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## Colorado Office of the Child's Representative

*Report to the General Assembly for Fiscal Year 2019-20*

*September 1, 2020*

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### OCR Mission

The mission of the Office of the Child's Representative (OCR) is to provide effective legal representation to Colorado's children involved in the court system because they have been abused and neglected, impacted by high-conflict parenting time disputes, or charged with delinquent acts and without a parent able to provide relevant information to the court or protect their best interests during the proceedings. As a state agency, the OCR is accountable to the State of Colorado to achieve this mission in the most cost-efficient manner without compromising the integrity of services or the safety and well-being of children. The OCR is committed to ensuring that its attorneys provide these children, Colorado's most vulnerable and marginalized population in the courts, the best legal services available to protect and promote their safety and well-being and to have their voice heard throughout all aspects of a case.

### OCR Values

1. **Accountability:** Colorado's children, attorneys, families, and communities can count on OCR to ensure that each decision we make and action we take advances our mission in a fair, inclusive and transparent manner.
2. **Efficiency:** OCR strives to accomplish its mission and conserve resources by streamlining efforts, adhering to deadlines, resolving conflict constructively, and honoring well-defined projects, processes, and roles. We balance our drive to achieve with thoughtful planning and implementation.
3. **Empowerment:** OCR cultivates an environment of respect and honesty. We value the diverse experiences and expertise of the children we serve, our attorneys, and our staff. We invest time to reflect and connect, focus on strengths, value feedback, and recognize success. We stand for justice and support each other in our mission to empower children.

## Highlights for Fiscal Year 2020

This year had a starkly contrasting beginning and end. The OCR began the year with the audit implementation completed and staff looking forward to continued improvement and growth. The OCR pursued a rate increase for our contract attorneys and looked to increase our staff to handle growth in contract attorneys and case types. Colorado was selected to be one of the first 10 states to participate in the National Association of Child's Counsel (NACC) state coordinator program and the OCR was selected to be the Colorado lead. The OCR staff attorneys were heavily involved in various aspects of Colorado's Family First Prevention Services Act implementation and planning, including co-chairing the implementation committee, actively participating in the FFPSA Legislative, Juvenile Justice and QRTP Workgroups, membership on the SB254 Taskforce and Outcomes Subcommittee and helping to develop the QRTP bench card. This FFPSA work furthers the OCR's commitment to improving the child welfare system for Colorado's children, youth and families.

Another way the OCR continues to push system improvement for youth is through our work on a variety of juvenile justice committees. These include the Juvenile Justice Reform Commission which is tasked with implementing SB19-108 and the Juvenile Delinquency Council which has been working on reordering article 2 of the Colorado Children's Code.

The OCR also took steps throughout the year to enable utilization of Title IV-E funding to further enhance legal services for children and youth in Colorado. The OCR met with Colorado's IV-E funding agency, the Colorado Department of Human Services, throughout the year to work on an appropriate MOU, interagency agreement and discuss how to navigate the mechanics of drawing down these federal funds. The OCR thanks the Joint Budget Committee for approving the requested spending authority which will allow the OCR to begin utilizing these funds in the upcoming fiscal year to enhance representation.

One of the innovative ways in which the OCR has been enhancing attorney services is by developing multidisciplinary legal service options for contract attorneys. Case Consultants (CCs) with relevant social work education and experience aid attorneys by helping with their independent investigation and lending social science expertise to case analysis and recommendations. These efforts have been spearheaded by our Case Consultant Coordinator and the availability and use of CCs across the state have increased by 25%. The OCR has also been laying the groundwork for new programming which will culminate in a contract CC program rolling out this coming year.

Another important program the OCR worked diligently on throughout the year is our Engaging and Empowering Youth Program which is generating state and national attention. The OCR collected another year of data through surveys, youth events and focus groups. In FY19-20 the OCR began the task of compiling results from the data to inform OCR programming and

advocacy. The OCR is authoring a report, set to be released in the fall of 2020, showcasing these results and corresponding recommendations to further this important work.

While the OCR is proud of its continued efforts to push system change and improvements, our agency also faced difficult adjustments and leaned into difficult conversations. The OCR, like all agencies, faced serious challenges with the start of the COVID-19 pandemic. OCR staff have worked remotely since March 14<sup>th</sup>, 2020 and developed completely new programming and supports for our approximately 280 contract attorneys who span the entire state of Colorado. The financial impact of the pandemic on the state budget required the OCR to pull back on budget requests and reduce expenditures. During the early stages of the pandemic the OCR was very concerned about the impacts on system-involved children and their families. Contract attorneys needed guidance on home visiting requirements, court requirements and how to ensure child safety while respecting public health needs. The OCR created a COVID resource page and continues to develop supports during these trying times. This includes engaging in advocacy around congregate care, family visitation, education issues, reasonable efforts, achieving permanency for children and youth and juvenile detention.

Lastly, but most importantly, the OCR has embraced our responsibility to improve the system for our communities of color and LGBTQ community. This starts with our agency and staff who have committed to standing with the Black Community, to seeking justice and working harder to correct the disparate impact of the child welfare system on our communities of color, native populations and LGBTQ communities. To this end the OCR has formed a Diversity, Equity and Inclusion (DE&I) committee, created a diversity section on our website to offer resources, started working on recommendations to increase the diversity of our contract attorneys and staff, are updating our mission and values to ensure diversity, equity and inclusion principles are featured appropriately and further integrating DE&I principles in our training program. It is of the utmost importance that these issues remain at the forefront at all times and do not fall by the wayside. Our efforts in this area will be documented in our future reports.

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## Board of Directors

The Colorado Supreme Court appoints the OCR's nine-member board (Board) in accordance with C.R.S. § 13-91-104(2) which requires Board membership to include three attorneys who have experience in representing children as Guardians *ad litem* or as legal representatives of children, three members who are not attorneys but have experience advocating for children in the court system and three citizens. No more than five members from one political party may serve, and each of the seven congressional districts must be represented on the Board. The Board serves without compensation and advises the OCR's Executive Director regarding fiscal matters, policy and funding decisions. The OCR is fortunate to have a diverse and experienced Board as follows:

### **Al White (Former Chair, term ended 12/2019)**

Republican, Third Congressional District, *Consultant to the Colorado Tourism Industry*, Citizen

### **Barbara Shaklee (Chair)**

Chair, Democrat, First Congressional District, *Retired Denver City Attorney Human Services Section Director*, Attorney

### **Mark Ferrandino**

Democrat, First Congressional District, *Chief Financial Officer, Denver Public Schools*, Citizen

### **Don Moseley**

Democrat, Seventh Congressional District, *Executive Director of Ralston House*, Advocate

### **Kelvin Nicholson**

Republican, First Congressional District, *Psychotherapist and Former Foster Parent*, Citizen

### **Gwen Schooley**

Independent, Fourth Congressional District, *Executive Director, A Kids Place/CASA Program and Child Advocacy Center*, Advocate

### **Maria Valdez**

Independent, Sixth Congressional District, *GAL Attorney in Arapahoe County*, Attorney

### **Mary Ann Liston**

Republican, Fifth Congressional District, *Retired attorney in El Paso Office of the Guardian ad Litem*, Attorney

### **Marc Winokur**

Democrat, Second Congressional District, *Director, Social Work Research Center of CSU*, Advocate

### **Jean White**

Republican, Third Congressional District, former Colorado Senator, Citizen (appointed December 2019)

**Victoria Shuler** (non-voting Youth Advisory member)

Although not statutorily required, the Board includes a valued non-voting youth advisory member. Victoria has lived experience and received GAL services as a minor. She is currently the Denver Director of Fostering Great Ideas.

The OCR is very excited to welcome Jean White who will serve as a citizen board member. Jean comes to this role after her husband's term ended with great experience at the Colorado Legislature where she served as a state Senator for two years. She is familiar with the OCR and brings passion for helping Colorado children and families. This year was the final year of Al White's term as a board member at the OCR. Al served on the OCR board for 8 years after his appointment by Chief Justice Bender in February of 2011. In that time Al has provided invaluable leadership and much appreciated humor!

