

**Colorado Supreme Court Rules of Juvenile Procedure Committee  
Minutes of April 1, 2022**

**I. Call to Order**

The Rules of Juvenile Procedure Committee came to order just after 9 AM via videoconference. Members present or excused from the meeting were:

<b>Name</b>	<b>Present</b>	<b>Excused</b>
Judge Craig Welling, Chair	X	
Judge (Ret.) Karen Ashby	X	
David P. Ayraud	X	
Jennifer Conn	X	
Traci Engdol-Fruhworth		X
Judge David Furman		X
Ruchi Kapoor	X	
Magistrate Randall Lococo	X	
Judge Priscilla J. Loew	X	
Judge Ann Gail Meinster	X	
Chief Judge Mick O'Hara		X
Trent Palmer		X
Josefina Raphael-Milliner		X
Professor Colene Robinson		X
Zaven "Z" Saroyan	X	
Magistrate Fran Simonet		X
Judge Traci Slade		X
Anna Ulrich	X	
Pam Wakefield	X	
Abby Young	X	
<b>Non-voting Participants</b>		
Justice Richard Gabriel, Liaison	X	
Terri Morrison		X
J.J. Wallace	X	
Special Guests: Clancy Johnson & Jennifer Mullenbach		

**Meeting Materials:**

- (1) Draft minutes from 4.1.2022 meeting
- (2) Notes from Record Policy Subcommittee Meeting

**II. Chair's Report**

- A. The 2/4/22 meeting minutes were approved without amendment.
- B. ORPC Member Substitution. The chair welcomed Zaven Saroyan. He is replacing Melanie Jordan as the ORCP representative.

### **III. Old Business**

- A. Rule Proposal from Access to Justice Committee re Interlocutory Appeal Advisement

Z Saroyan indicated that this project was recently handed to him. He understands that there's an ad hoc group formed. He will get the group together and provide an update at the next meeting.

- B. Drafting Subcommittee

Judge Welling explained that he is substituting as chair of the committee for Judge Furman while Judge Furman is out. The next meeting has been rescheduled to April 7<sup>th</sup>.

Jennifer Mullenbach, member of the Drafting Subcommittee, appeared as a representative of the subcommittee to ask the full committee to approve drafting revised language for the Attorney rule. Right now, the rule has respondent counsel's representation ending "when a mandate issues." But the subcommittee noted that a mandate may issue resolving an appeal of an adjudication while the case is ongoing. CRJP committee agrees that the idea is to terminate representation at the true end of the representation. Stated another way, the subcommittee is free to draft language that makes sure counsel is terminated only when there are no outstanding unresolved issues for the respondent. One committee member cautioned to be careful if using language excluding the adjudication appeal because there can be some question how a disposition fits within that type of appeal.

- C. Proposed ICWA Rules

Justice Gabriel explained that he would be substituting for Judge Furman as temporary chair of the ICWA subcommittee. The next meeting is April 29<sup>th</sup>. He indicated that the subcommittee continues to make good progress, he feels the group is fairly close to finishing its work.

Judge Welling also added that the U.S. Supreme Court has granted certiorari review of several ICWA cases out of the Fifth Circuit. Justice Gabriel stated related that the subcommittee, as a group, has an amazing amount of expertise in the area and is keeping close tabs on what's happening in the Supreme Court.

#### D. Records Policy

By way of background, Judge Welling explained that each of the supreme court's rules committees was tasked with examining its records by the court. The idea was for each committee to think about the records it has and what it should keep going forward. He informed everyone that he spoke with Judge Jones (who was heading the effort for the Civil Rules Committee and who is chair of the P.A.I.R.R. committee). The Records subcommittee met and notes from the meeting were provided in the meeting materials.

Justice Gabriel then explained that he has undertaken a unified effort to come up with a single, consistent record policy for all the committees. He indicated that most committees have fairly consistent public records: agendas, minutes, draft rules, correspondence to the supreme court proposing rule changes, and public comments. Going forward he envisions these records should be kept digitally and uniformly for all committees. As for older records being kept in dozens of boxes in the library, he believes these will be gone through and the records mentioned above will be kept, but any extraneous materials will be discarded. He indicated there is nothing at present for the subcommittee to do, but he will let the subcommittee know if their assistance is needed and keep the committee updated on the process.

#### E. Vision Subcommittee

Judge Welling explained that the subcommittee had set two meetings over the lunch hour in the last week of April. The subcommittee will work to prioritize issues before the committee and examine what the future of the committee looks like. Because of its importance for the committee, everyone is welcome to attend the meetings. If you are interested in attending, email him or J.J. Wallace and a Webex meeting invite will be sent to you. Judge Ashby indicated that she would like to be included.

### **IV. New Business**

#### A. Committee Member Terms Ending June 1 and Up for Renewal

The committee members with expiring terms were listed on the agenda. Please email J.J. Wallace if you are interested in renewing your term. The chair hoped everyone would renew and thanked the membership for work on the committee. Justice Gabriel then said that, in case folks do not renew and this was their last meeting, he wanted to add his personal thanks and the thanks of the court for their work on the committee. The outstanding work product of the committee cannot happen without everyone's contribution.

**V. Adjourn**

Next meeting, June 3, 2022 at 9 AM via Webex.

*Respectfully Submitted,*

*J.J. Wallace*

*Staff Attorney, Colorado Supreme Court*