

**First Regular Session  
Sixty-third General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 01-0045.01 Stephen Miller

**SENATE BILL 01-010**

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**SENATE SPONSORSHIP**

**Evans**

**HOUSE SPONSORSHIP**

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**Senate Committees**

Judiciary

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF THE POSITION OF FAMILY ADVOCATE**

102 **WITHIN EACH COUNTY DEPARTMENT OF SOCIAL SERVICES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Interim Committee on Foster Care.** Creates the position of family advocate within each county department of social services. Lists the duties and functions of the family advocate. Authorizes the family advocate to review and either approve or overrule discretionary decisions by a county department of social services concerning the filing of a dependency and neglect petition and the request for protective custody of a child. Separates the family advocate's role from a county department of social services' statutory duty to refer certain reports directly to the court.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

Excludes the family advocate from participating in discretionary decisions by law enforcement officers and other appropriate persons concerning the filing of a petition and the request for protective custody.

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

2 **SECTION 1.** Part 1 of article 1 of title 26, Colorado Revised  
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

4 **26-1-119.5. Family advocate.** (1) THE GENERAL ASSEMBLY  
5 HEREBY FINDS THAT:

6 (a) FAMILIES, INCLUDING TRADITIONAL FAMILIES AND FOSTER CARE  
7 FAMILIES, PLAY A VITAL ROLE IN A FREE SOCIETY.

8 (b) GOVERNMENT SHOULD SUPPORT AND REAFFIRM ALL FAMILIES  
9 AND NOT UNDERMINE AND BE HOSTILE TO THEM OR MERELY SEND A  
10 MESSAGE OF NEUTRALITY.

11 (c) THE ECONOMIC AND SOCIAL COSTS OF FAMILY BREAKDOWN,  
12 INCLUDING INCREASED POVERTY, CRIME, SUBSTANCE ABUSE, ADOLESCENT  
13 PROMISCUITY, AND TEEN-AGE PREGNANCIES, ARE SIGNIFICANT. PERSONS  
14 WHO ARE RAISED IN LOVING AND NURTURING FAMILY ENVIRONMENTS,  
15 WITH BOTH MATERNAL AND PATERNAL ROLE MODELS, HAVE A GREATLY  
16 REDUCED RISK OF DROPPING OUT OF SCHOOL, BECOMING JUVENILE  
17 DELINQUENTS, AND USING ILLEGAL DRUGS. THESE CHILDREN ALSO HAVE  
18 THE BEST CHANCE OF COMPLETING THEIR EDUCATION, FINDING  
19 MEANINGFUL EMPLOYMENT, AND ESTABLISHING THEIR OWN STABLE  
20 MARRIAGES AND FAMILIES.

21 (d) GOVERNMENT ACTION SHOULD NOT INTERFERE WITH THE  
22 FORMATION AND MAINTENANCE OF HEALTHY, NURTURING FAMILIES, BUT  
23 INSTEAD SHOULD STRENGTHEN AND SUPPORT FAMILIES. IN SO DOING,  
24 GOVERNMENT SHOULD GUARD AGAINST PERFORMING PERVASIVE,

1 INTRUSIVE, AND UNNECESSARY ACTION THAT, ALTHOUGH TECHNICALLY  
2 AUTHORIZED BY LAW, MIGHT BE DETRIMENTAL TO THE STRUCTURE,  
3 DEVELOPMENT, AND LONGEVITY OF FAMILIES.

4 (e) THE GENERAL ASSEMBLY REAFFIRMS ITS LEGISLATIVE  
5 DECLARATION SET FORTH IN SECTION 19-1-102, C.R.S., CONCERNING THE  
6 DESIRED BALANCE BETWEEN STRENGTHENING FAMILY TIES AND REMOVAL  
7 OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS. HOWEVER, THERE  
8 HAVE ARISEN OCCASIONS IN WHICH THE REMOVAL OF A CHILD FROM THE  
9 CUSTODY OF HIS OR HER PARENTS AND THE INITIATION OF DEPENDENCY  
10 AND NEGLECT PROCEEDINGS BY LOCAL AGENCIES HAVE BEEN UNDERTAKEN  
11 IN A MECHANICAL FASHION AS A REFLEX REACTION TO A REPORT OF  
12 ALLEGED CHILD ABUSE OR NEGLECT. SUCH REPORTS PERIODICALLY ARE  
13 UNFOUNDED. ALTHOUGH THE GENERAL ASSEMBLY'S PARAMOUNT  
14 CONCERN IS THE BEST INTERESTS OF THE CHILD, THE GENERAL ASSEMBLY  
15 DECLARES THAT UNNECESSARY GOVERNMENT INTRUSION, IF UNDERTAKEN  
16 AS A MATTER OF COURSE INTO FAMILY RELATIONSHIPS, AND PARTICULARLY  
17 THE CUSTODIAL RELATIONSHIP BETWEEN PARENT AND CHILD, IS  
18 UNDESIRABLE.

