

AGENDA
COLORADO SUPREME COURT
RULES OF JUVENILE COMMITTEE

Friday, April 4, 2025, 9 a.m.
Videoconference Meeting via Webex

- I. Call to Order
- II. Chair's Report
 - A. Minutes for the February 7, 2025 [pages 2–4]
- III. Present/New Business
 - A. Review Public Comment on D&N Rules [pages 5–9]
- IV. Old Business
 - A. Discovery and Disclosures Annual Review Subcommittee (update)
 - B. ICWA Annual Review Subcommittee (update)
 - C. Truancy Rules Subcommittee-Email Update [pages 10–16]
- V. Future Meetings: June 6th; August 1st; October 3rd; December 5th
- VI. Adjourn

Colorado Supreme Court
Rules of Juvenile Procedure Committee
Meeting Minutes: February 7, 2025

I. Call to Order

A quorum being present, the Colorado Supreme Court Rules of Juvenile Procedure Committee was called to order by Chair Judge Craig R. Welling at 9:04 a.m. via videoconference.

The following members were present at the meeting:

Judge Craig R. Welling, chair of the committee; David P. Ayraud; Jerin Damo; Professor Colene Robinson; Angela Rose; Z Saroyan; Lisa Shellenberger; Anna Ulrich; Pam Gordon Wakefield; and Abby Young. Justice Richard L. Gabriel, liaison justice; Terri Morrison, and J.J. Wallace, all non-voting members, were also present.

The following members were excused from the meeting:

Judge Karen A. Ashby; Traci Engdol-Fruhworth; Judge David Furman; Magistrate Lococo; Judge Ann Meinster; Judge Pax Moultrie; and Judge Theresa Slade.

The following materials were used during the meeting:

1. 12/6/2024 Draft Meeting Minutes
2. Three Emails Re Feedback on Rule 4.6

II. Chair's Report

A. Minutes for the December 6, 2024 Meeting

The minutes were approved without amendment. Because these minutes will serve as the equivalent of legislative history for these rules, the chair invited committee members to review the minutes carefully. If anyone feels as though a change should be made, the chair indicated that he will entertain a motion for amendment at the April meeting.

B. New D&N Rules Out for Comment

The chair noted the deadlines for the upcoming public hearing on the proposed D&N rules. The chair related that he had signed up to speak at the hearing and invited other members to do so as well. He pointed out that our April meeting falls after the deadline for written comments but before the hearing, so he anticipates that, at the April meeting, the committee will review and discuss the comments. Members were asked to encourage

other stakeholders to comment. Comments are often very helpful and result in improved rules.

III. New Business

A. Feedback & Updates to Rule 4.6

Since it has been almost a year since Rule 4.6 was adopted and the committee has received a couple of suggestions for improvement, the committee authorized a subcommittee to do an annual review of the rule. Z Saroyan volunteered to chair the subcommittee and Anna Ulrich and David Ayraud volunteered to serve as members of the subcommittee.

B. Feedback & Updates to ICWA Rules

Since it has been over a year since the ICWA rules were adopted, the committee authorized a subcommittee to do an annual review of these rules too. Judge Moultrie volunteered to chair the subcommittee, and Lisa Shellenberger, Anna Ulrich, and Z Saroyan volunteered to serve as members of the committee.

C. Truancy Rules

At the last meeting during the discussion of the application rule (Rule 1), several committee members who have experience working on truancy dockets thought that some basic rules that apply in truancy cases would be helpful. The committee approved forming a subcommittee to look at the issue. Abby Young volunteered to chair the committee with help from Jerin Damo and Pam Wakefield. Anna Ulrich also recommended Katie Hecker from her office as someone with expertise in truancy. Judge Loew also expressed interest in serving on the committee via email.

IV. Old Business (NONE)

No old business was listed on the agenda and no member indicated that they had any other business to bring to the attention of the committee.

V. Future Meetings

The next meeting is April 4, 2025 at 9 a.m. The primary agenda item will be examining the written comments for the proposed D&N rules.

VI. Adjourn

The committee meeting adjourned at 9:25 a.m.