## OCR Staff

The OCR currently employs the following 12 people in the Denver Executive Office, located in the Ralph Carr Judicial Center at 1300 Broadway, Suite 320, Denver, CO 80203, for a total of 12.6 FTE currently:

### Executive Team

**Chris Henderson**  
Executive Director

**Sheri Danz**  
Deputy Director

**Mark Teska**  
Chief Operating Officer

### Staff

**Daniel Allen**  
Performance Analyst

**Ashley Chase**  
Staff Attorney and Legislative Liaison

**Rebecca Garrison**  
Information Systems Manager

**Katie Irwin**  
Staff Accountant

**Michelle Jensen**  
Training Coordinator

**Brandy Lombardi**  
Administration and Accounting Specialist

**Cara Nord**  
Staff Attorney

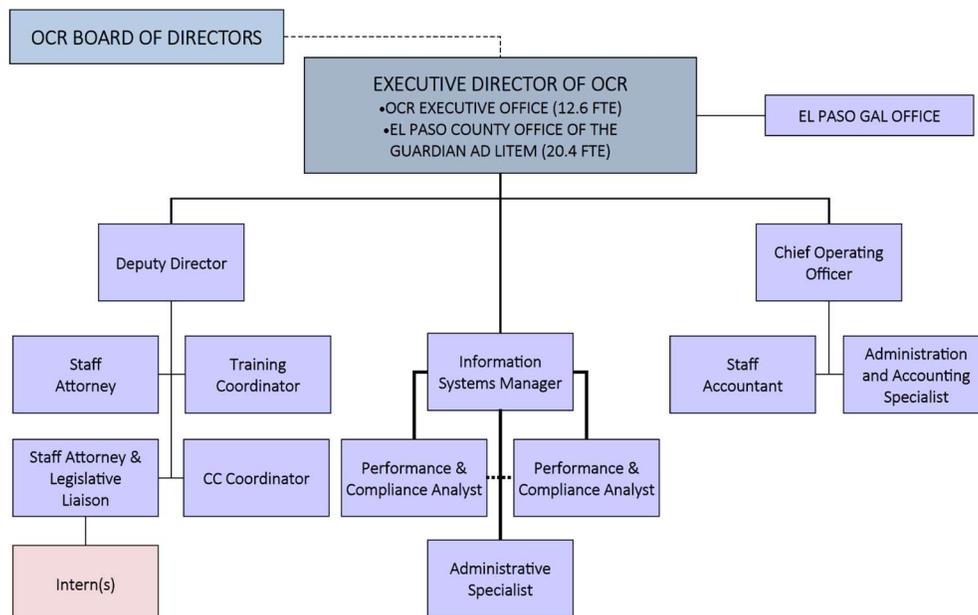
**Alexis Perry-Scott**  
Performance Analyst

**Alex Wolff**  
Case Consultant Coordinator

**TBD**  
Administrative Assistant

## Colorado Office of the Child's Representative (OCR) Organizational Chart

November 1, 2019



## Agency Overview

The OCR is an independent agency within the Judicial branch mandated to provide competent and effective best interests legal representation to children involved in the Colorado court system. The OCR was created by the general assembly in 2000 to improve representation for Colorado’s most vulnerable children by establishing minimum practice standards and providing litigation support, accessible high-quality statewide training, and oversight of the practice. At the time of the OCR’s creation, the general assembly had serious concerns about the subpar quality of representation provided to children in Colorado, including: 1) financial barriers to the necessary frontloading of services or ongoing dedication of the proper amount of time to cases; 2) GAL caseloads impairing appropriate case preparation and investigation; 3) insufficient meaningful interaction by GALs with children in their environment; and 4) a lack of participation by GALs in court. As a result, OCR is mandated in C.R.S. § 13-91-101, *et seq.* to:

- I. Provide oversight and improve quality of best interests attorney services and maintain consistency of best interests representation statewide.
- II. Establish minimum practice standards, duties and responsibilities for all attorneys representing children in judicial proceedings, including the investigation of maximum-caseload limitations for GALs.
- III. Provide litigation support to OCR attorneys.
- IV. Establish minimum training requirements and accessible high-quality training statewide for attorneys, judges and magistrates.
- V. Establish fair and realistic compensation for state-appointed children’s attorneys sufficient to retain high-quality, experienced attorneys.
- VI. Assess and document the effectiveness of various models of representation.

*“Since day 1, he always asked questions – specific questions – to know what I was thinking, why, how. He got to know me pretty well. He was someone I would go to if I needed to talk with someone. It was sad when he had to move on because I was turning 18. He was a great guy.”*

*- A youth’s feedback about an OCR attorney*

The OCR currently contracts with approximately 280 attorneys who provide high quality legal representation to children and youth in all 22 judicial districts in Colorado. OCR attorneys are skilled in child welfare and juvenile law and processes. They are knowledgeable of evidence-based social science research and trained in child welfare and/or juvenile delinquency representation best practices. Depending upon the case to which the attorney is appointed, the attorneys are known as Guardians *ad litem* (GALs), Counsel for Children in D&N proceedings, or Child Legal Representatives (CLRs). They provide attorney services at a rate of \$80 per hour in the following case types:

Case Type	OCR Responsibility
Dependency & Neglect (D&N)	All GAL appointments ( <i>a GAL is appointed for each child/youth in every dependency and neglect case in Colorado</i> )
Underage Party seeking a Marriage License	All GAL appointments (a GAL is appointed for all youth 16-17 years of age seeking a marriage license)
Delinquency (JD) & Direct File	Appointments are made at the discretion of the Court and the OCR pays for every appointment made by the Court.
Truancy	Appointments are made at the discretion of the Court and the OCR pays for every appointment made by the Court.
Paternity & Support	Appointments are made at the discretion of the Court and the OCR pays for appointments when at least one party is indigent.
Probate	Appointments are made at the discretion of the Court and the OCR pays for appointments when at least one party is indigent.
Adoption & Relinquishment	Appointments are made at the discretion of the Court and the OCR pays for every appointment made by the Court.
Mental Health	Appointments are made at the discretion of the Court and the OCR pays for every appointment made by the Court.
Victim Witness	Appointments are made at the discretion of the Court and the OCR pays for every appointment made by the Court.

While the statutory roles and responsibilities vary slightly by proceeding, in all case types, the GAL's professional duties flow solely to the best interests of the child. The GAL is appointed to independently investigate the matter, to make recommendations that are in the best interests of the child, and to advocate for the child's best interests through all stages of the proceedings. The OCR may be responsible for additional appointments in other proceedings when representation of a child's best interests is deemed necessary by the Court.

The court also has discretion to appoint attorneys under contract with the OCR in domestic relations proceedings as a Child's Legal Representative (CLR) under C.R.S. §14-10-116, which requires the state to bear all costs of such appointments if the court finds the parties are indigent.

In FY 12-13, the OCR assumed the responsibility for oversight and payment of attorneys appointed as Counsel for Children in D&N proceedings. The appointment of counsel for children is discretionary and the court may appoint counsel for a child facing potential or actual contempt citations and/or a child or youth who holds his/her evidentiary therapeutic privilege.

Currently, the OCR provides attorney services to Colorado’s children in one of two ways:

Independent Contractors: In FY19-20 the OCR contracted with 285 attorneys throughout Colorado. These attorneys often own small businesses and include both sole practitioners and law firms. OCR attorneys often live and work in the same communities as the children and youth they serve.

