

Family-Friendly Courts Act

This Act creates a program to provide quality family-friendly court services to families and the children of people who are attending court proceedings or related matters and to serve as a central location for the dissemination of information to families about resources and services relating to at-risk youth, employment counseling, employment training and placement, health education and counseling, financial management, education, legal counseling and referral, mediation, domestic abuse and domestic violence, fatherhood programs, and substance abuse.

Submitted as:

Colorado

SB 05-030

Status: Enacted into law in 2005.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act may be cited as the “Family-Friendly Courts Act.”

2

3 Section 2. [*Legislative Findings.*]

4 (a) The [general assembly] hereby finds and declares that many families experience
5 challenges and transitions with legal ramifications that often necessitate court involvement.
6 Frequently people attend court or visit other governmental offices for juvenile delinquency
7 proceedings, domestic relations proceedings, protective proceedings related to domestic abuse or
8 domestic violence, child protection proceedings, meetings with probation officers, and other
9 matters. Many people who attend court proceedings are responsible for the care of young
10 children. For many such people, child care issues can distract from, if not present obstacles or
11 even barriers to, effective and complete participation in ongoing court proceedings.

12 (b) The [general assembly] further finds that the same people who need child care
13 services when they participate in court proceedings may also benefit from the availability of
14 information and resource referrals relating to certain types of services within the community,
15 including services addressing at-risk youth, employment counseling, employment training and
16 placement, health education and counseling, financial management, education, legal counseling
17 and referral, mediation, domestic abuse and domestic violence, fatherhood programs, and
18 substance abuse.

19 (c) The [general assembly] further finds that people who are involved in court
20 proceedings may have additional court-ordered service needs involving their children, including,
21 but not limited to, supervised parenting time and the transfer of the physical custody of a child
22 from one parent to the other.

23 (d) The [general assembly] therefore determines and declares that the creation of family-
24 friendly court programs is beneficial to and in the best interests of the citizens of this state. The
25 [general assembly] further finds that the goal of such programs shall primarily be providing
26 quality child care in or near courthouses to the children of people and families who attend court-
27 related proceedings, but that such programs may also provide additional court-related family
28 services at the facility and shall serve as a clearinghouse of information and resource referrals for
29 program patrons concerning the wide variety of available services in the community, including

30 services that provide help to at-risk youth, educational services, health services, mental health
31 services, substance abuse services, legal services, and domestic abuse information.

32
33 Section 3. [*Definitions.*] For purposes of this Act, “family-friendly court services” means
34 child care and court-related family services provided in the courthouse or courthouse complex or
35 in reasonable proximity to the courthouse.

36
37 Section 4. [*Provision of Family-Friendly Court Services.*] There is hereby created the
38 [Family-Friendly Court Program]. The purpose of the program shall be to provide family-
39 friendly court services to families and the children of people who are attending court proceedings
40 or related matters and to serve as a central location for the dissemination of information to
41 families about resources and services relating to at-risk youth, employment counseling,
42 employment training and placement, health education and counseling, financial management,
43 education, legal counseling and referral, mediation, domestic abuse and domestic violence,
44 fatherhood programs, and substance abuse. Grants awarded pursuant to this Act shall be used to
45 establish and maintain new family-friendly court programs in judicial districts throughout the
46 state that do not have comparable existing programs, as well as to enhance existing family-
47 friendly court programs.

48
49 Section 5. [*Family-Friendly Court Program Cash Fund.*]

50 (a) There is hereby created in the [state treasury] the [Family-Friendly Court Program
51 Cash Fund]. The money in the [Family-Friendly Court Program Cash Fund] shall be subject to
52 annual appropriation by the [general assembly] for the implementation of this section. The [state
53 court administrator] is authorized to accept on behalf of the state any grants, gifts, or donations
54 from any private or public source for the purpose of this section. All private and public funds
55 received through grants, gifts, or donations shall be transmitted to the [state treasurer], who shall
56 credit the same to the [Family-Friendly Court Program Cash Fund] in addition to any moneys
57 that may be appropriated to the [Cash Fund] directly by the [general assembly]. In addition,
58 commencing [July 1, 2002], a [one-dollar surcharge] set forth in [insert citation], shall be
59 transmitted to the [state treasurer] who shall credit the same to the [Family-Friendly Court
60 Program Cash Fund] created in this section. All investment earnings derived from the deposit
61 and investment of moneys in the [Fund] shall remain in the [Fund] and shall not be transferred or
62 revert to the [General Fund] of the state at the end of any fiscal year.

63 (b) All money in the [Family-Friendly Court Program Cash Fund] shall be available for
64 grants awarded by the [state court administrator] to judicial districts seeking to implement or
65 enhance existing family-friendly court programs and administrative costs associated with the
66 implementation and administration of this section. The [state court administrator], subject to
67 annual appropriation by the [general assembly], is hereby authorized to expend money
68 appropriated to the [judicial department] from the [Family-Friendly Court Program Cash Fund]
69 to judicial districts seeking to establish or enhance family-friendly court programs.