March 27, 2025

Colorado Supreme Court
2 E. 14th Avenue
Denver, CO 80202
Email: supremecourtrules@judicial.state.co.us

Sent via Email

Dear Justices of the Colorado Supreme Court:

On behalf of the Office of the Child's Representative ("OCR"), I am writing this letter in support of the proposed changes to the Colorado Rule of Juvenile Procedure in its current form, <https://www.coloradojudicial.gov/sites/default/files/2025-01/CRJP%20Rules%20for%20Public%20Comment.pdf> ("Proposed Juvenile Rules"). These rules were the product of extensive compromise and collaboration by various individuals and groups involved in dependency and neglect cases across the state, including the OCR. The OCR believes the proposed rules appropriately implement the purposes of the Children's Code and balance the interests of the various parties to dependency and neglect proceedings, including the interests of children and youth who face immediate and lifelong impacts from these cases.

I. BACKGROUND TO THE PROPOSED RULES

In 2014, Justice Nancy Rice, the Chief Justice of the Colorado Supreme Court at the time, established the Colorado Rules of Juvenile Procedure Revisions Committee ("Committee"), and tasked the Committee with reviewing and updating the Colorado Rules of Juvenile Procedure based upon legislative and practice changes. After some initial changes were considered, proposed, and adopted in 2015, the Committee undertook a large-scale revision of the Rules by creating subcommittees who would propose rules regarding various stages of dependency and neglect cases. Between 2015 and 2021, these subcommittees met and drafted proposed rules, and the Committee reviewed these proposals periodically. In 2021, a drafting subcommittee was organized and began reviewing the draft set of rules in detail and making comprehensive changes. The drafting subcommittee met frequently between 2021 and 2024 to finalize the package of proposed rules. On December 6, 2024, the Committee reviewed and discussed the proposed rules, made minor modifications, and ultimately approved sending the proposed rule package to the Colorado Supreme Court for consideration. The Colorado Supreme Court is accepting comments on the Proposed Juvenile Rules through March 31, 2025, and this letter reflects the OCR's comments on the Proposed Rules.

II. THE OCR APPROACH

The OCR's enabling legislation and mandate require the OCR to ensure the provision of uniform, high-quality legal representation to children and youth involved in judicial proceedings in Colorado. See C.R.S. § 13-91-105. Like its statutory mandate, the OCR's mission is to "give children and youth a voice in Colorado legal proceedings through high-quality legal representation that protects and promotes their safety, interests, and rights." *General Assembly Report Fiscal Year 2024*, Colorado OCR at 9 (unnumbered), <https://coloradochildrep.org/download/fy24-general-assembly-report-ocr/?wpdmdl=18333&refresh=673292d7152281731367639>.



As a member of the Committee and various subcommittees involved in the creation of the Proposed Juvenile Rules, the OCR approached the process of drafting and finalizing the Proposed Rules with a spirit of collaboration, informed by its mandate and mission. Specifically, OCR focused its work on ensuring that the rights and interests of children and youth involved in dependency and neglect cases are represented in the procedural rules that govern such cases. The OCR also advocated for changes to the existing rules necessitated by legislation enacted in Colorado reflecting the independent interests of children and youth such as H.B. 22-1038, discussed in more detail below. Although the Proposed Juvenile Rules do not align perfectly with the OCR's preferences, the OCR acknowledges that the Proposed Juvenile Rules are near completion only through the collaborative process and compromises made by the representatives of various stakeholder groups involved in the Committee and subcommittees.

III. PROVISIONS SUPPORTING THE INTERESTS OF CHILDREN AND YOUTH

As noted above, the OCR focused its work on the Committee and subcommittees on ensuring that the Proposed Juvenile Rules account for the unique needs of children and youth in dependency and neglect cases. The OCR believes that the following provisions are examples of how the Proposed Juvenile Rules sufficiently incorporate the interests of children and youth. If considering modifications to the Proposed Juvenile Rules, the OCR requests that the Supreme Court take special care to ensure the protective provisions described below remain or expand in favor of children and youth's interests.

