

**RULE CHANGE 2026(09)**

**COLORADO RULES OF JUVENILE PROCEDURE**

**Rules 1, 3.8, 4.1, and 6**

## Rule 1. Applicability and Citation

(a) [NO CHANGE]

(b) Proceedings are civil in nature and where not governed by these rules or the procedures set forth in Title 19, 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. Any action involving a “child custody proceeding,” as defined in 25 U.S.C. §§ 1903, 1912 and section 19-1.2-103(2), C.R.S., must proceed in accordance with the Rules of ICWA Procedure, as contained in Chapter 28.3 of the Colorado Court Rules.

(c) [NO CHANGE]

### **Rule 3.8. Status Offenders**

Juveniles alleged to have committed offenses which would not be a crime if committed by an adult (i.e., status offenses), shall not be detained for more than 24 hours excluding non-judicial days unless there has been a detention hearing and judicial determination that there is probable cause to believe the juvenile has violated a valid court order (JDF 560). A juvenile in detention alleged to be a status offender and in violation of a valid court order shall be adjudicated within 72 hours exclusive of non-judicial days of the time detained. A juvenile adjudicated of being a status offender in violation of a valid court order (JDF 561) may not be disposed to a secure detention or correctional placement unless the court has first reviewed a written report (JDF 562) prepared by a public agency which is not a court or law enforcement agency. The purpose of the report is to provide the court with useful information prior to sentencing. The report shall address the juvenile's behavior and the circumstances which brought the juvenile before the court and shall assess whether all less restrictive dispositions have been exhausted or are clearly inappropriate. The court is not bound by the recommendations contained in the report. The written report must be signed and dated either before or on the date the juvenile is sentenced to detention. Nothing herein shall prohibit the court from ordering the placement of juveniles in shelter care where appropriate, and such placement shall not be considered detention within the meaning of this rule. Any action involving a "child custody proceeding," as defined in 25 U.S.C. §§ 1903, 1912 and section 19-1.2-103(2), C.R.S., must proceed in accordance with the Rules of ICWA Procedure, as contained in Chapter 28.3 of the Colorado Court Rules. Juveniles alleged to have violated C.R.S. 18-12-108.5 or adjudicated delinquent for having violated C.R.S. 18-12-108.5 are exempt from the provisions of this rule.

**COMMITTEE COMMENT [NO CHANGE]**

#### **Rule 4.1. Procedure Governed, Scope and Purpose of Rules**

**(a) Scope.** These rules in part 4 apply to dependency and neglect cases brought under article 3 of title 19 of the Children’s Code. Any action involving a “child custody proceeding,” as defined in 25 U.S.C. §§ 1903, 1912 and section 19-1.2-103(2), C.R.S., must proceed in accordance with the Rules of ICWA Procedure, as contained in Chapter 28.3 of the Colorado Court Rules.

**(b) [NO CHANGE]**

## **Rule 6. Petition in Adoption**

**(a)** Every petition in adoption shall be verified and shall include the following information:

(1) to (7) [NO CHANGE]

(8) Any action involving a “child custody proceeding,” as defined in 25 U.S.C. §§ 1903, 1912 and section 19-1.2-103(2), C.R.S., must proceed in accordance with the Rules of ICWA Procedure, as contained in Chapter 28.3 of the Colorado Court Rules.

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**(b)** [NO CHANGE]

**Amended and Adopted by the Court, En Banc, April 23, 2026, effective immediately.**

**By the Court:**

**Richard L. Gabriel  
Justice, Colorado Supreme Court**