19 (f) IT IS IN THE BEST INTERESTS OF COLORADO CHILDREN AND THEIR  
20 FAMILIES, INCLUDING FAMILIES WITH BIRTH CHILDREN, ADOPTIVE  
21 CHILDREN, AND FOSTER CARE CHILDREN, TO ESTABLISH THE POSITION OF  
22 FAMILY ADVOCATE WITHIN EACH COUNTY DEPARTMENT FOR THE PURPOSE  
23 OF REVIEWING DISCRETIONARY DECISIONS AND ACTIONS BY A COUNTY  
24 DEPARTMENT CONCERNING TEMPORARY CUSTODY OF CHILDREN AND THE  
25 INSTITUTION OF DEPENDENCY AND NEGLECT PROCEEDINGS. IT IS THE  
26 INTENT OF THE GENERAL ASSEMBLY TO MAINTAIN THE BEST INTERESTS OF  
27 THE CHILD, BUT ALSO TO MONITOR GOVERNMENT ACTION THAT, IF NOT

1 MONITORED, RUNS THE RISK OF BECOMING INTRUSIVE AND  
2 COUNTERPRODUCTIVE TOWARD THE GOAL OF PRESERVING THE FAMILY'S  
3 STRUCTURE, GROWTH, INTEGRITY, AND LONGEVITY.

4 (2) ON OR BEFORE \_\_\_\_\_, 2001, THE COUNTY DIRECTOR OF EACH  
5 COUNTY DEPARTMENT SHALL APPOINT A PERSON TO THE POSITION OF  
6 FAMILY ADVOCATE FOR THE COUNTY DEPARTMENT. THE PERSON  
7 APPOINTED TO THE POSITION SHALL REPORT TO THE COUNTY DIRECTOR.

8 (3) THE FAMILY ADVOCATE, AT A MINIMUM, SHALL HAVE THE  
9 FOLLOWING DUTIES AND FUNCTIONS:

10 (a) (I) TO REVIEW EACH REPORT RECEIVED BY THE COUNTY  
11 DEPARTMENT THAT CAUSES THE COUNTY DEPARTMENT, PURSUANT TO  
12 SECTION 19-3-308 (4) (b), C.R.S., TO REASONABLY BELIEVE THAT AN  
13 INCIDENT OF INTRAFAMILIAL ABUSE OR NEGLECT HAS OCCURRED AND THAT  
14 A PETITION FOR DEPENDENCY AND NEGLECT SHOULD BE FILED, OR THAT  
15 THE CHILD SHOULD BE PLACED IN PROTECTIVE CUSTODY, OR BOTH;

16 (II) TO REVIEW THE DECISION OF THE COUNTY DEPARTMENT,  
17 PURSUANT TO SECTION 19-3-308 (4) (b), C.R.S., TO FILE THE PETITION FOR  
18 DEPENDENCY AND NEGLECT OR TO PLACE THE CHILD IN PROTECTIVE  
19 CUSTODY, OR BOTH, AND TO MAKE A DETERMINATION AS TO THE  
20 REASONABLENESS OF THE COUNTY DEPARTMENT'S BELIEF THAT AN  
21 INCIDENT OF INTRAFAMILIAL ABUSE OR NEGLECT HAS OCCURRED. THE  
22 FAMILY ADVOCATE, BASED ON SUCH DETERMINATION, SHALL PROMPTLY  
23 ACCEPT OR OVERRULE THE COUNTY DEPARTMENT'S DECISIONS TO FILE SUCH  
24 PETITION OR TO PLACE THE CHILD IN PROTECTIVE CUSTODY.

