The summaries of the Colorado Court of Appeals published opinions constitute no part of the opinion of the division but have been prepared by the division for the convenience of the reader. The summaries may not be cited or relied upon as they are not the official language of the division. Any discrepancy between the language in the summary and in the opinion should be resolved in favor of the language in the opinion.

SUMMARY
November 5, 2026

2026 COA 80

No. 25CA1685, *People in re Sanders* — Family Law — Children's Code — Youth in Foster Care — Foster Youth in Transition Program — Eligibility — Appeals — Magistrates — Petition for Review

A division of the court of appeals decides two issues of first impression regarding judicial proceedings under the foster youth in transition (FYIT) program, § 19-7-307, C.R.S. 2026. First, the division holds that a party wishing to appeal a magistrate's order in a FYIT proceeding must first file a petition for review with the juvenile court under section 19-1-108(5.5), C.R.S. 2026. Second, the division holds that a juvenile court may not determine a youth's eligibility for the FYIT program in a FYIT proceeding. Instead, that determination must be made by the county department of human or social services, subject to the administrative appeal process.

COLORADO COURT OF APPEALS **2026 COA 80**

Court of Appeals No. 25CA1685
Mesa County District Court No. 24JV30010
Honorable Jeremy Chaffin, Judge

The People of the State of Colorado,

Appellee,

In the Matter of Cason Sanders, a Youth in Transition,

Appellant.

JUDGMENT AFFIRMED

Division I
Opinion by JUDGE SCHOCK
J. Jones and Sullivan, JJ., concur

Announced November 5, 2026

Stephanie Rubinstein, Acting County Attorney, John R. Rhoads, Assistant County Attorney, Grand Junction, Colorado, for Appellee

Debra W. Dodd, Counsel for Youth, Berthoud, Colorado, for Cason Sanders

¶ 1 The foster youth in transition (FYIT) program is designed to help youth aging out of foster care make a successful transition to adulthood. § 19-7-301(2), C.R.S. 2026. The program allows eligible youth between the ages of eighteen and twenty-one to voluntarily re-enter the state foster care system and receive a range of services and support, including assistance with enrolling in Medicaid, securing housing, obtaining employment, applying for public benefits, and pursuing educational goals, among other things. *Id.*; § 19-7-305, C.R.S. 2026. The juvenile court oversees the provision of such services in a proceeding that is initiated by the filing of a petition. § 19-7-303, C.R.S. 2026; § 19-7-307, C.R.S. 2026.

¶ 2 In this appeal, we decide two issues of first impression regarding the FYIT judicial proceeding. First, we hold that when a magistrate enters an order in a FYIT proceeding, a party wishing to appeal that decision must first file a petition for review with the juvenile court under section 19-1-108(5.5), C.R.S. 2026. Second, we hold that the juvenile court may not determine a youth's eligibility for the FYIT program in a FYIT proceeding. Instead, that determination must be made by the county department of human or social services, subject to the administrative appeal process.

¶ 3 Petitioner, Cason Sanders, applied to the FYIT program but was determined to be ineligible by the Mesa County Department of Human Services (the Department) and, after an administrative appeal, the Colorado Department of Human Services (CDHS). He then filed a petition with the juvenile court under section 19-7-307, asking the court to find him eligible. A magistrate dismissed the petition, and the juvenile court adopted the magistrate's order, both concluding, on somewhat different grounds, that the court lacked authority to revisit the Department's eligibility determination.

¶ 4 We agree with the juvenile court that it lacked authority to determine Sanders's eligibility for the FYIT program — though we hew more closely to the magistrate's rationale than the juvenile court's. We therefore affirm the order dismissing the petition.

I. Background

¶ 5 While in detention on a juvenile delinquency case less than three months before his eighteenth birthday, Sanders was granted a personal recognizance bond "to [the Department] upon placement for residential treatment." The Department assumed legal custody of Sanders, but he remained in detention while the Department looked for an appropriate placement. It did not find one, and days

before Sanders turned eighteen, the court modified the bond to terminate the Department's legal custody. Sanders was later released from detention on his own personal recognizance bond.

¶ 6 Sanders then asked the Department to find him eligible to participate in the FYIT program under section 19-7-304(3), C.R.S. 2026, because he was "in foster care" during the period of the Department's legal custody. *See* § 19-1-103(66), C.R.S. 2026 ("'Foster care' means the placement of a child or youth into the legal custody or legal authority of a county department of human or social services for physical placement of the child or youth . . . ."). The Department determined that he was not eligible. Sanders appealed to CDHS, which affirmed the Department's determination.