The OCR’s El Paso County Guardian Ad Litem Office (El Paso County GAL Office): The El Paso County GAL Office was created in 2001 in direct response to Senate Bill 99-215 (Long Appropriations Bill), Footnote 135, which directed the Judicial Department to pilot alternative methods of providing GAL services. This multidisciplinary office is in its nineteenth year of operation. The OCR El Paso GAL Office employs 12 attorneys, 5 case coordinators and administrative support staff (20.4 FTE). The case coordinators are social service professionals that supplement attorney services by providing, for example, analysis of treatment needs, meaningful participation in case staffings, communication with treatment providers, and observation of parent/child visits. The use of multidisciplinary staff as part of the legal team is recognized as a promising practice by the National

*“She was everything that held all of us together though the case. She was the one constant, we went through a lot of case workers and it was really helpful to have that constant. I never had to do her job, she was reliable and I could really count on her.”*

*- A caregiver’s feedback about an OCR attorney*

Association of Counsel for Children (NACC) and in a growing body of research from groups including the American Bar Association, Family Justice Initiative and Casey Family Programs.

The OCR maintains high expectations of its independent contractors and the OCR El Paso GAL Office state employees as set forth in the Attorney Qualifications and Standards section later in this report.

The OCR advocates on a statewide basis through participation in a variety of committees and taskforces related to juvenile and child welfare law and services (see Appendix B). Staff from the OCR participate in the Court Improvement Program (CIP), are heavily involved in the work in Colorado around the Family First Prevention Services Act (FFPSA), including co-chairing the implementation committee, and participate on a number of juvenile justice committees including the Juvenile Justice Reform Commission and the Juvenile Justice Delinquency Prevention Council. In addition, the OCR serves as a resource to legislators by providing subject matter expertise, answering questions and providing nonpartisan research concerning children, youth, juvenile and family issues. The OCR welcomes comments and questions from legislators regarding GALs, legislation, FFPSA or specific issues concerning children or GALs in a legislator’s community.

## OCR Performance Goals

The OCR has worked diligently to fulfill its statutory mandates and has been successful in many ways. To continue building on this success, the OCR has committed to three performance goals which encompass its statutory mandates and seeks to continuously improve in each area going forward.

Goal 1: Provide children a voice in the Colorado legal system through effective attorney services and advocacy.

### Engaging and Empowering Youth

The OCR launched an Engaging and Empowering Youth Initiative (E&EY) in FY 17-18 with the goal of obtaining direct feedback from children and youth involved in the juvenile court system. The initiative builds on knowledge gained from the OCR's previous youth engagement effort, focusing on "meeting the youth where they are." In FY19-20, the OCR collected 85 surveys and conducted eight youth focus groups to gather important information from the youth perspective. With this data, the OCR now has two years of survey and focus group information. The OCR is currently analyzing the data and plans to use the results to inform recommendations, goals and programming that will further advance the child/youth voice in Colorado. A comprehensive report detailing these findings and recommendations will be released in the fall of 2020 and details will be included in next year's General Assembly Report. These recommendations will continue to drive further youth engagement and the data will inform some of the OCR's SMART Act goals and measures for the upcoming year.

*"She appreciated my presence when I was there. She felt having me there for certain hearings would help get the outcome I wanted and so we always felt like we were working towards the same goal."*

*- A youth's feedback about an OCR attorney*

Another way the OCR seeks youth input is through its youth reference interviews which are conducted as part of the attorney contract renewal process. In FY19-20, the OCR conducted 81 youth reference interviews regarding the 83 attorneys up for renewal. This feedback is used in evaluating attorney compliance with OCR practice standards and is discussed with each attorney during his/her renewal interview. ***(All quotes used throughout this report come directly from the reference interviews conducted in FY19-20).***

### OCR Vision

*Each Colorado child in need of an OCR attorney will receive comprehensive legal advocacy from an attorney who has expertise in juvenile law and will diligently and effectively represent the child's legal interests in a cost-effective manner.*

### Attorney Qualifications and Standards

In addition to the professional standards governing all attorneys, OCR attorneys are held to standards set by Chief Justice Directive (CJD) 04-06, OCR manuals and policies and the Attorney's contract with the OCR. As of May 2019, full time GALs may not have a caseload of more than 100 children. GALs frequently appear in court and must have high quality litigation and motions practice skills. In addition to these more traditional attorney roles, GALs must independently investigate the matters to which they are appointed, make recommendations that are in the best interests of the child, and advocate on behalf of the child's best interests. Currently CJD 04-06 standards require D&N GALs to meet in person with each child whose best interests they represent within the first 30 days of their appointment and within 30 days of any placement change. The GAL is also required to interview parents, talk to the school if applicable, make diligent efforts to observe parent and child interactions and other duties necessary to complete an independent investigation regarding the best interests of the child. CJD 04-06 also requires JD attorneys to meet with a youth as soon as possible, for youth who are in custody within seven days of their appointment, and other activities to complete a thorough and independent investigation to promote and protect the juvenile's rights.

*"It's not always easy to trust every type of attorney, but she did a great job at easing that feeling. We felt reassured when she was in court. She was really really good to work with. Regardless of not wanting to be in the court system, we were really happy to work with her. She knew her way around the court system."*

*- A parent's feedback about an OCR attorney*

Although the unique statutory responsibilities of a GAL and CLR do not set forth a traditional attorney-client relationship between the appointed attorney and the child, the "client" of the GAL/CLR is the best interests of the child, and the attorney's professional responsibilities flow solely to the child's best interests. The GAL's/CLR's determination of the child's best interests must include consultation with the child in a developmentally appropriate manner, honor the child's and family's culture and strengths and protect the child's health, safety, and well-being.

### Oversight and Evaluation of Attorney Practice

The OCR strives to meet its goals in part by developing and using data-driven practices. However, child welfare practice does not lend itself to simple outcome-based analysis, as appropriate results for one child may not be appropriate for another child. The OCR concentrates its data collection on compliance with high quality practice standards to assess the effectiveness of representation. The OCR's efforts in practice assessment and data collection have received state and national attention.

Every year the OCR establishes lists of attorneys eligible for OCR appointments in each of the 22 judicial districts using a comprehensive evaluation strategy and benchmarks to ensure compliance with the CJD and OCR practice standards. This evaluation strategy includes:

- Annual verification process
- Tri-annual renewal application process
- New Attorney interviews
- Ongoing assessment and periodic review of attorney activity
- Risk-based sampling

The annual verification and tri-annual review processes were enhanced in 2019 to include a more standardized review of data sources and improved documentation requirements. Current data sources reviewed include (those in bold only apply to the tri-annual renewal process):

- D&N CJD Visit Report (to show compliance with the initial 30-day visit requirement in CJD 04-06)
- CJD Exceptions Report
- Activity Report (showing average cost per case and percentage of time by activity data)
- Discipline Report
- Stakeholder Report
- Formal Complaints
- Outstanding Issues Form
- **Court Observation Summary**
- **Case Reference Summary**
- **Writing Sample**
- **One on One Interview**

The OCR created benchmarks to review each of these components to ensure consistency in application. These data points are used as measures to evaluate attorney effectiveness and advocacy.

As part of the FY19-20 evaluation strategy, the OCR sought stakeholder feedback for each attorney through an annual survey which was sent to judicial officers and various court staff, departments of human services staff, CASA agencies, probation officers, attorneys representing other parties in the cases and fellow GALs in the district. All 1,844 survey responses received this year were reviewed by the OCR. Those responses concerned 247 attorneys and included 361 responses from Judicial Officers.

