

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT
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BILL 3

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LLS NO. 14-0215 Richard Sweetman x4333

INTERIM COMMITTEE BILL

Juvenile Defense Attorney Interim Committee

SHORT TITLE: "Social Services For Juveniles"

A BILL FOR AN ACT

101 CONCERNING THE PROVISION OF SOCIAL SERVICES TO JUVENILE
102 DEFENDANTS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Juvenile Defense Attorney Interim Committee. The state public defender may hire and support independent investigators and social workers to assist in defending juvenile defendants. Such a social worker

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

may not be ordered to prepare reports for the court or be called to testify against a juvenile to whom the social worker is providing services; except that, the social worker may be so ordered or called to testify with the consent of the juvenile and the juvenile's attorney. Any report prepared by the social worker and submitted to the court by the juvenile's attorney shall be considered as evidence in the proper disposition of the juvenile's case.

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

2 **SECTION 1.** In Colorado Revised Statutes, 21-1-104, **add** (4) as
3 follows:

4 **21-1-104. Duties of public defender.** (4) THE STATE PUBLIC
5 DEFENDER MAY HIRE AND SUPPORT INDEPENDENT INVESTIGATORS AND
6 SOCIAL WORKERS TO ASSIST IN DEFENDING JUVENILE DEFENDANTS. SUCH
7 A SOCIAL WORKER MAY NOT BE ORDERED TO PREPARE REPORTS FOR THE
8 COURT OR BE CALLED TO TESTIFY AGAINST A JUVENILE TO WHOM THE
9 SOCIAL WORKER IS PROVIDING SERVICES; EXCEPT THAT, THE SOCIAL
10 WORKER MAY BE SO ORDERED OR CALLED TO TESTIFY WITH THE CONSENT
11 OF THE JUVENILE AND THE JUVENILE'S ATTORNEY. ANY REPORT PREPARED
12 BY THE SOCIAL WORKER AND SUBMITTED TO THE COURT BY THE
13 JUVENILE'S ATTORNEY SHALL BE CONSIDERED AS EVIDENCE IN THE PROPER
14 DISPOSITION OF THE JUVENILE'S CASE, AS PROVIDED IN SECTION 19-2-906,
15 C.R.S.

16 **SECTION 2. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2014 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.