Purposes of the Children's Code

The purposes of the Children's Code as described in C.R.S. § 19-1-102 are multi-faceted, however, taking the purposes together as a whole, the clear intent of the Children's Code is to ensure that children and youth's best interests are the primary focus of all actions taken under the Code. "The overriding purpose of the Children's Code is to protect the welfare and safety of children in Colorado by providing procedures through which their best interests can be ascertained and served." *A.M. v. A.C.*, 296 P.3d 1026, 1030 (Colo. 2013) (citing *L.G. v. People*, 890 P.2d 647, 654 (Colo. 1995); see also *People in Interest of S.N.*, 329 P.3d 276, 279 (Colo. 2014). "To carry out these purposes, the provisions of [the Children's Code] shall be liberally construed to serve the welfare of children and the best interests of society." C.R.S. § 19-1-102(2).

Rule 4.1(b) of the Proposed Juvenile Rules include three specific purposes which cumulative effect is to direct judges and practitioners in dependency and neglect cases to consider the rules in conjunction with the purposes of the Children's Code described above. Specifically, section (b)(1) states that dependency and neglect cases are unique civil cases requiring an intricate balance of the important and interrelated rights and interests of various parties to dependency and neglect cases, including the interests of children and youth. It is important that the stated purposes of the Proposed Juvenile Rules include a specific reference to the interests the children and youth in these cases, as they are the reasons such cases exist and are both the most vulnerable parties and the least able to assert their own interests.

Children and Youth Party Status

In 2022, the Colorado legislature passed H.B. 22-1038 which clarified that all children and youth are parties to the dependency and neglect proceedings brought in their name, among other provisions. See C.R.S. § 19-3-502(4.5). Rule 4.3(b) of the Proposed Juvenile Rules reflects this clarified status. However, beyond simply



recognizing children and youth as parties to the cases involving them, the Proposed Juvenile Rules also recognize that children and youth are not situated exactly the same as the adults in the case, given the fact of the children and youth's minority and their status as dependent and neglected. This delicate balance is most apparent in the discovery rule, Rule 4.9, which, for example, includes the following provisions:

- 1) a presumption that depositions of children and youth are not in their best interests regardless of age, and that any deposition of a child or youth require a court order supported by good cause shown. Rule 4.9(i)(IV); and
- 2) an exemption from the requirements to produce discovery for GALs and children under 12 unless ordered by the court for good cause shown. Rule 4.9(i)(1)(b).¹

Children and Youth Attendance and Participation in Court Hearings

Also in response to H.B. 22-1038, Rule 4.4 of the Proposed Juvenile Rules addresses child and youth attendance and participation in court proceedings. Subsection (a) of Rule 4.4 reflects the language of C.R.S. § 19-3-502(4.5), which provides that children and youth have the right to attend and participate in court hearings, and subsection (b) states that their GAL or CFY must provide them with developmentally appropriate notice. The inquiry provision at subsection (c) ensures that the rights described in (a) and (b) are fully realized.

Because the right of children and youth to attend and participate in court proceedings reflects a substantial change to business-as-usual in some districts, albeit one that is now codified in state law, comment [1] includes the legislative purpose for this change and comment [2] identifies the national support for these procedures. Comments [3] and [4] identify best practices for implementing the procedures identified in Rule 4.4. This approach was informed by small workgroup consisting of representatives of all parties in dependency and neglect cases that studied other state examples, nationally recognized best practices, applicable law, and implementation considerations for courts. Like other provisions, the final proposed rule represents compromise on the part of the OCR and contains the minimum necessary procedures required to promote consistent participation of children and youth in their cases.

Right to Counsel

With H.B. 22-1038, the Colorado legislature changed the primary model of representation for older youth in dependency and neglect cases, requiring that each youth ages 12 and older have client-directed counsel. Children and youth's right to either a GAL or CFY, depending on age, is explicitly recognized in the Attorney of Record Rule, Rule 4.27, and subsection (c) describes the circumstances for the appointment of each. While these provisions are based in Colorado law, including them in the Proposed Juvenile Rules reinforces these important rights for children and youth and makes the parameters easily accessible to judges and practitioners.

Rule 4.35, the rule on filing and service, also recognizes the shift in party status and representation type for children and youth, providing that service on a party under 12 is made upon the child's GAL unless the child is represented by the CFY, in which case service is made upon the child's CFY. Like other parties to the proceedings, service for a youth over 12 is made upon their counsel, the CFY.

