifically set forth the reasons
12 for ~~said~~ THE award and ~~shall~~ MUST consider the following factors, among
13 others, in determining whether to assess attorney fees OR LICENSED LEGAL
14 PARAPROFESSIONAL FEES and the amount of ~~attorney~~ fees to be assessed
15 against any offending attorney, LICENSED LEGAL PARAPROFESSIONAL, or
16 party:

17 **SECTION 7.** In Colorado Revised Statutes, **amend** 13-17-104 as
18 follows:

19 **13-17-104. Fee arrangements between attorney or licensed**
20 **legal paraprofessional and client.** The attorney OR LICENSED LEGAL
21 PARAPROFESSIONAL and ~~his~~ THE client ~~shall remain~~ ARE free to negotiate
22 in private the actual fee ~~which~~ THAT the client is to pay ~~his~~ THE CLIENT'S
23 attorney OR LICENSED LEGAL PARAPROFESSIONAL.

24 **SECTION 8.** In Colorado Revised Statutes, **amend** 13-17-105 as
25 follows:

26 **13-17-105. Stipulation as to fees.** With the approval of the court,
27 two or more parties to an action may agree, by written stipulation filed

1 with the court or by oral stipulation in open court, to no award of attorney
2 fees OR LICENSED LEGAL PARAPROFESSIONAL FEES or an award of attorney
3 fees OR LICENSED LEGAL PARAPROFESSIONAL FEES in a manner different
4 from that provided in this ~~article~~ ARTICLE 17.

5 **SECTION 9.** In Colorado Revised Statutes, **amend** 13-17-106 as
6 follows:

7 **13-17-106. Applicability.** This ~~article shall apply~~ ARTICLE 17
8 APPLIES in all cases covered by this ~~article~~ ARTICLE 17 unless attorney
9 fees OR LICENSED LEGAL PARAPROFESSIONAL FEES are otherwise
10 specifically provided by statute, in which case the provision allowing the
11 greater award ~~shall prevail~~ PREVAILS.

12 **SECTION 10.** In Colorado Revised Statutes, 13-90-107, **amend**
13 (1)(b) as follows:

14 **13-90-107. Who may not testify without consent - definitions.**

15 (1) There are particular relations in which it is the policy of the law to
16 encourage confidence and to preserve it inviolate; therefore, a person
17 must not be examined as a witness in the following cases:

18 (b) An attorney OR LICENSED LEGAL PARAPROFESSIONAL shall not
19 be examined without the consent of ~~his~~ THE ATTORNEY'S OR LICENSED
20 LEGAL PARAPROFESSIONAL'S client as to any communication made by the
21 client to ~~him or his advice given thereon~~ THE ATTORNEY OR LICENSED
22 LEGAL PARAPROFESSIONAL in the course of professional employment; nor
23 shall an attorney's OR LICENSED LEGAL PARAPROFESSIONAL'S secretary,
24 paralegal, legal assistant, stenographer, or clerk be examined without the
25 consent of ~~his employer~~ THE ATTORNEY OR LICENSED LEGAL
26 PARAPROFESSIONAL concerning any fact, the knowledge of which ~~he has~~
27 IS acquired in ~~such~~ THE PERSON'S capacity AS THE ATTORNEY'S OR

1 LICENSED LEGAL PARAPROFESSIONAL'S EMPLOYEE.

2 **SECTION 11.** In Colorado Revised Statutes, 14-10-108, **amend**
3 (1) and (7) as follows:

4 **14-10-108. Temporary orders in a dissolution case.** (1) In a
5 proceeding for dissolution of marriage, legal separation, the allocation of
6 parental responsibilities, or declaration of invalidity of marriage or a
7 proceeding for disposition of property, maintenance, or support following
8 dissolution of the marriage, either party may move for temporary payment
9 of debts, use of property, maintenance, parental responsibilities, support
10 of a child of the marriage entitled to support, or payment of attorney fees
11 OR LICENSED LEGAL PARAPROFESSIONAL FEES. The motion may be
12 supported by an affidavit setting forth the factual basis for the motion and
13 the amounts requested.

