

**OPG Commission meeting  
Director Report  
04.27.2022**

Purpose: The Director Report will provide detailed information about new matters, updates about the previous month's matters, and next steps for the following month. The Director will provide the Director Report to all Commission members. Questions about the Director Report will be addressed at the Commission meetings, if necessary.

Attachments for the 04.27.2022 meeting:

- Attachment 1: SCAO/Judicial provided FY 2021 Final Budget Summary and Monthly Budget Summary as of 04.05.2022
- Attachment 2: Plan of Action related to FY22-23 Budget Requests/Amendment
- Attachment 3: Office of the Child Protection Ombudsman Board reference materials
- Attachment 4: Office of the Child's Representative reference materials
- Attachment 5. Vaccine Policy for Boards and Commissions

**I. Budget and Administrative Update.**

- a. I previously provided the monthly budget reports for February that are provided to me from Hugh Wilson, Judicial Budget Manager. **See Attachment 1.**
  
- b. FY22-23 Budget Request Update. JBC included the original Budget Requests and Amendments in the Long Bill. It will go to the Governor for signing. I developed a Plan of Action for recruitment, hiring and training of new staff. Please review the draft Deputy Director job description. It follows prior Judicial Human Resources recommendations and formatting. At this time, I am waiting on

information from Hugh Wilson on whether I can post and hire the Deputy Director position sooner than July 1. **See Attachment 2.**

- c. We contracted with Frontline Public Affairs to assist with the FY22-23 Budget process.
- d. Various and 03.23.2022: Email correspondence and virtual conference with Denver Probate Court regarding a referrals and potential dedicated Public Guardian from Criminal Diversion Docket
- e. Various: Email correspondence and virtual conferences with Deb Hutson – OBH, Casey Todd and Lindsey Lambert – Rocky Mountain Human Services Momentum Program, and Chad Shaklee and Dawn Tripp – CMHI regarding OBH/Momentum contract, processes and quarterly meetings
- f. Various: Email correspondence with Attorney General’s office regarding filing process for OBH/Momentum/CMHI petitions
- g. No update: Judicial Budget Structure meeting initiated by Alfredo Kemm, JBC Analyst. Preliminary meeting with Stephanie Villafuerte – Child Protection Ombudsman Executive Director, and Dino Ioannides – Independent Ethics Commission Executive Director.
- h. 2022 Staff Performance Reviews are complete.
- i. Spring/Summer 2022: I am scheduling meetings with staff and the staff assistant to assess the procedures, caseloads, etc. of the office. One idea generated from our December 2021 group conference was hiring a full-time Case Aide to assist with client management and PTO coverage. This need for this position has become especially important recently, as most of the staff has

been ill, some with COVID, and coverage has been difficult. I have covered staff calls and client visits. Update: This will be incorporated into an ongoing Caregiver Coaching and Planning Series, beginning with a Compassion Fatigue Workshop scheduled for 05.06.2022 through the Center for Trauma and Resilience.

- i. Email correspondence with Kelly O'Connor for caregiver coaching for staff.  
<https://kellyoconnor.com/>  
<https://www.youtube.com/watch?v=C1oJD4Lv1-U>
  
- j. My plan is to still submit this grant. I met with a representative from NextFifty Initiative Flexible Support 2022 to support funding of a Case/Client Management Aide. Grant of up \$150,000.00 for goals for improving lives of older adults and how finding will support achievement of those goals. Representative felt that our request fits this grant and the goal to benefitting the lives of older vulnerable adults.
  - i. Aide can assist guardians with administrative tasks to allow guardians to focus of client management and/or aide can assist with client management, such as informal social visits with clients
  
- k. Various legal meetings with AAG Kidd-Aaron:
  - i. Contract negotiations with a nursing home facility
  - ii. I continue to have weekly meetings with Megan Leppke – Manager, Hospital Care Management, regarding discharge and care planning for various OPG clients. We serve as each other's point of contact for any questions or concerns.
  - iii. Pia Dean, Denver Health Board Member reached out to me to schedule a meeting TBD next week.

- II. Spring Legislative Update - No update.
  - a. During the legislative season, I review various bills to determine their impact on the OPG.
  
- III. I continue to work with various SCAO officials to obtain OPG access to Judicialnet and Employee Self Service portal.
  - i. Various: Email correspondence with OIT Davyd Smith
  
- IV. No update - I submitted a proposal for the 2022 NGA National Conference in Dallas, Texas: Establishing and Expanding the Colorado OPG Pilot Program During a Pandemic. The goal is to have most, if not all, of the office and Grant Yoder attend and present findings from our Final Report as a panel.
  
- V. **Stakeholder Engagement Plan – In progress.** We did not receive enough applications. Therefore, we are in the process of reaching out to more applicants to have a more diverse Stakeholder Advisory Panel. The goal is to have a SAP in place by Spring 2022. I believe expansion will also assist in this goal.
  
- VI. **Colorado OPG Pilot Program Operating Policies Updates – No updates.** Please note that Operating Policies are available on the OPG website: <https://colorado-opg.org/opg-in-depth/>
  - a. **Policy 8. Ensuring Systemic Equality Services Standards – Completed.**
  
  - b. **Policy 5. Colorado OPG Fiscal Policy – Client Emergency Fund – In Progress.** Will be considered with discontinuation plan proposal.
  
  - c. Reviewing and updating protocols as part of the Spring meetings to assess the procedures, caseloads, etc. of the office.

**d. Trainings and Projects**

- i. Resource Project - Ongoing. Team review of other organization's online resources, etc. for creation of targeted and organized resources for CO OPG internal purposes and CO OPG website purposes
- ii. Individual Director and guardian training for CGC National Certified Guardian: In progress. 4 out of 6 staff are nationally certified.
- iii. Self-paced dates: Arc of Aurora THINK+CHANGE I/DD Online Training Course:  
Cultivate Learning That Advances Everyone; People with Intellectual and Developmental Disabilities (IDD) and You
- iv. 04.19.2022: Justice in Aging – How to Advocate for and Talk about Home and Community-Based Services webinar
- v. 04.21.2022: CCH Education Series – Public Benefits and Homelessness: How to Connect and Increase Funding
- vi. 04.28.2022: National Guardianship Association – Aging in Place webinar
- vii. 05.06.2022: Center for Trauma and Resilience – Compassion Fatigue Workshop
- viii. 05.20.2022: Department of Justice Elder Justice Initiative – Innovations in Guardianship webinar
- ix. 06.09.2022: National Guardianship Association – Addressing the Needs of Transgender and Gender Diverse Communities webinar

**e. Intake Eligibility, Prioritization and Referral Process.**

- i. Update on number of registered users, referrals, accepted cases, etc. as of **04.21.2022**

1. 79 Active guardianships
2. 2 referrals pending in court proceedings
3. 7 Partial referrals
4. 15 clients passed away since CO OPG appointment (1 possibly Covid related death)
5. 22 New Hold status for 6 months (now includes OBH/CHMI-Ft. Logan/Pueblo referrals that are non-OBH/Momentum contract referrals)
6. OBH/Momentum dedicated caseload:
  1. 4 Active guardianships
  2. 5 referrals pending in court proceedings
7. 27 Declined referrals
  1. 21 Denver declined referrals
    - a. 4 - Family available to serve
    - b. 11 - Expired/Incomplete information
    - c. 1 – Not appropriate referral
    - d. 1 - Not adult
    - e. 1 - Withdrawn by Ft. Logan
    - f. 3 - No OPG Capacity
  2. Not incapacitated – 2
  3. Texas referral - 1
  4. Nebraska referral - 1
  5. Alaska referral – 2
8. 74 streamlined referrals (Non-Denver County) – Declined
  1. Adams County – 3
  2. Alamosa County - 1
  3. Arapahoe County – 11
  4. Boulder County – 4
  5. Broomfield County - 1
  6. “Denver County” - 2
  7. El Paso County – 17