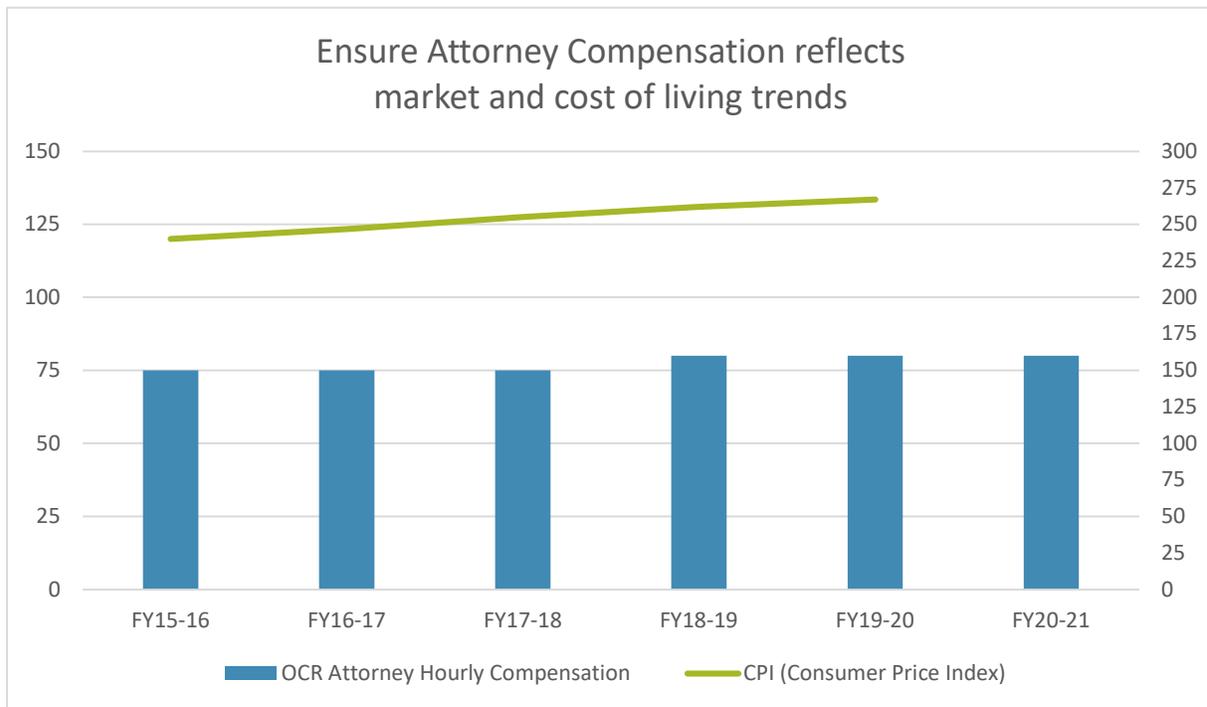
*“I think in my eyes, I’ve met a lot of the kids [my GAL] represents, and I think everyone loves her and is happy with her. She’s got a great heart.”*

*- A youth’s feedback about an OCR attorney*

The OCR conducted 252 reference interviews with either youth, parents or caregivers, concerning the 83 attorneys under evaluation in FY19-20 and completed 396 court observations involving

100 attorneys and concerning 626 children/youth. These observations utilize a standardized form for D&N proceedings and JD proceedings.

In addition to the measures listed above, the OCR has an established formalized complaint process which provides an additional mechanism to ensure OCR attorneys are meeting practice standards. For each complaint filed, regardless of the factual allegations, the OCR confirms attorney compliance with practice standards and reviews the court's on-line file and CARES data. Founded complaints lead to further investigation of the attorney's performance and typically includes an audit of additional case files/activities. In FY19-20, the OCR received 36 complaints and investigated 27 of them (2 pertained to cases that had been closed over 12 months prior, 3 complaining parties failed to follow through and 4 withdrew the complaint). The OCR closed 3 as founded, 9 as unfounded, and 18 remain pending at the time this report was written.



### Fair and Reasonable Compensation

C.R.S. §13-91-105 requires OCR to establish fair and realistic rates of compensation to enhance the legal representation of children. The hourly rate paid to OCR contract attorneys remained stagnant between 2014-2018. The OCR, in conjunction with the Office of Respondent Parent Counsel (ORPC) and the Office of Alternate Defense Counsel (OADC), worked with the General Assembly and Joint Budget Committee to increase the rate to \$80 beginning July 1, 2018. During that process, the JBC suggested that rate increases should be sought more frequently so there is less fiscal impact than waiting 4 or 5 years between requests. In 2018 the Consumer Price Index (CPI) for Denver-Aurora-Lakewood showed an inflation rate of 2.7% and in 2019 an inflation rate

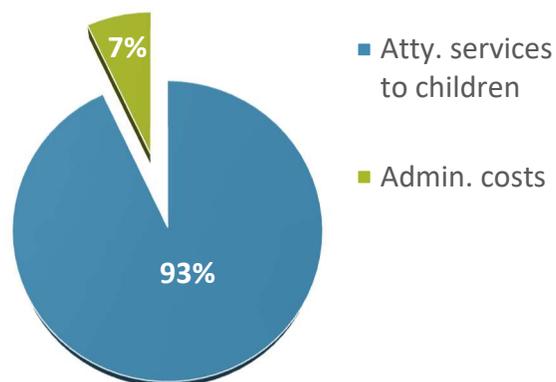
of 1.924%. In 2019, the OCR, again in conjunction with the ORPC and OADC, sought a rate increase of 4 %, commiserate with state employee cost of living increases for the preceding two years. This request was initially approved by the JBC in March of 2019. Once the state fiscal impact from the COVID-19 pandemic was clear, the OCR worked with the JBC to remove this request. The OCR will continue to assess the realities of the state budget and our statutory mandate to ensure fair compensation for our contract attorneys.

## Goal 2: Optimize efficiencies in attorney practice and billing.

### Manage Appropriations

The OCR strives to be efficient and effective in utilizing its annual appropriation. The OCR's budget is driven largely by attorney activity and caseloads. In FY19-20, the OCR used 93% of expended funds for attorney services and only 7% for administration, expending 88.4% of our appropriation and reverting \$3.64 million to the general fund. The COVID-19 pandemic certainly impacted dependency and neglect filings across the state which in turn impacted the OCR's budget because it is largely case-load driven. One reason case filings may be down is due to the lack of contact between mandatory reporters and children across the state. The OCR anticipates an increase in filings and higher acuity in cases filed once things are more normalized and will monitor costs and case filings closely.

FY 20 Administrative Expenditures  
(through 6/30/20)



### Overview of the OCR Budget

In FY 19-20, the OCR continued its focus on creating efficiencies and securing basic funding to meet the expanding need for attorney services. The following is an overview of the OCR budget and an outline of factors that contribute to the budget.

### Summary of Appropriations

In FY 19-20, the OCR spent 7% of its budget on its central administrative office, which is dedicated to fulfilling the OCR's statutory mandates. The OCR expended \$25,908,778 on attorney services for children and \$117,609 (including grant funding received by the OCR) to providing high quality and accessible training to GALs and other stakeholders throughout

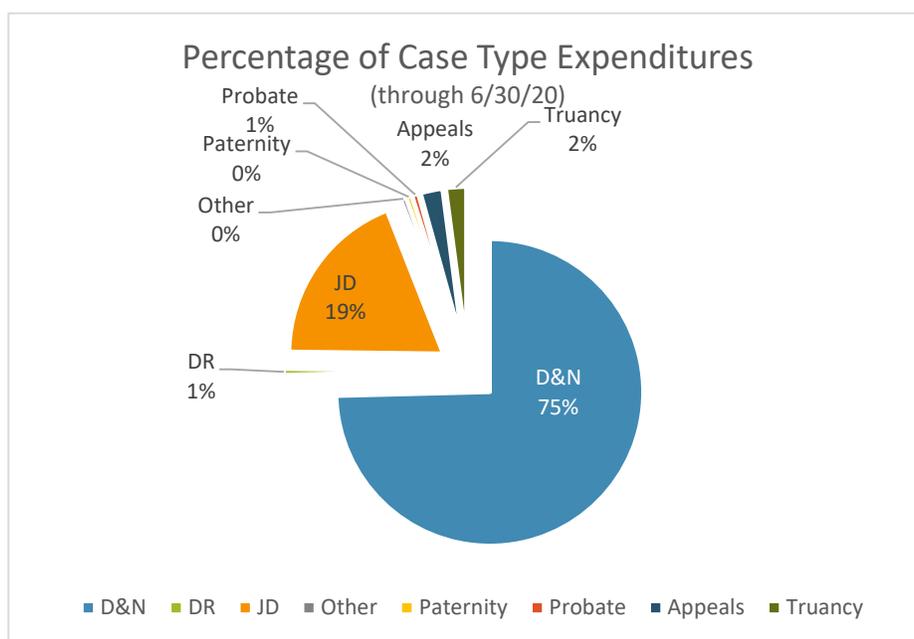
Colorado. The general assembly passed \$1,550,000 through OCR’s budget to Colorado CASA for distribution to local CASA programs.