14 (7) At the time a protection order is requested pursuant to part 1
15 of article 14 of title 13, ~~C.R.S.~~, the court shall inquire about, and the
16 requesting party and ~~such~~ THE party's attorney ~~shall have~~ OR LICENSED
17 LEGAL PARAPROFESSIONAL HAS an independent duty to disclose,
18 knowledge ~~such~~ THE party and ~~such~~ THE party's attorney OR LICENSED
19 LEGAL PARAPROFESSIONAL may have concerning the existence of any
20 prior protection orders or restraining orders of any court addressing in
21 whole or in part the subject matter of the requested protection order.

22 **SECTION 12.** In Colorado Revised Statutes, 14-10-114, **amend**
23 (7)(b) as follows:

24 **14-10-114. Spousal maintenance - advisory guidelines -**
25 **legislative declaration - definitions.** (7) **Maintenance agreements -**
26 **waiver - unrepresented parties.** (b) In any proceeding that falls within
27 the maintenance guidelines set forth in subsection (3) of this section, at

1 the time of either temporary orders or permanent orders, if either party is
2 not represented by an attorney OR A LICENSED LEGAL PARAPROFESSIONAL,
3 the court shall not approve an agreement waiving maintenance or
4 agreeing to an amount or term of maintenance that does not follow the
5 maintenance guidelines unless the unrepresented party has indicated that
6 ~~he or she~~ THE PARTY is aware of the maintenance guidelines pursuant to
7 this section.

8 **SECTION 13.** In Colorado Revised Statutes, 14-10-116, **amend**
9 (2.5)(a) as follows:

10 **14-10-116. Appointment in domestic relations cases -**
11 **representation of the best interests of the child - legal representative**
12 **of the child - disclosure - short title.** (2.5) (a) Within seven days after
13 ~~his or her~~ THE appointment, the appointed person shall disclose to each
14 party, attorneys OR LICENSED LEGAL PARAPROFESSIONALS of record, and
15 the court any familial, financial, or social relationship that the appointed
16 person has or has had with the child, either party, the attorneys OR
17 LICENSED LEGAL PARAPROFESSIONALS of record, or the judicial officer
18 and, if a relationship exists, the nature of the relationship.

19 **SECTION 14.** In Colorado Revised Statutes, 14-10-116.5,
20 **amend** (2.5)(a) as follows:

21 **14-10-116.5. Appointment in domestic relations cases - child**
22 **and family investigator - disclosure - background check.**
23 (2.5) (a) Within seven days after ~~his or her~~ THE appointment, the
24 appointed person shall disclose to each party, attorneys OR LICENSED
25 LEGAL PARAPROFESSIONALS of record, and the court any familial,
26 financial, or social relationship that the appointed person has or has had
27 with the child, either party, the attorneys OR LICENSED LEGAL

1 PARAPROFESSIONALS of record, or the judicial officer and, if a
2 relationship exists, the nature of the relationship.

3 **SECTION 15.** In Colorado Revised Statutes, **amend** 14-10-119
4 as follows:

5 **14-10-119. Attorney and licensed legal paraprofessional fees.**

6 The court from time to time, after considering the financial resources of
7 both parties, may order a party to pay a reasonable amount for the cost to
8 the other party of maintaining or defending any proceeding ~~under~~
9 PURSUANT TO ~~this article~~ ARTICLE 10 and for ~~attorney's~~ ATTORNEY fees OR
10 LICENSED LEGAL PARAPROFESSIONAL FEES, including sums for legal
11 services rendered and costs incurred prior to the commencement of the
12 proceeding or after entry of judgment. The court may order that the
13 amount be paid directly to the attorney OR THE LICENSED LEGAL
14 PARAPROFESSIONAL, who may enforce the order in ~~his~~ THE ATTORNEY'S
15 OR THE LICENSED LEGAL PARAPROFESSIONAL'S name.

