

**Colorado Supreme Court Juvenile Rules Revision Committee  
Minutes of November 6, 2015 Meeting**

A quorum being present, the Juvenile Rules Revision Committee was called to order by Judge Karen Ashby at 1:30 p.m., in the Full Court Conference Room on the third floor of the Ralph L. Carr Colorado Judicial Center. Members present or excused from the meeting were:

| <b>Name</b>                    | <b>Present</b> | <b>Excused</b> |
|--------------------------------|----------------|----------------|
| Judge Karen Ashby, Chair       | X              |                |
| David P. Ayraud                | X              |                |
| Magistrate Howard Bartlett     | X              |                |
| Charlene Benton                | X              |                |
| Kelly Boe                      | X              |                |
| Vivian Burgos                  |                | X              |
| Jennifer Conn                  | X              |                |
| Traci Engdol-Fruhwirth         | X              |                |
| Shana Kloek                    | X              |                |
| Kendall Marlowe                |                | X              |
| Tom Maxwell                    | X              |                |
| Judge Ann Meinster             | X              |                |
| Judge Dave Miller              | X              |                |
| Lauren Mueller                 |                | X              |
| Chief Judge Mick O'Hara        | X              |                |
| Professor Colene Robinson      | X              |                |
| Magistrate Fran Simonet        | X              |                |
| Judge Teresa Slade             | X              |                |
| Karen Stall                    | X              |                |
| John Thirkell                  |                | X              |
| Judge Douglas Vannoy           |                | X              |
| Judge Jeffrey Wilson           | X              |                |
| <b>Non-voting Participants</b> |                |                |
| Justice Allison Eid, Liaison   |                | X              |
| Terri Morrison                 | X              |                |

- I. Attachments & Handouts**
  - A.** November 6, 2015 agenda
  - B.** August 7, 2015 minutes

## **II. Announcements from the Chair**

Judge Ashby reminded the committee that beginning in 2016 committee meetings will begin at 9:30.

## **III. New Business**

### **A. Scope of Subcommittees' work**

Numerous questions were raised regarding where one subcommittee's work ended and another subcommittee's work began. It was decided that subcommittees with overlapping issues will contact each other and decide who's doing what. Please copy Judge Ashby when subcommittees are dividing up overlapping issues.

### **B. ICWA**

The committee decided an ICWA subcommittee needed to be formed, comprised of people with substantial ICWA experience. The committee discussed again whether there should be one ICWA rule or if ICWA provisions should be every appropriate rule. After the new ICWA subcommittee is formed the committee will discuss how the subcommittee will function. Members with candidate recommendations for the ICWA subcommittee should forward them to Judge Ashby.

### **C. Subcommittee updates**

Every subcommittee had met at least once and subcommittee updates are as follows:

1. Case Commencement, rules had been drafted and sent to the subcommittee for comment;
2. Pre-Adjudication had met twice and they were still discussing various issues;
3. Adjudication had sent out a survey to gather more information and were still discussion issues related to privilege and confidentiality, timelines, and disclosure;
4. Discovery was adding specific discovery and disclosure rules, as well as a general discovery rule. It was acknowledged that each subcommittee will have discovery and disclosure issues, and that in the future there will be communication regarding overlapping discovery issues;
5. Permanency Planning, the subcommittee had discussed many things to include contested permanency, PHOM, and certification issues;
6. Dispositional Review, had questions related to ICWA, time frames, Better Business Practices, and district plans;
7. Termination had no recommended rule changes, however, the committee had a few areas for the subcommittee to consider, to include an abandonment affidavit, default deadline, motion for expert witness, when a parent confesses motion for termination, and summary judgment; and

8. Post-Termination was drafting post-termination and reinstatement rules.

Judge Ashby encouraged members to bring issues or problems to the attention of the larger committee.

**IV. Future Meetings**

March 11, 2016

The Committee adjourned at 3:20 p.m.

*Respectfully submitted,*

*Jenny A. Moore*