

2022 CASE LAW AND LEGISLATIVE UPDATE

Office of the Child's Representative

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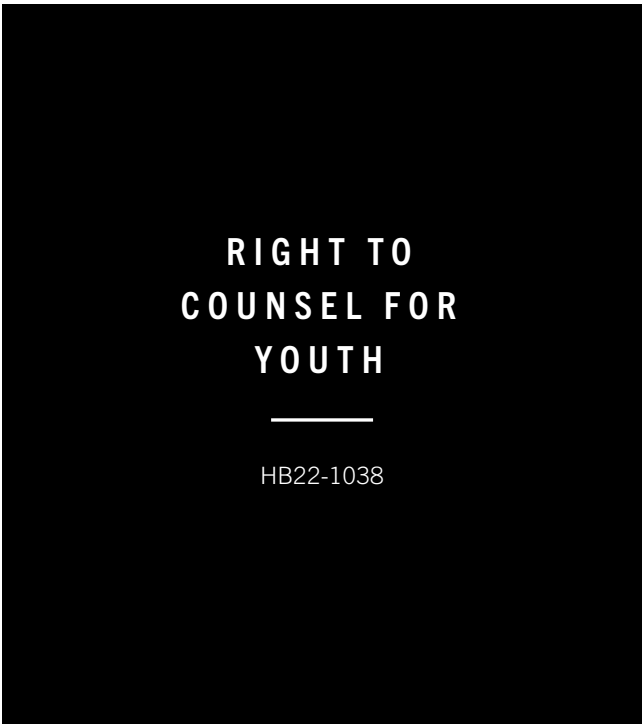


- Rebekah Brown
- Devon Doyle
- Alison Baker Jensen
- Mel Jensen
- Nicole Lyells
- Beth Padilla
- Sharon Plettner
- James Plumhoff
- Nathan Shultz
- Dana Tartar

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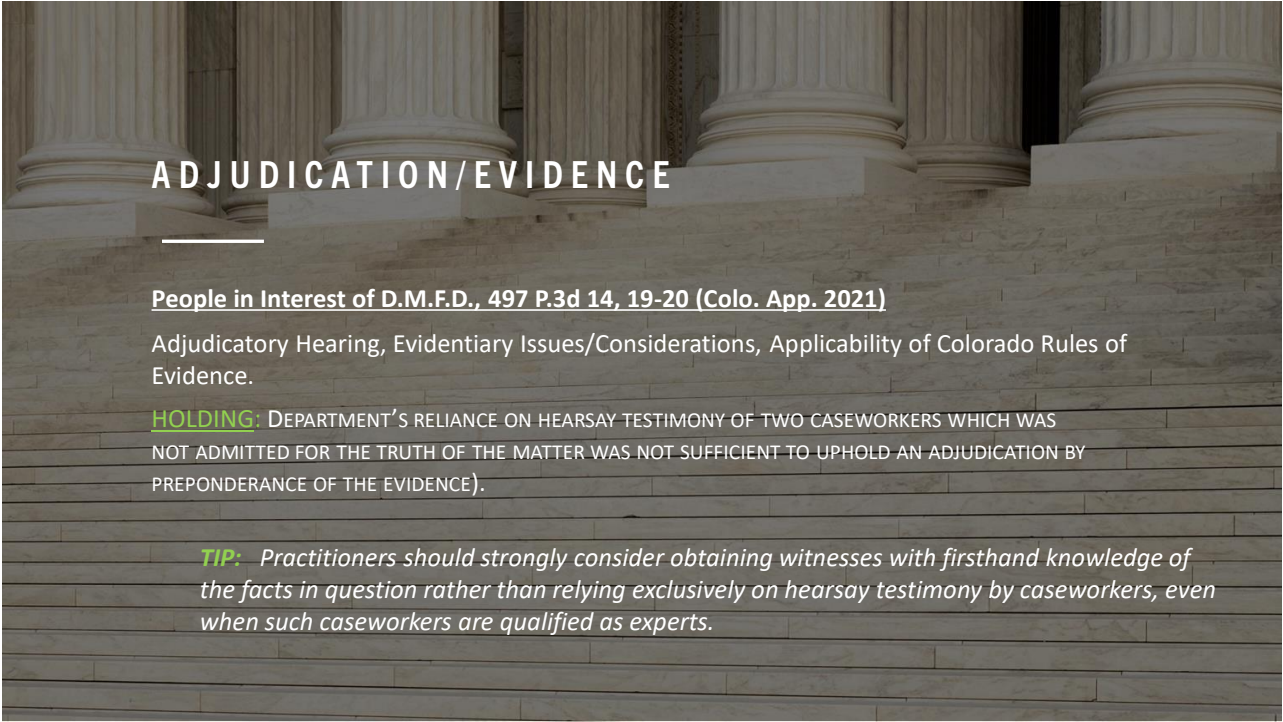