25 (III) THE FAMILY ADVOCATE, IN PERFORMING HIS OR HER  
26 FUNCTIONS UNDER THIS SECTION, SHALL APPLY AS CRITERIA THE  
27 DEFINITIONS OF "ABUSE" AND "CHILD ABUSE OR NEGLECT" THAT ARE SET

1 FORTH IN SECTION 19-1-103 (1) (a), C.R.S.

2 (b) TO IMMEDIATELY NOTIFY THE LOCAL LAW ENFORCEMENT  
3 AGENCY RESPONSIBLE FOR INVESTIGATION OF CRIMINAL CHILD ABUSE IF  
4 THE FAMILY ADVOCATE REASONABLY BELIEVES THAT AN INCIDENT OF  
5 ABUSE OR NEGLECT HAS OCCURRED AS DESCRIBED IN SECTION  
6 19-3-308 (5.5), C.R.S.;

7 (c) TO ACTIVELY PARTICIPATE IN THE DEVELOPMENT AND  
8 IMPLEMENTATION OF COOPERATIVE AGREEMENTS BETWEEN LAW  
9 ENFORCEMENT AGENCIES AND THE COUNTY DEPARTMENT TO COORDINATE  
10 DUTIES OF BOTH AGENCIES CONCERNING THE INVESTIGATION OF ALL CHILD  
11 ABUSE AND NEGLECT CASES, PURSUANT TO SECTION 19-3-308 (5.5), C.R.S.;

12 (d) TO REVIEW EACH REQUEST BY THE COUNTY DEPARTMENT FOR  
13 A TEMPORARY PROTECTIVE CUSTODY ORDER AND EMERGENCY PROTECTION  
14 ORDER UNDER SECTION 19-3-405, C.R.S., TO DETERMINE IF THERE IS  
15 JUSTIFICATION TO REASONABLY BELIEVE THAT GROUNDS EXIST TO REQUEST  
16 SUCH ORDERS AND, BASED ON SUCH DETERMINATION, TO APPROVE OR DENY  
17 THE DEPARTMENT'S REQUEST FOR SUCH ORDERS;

18 (e) TO REVIEW THE DECISION BY THE COUNTY DEPARTMENT,  
19 PURSUANT TO SECTION 19-3-501, C.R.S., TO REFER A CHILD MATTER TO  
20 THE APPROPRIATE COURT, TO MAKE A DETERMINATION IF SUCH DECISION IS  
21 JUSTIFIED, AND TO ACCEPT OR OVERRULE THE COUNTY DEPARTMENT'S  
22 DECISION.

23 (4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE  
24 DUTY OF A COUNTY DEPARTMENT, PURSUANT TO SECTION 19-3-312, C.R.S.,  
25 TO REFER REPORTS IT RECEIVES UNDER SECTIONS 19-3-304 AND 19-3-305,  
26 C.R.S., TO THE APPROPRIATE COURT WITH JUVENILE JURISDICTION. SUCH  
27 REPORTS SHALL NOT BE CONSIDERED OR EVALUATED BY THE FAMILY

1       ADVOCATE.

2               (5) IN THE EVENT THAT A CONFLICT ARISES BETWEEN THE COUNTY  
3       DEPARTMENT AND THE FAMILY ADVOCATE CONCERNING A DETERMINATION  
4       MADE BY THE FAMILY ADVOCATE UNDER THIS SECTION THAT AN ACTION BY  
5       A COUNTY DEPARTMENT SHOULD NOT BE PERFORMED, THE COUNTY  
6       DEPARTMENT SHALL PROMPTLY REFER THE MATTER TO THE COUNTY  
7       DIRECTOR FOR RESOLUTION. UPON RECEIPT OF THE MATTER, THE COUNTY  
8       DIRECTOR SHALL IMMEDIATELY RESOLVE THE MATTER AND SHALL EITHER  
9       DIRECT THE COUNTY DEPARTMENT TO PERFORM AN ACTION AUTHORIZED BY  
10      LAW OR UPHOLD THE FAMILY ADVOCATE'S DETERMINATION THAT THE  
11      COUNTY DEPARTMENT'S ACTION SHOULD NOT BE PERFORMED. IN THE  
12      EVENT THE COUNTY DIRECTOR IS NOT AVAILABLE TO RESOLVE THE MATTER,  
13      THE COUNTY DEPARTMENT SHALL PROMPTLY REFER THE MATTER TO THE  
14      COUNTY DIRECTOR'S DESIGNEE WHO SHALL IMMEDIATELY RESOLVE THE  
15      MATTER IN ACCORDANCE WITH THIS SUBSECTION (5).