### Breakdown of the Mandated Attorney Services Provided by the OCR

OCR attorneys represent the best interests of children in D&N, JD, direct file, domestic relations, truancy, probate, relinquishment, adoption, paternity, support, mental health, minor victim witness, underage marriage cases and appeals. The appointments in dependency and neglect cases account for 75% of attorney service expenditures. These appointments are completely driven by case filings as every child in Colorado named in a D&N case is appointed a GAL. Appointments in every other case type are by the discretion of the court, the OCR has no control over how many appointments are made. The breakdown of expenditures by case type is reflected in the chart below:

*“I adore her and she has been one of my favorite GALs I have ever worked with. I appreciate her hands on and how she fights and advocates for these babies. They need it. I appreciate who she is and what she does in this job.”*

*- A caregiver’s feedback about an OCR attorney*



Dependency and Neglect and Juvenile Delinquency case types present similar issues concerning family dynamics, placements, and treatment and OCR attorneys continue to report that youth served in the juvenile delinquency system in FY19-20 frequently present issues that were previously served in D&N case types. Judicial officers and OCR’s courtroom observations confirm attorney reports.

The OCR experienced a nearly 6% decrease in D&N case filings in FY19-20 as compared to the

previous fiscal year with the most significant decreases occurring in April – June 2020, coinciding with the COVID-19 pandemic. The OCR’s court appointed counsel (CAC) expenditures (accounting for approximately 80% of all FY19-20 costs) were down 5.5% from the prior year. While projections early in FY19-20 showed signs of decline, the last three months of the fiscal year showed the most significant reduction in expenditures. As mentioned previously, the OCR expects filings, appointments and expenditures to increase as COVID restrictions continue to ease in FY20-21.

### Preparing to Utilize Title IV-E Funding

In late 2018 the Children’s Bureau updated its Child Welfare Policy Manual to allow Title IV-E agencies to claim matching funds for independent attorneys representing children or parents. In response, the General Assembly passed SB19-258 regarding the administration of these funds. The OCR began the process of accessing this funding for attorney services in FY19-20 which entailed joint meetings with the state IV-E agency, the Colorado Department of Human Services, and ORPC. These agencies have been meeting to work out an appropriate MOU, interagency agreement and shared understanding of the mechanism to draw down this funding. The OCR will use IV-E funding to enhance attorney services in Colorado in several ways. First, the OCR will increase its support of multidisciplinary law practice by contracting with case consultants as detailed later in this report. Second, the OCR will increase litigation support, staffing and technology to better meet the needs of our growing number of attorneys and to address the increased complexity of cases and advance best practices in child representation. Lastly, the OCR will bolster our training program to ensure high quality, up to date training that is accessible state-wide.

*“She restored my faith in the system to where I went back to school and I now am a paralegal because of her. She demonstrated to me how much the system works.”*

*- A parent’s feedback about an OCR attorney*

*“She respects my privacy a lot, focuses on things that are important but doesn’t push me to talk about things I don’t want to, I feel really safe around her.”*

*- A youth’s feedback about an OCR attorney*

### Maximize use and effectiveness of OCR’s on-line case management and billing system

The OCR began using an electronic billing system in 2011 (OCR C.A.R.E.S) and has continued to assess and improve the functionality of the system and the quality of data it is able to retrieve to monitor attorney performance and progress. In FY 17-18 the OCR received funding through the budget process to replace C.A.R.E.S. with a new system to improve data collection and reduce support and operating costs. The new C.A.R.E.S system launched in April of 2018 and has been operating successfully. Contractors submit invoices through C.A.R.E.S on a monthly basis allowing greater control and clearer guidelines for contractors reconciling billing and predicting

payments. This is particularly important to the OCR because its budget is case-load driven and the monthly invoice allows more fine tuned budget analysis and projections.

In addition, the new system groups billable activities by CJD requirements to facilitate case management and compliance review. One feature of OCR C.A.R.E.S. is the enhanced reporting capability which is instrumental to the OCR's improvement in periodic reviews of attorney activities. This includes a new child count report to monitor caseloads and a quarterly 30-day visit report to ensure compliance with this important component of the CJD.

### Provide Litigation Support

Well supported and trained attorneys are more efficient and effective when representing a child's best interests and child welfare attorneys must be trained on legal principals as well as social science research and best practices. The OCR provides the following litigation supports to contract attorneys:

#### Guided Reference in Dependency (GRID)

The GRID is Colorado's first comprehensive advocacy guide for attorneys in dependency and neglect proceedings. First published by OCR with grant funding from the Colorado CJA Task Force in 2012, this robust reference guide has been given to all OCR contract attorneys and is available online. The GRID features 8 hearings chapters, which include before, during and after checklists, blackletter law discussion, practice tips and 36 comprehensive fact sheets covering a wide variety of topics. The OCR published a supplement to reflect legislation and case law changes in 2015 and in FY17-18 again received CJA funding allowing a comprehensive rewrite to ensure the GRID remains a high-quality resource for attorneys. The OCR collaborated with the ORPC and the Colorado Court Improvement Project to do the comprehensive GRID update which reflected changes in law, policy and best practices. In addition, the updated GRID added seven new factsheets to cover new legal developments and identified practice needs. The revised GRID was released online in July 2018 and the print version released in September 2018. The OCR completed electronic updates in September 2019 and is on track to release an electronic update and printed supplement in the fall of 2020.

*"She is like a friend, well not a friend but like someone I can trust and rely on."*

*- A youth's feedback about an OCR attorney*

#### OCR Listserv

Each contract attorney is required to join the OCR listserv, which provides an excellent forum for attorneys to discuss difficult case issues, trends in the state, case law updates and more. The OCR uses the listserv to communicate new case processes, inform contractors of recent

developments and provide case law and legislative updates. In FY15-16 OCR launched an enhanced listserv which is now easier to use and features a searchable archive. In FY19-20 attorneys sent a total of 321 emails discussing 134 topics.

### Litigation Toolkit

To support attorney efficiency and effectiveness, the OCR has redesigned its motions bank. The OCR's Litigation Toolkit is now available to all OCR attorneys on the OCR website. The Litigation Toolkit is comprised of pleadings, social science resources and practice tools to give attorneys a centralized resource when drafting motions, preparing for litigation and researching the multitude of issues impacting cases. Currently, the Litigation Toolkit has 45 pleadings, 49 social science resources and 66 practice tools available to attorneys. The OCR added a substantial number of documents this year in addition to updating 48 currently posted documents and will continue to update resources and add additional litigation forms to ensure the Litigation Toolkit remains current and comprehensive.

*“I just think she is a great support. One of the top two GALs I have had in the past 19 years. She really does her job well. She goes above and beyond and really cares. Really invested in her cases, not just a number. This case has 7 kids and she is really invested in all of them.”*

*- A caregiver's feedback about an OCR attorney*

### Quarterly Newsletters

The OCR publishes a quarterly newsletter to ensure all contract attorneys have up to date information regarding case law updates, legislative updates, training announcements and other news relevant to their advocacy. In FY18-19 the newsletter was converted to an online platform in response to attorney feedback. This new format allows the OCR to provide links to new cases (which are then available in an online bank of cases) and a searchable link to access new statutes.