8. Garfield County – 1
9. Gunnison County – 1
10. Huerfano County - 3
11. Jefferson County – 4
12. Lake County - 1
13. La Plata County – 2
14. Larimer County - 4
15. Las Animas County - 2
16. Mesa County – 1
17. Montrose County – 2
18. Otero County – 3
19. Pueblo County - 3
20. Washington County - 1
21. Weld County – 7

f. **Data gathering - In progress.**

1. **Commission Makeup:** As the Chair requested Board information is provided from the Child Protection Ombudsman and Office of the Child’s Representative. **See Attachments 3 and 4.**
2. This link is from an interview of the Child Protection Ombudsman Chairs:  
<https://coloradocpo.org/2021/04/15/an-afternoon-with-the-child-protection-ombudsman-board-chairs/>
3. **Survey Data Highlights - Completed.** CRS 13-94-105 (4)(a):
  1. Closed the initial Survey on September 14, 2021.
  2. Grant started interviewing survey participants about the need for public guardianship services in their service areas, identifying stakeholders, and identifying successor guardians for the discontinuation plan





1. Grant, our Research Assistant, and America, our Staff Assistant, have weekly Data meetings. Chair Bennett-Woods attended our meeting last week. Grant reported that he met with Prof. Teaster and based on her research and other studies of Public Guardianship programs and using the statewide survey and CO county data, he completed a preliminary statewide assessment for public guardianship need. He needs to refine the study and he wants to review the research used by the initial OPG Task Force
  
6. I am reviewing SCAO data regarding regularly collected guardianship data to show trends in the overall Colorado appointments of guardians for adults and I/DD juveniles that may potentially need a guardian as adults. CRS 13-94-105 (4)(a).
  
7. I am reviewing various Funding Models of other Public Guardianship programs as well as other human service models. CRS 13-94-105 (4)(b); (4)(c); (4)(e); (4)(f); (4)(h).
  
8. Various: Meeting with Lara Vandenberg – Guardianship, Department of Veteran Affairs costs of housing veterans needing a guardian as well as data for the veteran need for guardianship. Ms. Vandenberg provided the data related to the cost savings of her guardianship program this month. I reviewed the data, and it can be used to extrapolate directly to cost savings for moving to a lesser restrictive housing, but data can also be used for other data points.

9. I am reviewing Department of Correction data related to costs of housing inmates needing a guardian as well as data for the inmate need for guardianship.

1. Various: Email correspondence virtual conferences with Kara Brown – Community Care Case Manager, Department of Corrections and Dr. Janice Diaz Enriquez – Psychologist, Department of Corrections regarding referrals and data gathering collaboration. I need to follow up with Ms. Brown for the final data.

10. I need to follow up with Judy Ham – Executive Director – Ability Connections, Juanita Peterson – Program Manager, Ability Connections, and Grant Yoder regarding data and collaboration.

11. Various: Email correspondence Ann McKenzie – Manager of Companionship Services, Silver Key Senior Services, Inc., and Grant Yoder regarding data and collaboration, expansion and discontinuation plan. Specifically, Ms. McKenzie, through the Pikes Peak Elder Abuse Coalition offers continued support with a follow up statewide survey to assess Colorado's unmet need for public guardianship services.

12. I need to follow up with Natalie DeVille – Program Director Brian Brant, Loretta Bozeman, Lutheran Family Services LifeWork Aging Solutions regarding data and collaboration, expansion and discontinuation plan. We continue with follow up meetings for data gathering.

13. I need to follow up with Christiano Sosa – Executive Director, The Arc of Colorado regarding data and collaboration, expansion and discontinuation plan.
14. 02.22.2022: Virtual meeting with various Arc Directors regarding interviews and data gathering. Grant may follow up with individual interviews.
15. I need to follow up with Julie Reiskin – Executive Director and Chris Brock – Attorney, Colorado Cross-Disability Coalition regarding data and collaboration, expansion and discontinuation plan. Grant may follow up with individual interviews.
16. Grant is following up with Carl Glatstein regarding potential coordination efforts and focus groups with Colorado Bar Association.
17. I need to follow up with Jenny Bender – Executive Director of Colorado CASA regarding the need for OPG services for juveniles graduating from the foster system as well as CASA funding and volunteer models.
18. 01.25.2022: Meeting with Whitney LeBoeuf – Executive Director of Data Integrity and Analytics, Colorado Evaluation and Action Lab, Director, Linked Information Network of Colorado (LINC). <https://coloradolab.org/about-us/our-team/>

University of Denver - Colorado Evaluation and Action Lab – is a partnership with the Governor’s Office. Partners with State & local governments and conduct research, data and analytics to strengthen coordinated and efficient person-

centered services. This Department also has developed contacts in the research community.

We are gathering and reviewing the average annual cost of providing guardianship services. Costs will not be accurate and will need to be projected for mileage and time related to travel and time for attending court hearings since all court hearings have been held virtually due to the COVID-19 pandemic. CRS 13-94-105 (4)(b). Dr. Whitney LeBeouf suggested that we can apply a Sum of Cost methodology extrapolate this data.

1. Grant and I finished gathering data points to present to Dr. LeBeouf to move forward with a follow up meeting to complete the Sum of Cost methodology. The next step is for me to send the information to her and request the meeting.
2. Grant and I met with Dr. LeBoeuf and completed some brainstorming about the cost analysis. It was very helpful. She offered to assist us in aggregating the data and complete a range of cost-saving methodology. She also offered to continue to pull in other colleagues for continued brainstorming and research. Also, she is willing to share relevant non-published cost data research they have completed.
3. She agreed that our methodology for the statewide assessment was sound
4. She agreed that our cost-saving methodology was sound considering that we did not have the resources for a full-time project manager
5. Grant and I are working on gathering data points and will be meeting with Dr. LeBoeuf again.

6. I emailed Dr. Whitney LeBeouf about conducting independent qualitative (impact on quality of life) client interviews. She connected us to Dr. Courtney Everson, whom we met with. Dr. Courtney Everson connected us to Dr. Kristin Myers and we have a meeting with her on 05.30.2022

19. I need to follow up with Susan Anderson – DRCOG, Case Manager-Case Management Program and Desiree Boelte, Area Agency on Aging - Manager, regarding Jefferson County data.

20. I need to follow up with Gail Abeyta - Parkview Health System, Care Management Director, Pueblo Colorado regarding the need for OPG services and willingness to provide data.

21. 04.19.2022: Grant and I met with Caroline Abbott, Social Services QIS - Vivage regarding the need for OPG services and willingness to provide data. Grant will present at the monthly Social Workers meeting on 05.12.2022 to request participation in a focus group interview. Vivage will also provide data information.

22. 05.24.2022: I am presenting to the Colorado Guardianship Association regarding OPG updates, data gathering & the need for focus group participation

VII. **Colorado OPG Strategic Plan.** Draft previously provided – no updates.

VIII. **Stakeholder Meeting Update** since 03.23.2022

- a. Various: Email correspondence Kathleen Hermann – Director of Social Work Services, University of Colorado Hospital and Dani Andrade – Senior Director of Care Management regarding proposal for hospital funding to OPG for guardianships. UCH determined that they will not move forward with a proposal for a dedicated public guardian.
- b. Various and 03.04.2022: Email correspondence and phone conference with Representative Julie McCulskie’s assistant, Maggie Larson, regarding expansion into, and data gathering, within her District. A meeting with Representative Julie McCulskie is scheduled for 04.29.2022
- c. Various and 04.14.2022: Email correspondence and phone conference with Rod Felzien – Attorney, founder of Chester House and Boulder County Guardianship Pilot Program
- d. 04.06.2022: Virtual conference with Jarett Hughes – Senior Policy Advisor on Aging, Office of the Governor and Chair Deb Bennett-Woods regarding office support
- e. 03.15.2022 and 03.31.2022: Email correspondence and virtual meeting with Kirsti Klaverkamp – Program Manage, Colorado Health Institute regarding workgroup panel
- f. Various and 03.23.2022: Email correspondence and virtual conference with Denver Probate Court regarding Motions to Intervene in Mental Health cases for OPG clients and referrals from Criminal Diversion Docket
- g. 03.21.2022: Email correspondence with Hope Carwile, Social Services QIS - Vivage regarding the need for OPG services and willingness to provide data.
- h. Phone conference with Kate Power - Boulder County District Attorney’s Office regarding OPG services – rescheduled TBD