¶ 7 Sanders then filed a petition in the juvenile court to initiate a FYIT proceeding under section 19-7-307. Sanders asserted that he voluntarily consented to enter the FYIT program, and he asked the juvenile court to declare him eligible. A magistrate set the petition for a hearing and ordered the parties to file supplemental briefs.

¶ 8 The Department opposed the petition, characterizing it as an untimely petition for review of a judicial or quasi-judicial action under C.R.C.P. 106. It also argued that a juvenile court does not

have jurisdiction to determine de novo whether a youth is eligible for the FYIT program, asserting that the county department of human or social services has sole authority to make that determination. And on the merits, the Department argued that Sanders was ineligible for the FYIT program because he was never actually placed in a community-level placement.

¶ 9 Sanders argued in reply that (1) his petition was brought under section 19-7-307, not C.R.C.P. 106; (2) the juvenile court has authority to determine a youth's eligibility for the FYIT program under that statute and section 19-7-309.5(3), C.R.S. 2026; and (3) Sanders was in foster care when he was in the legal custody of the Department because the Department had "legal authority . . . for [his] physical placement" during that period, § 19-1-103(66).

¶ 10 The magistrate "denied or dismissed" the petition. Although the magistrate concluded that she had jurisdiction, she agreed with the Department that it has the "sole authority" to determine a youth's eligibility for the FYIT program. And without that determination, the magistrate could not find that Sanders "ha[d] voluntarily entered foster care and that the [Department] ha[d] legal authority for placement," as required by section 19-7-309.5(3)(a).

The order included the following advisement: "[T]his order was issued in a case where no consent was necessary[;] thus any review shall be filed in 21 days pursuant to C.R.M. 7(a) [(2025)]."[1]

¶ 11 Sanders filed a petition for review in the juvenile court, asserting that the magistrate erred by concluding that the Department has exclusive authority to determine a youth's eligibility for the FYIT program. The court ordered Sanders to supplement his petition by addressing whether it was governed by C.R.M. 7(a) or section 19-1-108(5.5), which generally governs petitions for review in juvenile proceedings. Sanders argued that C.R.M. 7 applied because section 19-1-108(5.5) identifies specific articles of the Colorado Children's Code to which it applies and does not include article 7, which governs FYIT proceedings.

¶ 12 The juvenile court adopted the magistrate's order dismissing the petition, though on different grounds. It concluded that it "lacked jurisdiction to review the Department's eligibility

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[1] The Colorado Rules for Magistrates were recently amended, effective January 2, 2026. *See* Rule Change 2025(18), Colorado Rules for Magistrates (Amended and Adopted by the Court En Banc, Sep. 4, 2025), https://perma.cc/S7P6-9RVS. All citations to the magistrate rules in this opinion are to the 2025 versions of those rules, which were in effect at the time of the relevant proceedings.

determination." Thus, because Sanders had opted to seek an eligibility determination from the Department, any challenge to that determination had to be through the administrative appeal process.

¶ 13 But the court went on to reject the Department's position — adopted by the magistrate — that the Department had *exclusive* authority to determine eligibility for the FYIT program. Rather, the court concluded that "the statutes provide alternative processes for obtaining eligibility determinations: an administrative path and a judicial path." It also concluded, however, that a youth may not "shift[] from one path to the other." The court therefore ruled that because Sanders had chosen the administrative path in this case, he had to "follow the administrative path for review" and could not seek judicial review of the Department's eligibility determination.

II. Necessity of Petition for Review

¶ 14 Before we address the merits of this appeal, we must address a threshold question that implicates our appellate jurisdiction: Is a magistrate order in a FYIT proceeding subject to a petition for district court review? *See People v. S.X.G.*, 2012 CO 5, ¶ 9 ("[W]e must always satisfy ourselves that we have jurisdiction to hear an

appeal . . . .").[2] If not, then the notice of appeal had to be filed within forty-nine days of the magistrate's order, and this appeal — filed months after that — would be untimely. *See* C.R.M. 7(b); C.A.R. 4(a)(1); *In re Parental Responsibilities Concerning W.P.A.S.*, 2026 COA 4, ¶ 22 (explaining that we lack jurisdiction to consider an untimely appeal). If it is, then this appeal — filed twenty-two days after the juvenile court's order on the petition for review — is timely. We hold that a petition for review is required.