¹ The proposed discovery rule was fast-tracked and adopted by the Colorado Supreme Court as Rule 4.6 on May 16, 2024, effective July 1, 2024. See <https://www.coloradojudicial.gov/sites/default/files/2024-05/Rule%20Change%202024%2810%29.pdf>. The version which appears in the Proposed Juvenile Rules, Rule 4.9, is substantially the same as the recently adopted version.



Timely Court Proceedings

The length and depth of the Proposed Juvenile Rules, especially compared to the existing juvenile rules, exposes the reality that dependency and neglect cases have become significantly more complex since the original juvenile rules were adopted in 1997. Despite this increased complexity, children, youth and their families continue to need timely resolution to the issues that bring these cases to the attention of the court. Yet, parties to dependency and neglect cases also have important rights and interests that warrant due process. The Proposed Juvenile Rules attempt to strike a balance between these competing interests in a variety of ways, including:

- 1) The Purpose Rule at 4.1(b)(2) points to a need to avoid unnecessary delay as a reason to require a particularized approach to the Rules;
- 2) The Discovery Rule, Rule 4.9, states that it is “incumbent” that juvenile courts actively manage disclosures and discovery to “eliminate” delay, and the deadlines in the Discovery Rule are shorter than those found in the Colorado Rules of Civil Procedure; and
- 3) Other Rules expressing a need to consider potential delay include Rule 4.7(a) and (b) and 4.31(c) and (d).

The OCR believes that timely resolution of matters is important at all stages of the case, but particularly at the adjudication stage. Rule 4.20 reiterates the required timeframes for such a hearing as described in C.R.S. § 19-3-505. And Rule 4.21(b) should help address existing delays with reaching adjudication by clarifying when the right to a jury trial may be waived or lost.

Other Statutory Rights

In addition to the rights and interests described above, the Proposed Juvenile Rules reference other statutory rights that some children and youth have in dependency and neglect cases. Comment [2] of Rule 4.15 suggests that courts inquire with departments whether the department has fulfilled the statutory obligation to provide notice to a foster child or youth about their rights under the Foster Youth Bill of Rights and the Foster Youth Sibling Bill of Rights, when the child or youth is in foster care.

IV. ADOPTION OF THE PROPOSED JUVENILE RULES

Given the time, effort and compromises made by representatives of various stakeholder groups involved in creating the Proposed Juvenile Rules, the OCR asks the Colorado Supreme Court to adopt this rules package, including the provisions OCR has identified above as essential to protecting the unique interests of children and youth in dependency and neglect cases. To the extent that the Court is considering any amendments, we ask that the Court remember that the overriding purpose of the Children’s Code is to protect the welfare and safety of Colorado’s most vulnerable children and youth, and therefore, the procedural rules implementing the Code should also put children and youth’s interests front and center.



Sincerely,

Anna N Ulrich

Anna Ulrich, Staff Attorney
Office of the Child Representative

wallace, jennifer

From: young, abigail
Sent: Monday, March 31, 2025 8:57 AM
To: wallace, jennifer
Subject: RE: Juvenile Rules on Friday
Attachments: Juvenile Rules Committee: Truancy rules update

Good morning, J.J.!

You were on my list of people to email today. The Truancy subcommittee met in early March for the initial meeting. We quickly realized there are a lot of questions remaining that need to be addressed before we dive further into the work. We shifted to making a list of those questions/topics and the group committed to speaking with their community partners to compile information and feedback in advance of our next meeting on May 2nd. All of that communication, as well as the updates we've made so far, are attached here.

Wed-Fri of this week is the Intradistrict Leadership Retreat with all Chiefs, CE's, CPO's and the Supreme Court so I will not be able to attend our meeting on Friday. Please let me know if the group has any questions or concerns with the direction we're taking so far.

Thank you!

Abby

From: wallace, jennifer
Sent: Monday, March 31, 2025 8:51 AM
To: young, abigail
Subject: Juvenile Rules on Friday

Hi Abby,

The comment period closes this afternoon on the proposed rules, so I've waited to send out the agenda and meeting materials until we get the comments from the clerk of court. I have the subcommittee on Truancy rules on the agenda as an update, but I wanted to make sure you didn't have any materials you wanted circulated.

