

Colorado Supreme Court
Rules of Juvenile Procedure Committee
Meeting Minutes: August 7, 2026

I. Call to Order

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

The following members were present at the meeting:

Judge Craig R. Welling, Chair; David P. Ayraud; Jerin T. Damo; Nathan Fall; Magistrate Randall Lococo; Judge Priscilla J. Loew; Judge Pax Moultrie; Angela Rose; Zaven (Z) Saroyan; Anna Ulrich; Pamela Gorden Wakefield; and Abigail Young.

The following members were absent from the meeting: Judge Karen A. Ashby (retired); Traci Engdol-Fruhworth; Judge Ann Meinster (retired); and Professor Colene Robinson.

The following non-voting participants were present at the meeting: Justice Richard L. Gabriel, Liaison Justice; Andrew Rottman; and J.J. Wallace.

The following materials were used during the meeting:

1. Draft Minutes of the June 5, 2026 Meeting
2. Truancy Rules Proposal

II. Chair's Report

The chair called the meeting to order.

A. Minutes

The minutes for the June 5, 2026 meeting were approved unanimously without amendment.

III. Old Business

A. Truancy Rules [Abby Young]

Abby Young updated the committee on the Truancy Subcommittee's work. The committee went through the proposed rules. The committee noted that, to match other juvenile rules, the proposed official comments should just be "COMMENTS."

- Rule 1. Applicability and Citation
- Rule 8.1. Procedure Governed, Scope, and Purpose of Rules
- Rule 8.2. Definitions
- Rule 8.3. Parties and Participants; Joinder
- Rule 8.4. Petition and Summons: Initiation, Form, Content, and Service
- Rule 8.5. Responsive Pleadings
- Rule 8.6. Disclosures for a Contested Hearing
Since there is no (b) change, take off (a) and make 1–4 (a)–(d).
- Rule 8.7. First Appearance Advisement Upon Service of Petition
Abby explained that the subcommittee had a lot of discussion about mentioning jail in the advisement. The subcommittee decided to leave off mention of jail and add the comment to tip off participants in truancy cases that that they can craft the advisement to meet their community's needs.
- Rule 8.8. Admission or Denial
- Rule 8.9. Adjudicating a Non-Appearing or Non-Defending Respondent
- Rule 8.10. Case Management for Adjudicatory Hearing
- Rule 8.11. Adjudicatory Hearing
A member asked whether there were adjudicatory hearings. Subcommittee members related that some jurisdictions do them, but most case are by admission. The Subcommittee member also related that, in adopting these rules, some jurisdictions will have to change its practices to conform to these procedures. A member noted that under 13-1-127, a non-lawyer school employee can prosecute these hearings.
- Rule 8.12. Periodic Reviews
Abby explained that there is more comment than rule here because, when the subcommittee did a survey, this was the area that people requested the most guidance on. As for comment 3, a member noted that there is a subtle difference between the definitions of abuse and neglect in sections 19-1-103(1)(a) and 19-3-102(1), C.R.S. A member asked if it may be worth including both statutory definitions. The committee considered this, but, because section 22-33-108(7) only refers to section 19-3-102(1), C.R.S., the committee decided to leave only the reference to section 19-3-102(1).
- Rule 8.13. Dismissal of Actions
It was related that this rule is in response to feedback from the survey complaining that cases can unnecessarily languish and last for undue lengths of time.
- Rule 8.14. Contempt
This was the most hot-button topic. Among the subcommittee, members disagreed about this rule and the final draft reflects compromise. As noted at the last meeting, the truancy statute requires punitive procedural protections for students (even though the contempt action most-closely resembles remedial contempt). Because the statute only references

such protections for students, the subcommittee spend an unusually long period of time debating this sentence “Indirect contempt proceedings against a parent, guardian, or legal custodian are remedial in nature.” Another member noted the ICWA comment and the reference to change in custody. The idea driving the rule, consistent with the statute, is to make actually detaining a student as cumbersome as possible. And with detention, under ICWA, detention would be a foster care placement. If change of custody is possibility, the member asked whether the UCCJEA should also be mentioned. Other members wanted to know if a change of custody is a possibility in the contempt—does it actually happen? One member saw it happen once, very recently. The committee noted that seemed very unusual and generally thought changing custody in a truancy action through contempt seems like a bad idea. Another judicial officer mentioned a different kind of example. He has awarded temporary custody under 19-1-115 when a nonparent (such as a grandparent) wants to enroll a child in school, but only for the purpose of giving authorization to the grandparent to enroll the child. A member suggested that we add “temporary” before the word custody in the comment. Another member further refined the suggestion to: “If the court is considering entering any orders *temporarily* changing the status quo with respect to custody of the student, including entering a detention order”

- Rule 8.15. Warrants Authorizing the Taking into Temporary Custody of a Student
Again, the comment is larger than the rule here because detention should be discouraged.
- Rule 8.16. Attorney of Record, Guardians ad Litem, and Court-Appointed Counsel
The OCR representative asked about substitution of counsel. Sometimes the office must step in to substitute counsel (the member said it happened once this year in a truancy case in the jurisdictions she covers). The committee suggested dropping in language from C.R.J.P. 4.27(c)(4) on substitution of counsel to this rule.
- Rule 8.17. Report of Suspected Child Abuse to the Court
- Rule 8.18. CASA Rule
- Rule 8.19. Evidence
- Rule 8.20. Motions
- Rule 8.21. Time; Continuances
- Rule 8.22. Service of Documents & Filing with the Court

After going through all the rules, a motion was made to adopt the proposal (with the changes discussed).

The chair thanked Abby and Jerin for doing great work on this draft. The proposed rules were adopted as amended today with one abstention by a member who was not present for the full discussion.

A final draft with the changes will be circulated for email vote. Judge Welling will then submit the rules to the supreme court. Justice Gabriel anticipated setting the rules for public comment and hearing. The hearing may be cancelled if the court does not receive comments. Judge Welling, Abby and Jerin will appear at any public hearing.

B. C.R.C.P. 59 & 60 [Anna Ulrich]

Anna Ulrich stated that she has circulated an email with some comments and suggestions. She has not received a lot of comments back. She believes that the project will merit meeting and discussion. If you would like to be involved in the project, let Anna know.

Judge Welling will put a meeting together.

IV. New Business (Any?)

The chair did a check in on rules and no one had any feedback. Magistrate Lococo asked whether there had been follow-up from any of the county attorneys on moving the 21-day disclosure deadline to 28-day deadline. The committee has not received further comments. The committee believed that, if, in a particular situation 28 days are needed, the “or such other time as the parties agree or the court determines reasonable” language of C.R.J.P. 4.9(f)(1) allows the county attorney can ask for an extension.

V. Future Meetings

The next meeting is October 2, 2026.

An additional meeting is scheduled for: December 4th. J.J. will sent out the 2027 meeting invites soon.

VI. Adjourn

The committee meeting adjourned at 10:15 a.m.