HB22-1041
**PRIVACY
PROTECTIONS FOR
GALS**

Effective 3/24/22

- Defines “child representative” as an employee or contractor with the OCR or staff of contractors with the OCR who are members of an attorney’s legal team who assist with the Attorney’s legal representation of children, youth and juveniles.
- Allows removal of personal information from the internet.
- Requires a written request to remove that must show you are a protected person, affirmation that you have reason to believe that dissemination of personal information poses an immediate and serious threat to you or your family’s safety.

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ADJUDICATION/EVIDENCE

People in Interest of D.M.F.D., 497 P.3d 14, 19-20 (Colo. App. 2021)

Adjudicatory Hearing, Evidentiary Issues/Considerations, Applicability of Colorado Rules of Evidence.

HOLDING: DEPARTMENT’S RELIANCE ON HEARSAY TESTIMONY OF TWO CASEWORKERS WHICH WAS NOT ADMITTED FOR THE TRUTH OF THE MATTER WAS NOT SUFFICIENT TO UPHOLD AN ADJUDICATION BY PREPONDERANCE OF THE EVIDENCE).

TIP: Practitioners should strongly consider obtaining witnesses with firsthand knowledge of the facts in question rather than relying exclusively on hearsay testimony by caseworkers, even when such caseworkers are qualified as experts.

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ADJUDICATION/EVIDENCE

People in Interest of K.S-E., 497 P.3d 46, 54, 56 (Colo. App. 2021)

Adjudicatory Hearing, No Privilege against Self-Incrimination.

HOLDING: PARENTS TESTIFYING IN A DEPENDENCY AND NEGLECT PROCEEDING HAVE THE RIGHT TO THE ADVICE OF COUNSEL ON A QUESTION-BY-QUESTION BASIS TO DETERMINE WHETHER TO ASSERT THEIR 5TH AMENDMENT PRIVILEGE AGAINST SELF-INCRIMINATION

TIP: Do not object to RPC's request to advise client on question-by-question basis when a parent's criminal liability is implicated.

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UCCJEA

People in Interest of E.W., 2022COA12 (Jan. 13, 2022)


HOLDING: IN *PEOPLE IN INTEREST OF E.W.*, 2022COA12 (JAN. 13, 2022), THE COURT OF APPEALS FOUND THAT THE TRIAL COURT WAS NOT DEPRIVED OF JURISDICTION TO TERMINATE PARENTAL RIGHTS UNDER THE UCCJEA WHEN THE PARENTS RELOCATED TO ANOTHER STATE AFTER THE CHILD HAD BEEN PLACED IN THAT STATE WITH KIN-LIKE PROVIDERS PURSUANT TO AN ICPC.

STANDBY: A Petition for Cert was granted in this case by the Colorado Supreme Court.

TAKE-AWAY: The Colorado Supreme Court has been quite active in UCCJEA cases over the last couple years. Continue to monitor your cases for jurisdictional issues and reach out to a member of the Appellate/Litigation Support Team when complex UCCJEA issues arise.

OCR will be offering a session on the UCCJEA at Fall Conference.

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HB 22-1090
REASONABLE INDEPENDENCE FOR CHILDREN

- Changes definition of neglect in 19-1-103 to clarify that children are allowed to do independent activities such as traveling to and from school on their own, to nearby recreational activities (like a park), staying home alone, etc.
- Uses the standard “that a reasonable and prudent parent, guardian, or legal custodian would consider safe given the child’s maturity, condition, and abilities”
- Effective 8/9/22



People in Interest of N.D.O., 497P.3d 1070 (Colo. App. 2021)

HOLDING: COMPLICATOR LIABILITY CAN SUPPORT A CRIME OF VIOLENCE FINDING IN A JUVENILE COURT CONTEXT

In Interest of E.V., 2022COA53 (May 19, 2022),

HOLDING: IN *IN INTEREST OF E.V., 2022COA53 (MAY 19, 2022)*, THE COURT OF APPEALS HELD THAT, ALTHOUGH E.V. TURNED 18 AFTER COMMISSION OF THE OFFENSE, E.V. WAS CONSIDERED A JUVENILE AND CAME WITHIN THE PROVISIONS OF THE JUVENILE JUSTICE CODE, WHICH REQUIRES AT LEAST FIVE DAYS DETENTION FOR POSSESSION OF A HANDGUN. HOWEVER, THE COA ALSO RULED THAT BECAUSE E.V. COULD NOT BE SENTENCED TO DETENTION, DUE TO HIM BEING 18, A FIVE-DAY JAIL SENTENCE IN LIEU OF DETENTION WAS NOT AUTHORIZED.