¶ 15 Ordinarily, under the magistrate rules in effect at the time of the FYIT proceeding in this case, the availability of a petition for review turns on whether the proceeding is one for which the parties' consent to a magistrate is necessary. If the parties' consent is not necessary, a party must file a petition for review and may not appeal unless they do. C.R.M. 7(a)(5), (11). If the parties' consent is necessary, no petition for review is permitted, and the order must be appealed to this court like a district court order. C.R.M. 7(b).

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[2] A motions division of this court previously issued an order to show cause regarding two other issues potentially affecting the timeliness of this appeal. We have discharged the order to show cause by separate order and do not address those issues in this opinion.

¶ 16 Unlike other categories of cases, the magistrate rules do not specify which juvenile proceedings require consent and which do not, instead addressing only *how* consent is given. *See* C.R.M. 6(d). In *S.X.G.*, the supreme court suggested in a footnote that *no* juvenile magistrate proceedings require consent because "[s]ection 19-1-108(1) authorizes the juvenile court to appoint a magistrate to hear 'any case or matter under the court's jurisdiction' (with certain exceptions not relevant here), and such statutory authority of the juvenile magistrate is not conditioned upon the consent of the parties." *S.X.G.*, ¶ 13 n.4 (quoting § 19-1-108(1)). The court therefore concluded that C.R.M. 7(a) governed in that case. *Id.*

¶ 17 While at first blush *S.X.G.* might appear to answer the question we face, we are not convinced that it does. Section 19-1-108(3)(a.5) requires a juvenile court magistrate in most cases to advise the parties that they have "the right to a hearing before the judge in the first instance and . . . may waive that right." That sounds a lot like consent. Moreover, C.R.M. 6(d) provides that "consent in any juvenile matter shall be as set forth in C.R.M. 3(f)(1)." That rule describes how a party may be "deemed to have consented to a proceeding before a magistrate" when consent is

necessary. C.R.M. 3(f)(1)(A). Why would the rules define how consent may be given in a juvenile matter if consent is never required? *S.X.G.* — which held that a petition for review was required by section 19-1-108(5.5) — did not address that question. *See S.X.G.*, ¶ 13; *see also People v. Boyd*, 2015 COA 109, ¶ 29 (declining to follow supreme court dicta), *aff'd*, 2017 CO 2.

¶ 18 But we need not decide whether consent to a magistrate was necessary within the meaning of C.R.M. 7 because, in this context, that is not determinative. A juvenile court magistrate's authority derives from section 19-1-108(1), which authorizes a magistrate to "hear any case or matter under the court's jurisdiction." That broad grant of authority comes with an express limitation. The magistrate's ruling is "subject to a request for review as set forth in [section 19-1-108(5.5)]." § 19-1-108(3)(a.5);[3] *see also* C.R.M. 6(d) ("A juvenile court magistrate shall have all of the powers *and be*

[3] This limitation is included in the required initial advisement of the parties rather than as a separate substantive provision. *See* § 19-1-108(3)(a.5), C.R.S. 2026 ("[T]he magistrate shall inform the party that . . . the party is bound by the findings and recommendations of the magistrate, subject to a request for review . . . ."). But we can safely assume that the legislature would not have required the magistrate to advise the parties of something that was not true.

subject to the limitations prescribed for juvenile court magistrates by the provisions of Title 19, Article 1, C.R.S." (emphasis added)).

¶ 19 Section 19-1-108(5.5) "expressly requires a petition for review as a prerequisite to an appeal of a magistrate's order," regardless of party consent. *S.X.G.*, ¶ 13 n.4; *see also* § 19-1-108(5.5) ("A petition for review is a prerequisite before an appeal may be filed with the Colorado court of appeals or Colorado supreme court."). Thus, "under the Children's Code, it is of no consequence whether the proceeding presided over by the magistrate required the parties' consent." *People in Interest of A.P.H.*, 2020 COA 159, ¶ 16. A petition for review to the district court is required either way. *Id.*

¶ 20 The Department contends that the first sentence of section 19-1-108(5.5) carves FYIT proceedings (which arise under article 7 of the Children's Code) out of these mandatory petition for review procedures. That sentence provides as follows:

> A request for review must be filed within fourteen days for proceedings under articles 2.5, 4, and 6 of this title or within seven days for proceedings under article 3 of this title after the parties have received notice of the magistrate's ruling and must clearly set forth the grounds relied upon.