16              **SECTION 2.** 19-3-308 (4) (b) and (5.5), Colorado Revised  
17      Statutes, are amended to read:

18              **19-3-308. Action upon report of intrafamilial, institutional, or**  
19      **third-party abuse - child protection team.** (4) (b) (I) EXCEPT AS  
20      PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH (b), upon the  
21      receipt of a report, if the county department reasonably believes that an  
22      incident of intrafamilial abuse or neglect has occurred, it shall  
23      immediately offer social services to the child who is the subject of the  
24      report and ~~his~~ THE CHILD'S family. IF THE COUNTY DEPARTMENT  
25      DETERMINES THAT THE FILING OF ~~and may file~~ a petition in the juvenile  
26      court or the district court with juvenile jurisdiction on behalf of such child  
27      IS APPROPRIATE, THE COUNTY DEPARTMENT SHALL PROMPTLY REFER THE

1 REPORT AND THE COUNTY DEPARTMENT'S DECISION TO THE FAMILY  
2 ADVOCATE WITHIN THE COUNTY DEPARTMENT. THE FAMILY ADVOCATE,  
3 PURSUANT TO SECTION 26-1-119.5 (3) (a), C.R.S., SHALL REVIEW THE  
4 REPORT AND DECISION AND PROMPTLY ACCEPT OR OVERRULE THE COUNTY  
5 DEPARTMENT'S DECISION TO FILE A PETITION. NOTHING IN THIS SECTION OR  
6 SECTION 26-1-119.5, C.R.S., SHALL BE CONSTRUED TO PREVENT A COUNTY  
7 DEPARTMENT FROM CONDUCTING FURTHER INVESTIGATION ON THE REPORT  
8 AND RESUBMITTING THE COUNTY DEPARTMENT'S DECISION TO FILE A  
9 PETITION TO THE FAMILY ADVOCATE IN THE MANNER PROVIDED BY THIS  
10 SUBPARAGRAPH (I).

11 (II) If, before the investigation is completed, the opinion of the  
12 investigators is that assistance of the local law enforcement agency is  
13 necessary for the protection of the child or other children under the same  
14 care, the local law enforcement agency shall be notified.

15 (III) If A COUNTY DEPARTMENT DETERMINES THAT immediate  
16 removal is necessary to protect the child or other children under the same  
17 care from further abuse, THE COUNTY DEPARTMENT SHALL SUBMIT ITS  
18 DETERMINATION TO THE FAMILY ADVOCATE. THE FAMILY ADVOCATE,  
19 PURSUANT TO SECTION 26-1-119.5, C.R.S., SHALL IMMEDIATELY REVIEW  
20 THE COUNTY DEPARTMENT'S DETERMINATION AND APPROVE OR REJECT IT.  
21 IF THE FAMILY ADVOCATE APPROVES THE DETERMINATION, OR IF THE  
22 FAMILY ADVOCATE IS NOT AVAILABLE FOR IMMEDIATE REVIEW OF THE  
23 COUNTY DEPARTMENT'S DETERMINATION, the child or children may be  
24 placed in protective custody in accordance with sections 19-3-401 (1) (a)  
25 and 19-3-405.

26 (IV) NOTHING IN THIS PARAGRAPH (b) SHALL BE CONSTRUED TO  
27 LIMIT THE DUTY OF A COUNTY DEPARTMENT, PURSUANT TO SECTION

1 19-3-312, TO REFER REPORTS IT RECEIVES UNDER SECTIONS 19-3-304 AND  
2 19-3-305 TO THE APPROPRIATE COURT WITH JUVENILE JURISDICTION. SUCH  
3 REPORTS SHALL NOT BE CONSIDERED OR EVALUATED BY THE FAMILY  
4 ADVOCATE.

5 (V) NOTHING IN THIS PARAGRAPH (b) SHALL BE CONSTRUED TO  
6 LIMIT THE DISCRETION OF A LAW ENFORCEMENT OFFICER OR OTHER  
7 APPROPRIATE PERSON TO SEEK PROTECTIVE CUSTODY OF A CHILD UNDER  
8 THIS SECTION OR SECTIONS 19-3-401 OR 19-3-405.