OFFENSE SPECIFIC

In People in Interest of J.M.M. 496 P.3d 833, 838 (Colo. App. 2021)

The Court of Appeals clarified that a person who had to register for an offense committed as a juvenile is eligible to seek to deregister as a sex offender even if the individual failed to satisfy the terms and conditions of earlier sentences or dispositions, so long as the individual successfully completed their subsequently imposed sentence or disposition.

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HB22-1169

PROHIBIT SEXUAL ACT WITHOUT CONSENT

- Effective 3/24/22
- Change: 18-3-402 (1)(a) The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will CAUSES SEXUAL INTRUSION OR SEXUAL PENETRATION KNOWING THE VICTIM DOES NOT CONSENT; or

SB22-049

VICTIMS RIGHTS ACT

- Expanded the list of crimes to include 1st degree arson and criminal invasion of privacy.
- Expanded the way a victim can be present or provide input, added details to the information the victim shall receive.
- Added victim participation in requests to decrease or modify bond, as well as issues pertaining to diversion.
- Found in Title 24, article 4.1
- effective 5/6/22



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HB 22-1257

**2022 CRIMINAL AND JUVENILE JUSTICE
COMMISSION RECOMMENDATIONS**

- Infuses some of the JD reforms into adult probation in Title 16
- Changed some of the weapon language regarding previous offenders in 18-12-108 and the list of crimes where the person is prohibiting from owning or possession a weapon.
- Effective 4/7/22 except sections 3 and 4 (dealing with some aspects of probation) which are effective 7/1/2023



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SB 22-099

SEALING CRIMINAL RECORDS

- Continues to clarify and expand automatic sealing of eligible records (13-3-117).
- *effective 8/9/22*

SB 22-103

REMEDY FOR IMPROPER GUILTY PLEA

- Focus is on noncitizen defendants and inadequate advisements (related to immigration consequences of a plea).
- Requires the opportunity to meaningfully challenge an unconstitutionally entered guilty plea for certain crimes (18-1-410.6).
- *effective 4/18/22*

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HB22-1373 COURT-ORDERED RESTITUTION PAID BY JUVENILES



No longer allows payment of juvenile restitution to third parties (namely, an insurance company).



19-2.5-1104



Effective 6/7/22

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HB22-1056 EMERGENCY TEMPORARY CARE FOR CHILDREN

- Appropriates money to CDHS for provision of temporary shelter for juveniles by judicial districts.
- For FY23 the Judicial District must have a Juvenile Services Planning Committee (JSP) and must submit a plan to CDHS by 9/1/22 with details about how the District will provide temporary shelter.
- Must be voluntary for the youth and not exceed 5 days
- Can provide support to a grandparent, kin or other suitable person for care of a juvenile released to the person's care while emergency circumstances exist.
- May establish a licensed temporary shelter
- Creates a working group who reports back to the legislature
- Temporary Shelter defined in 19-3-403.5
 - Requires shelter to allow for professionals to complete assessments and access to ongoing educational services
- *Effective 6/7/22*

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HB 22 - 1326**FENTANYL ACCOUNTABILITY AND PREVENTION**

https://leg.colorado.gov/sites/default/files/2022a_1326_signed.pdf

- Adds crimes to 18-18-403.5 regarding possession of substances that contain fentanyl.
- Adds crimes to 18-18-405 regarding unlawful distribution, manufacturing, dispensing or sale of fentanyl.
- Adds to the special offender definition in 18-18-407
- Some immunity provisions for someone seeking emergency assistance for an overdose event in 18-1-711
- Establishes presumptive aggravated penalties in 18-1.3-401.5 and more

Effective 7/1/22 with some exceptions



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People in Interest of O.S.H., 2021COA130

Paternity: In this appeal of an adjudication, the Court of Appeals held that a paternity adjudication within a dependency and neglect proceeding constitutes a child custody proceeding under the Indian Child Welfare Act, 25 U.S.C. §§ 1901-1963, and the juvenile court was required to conduct an ICWA inquiry as to the presumptive biological father in this case.

