

Courts

Judicial procedures — criminal records. Under **SB 03-109** courts are required to review a petition to seal criminal records and determine whether to proceed to a hearing. Under prior law, courts set a date for hearing when such a petition is filed.

Liability. The General Assembly considered several bills related to liability and waivers of liability. Under **SB 03-231** consumers would be prohibited from bringing a product liability suit against a seller of a product unless the seller is also the manufacturer of the product. Consumers would also be prohibited from bringing a product liability suit against a manufacturer of a product that caused injury, death, or property damage if the product was used for a purpose other than what was intended.

In response to concerns over high damages awards in lawsuits involving injuries to children, and in response to a Colorado Supreme Court decision barring such waivers, **SB 03-253** allows parents to waive the right to sue for damages when their children are injured while participating in activities, such as children's rodeo or children's skiing, that may involve risk.

Judicial procedures — "Colorado Legal Consumer's Bill of Rights Act." SB 03-081 would have created the "Colorado Legal Consumer's Bill of Rights" to impose certain disclosure requirements on attorneys who enter into contingent fee agreements with clients in cases involving wrongful death, personal injury, or property damage. Such attorneys would have been required to disclose, in a written statement to a contingency fee client, the estimated number of hours the attorney expected to spend on the case through settlement or trial, the attorney's contingent fee for services related to the claim, any costs or expenses in addition to the contingent fee, and all other fee agreements to be made including any amounts to be paid to a co-counsel and any agreement to refer the client to another attorney. Attorneys would have been required to keep accurate records of the time spent on the clients case and give to the client written monthly reports on the amount of time spent on the case, work performed, and progress on the case.

Wills and probate. HB 03-1086 would have created a beneficiary deed as an alternative to a will for purposes of conveying an interest in real property upon the property owner's death. Whereas property conveyed by a will is subject to probate, property conveyed by a beneficiary deed is not.

Protection orders. All statutory references to "restraining orders" are changed to "protection orders" under **HB 03-1117**. The bill also adds prevention of emotional abuse to at-

risk adults to the list of persons who may seek a protection order and makes changes to the procedures for dismissing protection orders.

Comments to: lcs.ga@state.co.us