- i. Various and 04.01.2022: Email correspondence and virtual conference with Gina Brown – Legal Assistance Developer for the Elderly, Disability Law Colorado
- j. 04.01.2022 and 04.13.2022: Molly Hamsher – Liaison to DOC, Office of the State Public Defender and Eric Davis Legal Assistant regarding public guardianship services for DOC parolees
- k. 04.01.2022: Caroline Abbott Vivage Senior Living, Social Services QIS regarding data gathering and focus group interviews
- l. 04.04.2022: Phone conference with Megan Brand – Executive Director, Colorado Fund for People with Disabilities regarding referral in rural area
- m. Various: Email correspondence with Attorney Cyndi Lyden – Rumler, Tarbox-Lyden Law Corporation regarding support for OPG
- n. Various and 04.05.2022: Email correspondence and virtual conference with Jennifer Wherry, ED, Alpine Legal Services serves (Garfield, Pitkin, and Western Eagle Counties) regarding data gathering and focus group interviews
- o. Various and 04.08.2022: Email correspondence and phone conference with Jahn Martinez – Northern Colorado Guardianship, Inc. regarding potential referral
- p. 04.11.2022: I presented at the Strategic Action Planning Group on Aging (SAPGA) meeting about OPG updates & plans for permanency
- q. 04.13.2022: OPG attended the Denver Forensic Collaborative meeting. Public Guardian Erin McGavin presented a case
- r. Various: Email correspondence with Jodi Waterhouse - Director, Outreach Program – The Multidisciplinary Center on Aging

University of Colorado Anschutz regarding presenting to the Colorado Guardianship Association

- s. 04.19.2022: Email correspondence to Judge Mulvahill's Clerk – 20<sup>th</sup> Judicial District Court Judge regarding Boulder County Guardianship Pilot Program
- t. 04.19.2022 and 05.25.2022: Cathy Alderman – Chief Communications and Public Policy Officer – Colorado Coalition for the Homeless and meeting with various CCH representatives
- u. 04.20.2022 and 05.04.2022: Mark Mestad – Investigator/Examiner, Minnesota Judicial Branch regarding inquiry about OPG's Complaint Process
- v. 05.24.2022: I am presenting to the Colorado Guardianship Association regarding OPG updates, data gathering & the need for focus group participation



# Attachment 1. OPG Budget Summary as of 04.05.2022

OPG Personal Services and Operating Summary - FY 2022

As of 4/5/2022

Budget Type	Budget	YTD + Projected Exp	Surplus / (Deficit)
Personal Services	\$653,000	\$ 646,535	\$6,465
Operating	\$188,253	\$ 102,195	\$86,058
<b>Total Appropriation</b>	<b>\$841,253</b>	<b>\$748,730</b>	<b>\$92,523</b>

YTD + projected expenditures  
Balance remaining for operating  
Total remaining in program line

	Cash Fund Balance	
	PRIOR YEAR (FY 2021)	Projected Revenue less YTD Expenses
Total Revenue	\$1,136,656	\$1,150,000
Total Expenditures	\$662,072	\$841,253
Net Change	\$474,584	\$308,747
Beg Fund Balance	\$819,590	\$1,294,174
<b>= Fund Balance</b>	<b>\$1,294,174</b>	<b>\$1,602,921</b>

spending authority  
projected fund ba

Salaries	Pos. #	Actuals												Projections				Year-to-Date
		July	August	September	October	November	December	January	February	March	April	May	June					
Director	87001	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 9,871	\$ 118,450			
Staff Assistant	87002	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 4,580	\$ 54,965			
Public Guardian	87003	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 61,800			
Public Guardian	87004	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 59,740			
Public Guardian	87005	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 59,740			
Public Guardian	87006	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 4,978	\$ 59,740			
Public Guardian	87007	\$ 3,409	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 58,409			
<b>Total Salaries</b>		<b>\$ 37,945</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 39,536</b>	<b>\$ 472,844</b>			
<b>Employee Benefits</b>		<b>\$ 13,970</b>	<b>\$ 14,509</b>	<b>\$ 14,509</b>	<b>\$ 14,509</b>	<b>\$ 14,509</b>	<b>\$ 14,509</b>	<b>\$ 14,529</b>	<b>\$ 14,529</b>	<b>\$ 14,529</b>	<b>\$ 14,529</b>	<b>\$ 14,529</b>	<b>\$ 14,529</b>	<b>\$ 14,529</b>	<b>\$ 173,691</b>			
<b>Total Personal Services</b>		<b>\$ 51,916</b>	<b>\$ 54,046</b>	<b>\$ 54,046</b>	<b>\$ 54,046</b>	<b>\$ 54,046</b>	<b>\$ 54,046</b>	<b>\$ 54,065</b>	<b>\$ 54,065</b>	<b>\$ 54,065</b>	<b>\$ 54,065</b>	<b>\$ 54,065</b>	<b>\$ 54,065</b>	<b>\$ 54,065</b>	<b>\$ 646,535</b>			
		Actuals												Projections				
1920 -Other Professional Services		\$ -	\$ 90	\$ 90	\$ 90	\$ 450	\$ -	\$ 180	\$ 90	\$ -					\$ 990			
1935 - Attorneys		\$ -	\$ -	\$ 198	\$ -	\$ 198	\$ -	\$ 31	\$ 198	\$ 221					\$ 847			
1940 -Medical Services		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -			
1950 -Professional Services from Other Colorado Departments		\$ -	\$ 10	\$ 25	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 35			
1960 -Professional IT Services		\$ 600	\$ 5,319	\$ 300	\$ 5,418	\$ 548	\$ -	\$ 910	\$ 8,253	\$ 2,451					\$ 23,798			
2255 -Rental of Meeting Rooms & Leased Space		\$ 1,802	\$ -	\$ 3,600	\$ 1,800	\$ -	\$ -	\$ 5,700	\$ 1,800	\$ 1,900					\$ 16,602			
2510 -General Travel (Employee)		\$ 15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125	\$ -					\$ 140			
2511 -Common Carrier Fares		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 110	\$ -					\$ 110			
2512 -Meals (Employee)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 149	\$ -					\$ 149			
2513 -Mileage Reimbursement (Employee)		\$ 72	\$ 140	\$ 717	\$ 94	\$ 797	\$ 163	\$ 428	\$ 753	\$ 388					\$ 3,551			
2530 -General Travel		\$ -	\$ -	\$ -	\$ 897	\$ -	\$ 125	\$ -	\$ -	\$ -					\$ 1,022			
2531 -Common Carrier Fares		\$ -	\$ -	\$ -	\$ 432	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 432			
2631 -Communication Services from Outside Sources		\$ -	\$ 257	\$ 257	\$ 383	\$ -	\$ 1,984	\$ -	\$ 498	\$ 499					\$ 3,879			
2680 -Printing & Reproduction Services - Vendors		\$ 146	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 146			
3113 -Clothing & Uniforms		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 36	\$ -	\$ -	\$ -					\$ 36			
3118 -Food & Food Services Supplies		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 77	\$ -	\$ -	\$ -					\$ -			
2820 -Monitoring Services		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -			
3110 -Identification & Safety Supplies		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 76	\$ -					\$ 76			
3120 -Books / Periodicals / Subscriptions		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -			
3121 -Case Jackets		\$ 933	\$ 333	\$ 178	\$ -	\$ -	\$ 341	\$ 6	\$ 732	\$ -					\$ 2,523			
3123 -Postage		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 812	\$ -	\$ -	\$ -					\$ 812			
3140 -Noncapitalized IT Software		\$ 1,861	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 1,861			
3145 -Noncapitalized IT Purchases		\$ -	\$ 5,940	\$ 155	\$ -	\$ -	\$ 1,496	\$ 10,118	\$ 155	\$ 130					\$ 17,994			
4140 -Dues & Memberships		\$ -	\$ 110	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 110			
4170 -Miscellaneous Fees & Fines		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 33	\$ -	\$ -	\$ -					\$ 33			
4220 -Registration Fees		\$ -	\$ 24	\$ -	\$ 900	\$ -	\$ 550	\$ -	\$ -	\$ -					\$ 1,474			
4256 -Other Employee Benefits - Eco Pass		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -			
<b>Total</b>		<b>\$ 5,428</b>	<b>\$ 12,223</b>	<b>\$ 5,520</b>	<b>\$ 10,013</b>	<b>\$ 1,993</b>	<b>\$ 5,616</b>	<b>\$ 17,373</b>	<b>\$ 12,938</b>	<b>\$ 5,590</b>	<b>\$ 8,500</b>	<b>\$ 8,500</b>	<b>\$ 8,500</b>	<b>\$ 8,500</b>	<b>\$ 102,195</b>			
		Avg. Operating thru March																
<b>Total - YTD + Projections Program Line</b>		<b>\$ 57,344</b>	<b>\$ 66,268</b>	<b>\$ 59,566</b>	<b>\$ 64,059</b>	<b>\$ 56,038</b>	<b>\$ 59,662</b>	<b>\$ 71,438</b>	<b>\$ 67,003</b>	<b>\$ 59,655</b>	<b>\$ 62,565</b>	<b>\$ 62,565</b>	<b>\$ 62,565</b>	<b>\$ 62,565</b>	<b>\$ 748,730</b>			
		Over/(under) Program Line												<b>\$92,523</b>				