ICWA

People in Interest of E.M., 21CA0381 (Dec. 16, 2021)

Notice: In *E.M.*, a division of the Court of Appeals held that the current understanding of “reason to know” standard applies in most situation when a parent indicates he or she has “reason to know” that the child is an Indian child (i.e. makes reference to heritage with a specific tribe, a tribal ancestral group, or even a tribal connection to a specific state or region).

**The Colorado Supreme Court granted cert on E.M. on March 7, 2022.*

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ICWA CON'T

PEOPLE IN INTEREST OF A-J.A.B.,
2022COA31 (MAR. 10, 2022)

NOTICE: In *A-J.A.B.*, a division of the COA held that a parent's vague assertion of Indian heritage did not create "reason to know" the child was an Indian child under ICWA; however, Colorado's ICWA statute still required the court to direct the department to "exercise due diligence" to assist the court in determining whether there was reason to know that the child was an Indian child.

The *A-J.A.B.* case is significant because it creates a split in authority with *E.M.*

PEOPLE IN INTEREST OF JAY.J.L.,
2022COA43 (APR. 14, 2022),

NOTICE: In *Jay.J.L.*, the division sided with *A-J.A.B* rather than *E.M.*, holding that an assertion of Indian heritage connected to tribal ancestral groups, alone, does not demonstrate a substantial chance that the child is an Indian child pursuant to ICWA. However, unlike *A-J.A.B.*, the *Jay.J.L.* Court determined that due diligence is flexible and will necessarily depend on the circumstances of each case.

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People in Interest of M.M., 2022COA61 (June 2, 2022),

NOTICE: In *People in Interest of M.M.*, this division of the Court of Appeals held that father's report of lineage with a Delaware tribe was sufficient to give the court reason to know that the children are Indian children and the notice that to the Bureau of Indian Affairs (BIA) while the appeal was pending was inadequate. This division adopted the reasoning in *E.M.*, thereby rejecting the analysis in *A-J.A.B.* and *Jay.J.L.*

... AND
MORE
(ICWA)

TAKEAWAY: Until the Colorado Supreme Court resolves the split in authority, ensure ICWA-compliant notice is sent any time tribal heritage is mentioned by a parent.

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...STILL MORE (ICWA)

People v. V.K.L., 2022 CO 35 (June 27, 2022).

ACTIVE EFFORTS: In *V.K.L. (My.K.M. in COA)* the Colorado Supreme Court held that ICWA “active efforts” is a heightened standard requiring a greater degree of engagement with Native American families than the traditional “reasonable efforts”. The SC also held that active efforts must be tailored to the facts and circumstances of the case, that certain services and resources can be prioritized to address the family’s most urgent needs, and that the court should analyze the department’s efforts under the totality of the circumstances.



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- Provides funding to support capital expenditure for the renovation or building of a behavioral health facility to provide behavioral and mental health services.
- Can include inpatient or transitional housing.
- Up to \$5 million.
- Effective 5/24/22

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HB22-1319

DEPENDENCY PROCEEDINGS UNACCOMPANIED CHILD

- For youth in the custody of the federal office of refugee resettlement, placed in a Colorado facility.
- Allows the youth to file a petition under new article, 19-3.1-101
- Those youth can then get the predicate findings required to seek SIJS.
- Effective 6/7/22

23

HB22-1042

TEEN PARENT DRIVING INSTRUCTION COURSE

- Eligible for youth 15-19 who are parents.
- Creates the Teen Parent Driver's License Program and provides financial assistance for the cost of driver's education and the cost to obtain a Driver's License or permit.
- Effective 05/31/2022



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**HB22-1049
PROHIBITING
TRANSCRIPT AND
DIPLOMA
WITHHOLDING**

- 23-5-113.5: Postsecondary institution may not refuse to provide a transcript or diploma to a current or former student on the grounds that the student owes a debt other than tuition, room and board fees or financial aid funds.
- OR if a student can demonstrate that the transcript or diploma is needed for one of the following exemptions:
 - A job application
 - Transferring to another institution
 - Applying for state, federal or institutional financial aid,
 - Pursuit of the opportunities in the military or national guard
 - Or pursuit of other post secondary opportunities.
- Effective 4/21/22

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GENERALIZED EXPERT TESTIMONY

People v. Cooper, 496 P.3d 430 (Colo. 2021)