### Litigation Support List

The OCR maintains a list of attorneys with subject matter expertise who are approved to consult on cases to be efficient and effective when dealing with crossover issues such as education, immigration, or appeals. Litigation support ensures attorneys have access to specialized knowledge and experience to assist in high quality representation of the child's best interests. The OCR has begun expansion of this list and plans to evaluate next steps in the upcoming year.

### Case Consultant (CC) Program

The Social Services Professional (SSP) Pilot program<sup>1</sup> began in FY17-18 in response to information gathered from the OCR's Multidisciplinary Law Office (MDLO) Pilot Program (detailed in the OCR's FY17-18 General Assembly Report). While the MDLO pilot program was ultimately ended due to the high costs of the model, some recommendations came from the evaluation including exploring ways to make CCs accessible to more GALs and to utilize CCs to enhance best interest representation without duplicating efforts. The use of CCs allows additional work on the case at a lower hourly rate. With funding received from the General Assembly the OCR was able to hire a CC Coordinator who began work in late FY18-19. The CC coordinator spent much of FY19-20 assessing needs statewide and connecting contract attorneys with potential CCs. The number of CCs working with contract attorneys has increased from approximately 60 to 80 in this time. The OCR has now begun to develop and provide trainings specifically for CCs and has increased efforts to incorporate social science research and perspective throughout its training, support and programming.

*“[My GAL] really cares about her kids. She is one of those people who take her job very seriously, even to the point where it can be detrimental to her own family. I can’t even explain it, she’s just so selfless and great.”*

*- A youth’s feedback about an OCR attorney*

Additionally, the OCR is designing a program to provide CCs to attorneys on a contract basis, managed through the Case Consultant Coordinator. This program, funded in part by matching funds from Title IV-E, will allow contract attorneys to request assistance on a case by case basis. This individualized ability will allow a solo practitioner to get multidisciplinary assistance on high needs cases to enhance their representation. The OCR began the first application cycle at the end of the fiscal year and is entering into contracts with three CCs to begin supporting attorneys in September 2020. Details and initial data from this program will be featured in next year’s report.

Goal 3: Ensure attorneys and case consultants remain current in state and federal law and regulations, social science research, best practices in diversity and inclusion and evidence-based services.

In FY 16-17 the OCR formalized its approach to cultivating a learning and practice environment that focuses on three areas:

- Accessibility - through the OCR website improve accessibility and availability of resources.

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<sup>1</sup> Going forward all social work professionals working with contractors in this multidisciplinary capacity will be referred to as case consultants (CCs). This change was instituted to better reflect common terminology and understanding and to prevent confusion.

- Community – provide a community for contract GALs to partner in shared learning and practice.
- Human Capital – use the collective competencies, expertise and other intangible assets of its contract attorneys and other key partners in the child welfare and juvenile justice communities.

These areas of focus are the overarching umbrella that helps the OCR staff craft and refine its litigation support and training.

The General Assembly charged the OCR with providing high-quality and accessible training throughout the state. All OCR contract attorneys are required to do 10 hours of OCR sponsored or approved training. To support attorneys in meeting these requirements, the OCR hosts an annual conference and provides periodic training throughout the year. In addition, the OCR partners with other agencies to provide cross-systems training opportunities. In FY19-20 the OCR provided a total of 105.4 CLEs as follows:

- Core Competencies I: Orientation for New Attorneys
- Core Competencies II: Advanced Training for New Attorneys
- OCR Annual Fall Conference
- 8<sup>th</sup> Annual Excellence in Juvenile Defense, cohosted with the ADC and CJDC
- Train the Trainer
- OCR Trial Skills Training
- Reasonable Efforts Lunch and Learn Pueblo
- Adoption Subsidies Lunch and Learn Pueblo
- 12<sup>th</sup> Judicial District Litigation Strategies
- Litigation Strategies: Less Drastic Alternatives
- Webinars on:
  - OCR Contract Renewal and Verifications Process: Lessons Learned
  - OCR Attorney Supports & Resources
  - Child Welfare Permanency Planning Statute Changes and PHOM Bill
  - GAL Guidance for New Underage Marriage Appointment
  - Best Interests in CLR & Paternity Cases
  - Truancy: Practice Tips, Priorities and Special Issues
  - Adoption & R-GAP Subsidies
  - Colorado Probate Law and Practice Tips

By the end of FY19-20 the OCR had a total of 319 hours of CLEs available on the training website for easy accessibility to attorneys across Colorado. During the fiscal year the OCR removed 87

CLEs of outdated content in its commitment to ensure high quality and up to date training. In addition to the state trainings offered, the OCR paid registration fees for 45 delinquency contract GALs to attend the 8<sup>th</sup> Annual Excellence in Juvenile Defense Conference, for 4 contract attorneys to attend the National Association of Counsel for Children’s annual conference. Every month the OCR sends out a “Training Tuesdays” email with details about training opportunities across the state as well as reminders regarding OCR sponsored/approved trainings.

To best support new contract attorneys, the OCR instituted a mentoring program in FY17-18 to partner experienced GALs with new GALs to navigate this complex area of law in their first year of practice. Due to the positive reception, the OCR has continued the program and in FY19-20 paired 22 new contract attorneys with a mentor covering 12 different Judicial Districts. In addition, the OCR continues to offer contract attorneys access to Westlaw, a comprehensive legal research tool, at no cost to the contractor.

## CASA Overview and Update

The OCR works with Colorado CASA to support Court Appointed Special Advocates (CASAs) as required in C.R.S. 13-91-105 and the provisions of HB19-1282 which established C.R.S. 19-1-213. While GALs are the child’s legal advocate and parties to D&N cases, CASAs are appointed for a portion of the children in 18 of Colorado’s 22 judicial districts by the court to provide additional information and support children and their families. Each program operates under a memorandum of understanding between the program and chief judge. The CASA role and expectations are set out in the Children’s Code at §19-1-201 et seq.

Although each local program is unique, similarities do exist. CASA volunteers must meet minimum requirements, pass background checks, and successfully complete a mandatory 30- or 40-hour training program based on the curriculum created by the National CASA Association. Local CASA programs also require additional annual training for volunteers. Most CASA volunteers concentrate their valuable service on one case at a time. Typically, volunteers must commit to 18 months of service, but many volunteers serve throughout the life of a case. In addition, some local programs require a minimum monthly time commitment from their volunteers. CASA volunteers monitor and increase support to counter the effects of trauma and increase children’s

*“She has a big heart, she really does, even despite personality clashes, everything she did came from the heart and from her perspective of what do the kids need the most. Even if the kids couldn’t understand she was always looking out for what was best. She wasn’t rigid.”*

*- A parent’s feedback about an OCR attorney*

*“She was really good at finding the bright side in anything, especially with my case. She was great at joking around but still remaining serious. She was great at making sure we always had what we needed and that we were happy. I can’t think of a specific instance right now, but looking back at the experience, having her there for me and my sister was probably the best thing that could have happened for us.”*

*- A youth’s feedback about an OCR attorney*

resilience, education success, health and overall well-being focusing on permanency, safety, education, health, development, relationships, extracurricular activities and transition to adulthood.

*“What I remember about [my CASA] was her smile, her encouragement and her positivity; there was never any judgement about my situation.”*

*- Former foster youth, who now serves in the US Air Force and is a CASA volunteer herself.*

While GALs and CASA volunteers work collaboratively to advance the best interests of children, their roles differ in significant ways and the Children’s Code requires they each provide independent information to the court. Where the GAL is a licensed attorney, subject to the rules of the profession and ethical code of conduct and is an active party in all litigation related to the best interests of the child; CASA volunteers are non-attorney advocates subject to training and requirements of their local CASA program and the state CASA program. They provide written reports to the court and parties and establish supportive relationships with children, parents, relatives, kin, and placements.