## Attachment 2. FY22-23 Budget Request Plan of Action

✓ May 2022							↑	↓
S	M	T	W	T	F	S		
1	2	3	4	5	6	7		
8	9	10	11	12	13	14		
15	16	17	18	19	20	21		
22	23	24	25	26	27	28		
29	30	31	1	2	3	4		

✓ June 2022							↑	↓
S	M	T	W	T	F	S		
29	30	31	1	2	3	4		
5	6	7	8	9	10	11		
12	13	14	15	16	17	18		
19	20	21	22	23	24	25		
26	27	28	29	30	1	2		

✓ July 2022							↑	↓
S	M	T	W	T	F	S		
26	27	28	29	30	1	2		
3	4	5	6	7	8	9		
10	11	12	13	14	15	16		
17	18	19	20	21	22	23		
24	25	26	27	28	29	30		
31	1	2	3	4	5	6		

✓ August 2022							↑	↓
S	M	T	W	T	F	S		
31	1	2	3	4	5	6		
7	8	9	10	11	12	13		
14	15	16	17	18	19	20		
21	22	23	24	25	26	27		
28	29	30	31	1	2	3		

✓ September 2022							↑	↓
S	M	T	W	T	F	S		
28	29	30	31	1	2	3		
4	5	6	7	8	9	10		
11	12	13	14	15	16	17		
18	19	20	21	22	23	24		
25	26	27	28	29	30	1		

- Dates subject to change depending on application responses and availability of stakeholders
- Job descriptions drafted by May 13
- Recruitment emails out to stakeholders in 2<sup>nd</sup>, 7<sup>th</sup> & 16<sup>th</sup> Judicial Districts beginning May 1 throughout June
  - Meetings with 7<sup>th</sup> & 16<sup>th</sup> Judicial Districts Courts regarding OPG filing and court processes
  - Meetings with referring parties regarding OPG referral, filing and court processes
- Job descriptions posted on July 1 via Judicial Branch and other sites
- Closing on July 15, extended to July 22 if needed
- Review of candidates during week of July 18, and 25, if needed. Staff will be invited to review applications and interview candidates
- Schedule interviews during first & second weeks of August
- Tentative offers, reference checks & hiring during third & fourth weeks of August
- September 5 start date
- September: Virtual and in-person training
  - Human Resources paperwork
  - Office Manual

- Operating Policies
- National Guardianship Association Standards of Practice
- Shadowing with Staff Assistant and Public Guardians
- Meetings with Director and Deputy Director
- Director will spend direct time training with Deputy Director

# Deputy Director

City of Vacancy: Denver

County: Denver

Deadline: July 15, 2022

Type of Salary: Annual

Salary: \$add range-\$106,776

## Description:

The Colorado Office of Public Guardianship Pilot Program is accepting applications for one (1) Deputy Director who will, under general supervision, independently perform professional staff functions as a representative of the Colorado Office of Public Guardianship Pilot Program serving in the 2<sup>nd</sup> Judicial District of Colorado. The Deputy Director will assist the Executive Director in fulfilling the duties and responsibilities of the Office. The Deputy Director will provide public guardianship services as needed and make decisions regarding the individual to secure the health and safety of eligible individuals while preserving their independence wherever possible.

## Responsibilities include:

- Assist with office management
- Assist with review of referrals to the Office
- Assist with conducting recruitment, training, and supervision of office employees
- Provide supervision of and case management support to guardian-designees
- Conducting home and facility visits and inspections
- Deliver public education and outreach regarding the role of the Office and guardian-designees, including requests for information
- Assist with collecting, analyzing and synthesizing data from the Pilot Program to prepare and justify strategic and operational plans and legislative funding requests for the permanent establishment and legislative funding of the statewide Office
- Assist with preparing interim and final reports to the Colorado General Assembly
- Assist with establishing and supporting Pilot Program in 7<sup>th</sup> and 16<sup>th</sup> Judicial Districts
- Establish and support Guardianship Academy Pilot Program in 7<sup>th</sup> and 16<sup>th</sup> Judicial Districts
- Work with various private and public organizations and service providers for the purpose of developing local treatment resources
- Extensive independent travel may be required
- Comply with best practice and ethical standards
- Ability to obtain certification from the Center for Guardianship Certification within six months of hire
- Ability to work on-call evenings and weekends

- Perform other duties as assigned.

The successful candidate will have working knowledge of the Colorado statutory requirements along with the ability to read and understand documents used in financial and estate management, in addition to working knowledge of community systems and services and the appropriate utilization for referral and placement of the elderly, people with mental illness, people experiencing homelessness, people with substance abuse disorders, and individuals with intellectual and developmental disabilities. The Deputy Director must have the ability to supervise and support guardian-designees' case management efforts with other public and/or non-profit agencies involved in client cases and the ability to prepare clear, concise written communications and comprehensive office and court reports and maintain complete and accurate case information and case records. Position will require leadership, training, supervision, guidance, assistance, and mentorship to coworkers, volunteers, or interns. This will include scheduling of work, instructing in work methods, and reviewing work product.

**MINIMUM REQUIREMENTS:** Baccalaureate degree from an accredited institution in a relevant field, including but not limited to human services social work, nursing, law, counseling, psychology, gerontology, related behavioral science, or public health with 5 years related work experience OR Baccalaureate degree from an accredited institution in an unrelated field with certification/licensure in a relevant field and 5 years related work experience and have a working knowledge of guardianship or case management.

**PREFERRED:** J.D. or Ph.D.; or Master's degree in Social Work, Counseling, Clinical Psychology, Gerontology or related behavioral science or equivalent advanced degree which includes a supervised field placement providing social casework or counseling services to elderly, vulnerable or dependent adults, and their families OR Certification from the Center for Guardianship Certification. **OTHER:** No felony conviction or misdemeanor conviction involving moral turpitude. Possess a valid Motor Vehicle Operator's license or alternate means of transportation. Excellent credit history; highest personal and professional references that would support a court finding of suitability to qualify for appointment as a guardian. Individual chosen for the position will be subject to an extensive background check, credit report, and Colorado Adult Protective Services (CAPS) check.