In *People v. Cooper*, the Colorado Supreme Court determined that the generalized expert testimony on the dynamics of domestic violence, including kindness-violence dichotomy and power-and-control dynamic, was a sufficient fit with the facts of the case, and therefore was admissible. In so holding, the SC noted that the fit of generalized expert testimony to a case need not be perfect for testimony to be admissible, and each aspect of the testimony need not match a factual issue presented in the case. **When certain behaviors by a domestic violence victim are in conflict with what an ordinary juror might intuitively expect, generalized expert testimony can be helpful to educate the jury on what social science teaches about those behaviors.**

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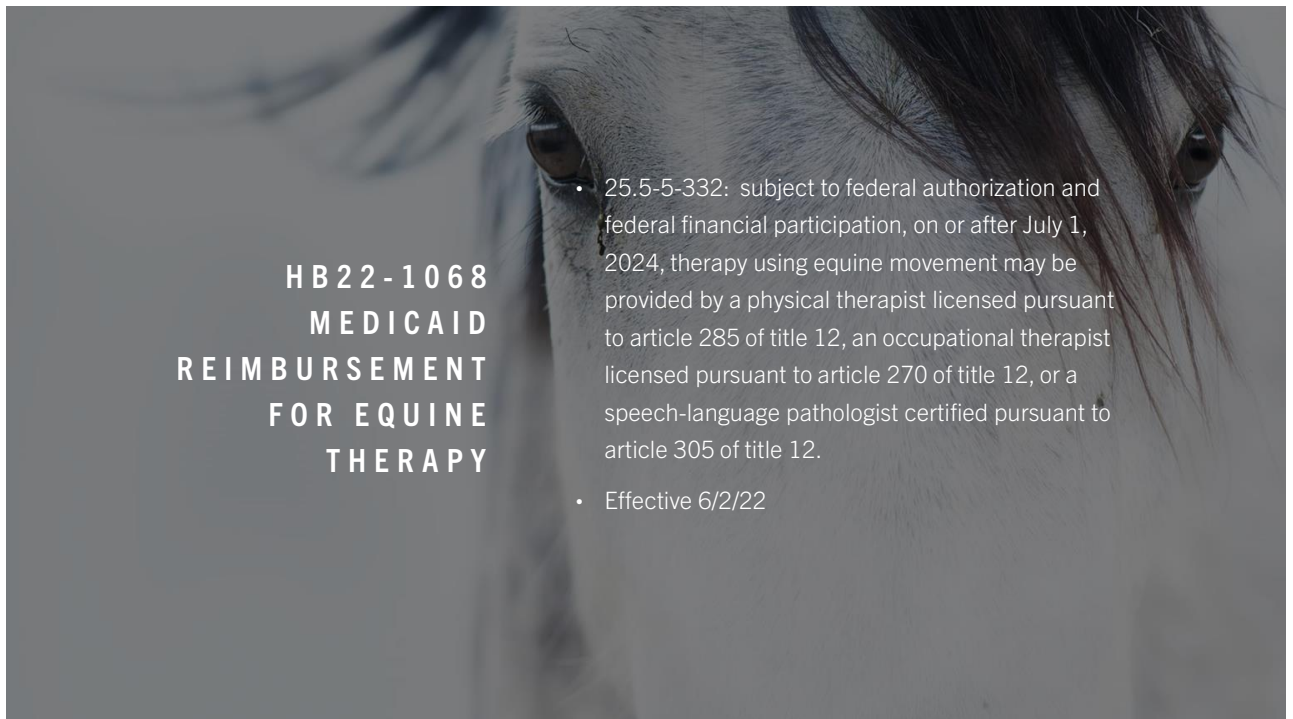
DISPOSITION ON APPEAL

People in Interest of M.W., 21CA1768 (July 7, 2022),

In *M.W.*, the Court of Appeals held that a parent may appeal an initial dispositional order (ie treatment plan) simultaneously with an appeal of an adjudication order. The COA also held that a juvenile court may not require a parent to complete a Sex Offender Management Board (SOMB) evaluation and treatment if the parent objects and has not been convicted of a sex offense, although the court may order the parent to participate in an evaluation and obtain treatment or counseling for sexual behavior that poses a risk to the parent's children.

Practice Tip: In cases where you believe a parent has committed sexual abuse on a child and requires treatment, object to any mention of SOMB treatment in the treatment plan and, instead, advocate that the treatment plan include language that the parent be evaluated and treated for sexual behaviors that pose a threat to the children.