16 **SECTION 16.** In Colorado Revised Statutes, 14-10-120.3,
17 **amend** (1)(a) as follows:

18 **14-10-120.3. Dissolution of marriage or legal separation upon**
19 **affidavit - requirements.** (1) Final orders in a proceeding for dissolution
20 of marriage or legal separation may be entered upon the affidavit of either
21 or both parties when:

22 (a) There are no minor children of the husband and wife and the
23 wife is not pregnant or the husband and wife are both represented by
24 counsel OR BY A LICENSED LEGAL PARAPROFESSIONAL and have entered
25 into a separation agreement that provides for the allocation of parental
26 responsibilities concerning the children of the marriage and setting out the
27 amount of child support to be provided by the husband or wife or both;

1 and

2 **SECTION 17.** In Colorado Revised Statutes, 14-10-122, **amend**
3 (1.5)(f)(I) introductory portion and (1.5)(f)(I)(J) as follows:

4 **14-10-122. Modification and termination of provisions for**
5 **maintenance, support, and property disposition - automatic lien -**
6 **definitions.** (1.5) (f) **Notice of lien - contents.** (I) The notice of lien
7 ~~shall~~ MUST contain the following information:

8 (J) A statement that interest may accrue on all amounts ordered to
9 be paid, pursuant to sections 14-14-106 and 5-12-101, ~~C.R.S.~~; and may
10 be collected from the obligor in addition to costs of sale, attorney fees,
11 LICENSED LEGAL PARAPROFESSIONAL FEES, and any other costs or fees
12 incident to ~~such~~ THE sale for liens arising pursuant to ~~paragraphs (b) and~~
13 ~~(c) of this subsection (1.5)~~ SUBSECTIONS (1.5)(b) AND (1.5)(c) OF THIS
14 SECTION.

15 **SECTION 18.** In Colorado Revised Statutes, **amend** 14-10-126
16 as follows:

17 **14-10-126. Interviews.** (1) The court may interview the child in
18 chambers to ascertain the child's wishes as to the allocation of parental
19 responsibilities. The court may permit counsel OR A LICENSED LEGAL
20 PARAPROFESSIONAL to be present at the interview. The court shall cause
21 a record of the interview to be made, and ~~it shall~~ THE INTERVIEW MUST be
22 made part of the record in the case.

23 (2) The court may seek the advice of professional personnel
24 whether or not they are employed on a regular basis by the court. The
25 advice given ~~shall~~ MUST be in writing and ~~shall be~~ made available by the
26 court to counsel of record OR LICENSED LEGAL PARAPROFESSIONAL OF
27 RECORD, parties, and other expert witnesses upon request, but ~~it shall~~ THE

1 ADVICE MUST otherwise be considered confidential, ~~and shall~~ be sealed,
2 and ~~shall~~ not be open to inspection, except by consent of the court.
3 Counsel OR A LICENSED LEGAL PARAPROFESSIONAL may call for
4 cross-examination any professional personnel consulted by the court.

5 **SECTION 19.** In Colorado Revised Statutes, 14-10-127, **amend**
6 (1.2)(a) and (3) as follows:

7 **14-10-127. Evaluation and reports - training and**
8 **qualifications of evaluators - disclosure.** (1.2) (a) Within seven days
9 after ~~his or her~~ THE appointment, the evaluator shall disclose to each
10 party, attorneys OR LICENSED LEGAL PARAPROFESSIONALS of record, and
11 the court any familial, financial, or social relationship that the evaluator
12 has or has had with the child, either party, the attorneys OR LICENSED
13 LEGAL PARAPROFESSIONALS of record, or the judicial officer and, if a
14 relationship exists, the nature of the relationship.

15 (3) The evaluator shall mail the report to the court and to counsel
16 OR A LICENSED LEGAL PARAPROFESSIONAL, and to any party not
17 represented by counsel OR A LICENSED LEGAL PARAPROFESSIONAL, at least
18 twenty-one days prior to the hearing. The evaluator shall make available
19 to counsel OR THE LICENSED LEGAL PARAPROFESSIONAL, and to any party
20 not represented by counsel ~~his or her~~ OR A LICENSED LEGAL
21 PARAPROFESSIONAL, THE EVALUATOR'S file of underlying data and
22 reports, complete texts of diagnostic reports made to the evaluator
23 pursuant to ~~the provisions of~~ subsections (2), (5), and (6) of this section,
24 and the names and addresses of all persons whom the evaluator has
25 consulted. Any party to the proceeding may call the evaluator and any
26 person with whom the evaluator has consulted for cross-examination. ~~No~~
27 A party ~~may~~ SHALL NOT waive ~~his or her~~ THE PARTY'S right of

1 cross-examination prior to the hearing.