70 (c) The [state court administrator] shall announce to all judicial districts the availability
71 of grants for the establishment and maintenance or enhancement of family-friendly court services
72 programs in the judicial districts.

73
74 Section 6. [*Grant Applications - Duties of Judicial Districts.*]

75 (a) To be eligible for moneys from a [Family-Friendly Court Program Cash Fund] for the
76 provision of family-friendly court services, a judicial district shall apply to the [state court
77 administrator] in accordance with the timelines and guidelines adopted by the [state court
78 administrator], using an application form provided by the [state court administrator].

79 (b) The [state court administrator] in determining which judicial districts may receive
80 grant money pursuant to this section, shall consider the extent that a judicial district is
81 responsible for:

82 (I) Actively recruiting qualified and skilled child care providers to provide quality
83 child care services to families and children of individuals who are attending court proceedings or
84 related matters;

85 (II) Conducting the necessary criminal history checks through the [state bureau of
86 investigation] and hiring qualified and appropriate child care providers;

87 (III) Selecting and establishing a safe physical location in the courthouse or in the
88 courthouse complex or in close reasonable proximity to the courthouse, for the provision of child
89 care services;

90 (IV) When reasonably practicable in consideration of funding, staffing, and
91 assistance from other public and private organizations, providing additional court-related family
92 services to families and children experiencing the challenges and transitions that necessitate
93 court involvement, including, but not limited to, supervised parenting time and transfer of the
94 physical custody of a child from one parent to the other;

95 (V) Soliciting information from community-based organizations, faith
96 communities, governmental entities, schools, community mental health centers, local nonprofit
97 or not-for-profit agencies, local law enforcement agencies, businesses, and other community
98 service providers about the following services and resources for the purpose of providing such
99 information to patrons of the family-friendly court services:

100 (A) Youth services, including but not limited to youth mentoring services,
101 services to prevent or reduce youth crime and violence, student dropout prevention and
102 intervention services, and any other services that may be available in the community, the goal
103 and purpose of which are to assist at-risk youth;

104 (B) Multipurpose service centers for displaced homemakers and other
105 information to assist displaced homemakers, which information shall relate to employment
106 counseling, employment training, employment placement, health education and counseling
107 services, financial management services, educational services, and legal counseling and services;

108 (C) Information related to health insurance and health care coverage,
109 including but not limited to the [children's basic health plan and dental health plan], established
110 pursuant to [insert citation], and the [baby and kid care program], established pursuant to [insert
111 citation];

112 (D) Substance abuse programs that are available in the community;

113 (E) Services and potential financial resources that may be available for
114 victims of domestic abuse or domestic violence, including but not limited to counseling for
115 persons who are victims of domestic abuse and their dependents, advocacy programs that assist
116 victims in obtaining services and information, and educational services for victims of domestic
117 violence;

118 (F) Fatherhood programs that are available in the community;

119 (G) Any other services that would be beneficial to families experiencing
120 challenges and transition necessitating court involvement, including but not limited to family
121 stabilization services as provided in [insert citation], and mediation services; and

122 (VI) Providing to people staffing the program training and ongoing support with
123 regard to the available resources and additional referrals provided through the program at each
124 court location.

125 (c) The judicial districts that are selected by the [state court administrator] to provide
126 family-friendly court services shall be responsible for:

127 (I) Implementing a method of evaluating the effectiveness of the [Family-
128 Friendly Court Program] and assessing the impact of the child care and informational services
129 provided through the program; and

130 (II) Reporting [annually] to the [state court administrator] concerning the results
131 of the judicial district's evaluation of the family-friendly court program as well as an accounting
132 of fiscal contributions received and expenditures made by the judicial district for the
133 implementation, administration, and maintenance of the program and such other information that
134 the [state court administrator] may require or that the judicial district determines to be relevant
135 and informative.

136 (d) The judicial districts that are selected by the [state court administrator] to provide
137 family-friendly court services that provide child care services shall meet the licensing
138 requirements for child care facilities set forth in [insert citation], and all child care licensing rules
139 promulgated by the [state board of human services] in connection therewith.

140 (e) In addition to grants received from the [state court administrator] pursuant to this
141 section, judicial districts implementing or enhancing existing family-friendly court programs
142 pursuant to this section are authorized to accept any funds, grants, gifts, or donations from any
143 private or public source for the purpose of implementing this section; except that no grant or
144 donation shall be accepted if the conditions attached to the grant or donation require the
145 expenditure thereof in a manner contrary to law. Any such money received by a judicial district
146 shall be credited to the [Family-Friendly Court Program Cash Fund] for grants awarded by the
147 [board] pursuant to this section.

148

149 Section 7. [*Severability.*] [Insert severability clause.]

150

151 Section 8. [*Repealer.*] [Insert repealer clause.]

152

153 Section 9. [*Effective Date.*] [Insert effective date.]