Thanks,

J.J. Wallace
Staff Attorney, Colorado Supreme Court

(720) 625-5272

Judicial recognizes the need for digital document accessibility. If you experience inaccessible content and require assistance, please contact us by replying to this email.

wallace, jennifer

From: young, abigail
Sent: Monday, March 10, 2025 1:03 PM
To: loew, priscilla; gomez, lisa; price, andrew; Pamela Wakefield; jerin [REDACTED] Katie Hecker
Subject: Juvenile Rules Committee: Truancy rules update
Attachments: FINAL CRJP Rules CLEAN.docx; Current C.R.J.P..docx

Good afternoon,

Thank you for joining the initial meeting to begin work on updating the juvenile rules specific to truancy. As a group, we agreed the list below are the areas in which additional information is needed. Between now and our next meeting on Friday May 2 (teams link has been sent out), everyone will work on gathering feedback on any/all items listed below. We will then work to compile and identify areas in which there are avenues for us to include/update within the rules. As a group, we did make initial edits to Rule 1 in the document titled FINAL CRJP Rules CLEAN (attached here). I've also attached the current rules we're looking at.

Truancy content areas in which additional information is needed:

Truancy advisements (initial, under 10, over 10)
Procedure around "truancy adjudication"
Magistrate jurisdiction – do we need consent
If/when appointment of counsel in contempt, indigency needed?
CASA, GAL and DHS roles
What to do with FTAs?
Reasonable case dismissal standards
Contempt
 Contempt sanctions available to the court
 Parent vs child

Happy information gathering!

Thank you,

Abigail Young
Court Executive
Denver Juvenile Court
303.606.2836

Part One—Applicability

Rule 1. Applicability and Citation

- (a) Applicability.** These rules govern proceedings brought in the juvenile court under Title 19, also hereinafter referred to as the Children’s Code, [and Article 33 of Title 22, also hereinafter referred to as the School Attendance Law of 1963.](#)
- (b)** Proceedings are civil in nature and where not governed by these rules or the procedures set forth in Title 19, [or Article 33 of Title 22,](#) shall be conducted according to the Colorado Rules of Civil Procedure. Proceedings in delinquency shall be conducted in accordance with the Colorado Rules of Criminal Procedure, except as otherwise provided by statute or by these rules.
- (c) Citation.** These rules are known and cited as the Colorado Rules of Juvenile Procedure or C.R.J.P.

Part Two—General Provisions

Rule 2. Purpose and Construction

These rules are intended to provide for the just determination of juvenile proceedings.

Rule 2.1. Attorney of Record

- (a)** An attorney shall be deemed of record when the attorney appears personally before the court, files a written entry of appearance or signed pleading, or has been appointed by the court.
- (b)** The clerk shall notify an attorney appointed by the court. An order of appointment shall appear in the file.

Rule 2.2. Summons—Content and Service

(a) Juvenile Delinquency Proceedings.

- (1) The summons served in juvenile delinquency proceedings shall contain the notifications required by § 19-2.5-501(1), C.R.S. The summons and petition shall be served upon the juvenile in the manner provided in § 19-2.5-501(8), C.R.S.
- (2) When the court has acquired jurisdiction over the parties as provided in the Children’s Code or pursuant to the Colorado Rules of Juvenile Procedure, subsequent pleadings and notice may be served by regular mail.
- (3) If a juvenile is issued a promise to appear pursuant to § 19-2.5-303(5), C.R.S., the promise to appear shall contain the notifications required by § 19-2.5-501(1), C.R.S.

(b) Dependency and Neglect Proceedings.

- (1) The content and service of the summons in dependency and neglect proceedings must be as set forth in C.R.J.P. 4.5.
- (2) Subsequent pleadings and notice must be served as provided in C.R.J.P. 4.35.

(c) - (h) [NO CHANGE]

Rule 1.

These rules govern proceedings brought in the juvenile court under Title 19, 8B C.R.S. (1987 Supp.), also hereinafter referred to as the Children's Code. All statutory references herein are to the Children's Code as amended. Proceedings are civil in nature and where not governed by these rules or the procedures set forth in Title 19, 8B C.R.S. (1987 Supp.), shall be conducted according to the Colorado Rules of Civil Procedure. Proceedings in delinquency shall be conducted in accordance with the Colorado Rules of Criminal Procedure, except as otherwise provided by statute or by these rules.