External Posting Date:

Friday, July 1, 2022

**EXECUTIVE DIRECTOR OF THE OFFICE OF PUBLIC GUARDIANSHIP PILOT PROGRAM**

Opportunity Information		Contact Information	
<b>Opportunity Title:</b>	Executive Director of the Office of Public Guardianship Pilot Program	<b>Name:</b>	Deb Bennett-Woods
<b>Location:</b>	Denver	<b>Title:</b>	Chair of the OPG Commission
<b>Department:</b>	Office of Public Guardianship Pilot Program	<b>Address:</b>	
<b>Posted Date:</b>	07/11/2019	<b>Phone:</b>	720-320-2405
<b>Closing Date:</b>	08/11/2019	<b>Email:</b>	<a href="mailto:OPGCommission@gmail.com">OPGCommission@gmail.com</a>

**Brief Description**

\*\*\*This is a courtesy posting for the Office of Public Guardianship Pilot Program.\*\*\*

The Office of Public Guardianship (OPG) Pilot Program is now accepting applications for the position of Executive Director.

Compensation for this position ranges from \$115,000 to \$120,000.

**Mission of the Office of Public Guardian Pilot Program:**

The mission of the Office of Public Guardianship Pilot Program is to:

Provide guardianship services for indigent and incapacitated adults, within the targeted judicial district(s), when other guardianship possibilities are exhausted. If Colorado adults lack willing and appropriate family or friends, resources to compensate a private guardian, and access to public service organizations that offer guardianship, the OPG provides guardianship services to secure the health and safety of these individuals while preserving their independence wherever possible. Assess the need for and feasibility of a statewide office of public guardianship services and provide detailed recommendations for action to the Colorado General Assembly.

\*Until 2023, the Office of Public Guardianship will be a pilot program serving the second, seventh, and seventeenth Judicial Districts of Colorado, conditional upon funding as it becomes available.

**OPG Values:**

*Dignity:* At risk adults are treated with individual dignity and respect.

*Self-determination:* The concerns and decisions of at-risk adults are, to the greatest extent possible, considered with assistance to regain or develop capacities and participate in supported decision-making and person-centered planning

*Access and Quality:* At risk adults should receive timely access to appropriate services, consistent with best practice, to ensure personal safety and well-being.

*Collaboration:* The OPG actively seeks collaborative relationships with governmental and community stakeholders to maximize resources and support continuous improvement of policies and processes.

*Accountability and Transparency:* Outcomes of the pilot project are defined, documented and made available to the Colorado General Assembly and the public, as required by statute, accurately and on a timely basis.

**Executive Director Position Description**

Applicants should refer to § 13-94-104, C.R.S., for a comprehensive description of the pilot project.

The Executive Director serves at the pleasure of the five-member appointing Commission and is responsible for ensuring that the Office meets the requirements of § 13-94-104 et seq.

**Qualifications**

*Minimum Requirements:*

*The candidate must:*

- Hold a BA/BS in a relevant field, including but not limited to human services social work, nursing, law, or public health with 5 years related work *experience*

OR

- *Hold a BA/BS in an unrelated field with certification/licensure in a relevant field and 5 years related work experience. Have a working knowledge of guardianship or case management*

*Preferred Requirements:*

*The ideal candidate will:*

- *Hold a masters or doctoral degree in a related field, including but not limited to, human services, social work, nursing, law or public health, with relevant licensure or certification, and with 6-8 years of relevant work experience*
- *Have a working knowledge of guardianship or case management, as well as experience in public sector or non-profit management*

*Preferred Skills and Abilities*

- *Ability to engage the support and collaboration of a wide range of community stakeholders and state legislators and administrators*
- *Demonstrated abilities in marketing, public relations, fundraising and advocacy in non-profit, for-profit or governmental environments*
- *Demonstrated abilities in the collection, analysis, synthesis and reporting of data for needs assessment and service expansion*

*The Executive Director will perform the following:*

- *Establish, develop, direct, and administer the Office of the Public Guardianship, including creation of professional standards and a code of ethics for office employees and guardian-designees, cultivation of relationships with relevant stakeholders, implementation of a data management system, and adoption of eligibility and prioritization criteria for referrals*
- *Conduct recruitment, hiring, training, supervision and termination of office employees, including:*
  - *Establishing expectations and provide employee performance feedback on an on-going and annual basis, and assist employees in establishing goals*
  - *Providing recommendations regarding employee's employment probationary/trial period*
- *Initiate and manage internal MOUs and external contracts as needed*
- *Review referrals to the Office*
- *Establish a policy and respond to complaints against the office, including oversight of investigations as needed*
- *Create and maintain a public guardianship data management system*
- *Office management, financial planning, and budgeting*
- *Assure financial viability of the pilot project through working with the General Assembly and Joint Budget Committee as well as development of a fundraising plan, policies, procedures and materials; identification, cultivation and solicitation of donor prospects; identification and pursuit of grant opportunities; and effective collaboration with the Commission on fundraising initiatives*
- *Initiate and deliver public education and outreach regarding the role of the office and guardian-designees, including requests for information*
- *Analyze legislation impacting the OPG, inform the Commission of necessary responses, and advocate for the interests of the OPG and the individuals it represents*
- *Collect, analyze and synthesize data from the pilot project to prepare and justify strategic and operational plans and legislative funding requests for the permanent establishment and legislative funding of the statewide Office of Public Guardianship*
- *Report on OPG activities, concerns, and issues to OPG commission members, including the OPG budget, legislation, policies, and statutory mandates*
- *Prepare interim and final reports to the Colorado General Assembly, including recommendations, on the activities of the OPG and the need of guardianship services in Colorado to the General Assembly; the Executive Director is*

*responsible for special duties pursuant to the statutory evaluation of the OPG occurring by January 1, 2023 and found in C.R.S. 13-94-105(4) et seq*

HOW TO APPLY:

- Please provide cover letter, resume, and respond to the two application questions below. For the application questions, please provide responses for both questions that are no more than five pages total length in 12-point Century Schoolbook font. Please submit the completed application package to [Careers@judicial.state.co.us](mailto:Careers@judicial.state.co.us)
- THE TWO APPLICATION QUESTIONS:
  - Briefly describe your knowledge and prior experience with (a) project management; (b) research; (c) fundraising or grant writing; (d) hiring and supervision; (e) budget management; and (f) strategic planning.
  - Describe your interest in this position, including what excites you and what challenges you anticipate.

**Detailed Job Information**



**Document:** C.R.S. 19-3.3-102

**C.R.S. 19-3.3-102**

**Copy Citation**

Statutes current through Chapter 57 of the 2022 Regular Session and effective on or before March 30, 2022. The inclusion of the 2022 legislation is not final. It will be final later in 2022 after reconciliation with the official statutes, produced by the Colorado Office of Legislative Legal Services.

**Colorado Revised Statutes Annotated    Title 19. Children's Code (Arts. 1 – 7)    Article 3.3. Office of the Child Protection Ombudsman (§§ 19-3.3-101 – 19-3.3-110)**

**19-3.3-102.** Office of the child protection ombudsman established - child protection ombudsman advisory board - qualifications of ombudsman - duties.

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**(1)**

**(a)** The independent office of the child protection ombudsman, referred

to in this article 3.3 as the "office", is established in the judicial

department as an independent agency for the purpose of ensuring the greatest protections for the children of Colorado.

**(a.5)** The office and the judicial department shall operate pursuant to a memorandum of understanding between the two entities. The memorandum of understanding contains, at a minimum:

**(I)** A requirement that the office has its own personnel rules;

**(II)** A requirement that the ombudsman has independent hiring and termination authority over office employees;

**(III)** A requirement that the office must follow judicial fiscal rules;

**(IV)** A requirement that the office of the state court administrator shall offer the office of the child protection ombudsman limited support with respect to:

**(A)** Personnel matters;

**(B)** Recruitment;

**(C)** Payroll;

**(D)** Benefits;

**(E)** Budget submission, as needed;

**(F)** Accounting; and

**(G)** Office space, facilities, and technical support limited to the building that houses the office of the state court administrator; and

**(V)** Any other provisions regarding administrative support that will help maintain the independence of the office.

**(b)** The office and the related child protection ombudsman board, established in subsection (2) of this section, shall operate with full independence. The board and office have complete autonomy, control, and authority over operations, budget, and personnel decisions related

to the office, board, and ombudsman.