9 (5.5) Upon the receipt of a report, if the county department OR  
10 FAMILY ADVOCATE reasonably believes that an incident of abuse or  
11 neglect has occurred, ~~it~~ THE COUNTY DEPARTMENT OR FAMILY ADVOCATE  
12 shall immediately notify the local law enforcement agency responsible for  
13 investigation of violations of criminal child abuse laws. The local law  
14 enforcement agency may conduct an investigation to determine if a  
15 violation of any criminal child abuse law has occurred. It is the general  
16 assembly's intent that, in each county of the state, law enforcement  
17 agencies, ~~and~~ the respective county departments of social services, AND  
18 THE FAMILY ADVOCATE, shall develop and implement cooperative  
19 agreements to coordinate duties of both agencies in connection with the  
20 investigation of all child abuse or neglect cases and that the focus of such  
21 agreements shall be to ensure the best protection for the child. The said  
22 agreements shall provide for special requests by one agency for assistance  
23 from the other agency and for joint investigations by both agencies.

24 **SECTION 3.** 19-3-405 (2) and (3), Colorado Revised Statutes, are  
25 amended, and the said 19-3-405 is further amended BY THE ADDITION  
26 OF A NEW SUBSECTION, to read:

27 **19-3-405. Temporary protective custody.** (2) (a) Temporary



1 protective custody orders may be requested by the county department of  
2 social services PURSUANT TO SUBSECTION (2.5) OF THIS SECTION, a law  
3 enforcement officer, an administrator of a hospital in which a child  
4 reasonably believed to have been neglected or abused is being treated, or  
5 any physician who has before him or her a child he or she reasonably  
6 believes has been abused or neglected, whether or not additional medical  
7 treatment is required, if such person or department believes that the  
8 circumstances or conditions of the child are such that continuing the  
9 child's place of residence or in the care and custody of the person  
10 responsible for the child's care and custody would present a danger to that  
11 child's life or health in the reasonably foreseeable future.

12 (b) Emergency protection orders may be requested by the county  
13 department of social services PURSUANT TO SUBSECTION (2.5) OF THIS  
14 SECTION, a law enforcement officer, an administrator of a hospital in  
15 which a child reasonably believed to have been neglected or abused is  
16 being treated, or any physician who has before him or her a child the  
17 physician reasonably believes has been abused or neglected, whether or  
18 not additional medical treatment is required, if such person or department  
19 believes that the child is able to remain safely in the child's place of  
20 residence or in the care and custody of the person responsible for the  
21 child's care and custody only if certain emergency protection orders are  
22 entered. An emergency protection order may include but is not limited to:

23 (I) Restraining a person from threatening, molesting, or injuring  
24 the child;

25 (II) Restraining a person from interfering with the supervision of  
26 the child; or

27 (III) Restraining a person from having contact with the child or the

1 child's residence.

2 (2.5) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS  
3 SUBSECTION (2.5), IF A COUNTY DEPARTMENT OF SOCIAL SERVICES  
4 DETERMINES THAT THE CIRCUMSTANCES AND CONDITIONS OF THE CHILD'S  
5 CARE AND CUSTODY JUSTIFY A REQUEST FOR A TEMPORARY PROTECTIVE  
6 CUSTODY ORDER OR AN EMERGENCY PROTECTION ORDER PURSUANT TO  
7 SUBSECTION (2) OF THIS SECTION, THE COUNTY DEPARTMENT OF SOCIAL  
8 SERVICES SHALL PROMPTLY NOTIFY THE FAMILY ADVOCATE FOR THAT  
9 COUNTY. THE FAMILY ADVOCATE SHALL IMMEDIATELY REVIEW THE  
10 COUNTY DEPARTMENT'S DETERMINATION AND APPROVE OR REJECT IT. IF  
11 THE FAMILY ADVOCATE APPROVES THE DETERMINATION, OR IF THE FAMILY  
12 ADVOCATE IS NOT AVAILABLE FOR IMMEDIATE REVIEW OF THE COUNTY  
13 DEPARTMENT'S DETERMINATION, THE COUNTY DEPARTMENT OF SOCIAL  
14 SERVICES MAY PROCEED WITH ITS REQUEST FOR A TEMPORARY PROTECTIVE  
15 CUSTODY ORDER OR AN EMERGENCY PROTECTION ORDER PURSUANT TO  
16 SUBSECTION (2) OF THIS SECTION.