27



**HB 22 - 1068
MEDICAID
REIMBURSEMENT
FOR EQUINE
THERAPY**

- 25.5-5-332: subject to federal authorization and federal financial participation, on or after July 1, 2024, therapy using equine movement may be provided by a physical therapist licensed pursuant to article 285 of title 12, an occupational therapist licensed pursuant to article 270 of title 12, or a speech-language pathologist certified pursuant to article 305 of title 12.
- Effective 6/2/22

28

HB22-1283 YOUTH AND FAMILY BEHAVIORAL HEALTH CARE

Effective 5/18/22 (though there are a variety of deadlines and start dates in the bill)

Implements recommendations of the behavioral health transformational task force concerning youth and family residential care.

- Creates in-home and residential respite care in up to 7 regions of the state for children and families (beginning Jan 1),
- provides operational support for Psychiatric residential treatment facilities, therapeutic foster care, treatment foster care and QRTPs,
- and provides funds to build and staff a neuro-psych facility at the CMHI Ft. Logan (process starting July 1, 2022) – at least 16 bed capacity.

27-80-127 (1) ON OR BEFORE JULY 1, 2023, THE BEHAVIORAL HEALTH ADMINISTRATION, CREATED PURSUANT TO PART 2 OF ARTICLE 60 OF TITLE 27, SHALL CREATE, DEVELOP, OR CONTRACT TO ADD ADDITIONAL RESIDENTIAL SUBSTANCE USE TREATMENT BEDS FOR YOUTH. TO THE GREATEST EXTENT POSSIBLE, THE DEPARTMENT SHALL ENSURE THAT BOTH MENTAL HEALTH AND SUBSTANCE USE TREATMENT SERVICES ARE AVAILABLE IN ONE RESIDENTIAL LOCATION. THE DEPARTMENT SHALL WORK COLLABORATIVELY WITH THE BEHAVIORAL HEALTH ADMINISTRATION FOR LICENSING AND DETERMINING THE GREATEST AREAS OF NEED

(2) (a) (I) FOR THE 2022-23 BUDGET YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE FIVE MILLION DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH CASH FUND, CREATED PURSUANT TO SECTION 24-75-230, TO THE DEPARTMENT TO EXPAND SUBSTANCE USE RESIDENTIAL TREATMENT BEDS FOR ADOLESCENTS, AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION.

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OTHER BEHAVIORAL HEALTH BILLS

- HB22-1278: Behavioral Health Administration (effective 7/1/22 with some exceptions)
- HB22-1214: Behavioral Health Crisis Response System (effective 4/27/22)
- HB22-1256: Modifications to Civil Involuntary Commitment (effective 7/1/23 for sections 2 and 5; 7/1/2024 for sections 1, 3 and 4)
- HB22-1369: Children's Mental Health Programs (effective 6/3/22)
- SB22-147: Behavioral Health-Care Services for Children (effective 5/17/22)

30

HEARING ACCESS



People in Interest of E.B., 2022COA8 (Jan. 6, 2022)

In *E.B.*, the Court of Appeals found that the trial court abused its discretion when it denied a request for a continuance of the termination hearing because father was trying to attend the video termination hearing but having technical difficulties (the father was trying to attend the hearing by using free Wifi at a convenience store but was asked to leave).

STANDYBY: THE COLORADO SUPREME COURT GRANTED A PETITION FOR CERT IN E.B.

Relatedly, in *People in Interest of R.J.B.*, 482 P.3d 519, 525 (Colo. App. 2021), the COA held that a video termination hearing does not violate a parent's due process rights when, among other things, **accommodations are provided to ensure that a parent who wants to participate in the hearing may do so.**

31

POST-TRIAL RELIEF

People in Interest of B.H., 2022COA9 (Jan. 6, 2022)

In *B.H.*, the Colorado Court of Appeal held that the filing of a motion for post-trial relief pursuant to C.R.C.P. 59 does not toll the time limits imposed in appeals of dependency and neglect cases described in C.A.R. 3.4. The Court looked to the plain language of C.A.R. 3.4 and C.R.C.P. 59 in determining that a notice of appeal, filed more than ninety days after entry of the termination order, without any motion for extension of time, was untimely.

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RULE 60(B)

People in Interest of AP 2022 CO 24 re Rule 60(b)

On June 6, 2022, the Colorado Supreme Court issued an opinion in this original proceeding (Rule 21) finding that the district court abused its discretion in setting aside the adjudication and termination orders against these white parents based upon the misconduct and censure of the prior judge, Judge Natalie Chase. The COA rejecting the district court's proposition that "any bias or prejudice to one person is bias and prejudice to all").

Petition of J.N., 22COA69 (June 30, 2022)

In *J.N.*, the Court of Appeals determined that, because the father did not receive proper notice, due to improper service by publication, the entry of APR orders many years earlier violated his due process rights.