The OCR supports CASA in Colorado in a number of ways including serving as the pass-through agency for general fund dollars and providing technical support and consultation to facilitate reimbursement of Title IV-E eligible training costs incurred by Colorado CASA. In FY 19-20, Colorado CASA received \$1,550,000 from the State of Colorado as a pass-through line item in the OCR budget. The state office used a portion of the monies for general program support and the remaining funds supported local CASA programs across the state. In FY 19-20, 2,241 citizens volunteered as CASAs in 2,550 D&N cases, expending over 100,000 volunteer hours while serving 4,597 children and youth.

## Looking Ahead

While FY19-20 was unprecedented in so many ways the OCR remains steadfast and committed to its mission and values. Our agency looks forward to the next year and continued improvements in the system for our children and youth.

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*“One thing I have to say about [my GAL] is I’ve worked with a lot of people in [my county] on my cases and have had a lot of terrible experiences. But [my GAL] has been one of the best people I’ve met, not just in [my county] but anyone working with children. She’s a great GAL, cares about her job and is so so passionate. We are still in touch even though my case is closed. She has had a really positive impact on me.”*

*-A youth’s feedback about an OCR attorney*

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## Appendix A

### OCR Legislative Review

The OCR continues to be a resource for state legislators by providing subject matter expertise, answering questions and providing nonpartisan research concerning the Children’s Code, child welfare law, juvenile delinquency law, FFPSA and other issues impacting children and families. The OCR participated through consultation, stakeholder meetings and/or testimony on the following bills in the 2019 legislative session:

**HB20-1012 Child Welfare Program Children Developmental Disabilities**

*Rep. Landgraf, Young; Sen. Todd, Gardner*

**HB20-1026 Create Twenty-Third Judicial District (signed 03/20/2020)**

*Rep. VanWinkle, Weissman; Sen. Fields, Gardner*

**HB20-1033 Live and Let Live Act**

*Rep. Humphrey*

**HB20-1058 Behavior Analysts in Public Schools**

*Rep. Froelich; Sen. Bridges*

**HB0-1063 Fundamental Family Rights in Colorado**

*Rep. Geitner*

**HB20-1071 Driving Instruction for Foster Children**

*Rep. Exum, Duran; Sen. Donovan, Hisey*

**HB20-1079 Juveniles on Colorado Sex Offender Registry**

*Rep. Singer, Benavidez; Sen. Rodriguez*

**HB20-1104 Court Procedures Relinquishment Parental Rights (signed 03/20/20)**

*Rep. Buckner, Ransom; Sen. Crowder*

**HB20-1105 Colorado TRAILS System Requirements**

*Rep. Geitner*

**HB20-1114 Protect Minors from Mutilation and Sterilization**

*Rep. Sandridge*

**HB20-1147 Reasonable Independence for Children in Activities**

*Rep. Buckner, Ransom; Sen. Moreno, Smallwood*

**HB20-1237 Medicaid Managed Care Assignment for Child Welfare (signed 7/11/2020)**

*Rep. Young, Saine; Sen. Moreno, Sonnenberg*

**HB20-1272 Colorado Natural Marriage and Adoption Act**

*Rep. Humphrey*

**HB20-1277 Notification of Rights Investigation Child Abuse**

*Rep. Geitner*

**HB20-1292 Uniform Parentage Act (2017)**

*Rep. Tipper*

**HB20-1294 Replace Illegal Alien with Undocumented Immigrant**

*Rep. Lontine; Sen. Gonzales*

**HB20-1297 Immunization Status and Child Abuse and Neglect (signed 07/10/2020)**

*Rep. Baisley; Sen. Lundeen*

**SB20-014 Excused Absences in Public Schools for Behavioral Health**

*Rep. Michaelson Jenet; Sen. Fields*

**SB20-028 Substance Use Disorder Recovery (signed 6/30/2020)**

*Rep. Buentello, Herod; Sen. Pettersen, Priola*

**SB20-037 Trusted Inoperability Platform Advisory Committee (signed 03/11/2020)**

*Rep. Singer; Sen. Fields, Rodriguez*

**SB20-042 Extend Committee Treatment Persons in Criminal and Juvenile Justice Systems (signed 6/26/2020)**

*Rep. Singer; Sen. Fields, Rodriguez*

**SB20-076 Parole Eligibility for Youthful Offenders**

*Rep. Gonzales-Gutierrez; Sen. Lee*

**SB20-162 Changes to Related to Federal Family First Policy (signed 7/2/2020)**

*Rep. Gonzales-Gutierrez; Sen. Rankin, Moreno*

**SB20-202 Foster Care Student Services Coordination**

*Rep. Michaelson Jenet; Sen. Moreno*

## Appendix B

### OCR Committee Work

Successful advocacy for children is often the result of collaboration and the sharing of resources among many state agencies and child advocate organizations. The following is a list of OCR committee involvement.

**Supreme Court Family Issues Committee and Other Professionals Standing Subcommittee:** This committee was established by the Supreme Court as a result of the recommendations of the Colorado Supreme Court Commission on Families. The OCR's Executive Director serves on this committee.

**Child Focused Innovative Practices Subcommittee:** This subcommittee is charged with exploring innovative ways to serve Colorado's children in domestic relations and other court cases in Colorado. The OCR's Training Coordinator services on this committee.

#### Colorado Department of Human Services

**CFSR Oversight Committee:** The committee is charged with preparing for the upcoming federal review. The Executive Director is a member.

**Colorado Department of Human Services Time Limited Foster Care Group:** This Task Force is determining whether administrative rules are necessary based on the recommendations from a CDHS Foster Parent Steering Committee related to foster care and determining whether administrative rules are necessary. The OCR Staff Attorney sits as a non-voting member of the Task Force.

**Delivery of Child Welfare Services Taskforce:** This taskforce was created through SB18-254 to make recommendations regarding 12 areas of child welfare service, including implementation of the Families First Prevention Services Act (FFPSA). The OCR's Executive Director is a member of the taskforce.

**Family Services Prevention Act Implementation Team:** This team was created by the Child Welfare Services Delivery Taskforce to prepare Colorado for implementation of FFPSA and complete Colorado's prevention plan to submit to the Children's Bureau of the federal government. The OCR's Staff Attorney/Legislative Liaison is the co-chair of this committee.

**FFPSA Workgroups:** In addition to the implementation team, there are several workgroups that the OCR participates in. The Deputy Director sits on the statutory revision workgroup (previously known as the Children's Code Workgroup) and the juvenile justice workgroup and the OCR's Staff Attorney/Legislative Liaison participates in the QRTP workgroup.

**Children's Justice Act Task Force.** Reviews and evaluates State investigative, administrative and judicial handling of cases of child abuse and neglect, including child sexual abuse and exploitation, cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as intrastate, interstate, Federal-State, and State-Tribal. The Task Force makes policy and training recommendations to child welfare agencies and the judiciary and makes recommendations regarding the distribution of federal CJA funds. The OCR's Training Coordinator serves on this task force.

**Colorado Youth Detention Continuum Advisory Board (CYDC).** CYDC is implemented locally within each of Colorado's 22 Judicial Districts. The Advisory Board is responsible for developing an allocation formula and allocating funds from the General Assembly for these programs. The OCR's Deputy Director is a member.

**Training Steering Committee.** The Training Steering Committee is the decision-making body for the Division of Child Welfare Training System Academy. The Steering Committee provides continuous evaluation of the training program, reviews the training needs of the state, provides direction for standardized training, creates and integrates statutes, policies, and practices into statewide training. The OCR Training Coordinator serves on this committee.

**Indian Child Welfare Act Task Force.** Discusses and recommends changes to forms, practices, policies, and trainings in order to increase compliance with the Act. The OCR's Staff Attorney serves on this committee.

**Permanency Task Group.** A subcommittee of the Child Welfare Sub-Pac working on various permanency related issues including identifying barriers to permanency, possible solutions and financial needs and focusing on disrupted/dissolving of adoptions. The OCR's Staff Attorneys serves on this committee.