§ 19-1-108(5.5). Relying on *In Interest of C.A.B.L.*, 221 P.3d 433, 438 (Colo. App. 2009), the Department argues that because subsection (5.5) omits article 7 proceedings, such proceedings are not subject to district court review. *See id.* (holding that magistrate rulings under article 5 are not subject to district court review).

¶ 21 We disagree, and in so doing, we depart from *C.A.B.L.* *See Chavez v. Chavez*, 2020 COA 70, ¶ 13 ("[D]ivisions are not bound by the decisions of other divisions . . . ."). The first sentence of subsection (5.5) addresses only the *timing* of a petition for review; it shortens the normal twenty-one-day deadline for petitions for review of particular juvenile proceedings. *See* C.R.M. 7(a)(5) (requiring a petition for review to be filed within twenty-one days). We agree that the omission of article 7 proceedings from that sentence means that such proceedings are not subject to those shortened deadlines — leaving the default deadline in place. *See C.A.B.L.*, 221 P.3d at 438; *see also S.X.G.*, ¶ 14 (looking to C.R.M. 7 to fill gaps in statutory petition for review procedures).

¶ 22 But subsection (5.5) does more than set the timing for a petition for review. It continues as follows:

> Such review is solely upon the record of the hearing before the magistrate and is reviewable upon the grounds set forth in rule 59 of the Colorado rules of civil procedure. A petition for review is a prerequisite before an appeal may be filed with the Colorado court of appeals or Colorado supreme court. The judge may, on his or her own motion, remand a case to another magistrate after action is taken on a petition for review.

§ 19-1-108(5.5). This portion of the statute outlines several procedures governing juvenile court petitions for review, including the scope of the record, the grounds for review, and the juvenile court's option of remanding the case to another magistrate. And most importantly for purposes of this case, it says that "[a] petition for review is a prerequisite before an appeal may be filed." *Id.*

¶ 23 Unlike the deadlines in the first sentence of subsection (5.5), the rest of that subsection is not confined to any particular proceedings. Nor does subsection (3)(a.5) carve out article 7 proceedings from the required advisement that the magistrate's findings and recommendations are "subject to a request for review as set forth in subsection (5.5) of this section." § 19-1-108(3)(a.5). Rather, that provision applies to *all* magistrate proceedings under the Children's Code (with exceptions not applicable in this case).

¶ 24 Thus, consistent with *S.X.G.*, we hold that when a magistrate enters an order in a FYIT proceeding, section 19-1-108(3)(a.5) and (5.5) "expressly require[] a party to file a petition for review of the magistrate's order with the district court before . . . an appeal may be filed" with this court. *S.X.G.*, ¶ 13. Because Sanders filed a timely petition for review and then timely appealed the juvenile court's order adopting the magistrate's order, we have jurisdiction.

III. Juvenile Court's Authority to Make Eligibility Determination

¶ 25 Although the ultimate question in this case is whether Sanders is eligible to participate in the FYIT program, that is not the question before us in this appeal. Instead, the question we must answer is who has the authority to make that determination.

¶ 26 The magistrate, the juvenile court, and the parties pose three possible answers to that question. The magistrate concluded that the Department has exclusive authority to determine whether a youth is eligible for the FYIT program, subject to the administrative appeal process. The juvenile court concluded, and the Department argues, that *either* the Department or the juvenile court — but not both — may make the eligibility determination, so that Sanders's choice of one forecloses the other. And Sanders contends that *both*

the Department and the juvenile court may make independent eligibility determinations, so that his initial choice to apply to the Department did not foreclose his later request for judicial review.

¶ 27 We agree with the magistrate. Under the plain language of section 19-7-304(3), we hold that only a county department has the authority to determine whether a youth is eligible for the FYIT program in the first instance. The department's decision can then be appealed administratively, but the youth may not seek a second opinion on eligibility from the juvenile court in a FYIT petition.

A. Standard of Review and General Legal Principles

¶ 28 Our review of the juvenile court's decision adopting and modifying the magistrate's order effectively serves as a second layer of appellate review. *People in Interest of N.G.*, 2012 COA 131, ¶ 37. Because the sole issue in this appeal is one of law, we review that issue de novo. *See In re Marriage of Sheehan*, 2022 COA 29, ¶ 22.