Practice Tip: If the department has failed to make diligent efforts to personally name and serve the father of a child, consider objecting to service by publication.

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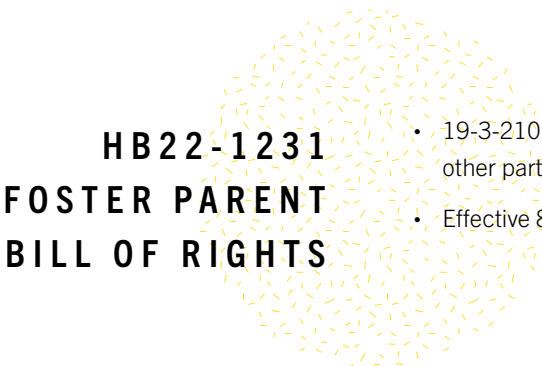
**HB22-1091
ONLINE
AVAILABILITY
OF JUDICIAL
OPINIONS**

- Requires the Judicial Department to publish opinions of the Colorado Supreme Court and the Court of Appeals online, in a searchable format and free of charge.
- Published opinions only
- Effective 8/9/22 (but will be established between July 1, 2023 and March 1, 2024)

34



- 19-3-609: All written orders by the District Court from any appealable hearing must be made within 35 days after the hearing
- Requires the Child Welfare Appeals Workgroup to monitor recommendations from 2021
- Determine if other issues are contributing to delay
- Further study opportunities to reduce delay in the child welfare appeals system
- Provide training and submit report in January of 2023 and July of 2024.
- Effective 8/9/22



- 19-3-210.5 has the list of rights (many taken from other parts of statute)
- Effective 8/9/22

SIBLING VISITATION

People in Interest of S.A., 2022 CO 27

On June 13, 2022, the CO Supreme Court issued an opinion in this Rule 21 case, finding that neither the Colorado Children’s Code nor the Foster Youth Siblings Bill of Rights granted the juvenile court personal jurisdiction over the un-adjudicated siblings; and that neither the court’s subject matter jurisdiction over the proceeding, nor the court’s personal jurisdiction over the parents, allowed an order requiring the parents to bring the un-adjudicated children to visitation.



37

HB22-1245 – FYTP CLARIFICATIONS

- Makes changes necessary to preserve rights for SIJS youth
- Requires advisement of the program in JD cases
- Changes terms to “diminished capacity” for consistency
- Eligible if 18 when case closes and can transition at 18 if open D&N (even if not in foster care).
- Clarify requirements when youth files
- Different findings that are consistent with IV-E requirements and make more sense with these circumstances
- Requires a hearing within 56 days when petition is filed
- Effective 8/9/22



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HIGHER ED BILLS

SB22-008

HIGHER EDUCATION SUPPORT FOR FOSTER YOUTH

- Requires public higher education institutions to provide youth who have been in foster care any time after the age of 13 with financial assistance for the total cost of attendance in excess of the amount of any private, state or federal financial assistance received by the student.
- Establishes 4 navigators in the Dept of Ed to identify eligible youth and provide guidance.
- Requires each institution to designate an employee to assist these students.
- Found in 23-3.3-1401 and effective 6/7/22

HB22-1155

IN-STATE TUITION FOR COLORADO HIGH SCHOOL GRADUATES

- No longer have to attend high school in Colorado for 3 years prior to qualify for in-state.
- Now, graduate from a Colorado High School OR are physically present in Colorado for at least one year immediately preceding the date the student completed the GED.



STUDENTS WITH DISABILITIES

HB22-1255

IMPROVE HIGHER ED FOR STUDENTS WITH DISABILITIES

- Requires Department of Higher Ed to submit data related to postsecondary outcomes for students with disabilities.
- Creates an advisory committee to make recommendations concerning necessary services and best practices to improve outcomes for students with disabilities at institutions for higher ed.
- Effective 4/21/22

HB22-1260

ACCESS TO MEDICALLY NECESSARY SERVICES FOR STUDENTS

- Requires each administrative unit to adopt a policy that addresses how a student who has a prescription from a qualified health provider for medically necessary treatment receives such treatment in a school setting.
- Effective 8/9/22 and found in Title 22

SB22-102
**TRANSPARENCY OUT OF
 HOME PLACEMENTS
 DEVELOPMENTAL
 DISABILITIES**

- Puts in some additional safeguards around appeal process for children or youth who are determined ineligible.
- Dictates the makeup of the appeals panel.
- Reporting requirements.
- effective 8/9/22