**(c)** The office shall work cooperatively with the child protection ombudsman board established in subsection (2) of this section, the department of human services and other child welfare organizations, as appropriate, to form a partnership between those entities and persons, parents, and the state for the purpose of ensuring the greatest protections for the children of Colorado.

**(2)**

**(a)** There is established an independent, nonpartisan child protection ombudsman board, referred to in this article 3.3 as the “board”. The board consists of twelve members and, to the extent practicable, must include persons from throughout the state and persons with disabilities and must reflect the ethnic diversity of the state. All members must have child welfare policy or system expertise or experience.

**(b)** The board members must be appointed as follows:

**(I)** The chief justice of the Colorado supreme court shall appoint:

**(A)** An individual with experience as a respondent parents’ counsel;

**(B)** An individual with experience defending juveniles in court proceedings;

**(C)** An individual with legal experience in dependency and neglect cases; and

**(D)** An individual with experience in criminal justice involving children and youth.

**(II)** The governor shall appoint:

**(A)** An individual with previous professional experience with a rural county human or social services agency or a rural private child welfare advocacy agency:

**(B)** An individual with previous professional experience with the department of human services;

**(C)** An individual with previous professional experience with an urban human or social services agency or an urban private child welfare agency; and

**(D)** An individual with experience in primary or secondary education.

**(III)** The president and minority leader of the senate shall appoint:

**(A)** An individual who was formerly a child in the foster care system; and

**(B)** An individual with professional experience as a county and community child protection advocate; and

**(IV)** The speaker and the minority leader of the house of representatives shall appoint:

**(A)** A current or former foster parent; and

**(B)** A health-care professional with previous experience with child abuse and neglect cases.

**(c)** Board members shall serve for terms of four years; except that the terms shall be staggered so that no more than six members' terms expire in the same year. The appointing officials shall fill any vacancies on the board for the remainder of any unexpired term.

**(d)** The board shall meet a minimum of two times per year and additionally as needed. At least one meeting per year must be held outside of the Denver metropolitan area.

**(e)** Board members shall serve without compensation but may be reimbursed for actual and reasonable expenses incurred in the performance of their duties.

**(f)** Expenses incurred for the board must be paid from the general operating budget of the office of the child protection ombudsman.

**(3)** The board has the following duties and responsibilities:

**(a)** To oversee the following personnel decisions related to the ombudsman:

**(I)** To appoint a person to serve as the child protection ombudsman and director of the office, referred to in this article 3.3 as the “ombudsman”. The board may also discharge an acting ombudsman for cause. A two-thirds majority vote is required to hire or discharge the ombudsman. The general assembly shall set the ombudsman’s compensation, and such compensation may not be reduced during the term of the ombudsman’s appointment.

**(II)** Filling a vacancy in the ombudsman position;

**(III)** Evaluating the ombudsman’s performance as determined necessary based on feedback received related to the ombudsman; and

**(IV)** Developing a public complaint process related to the ombudsman’s performance;

**(b)** To oversee and advise the ombudsman on the strategic direction of the office and its mission and to help promote the use, engagement, and access to the office;

**(c)** To work cooperatively with the ombudsman to provide fiscal oversight of the general operating budget of the office and ensure that the office operates in compliance with the provisions of this article, the memorandum of understanding, and state and federal laws relating to the child welfare system;

**(d) to (g)** (Deleted by amendment, L. 2016.)

**(h)** To promote the mission of the office to the public; and

**(i)** To provide assistance, as practicable and as requested by the ombudsman, to facilitate the statutory intent of this article.

ambassador, to facilitate the statutory intent of this article.

**(4)** Meetings of the board are subject to the provisions of section 24-6-402, C.R.S., except for executive personnel actions or meetings requiring the protection of confidentiality for children's or parents' personal data pursuant to the federal "Child Abuse Prevention and Treatment Act", Pub.L. 93-247, and state privacy laws.

**(5)** The records of the board and the office are subject to the provisions of part 2 of article 72 of title 24, C.R.S.

## History

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### **SOURCE:**

**Source: L. 2010:**Entire article added,(SB 10-171), ch. 225, p. 975, § 1, effective May 14. **L. 2014:**(2)(a) amended,(SB 14-201), ch. 280, p. 1137, § 2, effective May 29. **L. 2015:**Entire section R&RE,(SB 15-204), ch. 264, p. 1022, § 1, effective June 2. **L. 2016:**(3) amended and (1)(a.5) added,(SB 16-013), ch. 102, p. 292, § 1, effective April 15.; **L. 2022:** (SB13), ch. 2, § 32, effective February 25, 2022.

### ▼ Annotations

### Research References & Practice Aids

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### Hierarchy Notes:

Colorado Revised Statutes Annotated

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**THE COLORADO CHILD PROTECTION OMBUDSMAN BOARD**

**BY-LAWS**

**ARTICLE I: PREAMBLE / ORGANIZATION**

SB 15-204 established the Colorado Office of the Child Protection Ombudsman (“Office”), an independent agency within the Colorado Judicial Department, as of January 1, 2016. That same organic statute also established the Colorado Child Protection Ombudsman Board (the “Board”), an independent board whose primary purpose is to appoint and evaluate the Child Protection Ombudsman (“Ombudsman”), who serves as the Executive Director of the Office.

The legislative purpose in establishing an independent Office and Board is to improve accountability and transparency in the child protection system, promote better outcomes for children and families involved in the child protection system, and allow families, concerned citizens, mandatory reporters, employees of the state department and county departments, and other professionals who work with children and families to voice their concerns, without fear of reprisal, about the response by the child protection system to children experiencing, or at risk of experiencing, child maltreatment.<sup>1</sup>

Among its duties, the Board assists the Office to promote the mission of the Office to the public. The Office mission is to bring accountability and transparency to the child protection system and promote better outcomes for children and families.

**ARTICLE II: THE BOARD**

**Section 2.1 Composition and Term of Service.**

The Board is comprised of twelve members.<sup>2</sup> The appointing officials for the Board include:

The Chief Justice of the Colorado Supreme Court appoints:

- An individual with experience as respondent parents’ counsel;

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<sup>1</sup> §§ 19-3.3-101(2)(a)-(b) and 19-3.3-102(2)(h), C.R.S. (2016)

<sup>2</sup> § 19-3.3-102(2)(a), C.R.S. (2016).



