

CHAPTER 142

COURTS

SENATE BILL 25-239

BY SENATOR(S) Bridges and Kirkmeyer, Amabile, Weissman;
also REPRESENTATIVE(S) Sirota and Taggart, Bird, Keltie, Smith.

AN ACT

CONCERNING NONATTORNEY ACCESS TO THE JUDICIAL DATABASE OF PUBLIC CASE TYPES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 13-1-119.5, **amend** (1) introductory portion, (1)(c), (1)(d), and (1)(e); and **add** (1.5) as follows:

13-1-119.5. Electronic access to name index and register of actions.

(1) Statewide electronic read-only access to the name index and register of actions of public case types must be made available to the following agencies or attorneys appointed by the court AND THEIR PROFESSIONAL STAFF:

(c) Guardians ad litem or counsel for youth under contract with the office of the child's representative, created in section 13-91-104, or authorized by the office of the child's representative to act as a guardian ad litem or counsel for youth, AND OTHER PROFESSIONALS UNDER CONTRACT WITH THE OFFICE OF THE CHILD'S REPRESENTATIVE AND AUTHORIZED TO WORK WITH AN APPOINTED ATTORNEY as it relates to a case in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~

(d) Attorneys under contract with the office of ~~the~~ alternate defense counsel, created in section 21-2-101, ~~C.R.S.~~, AND OTHER PROFESSIONALS UNDER CONTRACT WITH THE OFFICE OF ALTERNATE DEFENSE COUNSEL AND AUTHORIZED TO WORK WITH AN APPOINTED ATTORNEY as it relates to a case in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~

(e) A respondent parent's counsel under contract with the office of the respondent parents' counsel, created in section 13-92-103, or authorized by the office of the respondent parents' counsel to act as a respondent parent's counsel, AND OTHER PROFESSIONALS UNDER CONTRACT WITH THE OFFICE OF THE RESPONDENT PARENTS'

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

COUNSEL AND AUTHORIZED TO WORK WITH AN APPOINTED ATTORNEY, as it relates to a case in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~

(1.5) THE OFFICE OF THE CHILD'S REPRESENTATIVE, THE OFFICE OF ALTERNATE DEFENSE COUNSEL, AND THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL SHALL MANAGE USER ACCESS GRANTED TO EACH AGENCY PURSUANT TO SUBSECTION (1) OF THIS SECTION.

SECTION 2. In Colorado Revised Statutes, 19-1-303, **amend** (1)(a) and (1)(b) as follows:

19-1-303. General provisions - delinquency and dependency and neglect cases - exchange of information - civil penalty - rules - definitions. (1) (a) The judicial department or any agency that performs duties and functions ~~under this title~~ PURSUANT TO THIS TITLE 19 with respect to juvenile delinquency or dependency and neglect cases or any other provisions of this ~~title~~ TITLE 19 may exchange information, to the extent necessary, for the acquisition, provision, oversight, or referral of services and support with the judicial department or any other agency or individual, including ~~an attorney~~ A PROFESSIONAL representing state or county agencies and ~~an attorney appointed by the court~~ AN APPOINTED PROFESSIONAL, that performs duties and functions ~~under this title~~ PURSUANT TO THIS TITLE 19 with respect to such cases. In order to receive such information, the judicial department, ~~attorney~~ PROFESSIONAL, or agency shall have a need to know for purposes of investigations and case management in the provision of services or the administration of their respective programs. The judicial department or the agencies shall exchange information in accordance with ~~paragraph (b) of this subsection (1)~~ SUBSECTION (1)(b) OF THIS SECTION.

(b) The judicial department, an agency, an attorney representing an agency, or ~~an attorney appointed by the court~~ AN APPOINTED PROFESSIONAL described in ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION shall exchange information with the judicial department or similar agencies or individuals who have a need to know to the extent necessary for the acquisition, provision, oversight, and referral of services and support and if provided in the course of an investigation or for case management purposes. The provision of information by the judicial department shall include electronic read-only access to the name index and register of actions for agencies or ~~attorneys appointed by the court~~ APPOINTED PROFESSIONALS to those case types necessary to carry out their statutory purpose and the duties of their ~~court~~ appointment as provided in this part 3. The state court administrator of the judicial department and the executive directors of the affected agencies shall ensure that there is a process for electronically exchanging information pursuant to this section. Agencies, ~~attorneys~~ PROFESSIONALS, and individuals shall maintain the confidentiality of the information obtained.

SECTION 3. In Colorado Revised Statutes, 19-1-304, **amend** (7)(c), (7)(d), and (7)(e) as follows:

19-1-304. Juvenile delinquency records - division of youth services critical incident information - definitions. (7) In addition to the persons who have access to court records pursuant to subsection (1)(a) of this section, statewide electronic

read-only access to the name index and register of actions of the judicial department must be allowed to the following agencies or persons:

(c) ~~Guardians ad litem or counsel for youth~~ PROFESSIONALS under contract with the office of the child's representative, created in section 13-91-104, or authorized by the office of the child's representative to act as a guardian ad litem, or ~~an attorney~~ A PROFESSIONAL under contract or employed by the office of the child's representative, as it relates to a case in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~

(d) ~~Attorneys~~ PROFESSIONALS under contract with the office of ~~the~~ alternate defense counsel, created in section 21-2-101, as it relates to a case in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~

(e) A ~~respondent parent's counsel~~ PROFESSIONAL under contract with the office of the respondent parents' counsel, created in section 13-92-103, or authorized by the office of the respondent parents' counsel to act as a respondent parent's counsel, as it relates to a case in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~ and

SECTION 4. In Colorado Revised Statutes, 19-1-307, **amend** (2.3) introductory portion, (2.3)(c), and (2.3)(d) as follows:

19-1-307. Dependency and neglect records and information - access - fee - records and reports fund - misuse of information - penalty - adult protective services data system check - rules. (2.3) The following agencies or APPOINTED attorneys ~~appointed by the court~~ must be granted statewide read-only access to the name index and register of actions for the judiciary department:

(c) ~~Guardians ad litem or counsel for youth~~ PROFESSIONALS under contract with the office of the child's representative, created in section 13-91-104, or authorized by the office of the child's representative to act as a guardian ad litem or counsel for youth, as it relates to a case in which ~~they are~~ THE ATTORNEY IS appointed; ~~by the court;~~ and

(d) A ~~respondent parent's counsel~~ PROFESSIONAL under contract with the office of the respondent parents' counsel, created in section 13-92-103, or authorized by the office of the respondent parents' counsel to act as a respondent parent's counsel, as it relates to a case in which ~~they are~~ THE ATTORNEY IS appointed. ~~by the court.~~

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 28, 2025