17 (b) NOTHING IN THIS SUBSECTION (2.5) SHALL BE CONSTRUED TO  
18 LIMIT THE DUTY OF A COUNTY DEPARTMENT OF SOCIAL SERVICES,  
19 PURSUANT TO SECTION 19-3-312, TO REFER REPORTS IT RECEIVES UNDER  
20 SECTIONS 19-3-304 AND 19-3-305 TO THE APPROPRIATE COURT WITH  
21 JUVENILE JURISDICTION. SUCH REPORTS SHALL NOT BE CONSIDERED OR  
22 EVALUATED BY THE FAMILY ADVOCATE.

23 (c) NOTHING IN THIS SUBSECTION (2.5) SHALL BE CONSTRUED TO  
24 LIMIT THE DISCRETION OF A LAW ENFORCEMENT OFFICER, AN  
25 ADMINISTRATOR OF A HOSPITAL, OR A PHYSICIAN TO REQUEST ORDERS FOR  
26 TEMPORARY PROTECTIVE CUSTODY OR EMERGENCY PROTECTION PURSUANT  
27 TO SUBSECTION (2) OF THIS SECTION.

1           (3) The county department of social services AND THE FAMILY  
2     ADVOCATE shall be notified of such action immediately by the  
3     court-appointed official in order that child protection proceedings may be  
4     initiated.

5           **SECTION 4.** 19-3-501 (1), Colorado Revised Statutes, is  
6     amended, and the said 19-3-501 is further amended BY THE ADDITION  
7     OF A NEW SUBSECTION, to read:

8           **19-3-501. Petition initiation - preliminary investigation -**  
9     **informal adjustment.** (1) EXCEPT AS OTHERWISE PROVIDED IN  
10    SUBSECTION (1.5) OF THIS SECTION, whenever it appears to a law  
11    enforcement officer, A COUNTY DEPARTMENT OF SOCIAL SERVICES, or other  
12    person that a child is or appears to be within the court's jurisdiction, as  
13    provided in this article, the law enforcement officer, COUNTY  
14    DEPARTMENT OF SOCIAL SERVICES, or other person may refer the matter to  
15    the court, which shall have a preliminary investigation made to determine  
16    whether the interests of the child or of the community require that further  
17    action be taken, which investigation shall be made by the probation  
18    department, county department of social services, or any other agency  
19    designated by the court. On the basis of the preliminary investigation, the  
20    court may:

21           (a) Decide that no further action is required, either in the interests  
22    of the public or of the child;

23           (b) Authorize a petition to be filed; or

24           (c) (I) Make whatever informal adjustment is practicable without  
25    a petition if:

26           (A) The child and ~~his~~ THE CHILD'S parents, guardian, or other legal  
27    custodian were informed of their constitutional and legal rights, including

1 being represented by counsel at every stage of the proceedings;

2 (B) The facts are admitted and establish prima facie jurisdiction;  
3 except that such admission shall not be used in evidence if a petition is  
4 filed; and

5 (C) Written consent is obtained from the parents, guardian, or  
6 other legal custodian and also from the child, if of sufficient age and  
7 understanding.

8 (II) Efforts to effect informal adjustment may extend no longer  
9 than six months.

10 (1.5) THE DECISION BY A COUNTY DEPARTMENT OF SOCIAL  
11 SERVICES TO REFER A MATTER TO THE COURT UNDER THIS SECTION SHALL  
12 BE FORWARDED BY SUCH DEPARTMENT TO, AND REVIEWED BY, THE FAMILY  
13 ADVOCATE FOR THE COUNTY IN THE MANNER SET FORTH IN SECTION  
14 19-3-308 (4) (b). NOTHING IN THIS SECTION SHALL BE CONSTRUED TO  
15 LIMIT THE DUTY OF A COUNTY DEPARTMENT OF SOCIAL SERVICES,  
16 PURSUANT TO SECTION 19-3-312, TO REFER REPORTS IT RECEIVES UNDER  
17 SECTIONS 19-3-304 AND 19-3-305 TO THE APPROPRIATE COURT WITH  
18 JUVENILE JURISDICTION. SUCH REPORTS SHALL NOT BE CONSIDERED OR  
19 EVALUATED BY THE FAMILY ADVOCATE.

20 **SECTION 5. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, and safety.