- An individual with experience defending juveniles in court proceedings;
- An individual with legal experience in dependency and neglect cases; and
- An individual with experience in criminal justice involving children and youth.<sup>3</sup>

The Governor appoints:

- An individual with previous professional experience with a rural county human or social services agency or a rural private child welfare advocacy agency;
- An individual with previous experience with the department of human services;
- An individual with previous professional experience with an urban human or social services agency or an urban private child welfare agency; and
- An individual with primary or secondary education.<sup>4</sup>

The President and Minority Leader of the Senate appoints:

- An individual who was formerly a child in the foster care system; and
- An individual with professional experience as a county and community child protection advocate.<sup>5</sup>

The Speaker and the Minority Leader for the House of Representatives appoints:

- A current or former foster parent; and

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<sup>3</sup> §§ 19-3.3-102(2)(b)(I)(A) – (D), C.R.S., (2016)

<sup>4</sup> §§ 19-3.3-102(2)(b)(II)(A) – (D), C.R.S. (2016)

<sup>5</sup> §§ 19-3.3-102(2)(b)(III)(A) – (B), C.R.S. (2016)

- A health care professional with previous experience with child abuse and neglect cases.<sup>6</sup>

Board members shall serve four year terms, except that of the members first appointed, two members appointed by the Chief Justice, the Governor, and the President and Minority Leader of the Senate and one member appointed by either the Speaker or Minority Leader for the House of Representatives shall serve initial terms of two years, as designated by the appointing officials.<sup>7</sup>

The appointing officials shall fill any vacancies on the Board for the remainder of any unexpired term.<sup>8</sup>

## **Section 2.2 Compensation.**

Members of the Board shall serve without compensation but may be reimbursed for actual and reasonable expenses incurred in the performance of their duties.<sup>9</sup> Expenses incurred by Board members must be paid by the general operating budget of the Office.<sup>10</sup>

## **Section 2.3 Board Vacancy Appointments.**

The Chair or Ombudsman shall immediately notify the relevant appointing authority of any Board member resignation. The relevant appointing official shall fill any vacancy of the Board for the remainder of any unexpired term.<sup>11</sup>

## **ARTICLE III: BOARD CHAIR AND VICE-CHAIR**

The Board shall elect by a majority vote a Board Chair and Vice-Chair to oversee Board business. The Board Chair shall serve for a two-year term. The Chair shall preside over the meetings of the Board and work with the Ombudsman to set the Board agenda.

The Vice-Chair shall act in the absence of the Chair.

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<sup>6</sup> §§ 19-3.3-102(2)(b)(IV)(A) – (B), C.R.S. (2016)

<sup>7</sup> § 19-3.3-102(2)(c), C.R.S. (2016)

<sup>8</sup> *Id.*

<sup>9</sup> § 19-3.3-102(2)(e), C.R.S. (2016)

<sup>10</sup> § 19-3.3-102(2)(f), C.R.S. (2016)

<sup>11</sup> § 19-3.3-102(2)(c), C.R.S. (2016)

The election for Board Chair shall take place six months prior to the expiration of the term of service as Board Chair. In the event the individual serving as Board Chair no longer serves on the Board prior to the expiration of the term as Chair, the Vice-Chair shall serve as the Board Chair for the remainder of that term.

## **ARTICLE IV: BOARD MEETINGS**

### **Section 4.1 Applicability of Open Meetings Law.**

The Board's meetings are subject to the requirements of the Colorado Open Meetings Law, § 24-6-402, C.R.S., except for executive personnel actions and or for meetings requiring the protection of confidentiality for children's or parents' personal data.<sup>12</sup>

### **Section 4.2 Meetings.**

The Board shall meet a minimum of twice a year, but may meet additionally as needed. At least one of the Board's meetings per year must be held outside of the Denver metropolitan area.<sup>13</sup>

Regular Board meetings are held every other month commencing in January on the second Thursday of the month. Meetings begin at 8:00 AM and are held in the Ralph L. Carr Judicial Building, located at 1300 Broadway in Denver, Colorado, unless a different date, time or location is designated. The specific conference room where the meeting is located in the Ralph L. Carr Building will change subject to availability.

Board members may participate by telephone to attend meetings, so long as they provide notice to the Ombudsman in advance so that appropriate conferencing technology is made available.

Emergency or special meetings of the Board may be called by the Chair or Ombudsman. Notice of an emergency or special Board meeting shall be delivered by electronic mail or telephone to each Board member, which will include the date, time, location and purpose of the meeting. Notice of the special or emergency Board meeting shall be provided to the Board member no later than 24 hours prior to the time set for the meeting.

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<sup>12</sup> § 19-3.3-102(4), C.R.S. (2016)

<sup>13</sup> § 19-3.3-102(2)(d), C.R.S. (2016)

**Section 4.3            Quorum.**

A majority of the members of the Board, when present at any meeting, shall constitute a quorum.

**Section 4.4            Notice of Meetings.**

The Board shall provide public notice of all its meetings on the Office website, or through such other means as the Chair or Ombudsman deems appropriate. The notice shall include the date, time, location, and agenda for the meeting.

**Section 4.5            Conduct of Meetings.**

All meetings of the Board shall be open to the public. Meetings of the Board shall be conducted generally in keeping with Roberts Rules of Order, except as otherwise provided in these By-Laws, but shall be as informal as circumstances permit.

Members of the public who attend shall be provided a reasonable opportunity to speak at the beginning of the meeting. The Board may from time to time and by a majority vote adopt or amend its policy for the receipt of public comment.

The Board may vote to conduct certain business in Executive Session, as authorized under the organic statute for the Board or the Colorado Open Meetings Law.<sup>14</sup> Such circumstances that may necessitate Executive Session include, but are not limited to, information that must be kept confidential subject to the attorney-client privilege, personnel matters related to the Ombudsman, or information that must be kept confidential subject to other state or federal laws. The Chair shall announce to the public the general topic for discussion in Executive Session and call for a motion to enter into Executive Session. The Board must vote by two-thirds majority of its membership before it may enter into Executive Session. If the Board votes to enter Executive Session, only those persons invited by the Board may be present during the Executive Session.

**Section 4.6            Voting.**

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<sup>14</sup> § 19-3.3-102(4), C.R.S. (2016); § 24-6-402(3)(a), C.R.S. (2016)

Each member of the Board shall be entitled to one vote in the affairs of the Board. A majority of the quorum passes a measure unless otherwise specified in these By-Laws.

**Section 4.7            Minutes.**

Minutes for all Board meetings shall be taken. The Board shall have an opportunity to review the minutes of a prior meeting at its next regularly scheduled meeting, and shall approve the minutes by a majority vote, subject to any amendments or corrections. The approved minutes shall constitute the Board’s official record of proceedings. The approved minutes shall be made available to the public via the Office website.

**Section 4.8            Working Groups.**

The Board by a majority vote may designate and appoint one or more Working Groups comprised of Board members, as the Board deems appropriate to serve in an advisory capacity to the Board. No such Working Groups shall have the authority of the Board and shall only perform those functions as determined by the Board. Working Group members may be appointed by the Chair and serve at the pleasure of the Board. A Chair of a Working Group may be appointed by the Chair of the Board.

Any Working Group meeting must comply with the requirements of the Colorado Open Meetings Law. The Board shall provide notice of all its Working Group meetings through the Office website, or through such other means as the Chair or Ombudsman deems appropriate. The notice shall include the date, time, location, and agenda for the Working Group meeting.

Any business of the Working Group will be conducted in public. Unless there is a quorum of the Board membership present and such topic or issue was part of the public notice for the Working Group meeting, there shall not be any formal votes taken. Participation by telephone at a Working Group meeting is permitted to the extent the Working Group member provides advance notice to the Ombudsman and appropriate conferencing technology is available.

Minutes of any Working Group meeting shall be taken, and available for the Board for their inspection at their next regularly scheduled meeting. The minutes of any Working Group meeting shall be made available to the public via the Office website.

**Section 4.9 Attendance.**

Attendance to all regular Board meetings is mandatory, unless previously excused by the Chair, Vice-Chair or Ombudsman. If a Board member has more than three consecutive unexcused absences, the Chair, in his discretion and as may be delegated to the Ombudsman, may report such circumstances to the Board member's appointing authority.

