

C.R.S. 13-1-137

REPORTING OF DATA CONCERNING JUVENILE PROCEEDINGS



Reporting Period: Fiscal Year 2020

Per C.R.S. 13-1-137, the Judicial Branch is required to report annually to the judiciary committees of the House of Representatives and Senate, or to any successor committees, information concerning:

- A. The number of juvenile delinquency cases;
In fiscal year 2020, there were 7,379 juvenile delinquency cases filed statewide.
- B. The number of juvenile delinquency cases that involved an appointment of counsel;
Of those cases, in 5,718 cases the child had an attorney (Guardian ad Litem, Alternate Defense Counsel or Public Defender) during at least some portion of the case.
- C. The number of juvenile cases that involved a waiver of counsel;
A code for a waiver of counsel by parent was entered in 215 number of cases during fiscal year 2020.
- D. The status of recommended reviews to juvenile court rules, forms, and chief justice directives regarding the representation of children in juvenile delinquency courts;
No new forms or Chief Justice Directives were under review during fiscal year 2020. Attachment B (Income Eligibility Guidelines) of Chief Justice Directive 14-01: Appointment of State-Funded Counsel in Juvenile Delinquency Cases was amended in February 2020. Rule change 2020(12) to Colorado Rules of Juvenile Procedure, Rule 3.5(b) adjusting language and adding reference to Criminal Procedure 24(c) was amended and adopted by the Court, En Banc, April 16, 2020, effectively immediately. The Colorado Supreme Court Rules of Juvenile Procedure Committee discussed whether to amend Colorado Rules of Juvenile Procedure, Rule 3.7 due to the Juvenile Justice Reform Act, SB 19-108.
- E. The number of juvenile delinquency cases that involved a detention hearing, the number of juveniles who were released after the detention hearing, and the number of juveniles who remained in detention after the detention hearing; and
In fiscal year 2020, there were 7,443 detention hearings held in 4,760 juvenile delinquency cases. The Judicial Branch's data management system does not capture whether or not the juvenile was detained before or after the hearing was held. However, the Department of Youth Services provided the State Court Administrator's Office with a list of juveniles released from detention in fiscal year 2020. Analysts matched the last name, first name and date of birth to juveniles who were subject to a detention hearing in fiscal year 2020. Of the 7,443 detention hearings held in fiscal year 2020, 1,856 had a release date within three days of the detention hearing. It should be noted that this method has limitations; for instance, if a juvenile's name or birthdate are not identical in both data sets, a match will not occur. Additionally, while the juvenile's release may not have been due to the detention hearing in every instance, these data may give a general indication of the volume of youths released as an outcome of the detention hearing.

- F. The process of training judicial officers and private defense attorneys concerning determinations of competency to proceed for juveniles and adults, competency evaluation reports, services to restore competency, and certification proceedings governed by article 65 of title 27.

The process for training judicial officers includes live, virtual, and on-demand training through the annual judicial conference, new judge orientation programs, and other case specific programs throughout the year, in addition to live webinars and on-demand training. In fiscal year 2020 to fiscal year 2021, the following trainings were offered:

- 1. 2020 Judicial Conference: Gaining Competence with the New Competency Law, which is also available on demand;*
- 2. 2020 New Judge Orientation: Working with Mental Health Issues; and*
- 3. Live webinars and on-demand training for: Bridges Program, Responding to Behavioral Health Crisis in the Court, and Managing Mental Health in the Courtroom.*