Rule 2. Purpose and Construction

These rules are intended to provide for the just determination of juvenile proceedings. They shall be construed to secure simplicity in procedure and fairness in administration.

Rule 2.1. Attorney of Record

(a) An attorney shall be deemed of record when the attorney appears personally before the court, files a written entry of appearance, or has been appointed by the court.

(b) The clerk shall notify an attorney appointed by the court. An order of appointment shall appear in the file.

Rule 2.2. Summons--Content and Service

(a) Juvenile Delinquency Proceedings.

(1) The summons served in juvenile delinquency proceedings shall contain the notifications required by § 19-2-514, C.R.S. The summons and petition shall be served upon the juvenile in the manner provided in § 19-2-514, C.R.S.

(2) When the court has acquired jurisdiction over the parties as provided in the Children's Code or pursuant to the Colorado Rules of Juvenile Procedure, subsequent pleadings and notice may be served by regular mail.

(3) If a juvenile is issued a promise to appear pursuant to § 19-2-507(5), C.R.S., the promise to appear shall contain the notifications required by § 19-2-507(5), C.R.S.

(b) Dependency and Neglect Proceedings.

(1) The summons served in dependency and neglect proceedings shall contain the notifications required by § 19-3-503, C.R.S. The summons and petition shall be served upon respondent(s) in the manner provided in § 19-3-503(7) and (8), C.R.S.

(2) When the court has acquired jurisdiction over the parties as provided in the Children's Code or pursuant to the Colorado Rules of Juvenile Procedure, subsequent pleadings and notice may be served by regular mail.

(c) Relinquishment Proceedings.

(1) The summons served in relinquishment proceedings shall contain the notifications required by § 19-5-105(5), C.R.S.

(2) The summons and petition shall be served upon the non-relinquishing parent as follows:
A. As ordered by the court; or
B. In the same manner as a summons in a civil action; or
C. By mailing it to the respondent ('s/s') last known address, not less than 14 days prior to the time the respondent(s) is/are required to appear, by registered mail return receipt requested or certified mail return receipt requested. Service by mail shall be complete upon return of the receipt signed by the respondent(s) or signed on behalf of the respondent(s) by one authorized by law.

(3) When the person to be served cannot be found after due diligence, service may be by a single publication pursuant to C.R.C.P. 4(g).

(4) When the court has acquired jurisdiction over the parties as provided in the Children's Code or pursuant to the Colorado Rules of Juvenile Procedure, subsequent pleadings and notice may be served by regular mail.

(d) Truancy Proceedings.

(1) The summons served in truancy proceedings shall comply with the provisions of C.R.C.P. 4(c). If the summons is combined with the notice required by § 22-33-108(5)(c), C.R.S., it shall also comply with the provisions of that section. In any jurisdiction in which juvenile detention may be used as a sanction after a finding of a violation of a valid court order, the summons shall inform the juvenile served of his or her right to a hearing and to due process as guaranteed by the United States Constitution prior to the entry of a valid court order.

(2) The summons and petition shall be served upon the respondent(s) as required pursuant to C.R.C.P. 4.

(3) When the person to be served cannot be found after due diligence, service may be by a single publication pursuant to C.R.C.P. 4(g).

(4) When the court has acquired jurisdiction over the parties as provided in the Children's Code or pursuant to the Colorado Rules of Civil Procedure, subsequent pleadings and notice may be served by regular mail.

(e) Uniform Parentage Act Proceedings.

(1) The petition and summons served in Uniform Parentage Act proceedings shall comply with all requirements of Title 19, Article 4 of the Colorado Revised Statutes.

(2) The petition and summons, filed by one party, shall be personally served upon all other parties in accordance with § 19-4-105.5, C.R.S., or § 19-4-109(2), C.R.S., or the Colorado Rules of Civil Procedure.

(3) When the person to be served cannot be found after due diligence, service may be by a single publication pursuant to C.R.C.P. 4(g). Affidavits in support of motions for service by publication shall include a detailed statement of the specific efforts made to locate an absent parent.

