

Survey of Family Law Cases 2004-2013

2009 Family Law Survey

Senate Bills

SB 09-38, Concerning Technical Changes to Judicial Fees. This bill removes the repeal of the docket fees for county court civil actions. It also clarifies that the assessment for displaced homemakers applies to a petition for declaration of invalidity of marriage, legal separation, or declaratory judgment. The bill was effective July 1, 2009.

SB 09-68, Concerning Funding to Support Domestic Abuse Services and Making an Appropriation Therefore. This bill increases the fee for a marriage license by \$20 to fund domestic abuse services for married, separated, or divorced persons or their families. It increases the filing fees for a petition and response in a dissolution of marriage action by \$10 and specifies that one-half of that increased filing fee will be deposited in the family violence justice fund and that the other half will be deposited in the Colorado domestic abuse program fund.

The bill also directs domestic abuse programs to determine the relationship between each client served and the alleged perpetrator of the domestic violence and contains reimbursement and appropriation language. The bill was effective July 1, 2009.

SB 09-69, Concerning Court-Appointed Parenting Coordinators. This bill provides that a parenting coordinator appointed by the court is immune from liability for any claim for injury arising from an act or omission of the parenting coordinator during the performance of his or her duties, as long as the parenting coordinator is acting within the scope of his or her duties and the act or omission is not willful or wanton. The bill specifies that a court shall award reasonable attorney fees to a parenting coordinator in a civil action when the court determines that the parenting coordinator is immune from civil liability. The bill was effective April 16, 2009.

SB 09-88, Concerning the Extension of State Employee Group Benefits to Domestic Partners of State Employees. For state employee group benefit plans issued or renewed on or after July 1, 2010, this bill adds a state employee's domestic partner to the list of dependents eligible for coverage under state employee group benefit plans. The bill defines "domestic partner," for purposes of qualifying as the dependent of a state employee, as an adult at least 18 years of age, and sets out further qualifications. The bill was effective August 5, 2009.

SB 09-268, Concerning Clarifying the Appointment of State-Paid Professionals in Cases Involving Children, and Making an Appropriate in Connection Therewith. As relevant to family law cases, this bill amends statutory appointments of child's legal representatives and child and family investigators so that no order can enter for state pay unless both parties to a case are determined to be indigent after considering the combined income and assets of the parties.

The bill requires the court to make every reasonable effort to apportion costs between the parties to minimize the costs, fees, and disbursements to be borne by the state.

The bill also amends C.R.S. § 19-1-111 regarding the appointment and termination of a guardian ad litem in juvenile delinquency cases. The bill was effective May 1, 2009.