

**C.R.S. 13-1-137**

**REPORTING OF DATA CONCERNING JUVENILE PROCEEDINGS**



**Reporting Period:** Fiscal Year 2023

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 2023, there were 5,892 juvenile delinquency cases filed statewide.*
- B. The number of juvenile delinquency cases that involved an appointment of counsel.  
*Of those cases, in 4,520 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 55 cases during fiscal year 2023.*
- D. The status of recommended reviews to juvenile court rules, forms, and chief justice directives regarding the representation of children in juvenile delinquency courts;  
*Attachment B (Income Eligibility Guidelines) of Chief Justice Directive 14-01: Appointment of State-Funded Counsel in Juvenile Delinquency Cases was amended in April 2023.*

*The Colorado Supreme Court Rules of Juvenile Procedure Committee discussed HB22-1038-Right to Counsel for Youth, which went into effect on January 9, 2023, and it was determined that a special subcommittee may need to be formed to focus on changes and additions to Draft Rules to address HB22-1038. The committee recommended specifically reviewing rules related to: (1) early appointment of GAL/Counsel for youth; (2) emphasizing that the child is now a party; (3) the child has a right to attend court; and (4) implications (if any) for discovery with the child being a party. Additionally, there may be updates to Chief Justice Directive 04-06 in light of HB21-1091 (Foster Youth in Transition) and HB22-1038 (Right to Counsel), but the Office of the Child's Representative (OCR) is planning on reviewing the Chief Justice Directive 04-06 for general substance and organization to ensure the new legislation is included.*

- 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 2023, there were 4,663 detention hearings held in 3,410 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 2023. Analysts matched the last name, first name and date of birth to juveniles who were subject to a detention hearing in fiscal year 2023. Of the 4,663 detention hearings held in fiscal year 2023, 1,395 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 2023, the following trainings were offered:*

- 1. 2023 Judicial Conference: At the Intersection of Criminal Justice and Mental Health;*
- 2. 2023 Judicial Conference: County Court Roundtable; and*
- 3. 2023 New Judge Orientation: Working with Mental Health Issues.*