(4) The summons issued upon commencement of a proceeding under Article 4 shall include the specified advisements and notice requirements of § 19-4-105.5(5), C.R.S.

(5) If the child support enforcement unit is initiating a proceeding under the Uniform Parentage Act, a delegate shall serve the petition and notice of financial responsibility in the manner identified in § 26-13.5-104, C.R.S.

(f) Adoption Proceedings.

- (1) In adoption proceedings where either parent's parental rights have not been terminated or relinquished, that parent must be personally served with a copy of the petition for adoption.
- (2) When the person to be served cannot be found after due diligence, service may be by a single publication pursuant to C.R.C.P. 4(g). Affidavits in support of motions for service by publication shall include a detailed statement of the specific efforts made to locate an absent parent.
- (3) If the motion for service through publication is granted, the court shall order service by one publication of the notice in a newspaper of general circulation in the county in which the hearing is to be held. The hearing shall not be held sooner than 35 days after service of the notice is complete.
- (4) If the subject child in the adoption proceeding is an enrolled member of a federally recognized American Indian Nation, the petition for adoption must be sent to the parent or Indian custodian of the Indian child and to the Indian child's tribe by registered mail, return receipt requested, pursuant to § 19-1-126, C.R.S., and § 19-5-208, C.R.S., and proof shall be filed with the court. Postal receipts, or copies thereof, shall be attached to the petition for adoption when it is filed with the court or filed within 10 days after the filing of the petition, as specified in § 19-1-126(1)(c), C.R.S.
- (5) Service of petition and notice requirements do not apply to validation of a foreign adoption decree proceedings.
- (6) A petition for adult adoption shall be filed in accordance with § 19-5-208, C.R.S. The petition and summons shall be served on the identified adult adoptee by the petitioner.

(g) Support Proceedings under the Children's Code.

- (1) Upon filing of the petition for support, the clerk of court, petitioner, or child support enforcement unit shall issue a summons stating the hearing date and the substance of the petition. A copy of the petition may be attached to the summons in lieu of stating the substance of the petition in the summons.
- (2) Service of the summons shall be by personal service pursuant to C.R.C.P. 4(e). If the obligor is a nonresident of this state, the summons and petition may be served by sending the copies by certified mail with proof of actual receipt by the individual.
- (3) The hearing to establish support shall occur at least 10 days after service is completed, or any later date the court orders.

(h) Administrative Procedure for Establishing Child Support by the Child Support Enforcement Unit.

- (1) The child support enforcement unit shall issue a notice of financial responsibility to an obligor who owes child support.
- (2) The child support enforcement unit shall serve the notice of financial responsibility on the obligor not less than 10 days prior to the date stated in the notice for the negotiation conference. Service can be accomplished in accordance with the Colorado Rules of Civil Procedure, by an employee appointed by the child support enforcement unit to serve process, or by certified mail, return receipt requested, signed by the obligor only. The receipt will be prima facie evidence of service.
- (3) If process is served through the administrative process, there will be no additional service necessary if the case is referred to court for further review.

Rule 2.3. Emergency Orders

(a) On the basis of a report that a child's or juvenile's welfare or safety may be endangered, and if the court believes action is reasonably necessary, the court may issue an ex parte order.

(b) Where the need for emergency orders arises, and the court is not in regular session, the judge or magistrate may issue such orders orally, by facsimile, or by electronic filing. Such orders shall have the same force and effect. Oral orders shall be followed promptly by a written order entered on the first regular court day thereafter.

(c) Any time when a child or juvenile is subject to an emergency order of court, as herein provided, and the child or juvenile requires medical or hospital care, reasonable effort shall be made to notify the parent(s), guardian, or other legal custodian for the purpose of gaining consent for such care; provided, however, that if such consent cannot be secured and the child's or juvenile's welfare or safety so requires, the court may authorize needed medical or hospital care.

Rule 2.4. Limitation on Authority of Juvenile Magistrates

No magistrate shall have the power to decide whether a state constitutional provision, statute, municipal charter provision, or ordinance is constitutional either on its face or as applied.

Questions pertaining to the constitutionality of a state constitutional provision, statute, municipal charter provision, or ordinance may, however, be raised for the first time on review of the magistrate's order or judgment.