41

HB22-1374
FOSTER CARE SUCCESS ACT

- Creates the fostering educational opportunities for youth in foster care program in DHS
- Modeled after a Jeffco program
- Will contract with between 2 and 5 school districts
- Program identifies students in out of home placement, track outcomes related to student success and strengthens local service delivery to support education attainment. Tied to goals. Program is in 22-32-138.
- Effective 5/31/22



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FINANCIAL/JOB SUPPORT

HB22-1320

ACHIEVING A BETTER LIFE EXPERIENCE SAVINGS ACCOUNT

- Modifies ABLE savings accounts to allow a person other than the individual with a disability to open the account.
- Modifies some of the tax benefits for 2023-2025.
- Effective 1/1/2023

HB22-1383

EMPLOYMENT OPPORTUNITIES FOR JUVENILES

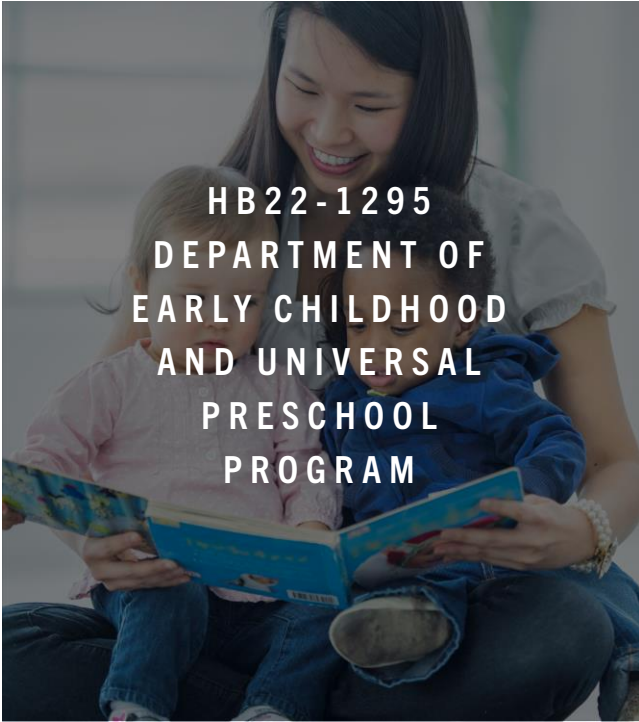
- Expands career and technical services education and vocational training.
- Clarifies that youth are not required to disclose information to employers related to arrest, detention, processing, diversion, supervision, adjudication or court disposition in Juvenile Court.
- Effective 8/9/22

HB22-1389

FINANCIAL LITERACY EXCHANGE PROGRAM (FLEX)

- Purpose is to build financial security.
- Escrow like savings account that grows as earnings increase. Incentivizes increasing income.
- Eligible participants receive a voucher for housing assistance.
- Details in 24-32-726
- Effective 1/1/23

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HB22-1295 DEPARTMENT OF EARLY CHILDHOOD AND UNIVERSAL PRESCHOOL PROGRAM

- 438 page bill
- Creates the Department of Early Childhood
- Relocates early childhood programs from CDHS and Department of Ed
- Creates Universal Preschool Program
- Effective 7/1/22 with some exceptions

44

EVIDENCE OF OTHER "BAD ACTS"

Rojas v. People 504 P.3d 296 (Colo. 2022).

In *Rojas*, the CO Supreme Court did away with the concept of *res gestae* in criminal cases, and instead recognized "an intrinsic-extrinsic distinction, with extrinsic acts falling under Rule 404(b) and intrinsic acts falling outside the Rules' scope."

In a recent unpublished decision, the CO Court of Appeals adopted this framework in a dependency and neglect case and found that as long as the prior "bad act" was "intrinsic" to the allegations that the children were dependent and neglected, the court need only evaluate the admissibility of the evidence under the rules on relevance.

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HB22-1131
REDUCE JUSTICE INVOLVEMENT
FOR YOUNG CHILDREN

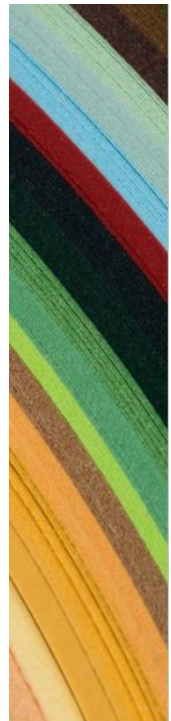


HB22-1240
MANDATORY REPORTERS



HB22-1375
CHILD RESIDENTIAL
TREATMENT AND RUNAWAY
YOUTH

THE YEAR OF THE TASKFORCE



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