¶ 29 More specifically, we review issues of statutory interpretation de novo. *McCoy v. People*, 2019 CO 44, ¶ 37. In interpreting a statute, we aim to "ascertain and give effect to the legislature's intent." *Id.* We begin with the "language of the statute, giving its words and phrases their plain and ordinary meanings" and reading

them in context "according to the rules of grammar and common usage." *Id.* We also "endeavor to effectuate the purpose of the legislative scheme" by "read[ing] that scheme as a whole, giving consistent, harmonious, and sensible effect to all of its parts" and "avoid[ing] constructions that would render any words or phrases superfluous or lead to illogical or absurd results." *Id.* at ¶ 38.

B. FYIT Statutory Scheme

¶ 30 To be eligible to participate in the FYIT program, a youth generally must (1) be between eighteen and twenty-one years old; (2) have a current dependency and neglect case or current or recent prior foster care or kinship care involvement; (3) be engaged in, or intend to engage in, a specified form of education or employment; and (4) enter into and substantially fulfill a voluntary services agreement with the county department. § 19-7-304(1)(a)-(d).

¶ 31 A youth claiming eligibility for the FYIT program may make a request to the county department to participate in the program. § 19-7-304(2). Within three days of such a request, "[t]he county department shall determine whether [the] youth is eligible." § 19-7-304(3). If the department determines the youth is eligible and the youth chooses to enter the program, the department and the youth

must then enter into a voluntary services agreement, which "specifies the terms of the youth's participation in the [FYIT] program." § 19-7-306(1), C.R.S. 2026; *see* § 19-7-304(3).

¶ 32 If the department determines the youth is not eligible, it must notify the youth of its determination, the reasons for the determination, and "how to appeal a denial of eligibility." § 19-7-304(3). CDHS promulgates rules concerning, among other things, "eligibility determinations [and] administrative appeals of eligibility determinations." § 19-7-315, C.R.S. 2026.

¶ 33 Either the youth or the county department must also file a petition with the juvenile court under section 19-7-307. The youth may file a petition "at any time." § 19-7-307(1). If the youth does not, the county department must file a petition if "a voluntary services agreement remains in effect after ninety days." *Id.* The petition must include "the facts that bring the participating youth under the court's jurisdiction," the youth's name and age, and facts establishing proper venue. § 19-7-307(2). It must also state that the youth is voluntarily entering foster care; the youth was either properly removed from home before turning eighteen or "[r]easonable efforts to prevent removal were not required" because

the youth is over eighteen; the youth retains all adult rights and responsibilities; and the youth may be required to attend court at least once every six months. § 19-7-307(2), (4).

¶ 34 After the petition is filed, the court must set the matter for an initial hearing. § 19-7-309.5(1). At the initial hearing, the court must give the youth certain advisements and determine that three conditions are satisfied: (1) the youth has voluntarily entered foster care and the county department has legal authority for placement; (2) it is in the best interest of the youth to be voluntarily placed in foster care; and (3) the youth was either properly removed from home before the age of eighteen or "[r]easonable efforts to prevent removal were not required" because the youth is over eighteen. § 19-7-309.5(2), (3). If those conditions are satisfied, the court must set the case for periodic review hearings at least once every six months to "ensure that the [FYIT] program is providing the participating youth with the necessary services and supports to help the participating youth move toward permanency and a successful transition to adulthood." § 19-7-312(1)-(2), C.R.S. 2026.

C. Analysis

¶ 35 We conclude that section 19-7-304(3) vests the county department with the sole authority to determine a youth's eligibility for the FYIT program, subject to the administrative appeal process.

¶ 36 To reiterate, that provision says that the *county department* — not the court — "shall determine whether a youth is eligible" for the FYIT program. § 19-7-304(3). Indeed, section 19-7-304 — titled "[e]ligibility and enrollment" — makes no mention of the court at all. *See Foothills Park & Recreation Dist. v. Bd. of Cnty. Comm'rs*, 2024 COA 62, ¶ 40 ("The title of a statute may be used as an aid to interpret that statute."). To the contrary, it tasks the department with each step of the "eligibility and enrollment" process. It is the department that receives the request, makes the eligibility decision, prepares the voluntary services agreement that defines the parties' obligations, and advises the youth how to appeal a denial of eligibility — all before the court is ever involved. § 19-7-304(2)-(3).