2 **SECTION 20.** In Colorado Revised Statutes, 14-10-128.1,
3 **amend** (2.5)(a) and (7)(d) as follows:

4 **14-10-128.1. Appointment of parenting coordinator -**
5 **disclosure.** (2.5) (a) Within seven days after ~~his or her~~ THE appointment,
6 the appointed person shall disclose to each party, attorneys OR LICENSED
7 LEGAL PARAPROFESSIONALS of record, and the court any familial,
8 financial, or social relationship that the appointed person has or has had
9 with the child, either party, the attorneys OR LICENSED LEGAL
10 PARAPROFESSIONALS of record, or the judicial officer and, if a
11 relationship exists, the nature of the relationship.

12 (7) (d) If a person commences a civil action against a parenting
13 coordinator arising from the services of the parenting coordinator, or if
14 a person seeks to compel a parenting coordinator to testify or produce
15 records in violation of ~~paragraph (c) of this subsection (7)~~ SUBSECTION
16 (7)(c) OF THIS SECTION, and the court determines that the parenting
17 coordinator is immune from civil liability or that the parenting
18 coordinator is not competent to testify, the court shall award to the
19 parenting coordinator reasonable attorney fees OR REASONABLE LICENSED
20 LEGAL PARAPROFESSIONAL FEES and reasonable expenses of litigation.

21 **SECTION 21.** In Colorado Revised Statutes, 14-10-128.3,
22 **amend** (3), (4.5)(a), and (7)(d) as follows:

23 **14-10-128.3. Appointment of decision-maker - disclosure.**
24 (3) All decisions made by the decision-maker pursuant to this section
25 ~~shall~~ MUST be in writing, dated, and signed by the decision-maker.
26 Decisions of the decision-maker ~~shall~~ MUST be filed with the court and
27 mailed to the parties or to counsel OR LICENSED LEGAL

1 PARAPROFESSIONAL for the parties, if any, no later than twenty days after
2 the date the decision is issued. All decisions ~~shall be~~ ARE effective
3 immediately upon issuance and ~~shall~~ continue in effect until vacated,
4 corrected, or modified by the decision-maker or until an order is entered
5 by a court pursuant to a de novo hearing ~~under~~ PURSUANT TO subsection
6 (4) of this section.

7 (4.5) (a) Within seven days after ~~his or her~~ THE appointment, the
8 appointed person shall disclose to each party, attorneys OR LICENSED
9 LEGAL PARAPROFESSIONALS of record, and the court any familial,
10 financial, or social relationship that the appointed person has or has had
11 with the child, either party, the attorneys OR LICENSED LEGAL
12 PARAPROFESSIONALS of record, or the judicial officer and, if a
13 relationship exists, the nature of the relationship.

14 (7) (d) If a person commences a civil action against a
15 decision-maker arising from the services of the decision-maker, or if a
16 person seeks to compel a decision-maker to testify or produce records in
17 violation of ~~paragraph (c) of this subsection (7)~~ SUBSECTION (7)(c) OF
18 THIS SECTION, and the court decides that the decision-maker is immune
19 from civil liability or that the decision-maker is not competent to testify,
20 the court shall award to the decision-maker reasonable attorney fees OR
21 REASONABLE LICENSED LEGAL PARAPROFESSIONAL FEES and reasonable
22 expenses of litigation.

23 **SECTION 22.** In Colorado Revised Statutes, 14-10-129, **amend**
24 (2.5)(b), (3)(a), and (5) as follows:

25 **14-10-129. Modification of parenting time.** (2.5) (b) If the court
26 finds that the filing of a motion ~~under paragraph (a) of this subsection~~
27 ~~(2.5)~~ PURSUANT TO SUBSECTION (2.5)(a) OF THIS SECTION was

1 substantially frivolous, substantially groundless, substantially vexatious,
2 or intended to harass or intimidate the other party, the court shall require
3 the moving party to pay the reasonable and necessary attorney fees OR
4 LICENSED LEGAL PARAPROFESSIONAL FEES and costs of the other party.