**Colorado Child Fatality Prevention Review Team:** The Colorado Department of Public Health and Environment's state-wide multidisciplinary team examines every child death in Colorado. The committee is charged with compiling statistical analysis, trends and recommendations to reduce child fatalities. OCR's Executive Director serves on this committee.

**Court Improvement Program:** The CIP focuses on improving the justice system for children, especially children in dependency and neglect cases. Specifically, the CIP oversees the federal grant given to each state that is to be utilized to improve the Dependency Court System and oversees the DANSR cross-systems collaboration. **CIP Executive Committee** is comprised of judicial officers, judicial and executive branch directors or their representatives and judicial branch staff who share responsibility for ensuring the safety, permanency and well-being of children and families in D&N and other child welfare cases. The OCR Executive Director was appointed as a voting member.

OCR staff also serve on the following:

**Core Member Committee:** This group is appointed by the CIP Executive Committee to assist in carrying out their charge. The OCR's Staff Attorney is a member.

**Best Practice Court Team & Family Treatment Drug Court Convening Planning Committee:** A multidisciplinary committee convened by the State Court Administrator's Office for the purpose of planning the annual BPCT/FTDC Convening for judicial district teams. The OCR's Training Coordinator serves on this subcommittee.

**Colorado Dependency & Neglect Judicial Institute Planning Committee:** A multidisciplinary committee convened by the State Court Administrator's Office and Dean of the Institute for the purpose of planning the annual D&N Judicial Institute for judicial officers in dependency court. OCR's Training Coordinator serves on this committee.

**Jefferson County Joint DANSR/FIT Court Advisory Committee:** Jefferson County has been selected as a grant recipient of a Prevention and Family Recovery grant, an initiative undertaken by Children and Families Futures to work with established family treatment courts to integrate and institutionalize evidence-based services into their larger systems of care. The OCR's Deputy Director serves on the advisory committee.

**Denver Children’s Cabinet.** On July 17, 2012, Denver Mayor Michael Hancock established the Cabinet as the policy making group to coordinate city-wide programs and services in order to create opportunities for Denver’s children and youth to succeed. The OCR’s Executive Director is a member.

**Douglas County Detention Pilot Bed Committee:** This Committee is considering a temporary bed as a short-term alternative to detention. The OCR’s Staff Attorney participated in this committee.

**Minority Overrepresentation Subcommittee of the Fourth Judicial District’s Juvenile Best Practices Committee.** This subcommittee provides trainings addressing minority youth overrepresentation in Colorado’s child welfare, school disciplinary, and juvenile justice systems; conducts a study of minority youth overrepresentation in el Paso County’s child welfare system; and recognizes El Paso County youth who have overcome adversity and inspired others to do the same through Inspire Awards. The OCR’s Staff Attorney is a Co-Chair.

**Juvenile Justice Delinquency and Prevention Council.** The Colorado Juvenile Justice and Delinquency Prevention (JJDP) Council is appointed by the Governor as the State Advisory Group pursuant to the federal Juvenile Justice and Delinquency Prevention Act and is charged under the Act to advise and make recommendations to the Governor and the Legislature on juvenile justice issues. The Council reviews and approves applications for federal grant funding through the JJDP Act, monitors and evaluates projects funded, and oversees compliance with the core requirements of the JJDP Act. The OCR’s Deputy Director sits on the Council.

**Code Review Committee:** The committee is reviewing Article 2 of Title 19 to promote improvements to Article 2 of the Code, increasing the ease of use and clarity of laws regarding juvenile justice, ensuring the Code complies, or is consistent, with current research and evidence-based policies and practices. OCR’s Deputy Director serves on this committee.

**Professional Development Committee:** The committee is developing a set of core competencies and an action plan for youth serving professionals to establish standard training and a uniform understanding of core principles needed to work with youth. The committee will also work to increase training capacity and identify the various professionals and stakeholders that should participate in the trainings. The OCR Training Coordinator serves on this committee.

**Colorado CASA Public Policy Committee:** OCR Staff Attorney/Legislative Liaison is a member of the CASA Public Policy committee.

### **Colorado Bar Association**

**Juvenile Law Section:** The JLS “[p]rovides an organization available for all lawyers whose practice brings them in contact with matters affecting young people. Though a major focus concerns practice under the Children’s Code, the committee is also concerned with relevant aspects of education law, domestic relations, agency/administrative law, and disability law.” The OCR Deputy Director is a co-editor for the Juvenile Law section of the Colorado Lawyer.

**Colorado Supreme Court Rules of Juvenile Procedure Committee:** The Committee’s purpose is to periodically review, correct, update, and improve the Colorado Rules of Juvenile Procedure. The Committee is chaired by the Honorable Karen M. Ashby of the Colorado Court of Appeals, and the Supreme Court Liaison to the Committee is Justice Richard L. Gabriel. OCR’s Deputy Director is a member of this committee, and OCR staff also serve on drafting subcommittees for the following rules: Adjudication; Discovery; Indian Child Welfare Act; Termination.

**Colorado Judicial Department Child Welfare Appeals Workgroup:** Established pursuant to 19-1-109(3), this committee considers necessary changes to practices, rules, and statutes in order to ensure that appeals in dependency and neglect cases are resolved within six months of filing. OCR's Deputy Director serves on this workgroup, and the OCR's Staff Attorney serves on a subcommittee addressing appellate issues related to the Indian Child Welfare Act.

**Legislative Committees:** Legislation passed by the General Assembly requires implementation by the Executive and Judicial Branches. OCR attorney staff participate in multi-disciplinary committees in order to affect the General Assembly's intent in the area of child and juvenile law.

**Treatment of Persons with Mental Health Disorders in the Criminal Justice System Taskforce (reauthorized pursuant to SB14-021):** Directed to examine the identification, diagnosis and treatment of persons with mental illness who are involved in the criminal and juvenile justice systems, including the examination of liability, safety and cost as they related to those issues. OCR's Deputy Director services as member of the taskforce.

**Human Trafficking Council (HB 14-1273):** The purpose of the council is to bring together leadership across various levels of government and the community a collaborative coalition to help combat human trafficking. The Council is expected to improve comprehensive services for victims and survivors of human trafficking, to assist in the successful prosecution of human traffickers, and to enhance human trafficking prevention efforts in Colorado. OCR's Executive Director is a member of the council.

**Substance Abuse Trend and Response Task Force (SB 13-244):** In 2013, the General Assembly reauthorized the Colorado State Methamphetamine Task Force under the name "Substance Abuse Trend and Response Task Force" with representatives of state government, local governments, and the private sectors, including legislators, child advocates, public health officials, drug treatment providers, child welfare workers, law enforcement officers, judges, and prosecutors. The OCR's Case Coordinator is a member of the task force.

**Juvenile Justice Reform Committee (SB19-108):** The JJRC was created to fulfill the mandates of SB19-108 including adopting assessment tools, screening tools, selecting vendors to assist in implementation and training on the tools and developing plans to measure their effectiveness. OCR's Deputy Director is a member of the task force and also participates on the **Detention Alternatives Workgroup.**

**American Bar Association Section of Litigation Children's Rights Litigation Committee – Right to Counsel Strategy Group.** The strategy group monitors developments impacting children's right to counsel and works to improve access to justice, engage pro bono lawyers, and improve outcomes for all children who come into contact with the legal system. The OCR's Deputy Director is a committee member.

**The Family Justice Initiative** is a national collaborative who share a common goal: to increase access to high-quality legal representation for children and parents in child welfare cases. It is led by the ABA Center on Children and the Law, the Children's Law Center of California, and the Washington State Office of Public Defense. The OCR's Executive Director is participating in the Initiative.

**National Association of Child Counsel (NACC)** established a state coordinator program to expand outreach and localized support efforts to a growing network of child welfare attorneys. The program began with 10 states in 2019 and the OCR's Staff Attorney & Legislative Liaison was appointed as the Colorado state coordinator.