

**JUVENILE LAW SECTION  
LEGISLATION 2009<sup>1</sup>  
JULY 15, 2009**

**FEDERAL LEGISLATION**

<b>Bill #</b>	<b>Bill Name</b>	<b>Status</b>
PL 110-351 H.R. 6893	Fostering Connections to Success and Increasing Adoptions Act of 2008 <a href="#">See SB 09-245 below</a> \$15 million each year 2009 – 2013 (Family Group DM, Intensive Family Finding, Residential family-based substance abuse) \$5 million annually for Kinship Navigator programs State exercise “due diligence” to ID and provide notice to adult relatives within 30-days Allows Tribes to apply directly for Title IV-E funds Promotes sibling placement or visitation Full text on Juvenile Law Section website – <a href="#">thanks to Amity</a>	President signed 10/7/08
S 678	Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009 <a href="#">In Senate Judiciary Committee – not scheduled yet</a> <a href="#">See HB 09-1321 below</a> States will have 3 years to implement to set up process that includes due process before juveniles are held in jails If juvenile ordered to be held in a jail, Court to hold a hearing every 30-days to review and juvenile cannot be held in a jail for longer than 180 days, unless written, good cause finding made	Introduced 3/24/09

**COLORADO LEGISLATION**

<b>Bill #</b>	<b>Bill Name</b>	<b>Status</b>
HB-09-1007	Improving Child Protection Efforts by Adding DV Experts to Interagency Oversight Groups in Collaborative Mgmt Programs	Governor signed 3/20/09
HB 09-1044	Expungement of Records Relating to Criminal Matter for which Juvenile is Sentenced as a Juvenile after begin Charged by the Direct Filing of Charges in District Court <a href="#">Allows for expungement of records for a juvenile direct file if that juvenile was sentenced as a juvenile</a> <a href="#">Effective 9/1/09</a>	Governor signed 3/18/09
HB 09-1078	Training for Foster Parents in Regard to IEPs	Governor signed 3/19/09
HB 09-1122	Increase the Age of Persons Eligible for Sentencing to the Youthful Offender System <a href="#">Effective 10/1/09</a> <a href="#">Defines “Young Adult Offender” as between 18 – 21 years old when the crime was committed and under 21 when sentenced</a>	Governor signed 4/2/09
HB 09-1125	Limitations on the Incentives Local Educational Providers may Provide for Participation in Public Educational Programs <a href="#">Can not offer “items of value” to students or their parents unless item is given throughout the year or at the end of the year or at a recognition ceremony</a> <a href="#">Items of value cannot be given if child withdraws from program</a>	Governor signed 4/16/09

<sup>1</sup> These bills were selected by Bonnie E. Saltzman, as the Juvenile Law Section’s Legislative Rep. It is likely that she failed to identify other relevant bills. Please contact her at 303-333-3554 or [Saltzmanlaw@aol.com](mailto:Saltzmanlaw@aol.com) to notify her of additional bills or Acts. This is provided as informational only. To check updated and current status of bills go to: <http://www.leg.state.co.us>

HB 09-1225	Risk Assessments of Students Applying for Admission to a Public School Who Have a Potential Risk of Harm to Themselves or Others	Postpones Indefinitely
HB 09-1286	Repeal and Reenactment of Uniform Parentage Act Group to review the UPA II is not formed yet Supreme Court Committee on Family Law has a subcommittee looking at Title 14 versus Title 19 issues This subcommittee includes looking at the current UPA and the proposed revisions to the UPA Lisa Horvath and I are on this subcommittee	Postpones Indefinitely
HB 09-1306	Concerning Protection of Youth in Juvenile Facilities In DHS	Postponed Indefinitely
HB 09-1314	Safety in Day Treatment Centers	Postponed Indefinitely
HB 09-1321	Placement of A Juvenile Who is Awaiting Trial in District Court Direct filed or transferred juvenile shall NOT be held in a juvenile facility unless the DA and defense attorney agree otherwise. New law sets out factors to be considered by DA and defense counsel.	Governor signed 6/1/09
SB 09-030	Concerning the "Child Mental Health Treatment Act" Adds annual monitoring report requirement for BHO's	Governor signed 4/16/09
SB 09-048	Financial Audit for the Office of Children's Representative	Governor signed 4/16/09
SB 09-058	Immunity for Attorneys Contracting with State Judicial Department Agencies to Provide Statutorily Mandated Services	Postponed Indefinitely
SB 09-079	Improving Well-Being of Children in Foster Care by Improving the Ability of Birth Siblings to Maintain Long-Term Connections Establishes authority of confidential intermediaries to search for siblings Expands the Voluntary Adoption Registry to include former foster children who may or may not have been adopted that want to locate siblings	Governor signed 3/25/09
SB 09-104	Concerning the Provision of Verifiable Documents to Youth Leaving Foster Care Adds the following to "Child Welfare Services" <ul style="list-style-type: none"> <li>▪ Providing verifiable documents to youth who emancipate from foster care - minimum</li> <li>▪ Certified copy of birth certificate</li> <li>▪ Social Security Card</li> <li>▪ Costs for documents to be paid by Department</li> </ul>	Governor signed 5/2/09
SB 09-164	Requiring Certain Persons Serving in the State Child Welfare to Demonstrate the Necessary Competencies to Perform their Job Responsibilities Child Welfare Training Academy established within CDHS Rules due 9/15/09 <ul style="list-style-type: none"> <li>▪ Establish minimum standards of competency for certification</li> <li>▪ ID jobs within child welfare that will require certification for employment</li> <li>▪ ID jobs that will require ongoing training as a condition of employment</li> <li>▪ Establish alternative methods to obtain certification for those who already completed comparable training</li> <li>▪ \$500,000 from general fund</li> <li>▪ \$385,000 from Title IV money</li> <li>▪ 3.0 FTEs</li> </ul>	Governor signed 5/19/09
SB 09-245	Concerning Changes to Conform to Portions of Federal Public Law 110-351 Relating to Kinship Conforms with the 30-day due diligence requirement in PL 110-351 (reduced from 90-days) Reduces relative affidavit submission fro 15 days to 7 business days from the date of the temporary custody hearing Allocates \$86,000 to Trails	Governor signed 6/4/09

SB 09-268	<p style="text-align: center;">Clarifying the Appointment of State-Paid Professionals in Cases Involving Children</p> <p>Clarifies eligibility for state-funded CFI and CLR appointments Requires specific, written findings in delinquency cases for the appointment of a GAL Requires finding of exceptional and extraordinary circumstances to have GAL appointed in truancy cases Specifies when the appointment of a GAL in a delinquency case terminates</p>	Governor signed 5/1/09
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