5 (3) (a) If a parent has been convicted of any of the crimes listed
6 in ~~paragraph (b) of this subsection (3)~~ SUBSECTION (3)(b) OF THIS SECTION
7 or convicted in another state or jurisdiction, including, but not limited to,
8 a military or federal jurisdiction, of an offense that, if committed in
9 Colorado, would constitute any of the crimes listed in ~~paragraph (b) of~~
10 ~~this subsection (3)~~ SUBSECTION (3)(b) OF THIS SECTION, or convicted of
11 any crime in which the underlying factual basis has been found by the
12 court on the record to include an act of domestic violence, as defined in
13 section 18-6-800.3 (1), ~~C.R.S.~~, that constitutes a potential threat or
14 endangerment to the child, the other parent, or any other person who has
15 been granted custody of or parental responsibility for the child pursuant
16 to court order may file an objection to parenting time with the court. The
17 other parent or other person having custody or parental responsibility
18 shall give notice to the offending parent of ~~such~~ THE objection as
19 provided by the Colorado rules of civil procedure, and the offending
20 parent ~~shall have~~ HAS twenty-one days from ~~such~~ THE notice to respond.
21 If the offending parent fails to respond within twenty-one days, the
22 parenting time rights of ~~such~~ THE parent ~~shall be~~ ARE suspended until
23 further order of the court. If ~~such~~ THE parent responds and objects, a
24 hearing ~~shall~~ MUST be held within thirty-five days ~~of such~~ AFTER THE
25 response. The court may determine that any offending parent who
26 responds and objects ~~shall be~~ IS responsible for the costs associated with
27 any hearing, including reasonable attorney fees OR LICENSED LEGAL

1 PARAPROFESSIONAL FEES incurred by the other parent. In making ~~such~~
2 THE determination, the court ~~shall~~ MUST consider the criminal record of
3 the offending parent and any actions to harass the other parent and the
4 children, any mitigating actions by the offending parent, and whether the
5 actions of either parent have been substantially frivolous, substantially
6 groundless, or substantially vexatious. The offending parent ~~shall have~~
7 HAS the burden at the hearing to prove that parenting time by ~~such~~ THE
8 parent is in the best interests of the child or children.

9 (5) If the court finds that ~~the filing of a motion under~~ PURSUANT
10 TO subsection (4) of this section was substantially frivolous, substantially
11 groundless, or substantially vexatious, the court shall require the moving
12 party to pay the reasonable and necessary attorney fees and costs OR
13 LICENSED LEGAL PARAPROFESSIONAL FEES AND COSTS of the other party.

14 **SECTION 23.** In Colorado Revised Statutes, 14-10-129.5,
15 **amend** (4) as follows:

16 **14-10-129.5. Disputes concerning parenting time.** (4) In
17 addition to any other order entered pursuant to subsection (2) of this
18 section, the court shall order a parent who has failed to provide
19 court-ordered parenting time or to exercise court-ordered parenting time
20 to pay to the aggrieved party, ~~attorney's~~ ATTORNEY fees OR LICENSED
21 LEGAL PARAPROFESSIONAL FEES, court costs, and expenses that are
22 associated with an action brought pursuant to this section. In the event the
23 parent responding to an action brought pursuant to this section is found
24 not to be in violation of the parenting time order or schedule, the court
25 may order the petitioning parent to pay the court costs, attorney fees OR
26 LICENSED LEGAL PARAPROFESSIONAL FEES, and expenses incurred by ~~such~~
27 THE responding parent. ~~Nothing in~~ This section ~~shall~~ DOES NOT preclude

1 a party's right to a separate and independent legal action in tort.

2 **SECTION 24.** In Colorado Revised Statutes, **amend** 19-4-120 as
3 follows:

4 **19-4-120. Represented by counsel.** At the pretrial hearing and in
5 further proceedings, any party may be represented by counsel OR A
6 LICENSED LEGAL PARAPROFESSIONAL, BUT A LICENSED LEGAL
7 PARAPROFESSIONAL SHALL NOT ENGAGE IN ANY TASKS OR ACTIVITIES
8 THAT ARE PROHIBITED BY THE COLORADO SUPREME COURT PURSUANT TO
9 COURT RULES.

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