¶ 37 Moreover, section 19-7-315 and the associated regulations further support the conclusion that eligibility must be determined through the administrative process. The statute authorizes CDHS to promulgate rules concerning eligibility determinations and

administrative appeals of such determinations. § 19-7-315. And the rules provide that CDHS "shall be authorized to hear eligibility appeals and make a *final determination of eligibility*," which is a "final agency decision[]" that is then "subject to judicial review." Dep't of Hum. Servs. Rule 7.203.42(A)(3), 12 Code Colo. Regs. 2509-3 (emphasis added); *see also* § 24-4-106(2), C.R.S. 2026 ("Final agency action . . . shall be subject to judicial review as provided in [section 24-4-106].").[4]

¶ 38 Sanders does not dispute that the administrative appeal process is *one* path for challenging an adverse eligibility determination. But both parties assert that section 19-7-307 provides an *alternative* parallel path — one that allows the eligibility determination to be made by the juvenile court. We disagree.

¶ 39 Nothing in section 19-7-307 authorizes the court to make the eligibility determination that section 19-7-304(3) says "shall" be made by the county department. Rather, the purpose of the FYIT petition is to establish judicial oversight of the youth's participation

[4] Sanders concedes that his petition was not an appeal of the Department's decision but rather an independent request for a judicial determination of his eligibility in the first instance.

in the program, through an initial hearing and periodic reviews. *See* § 19-7-303 (providing that FYIT services must be "as set forth in a voluntary services agreement . . . and . . . *overseen by the juvenile court* in a youth in transition proceeding" (emphasis added)). Section 19-7-309.5(3) specifies the findings a court must make at the initial hearing, none of which include the eligibility criteria in section 19-7-304(1). And the periodic reviews under section 19-7-312 are to ensure that the FYIT program is properly serving and supporting a "participating youth" — that is, a youth who has *already* been found to meet the eligibility requirements. *See* § 19-7-302(8), C.R.S. 2026 (defining "[p]articipating youth").[5]

¶ 40 Sanders points to section 19-7-307's directive that a youth may file a FYIT petition "at any time" — including before the youth is a "participating youth" with a fully executed voluntary services agreement. *See* § 19-7-307(1) ("A youth *or a participating youth* may

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[5] In contrast, when a county department moves to *terminate* a youth's participation in the FYIT program, section 19-7-313(2), C.R.S. 2026, expressly authorizes the court to "determine whether the participating youth *still* meets the eligibility requirements." (Emphasis added.) Thus, if the legislature had intended to grant the court authority to make *initial* eligibility determinations pursuant to a FYIT petition, it "certainly knew how to say so." *People v. Griffin*, 397 P.3d 1086, 1089 (Colo. App. 2011).

file a petition . . . ." (emphasis added)). But although a youth may file a petition before the department has signed the voluntary services agreement, the agreement must be attached to the petition and signed by the youth. And the department must determine that the youth is eligible before providing the voluntary services agreement. *See* § 19-7-304(3). This reinforces the conclusion that the eligibility determination must come *before* the petition is filed.

¶ 41 In any event, even if a youth could file a FYIT petition before the youth had been deemed eligible for the FYIT program, that still would not answer the question of who determines eligibility. For that, we must look to section 19-7-304(3), which says it is the county department. Regardless of *when* a petition is filed, it is not the court's role in a FYIT proceeding to make the initial eligibility determination any more than it is the court's role to "prepare and execute . . . a voluntary services agreement." § 19-7-304(3).

¶ 42 We therefore conclude that the juvenile court lacks authority in a FYIT proceeding to determine a youth's eligibility for the FYIT program. Rather, a youth has only one path to confirm the youth's eligibility. First, the youth must make a request to the county department where the youth resides. § 19-7-304(2). Second, if the

county department determines that the youth is not eligible, the youth may appeal to CDHS in accordance with the applicable rules. § 19-7-315; Dep't of Hum. Servs. Rule 7.203.42(A)(3), 12 Code Colo. Regs. 2509-3. Third, the youth may seek judicial review of CDHS's final eligibility determination under section 24-4-106. The youth may not sidestep this process by seeking an eligibility determination directly from the juvenile court in a FYIT petition.

¶ 43 Thus, because the Department and CDHS determined that Sanders was not eligible for the FYIT program, and because the juvenile court correctly concluded (albeit on different grounds) that it lacked authority to decide otherwise, the juvenile court correctly adopted the magistrate's order dismissing Sanders's petition.

IV. Disposition

¶ 44 The judgment is affirmed.

JUDGE J. JONES and JUDGE SULLIVAN concur.