**ARTICLE V: BOARD DUTIES**

**Section 5.1 Board Duties Generally.**

The Board has the following duties and responsibilities specific to personnel oversight of the Ombudsman:

- To appoint the Ombudsman;<sup>15</sup>
- To discharge the Ombudsman;<sup>16</sup>
- To fill any Ombudsman vacancy;<sup>17</sup>
- To evaluate the Ombudsman's performance based on feedback received related to the Ombudsman;<sup>18</sup>
- To develop a public complaint process related to the Ombudsman's performance.<sup>19</sup>

The Board's other duties and responsibilities related to its advisory role to the Ombudsman and Office include:

- To oversee and advise the Ombudsman on the strategic direction of the Office and its mission and to help promote the use, engagement, and access to the Office;<sup>20</sup>

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<sup>15</sup> § 19-3.3-102(3)(a)(I), C.R.S. (2016)

<sup>16</sup> *Id.*

<sup>17</sup> § 19-3.3-102(3)(a)(II), C.R.S. (2016)

<sup>18</sup> § 19-3.3-102(3)(a)(III), C.R.S. (2016)

<sup>19</sup> § 19-3.3-102(3)(a)(IV), C.R.S. (2016)

<sup>20</sup> § 19-3.3-102(3)(b), C.R.S. (2016)

- To work cooperatively with the Ombudsman to provide fiscal oversight of the general operating budget of the Office and to ensure the Office operates in compliance with the provisions of the organic statute, the Memorandum of Understanding, and state and federal laws concerning the child welfare system;<sup>21</sup>
- To promote the mission of the Office to the public;<sup>22</sup> and
- To provide assistance, as practicable and as requested by the Ombudsman, to facilitate the statutory intent of the organic statute establishing the Office and Board.<sup>23</sup>

## **Section 5.2            Appointment of the Ombudsman.**

The Board may only appoint an Ombudsman by a two-thirds majority vote of the Board membership.<sup>24</sup>

The Board shall work with the Human Resources Department for the State Court Administrator’s Office (“SCAO”), which may provide assistance with the hiring process for the Ombudsman, as outlined in the Memorandum of Understanding between the Colorado Judicial Department and the Office dated October 15, 2015, or any successor agreement.

The Board shall review the applications that are received, narrow the pool to a certain number of finalists, conduct interviews of the finalists, conduct reference checks, and vote by a two-thirds majority for appointment of the Ombudsman. The hiring process for a future Ombudsman will comply with the requirements of the Colorado Open Meetings Law.

## **Section 5.3            Evaluation of the Ombudsman.**

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<sup>21</sup> § 19-3.3-102(3)(c), C.R.S. (2016)

<sup>22</sup> § 19-3.3-102(3)(h), C.R.S. (2016)

<sup>23</sup> § 19-3.3-102(3)(i), C.R.S. (2016)

<sup>24</sup> § 19-3.3-102(3)(a)(I), C.R.S. (2016)

The General Assembly shall set the Ombudsman's compensation, and such compensation may not be reduced during the term of the Ombudsman.<sup>25</sup> While the General Assembly sets the compensation for the Ombudsman, the Board may, as part of its ongoing evaluation of the Ombudsman, provide recommendations to the General Assembly for any salary increases of the Ombudsman during the regularly scheduled budget process for the Office.

The Board shall conduct Annual Evaluations of the Ombudsman, which shall include at minimum, a completed self-evaluation of the Ombudsman, comments and feedback from the Office staff, and completed evaluation forms of Board members. The Board may delegate to the Chair or another Board member the responsibility of preparing a draft Annual Ombudsman Evaluation that combines the Ombudsman's self-evaluation, Office staff comments and feedback, and Board member evaluations. The Board shall review the draft Annual Ombudsman Evaluation, and by majority vote, approve a final Annual Ombudsman Evaluation subject to any corrections, amendments, or deletions. The final Annual Ombudsman Evaluation shall be delivered to the Ombudsman, who shall at the next regularly scheduled meeting have an opportunity to provide a response, either through written or verbal means, or both. To the extent the Board seeks to coincide the Annual Evaluation process with the state fiscal year (July 1 to June 30), the Board may need to conduct an evaluation that may encompass more than a twelve month cycle. Such a determination to change the timing of the Annual Evaluation may be conducted by Board motion.

The Board may conduct a Formal Comprehensive Evaluation of the Ombudsman, if the Board determines such an evaluation is necessary and proper. The Formal Comprehensive Evaluation may include a completed self-evaluation of the Ombudsman, comments and feedback from Office staff, comments and feedback from the public, comments and feedback from other stakeholders of the child welfare system, and completed Board evaluation forms. The Board shall follow the same procedures utilized for the Annual Evaluation with respect to the drafting, review, final, and response of the Formal Comprehensive Evaluation. The Board may obtain feedback from the public and other stakeholders through other mechanisms rendering the need for a Formal Comprehensive Evaluation unnecessary.

#### **Section 5.4            Public Complaint Procedure.**

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<sup>25</sup> *Id.*



The Board shall develop a public complaint process related to the Ombudsman to comply with § 19-3.3-102(3)(a)(IV), C.R.S. (2016).

**Section 5.5 Termination of the Ombudsman.**

The Board may terminate an Ombudsman’s employment for cause by a two-thirds majority vote of the Board membership.

A decision by the Board to terminate the Ombudsman is final and not subject to appeal, review, or grievance.

**Section 5.6 Advisory Role of the Board to the Ombudsman.**

To discharge its advisory role and provide assistance to the Ombudsman, when requested, the Board shall from time to time offer suggestions, advice, recommendations or other input to the Ombudsman. Such input may be provided at regularly scheduled meetings, Working Groups, or individual Board member meetings with the Ombudsman.

In order to help promote the use, engagement and access to the Office, work cooperatively with the Ombudsman on fiscal oversight of the Office, promote the mission of the Office, or provide other assistance, the Board may from time to time solicit suggestions from the Ombudsman as to how the Board may effectively discharge these advisory services to the Ombudsman and Office staff.

**ARTICLE VI: BOARD DOCUMENTS**

**Section 6.1 Applicability of the Colorado Open Records Act.**

The records of the Board are subject to the Colorado Open Records Act, found in part 2 of article 72 of title 24, C.R.S.<sup>26</sup>

**Section 6.2 Board Documents.**

The term “Board Documents” as used herein refers to “any and all documents relating to the appointment, evaluation, or termination of a current or past Ombudsman.”

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<sup>26</sup> § 19-3.3-102(5), C.R.S. (2016)

This excludes any documents that may be kept by the Human Resources Department for the SCAO related to the Ombudsman’s payroll and leave that may be kept as part of the administrative duties undertaken by SCAO pursuant to the Memorandum of Understanding between the Colorado Judicial Department and the Office of the Child Protection Ombudsman dated October 15, 2015, or any successor agreement.

The Board shall draft and approve a Document Retention Policy that complies with the retention and destruction of Board Documents in compliance with state and federal law.

**ARTICLE VII: AMENDMENTS**

**Section 7.1 Procedures.**

These By-Laws may be amended or repealed, in whole or in part, by a majority vote at any publicly noticed meeting of the Board and are effective upon adoption or amendment.

**Section 7.2 Distribution.**

The Chair, as may be delegated to the Ombudsman, shall provide a copy of the latest version of these By-Laws to all new Board members upon their appointment, and to any other person who requests a copy. The latest version of the By-Laws shall be made available to the public via the Office website.

**Section 7.3 History.**

Amended and effective by the Board on \_\_\_\_\_, 2020.

Amended and effective by the Board on May 9, 2019.

Adopted and effective by the Board on July 13, 2017.

CHILD PROTECTION OMBUDSMAN BOARD:

\_\_\_\_\_

KENNETH PLOTZ  
Board Chair

SIMONE JONES  
Board Vice-Chair

**Document:** C.R.S. 13-91-104

## **C.R.S. 13-91-104**

### **Copy Citation**

Statutes current through Chapter 57 of the 2022 Regular Session and effective on or before March 30, 2022. The inclusion of the 2022 legislation is not final. It will be final later in 2022 after reconciliation with the official statutes, produced by the Colorado Office of Legislative Legal Services.

**Colorado Revised Statutes Annotated    Title 13. Courts and Court Procedure (§§ 13-1-101 – 13-94-111)    Advocates (Arts. 91 – 94)    Article 91. Office of the Child’s Representative (§§ 13-91-101 – 13-91-107)**

13-91-104. Office of the child’s representative - board - qualifications of director.

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**(1)** The office of the child’s representative is hereby created and established as an agency of the judicial department of state government. It shall be the responsibility of the office of the child’s representative to

work cooperatively with local judicial districts, attorneys, and any contract entity in order to form a partnership between those entities and persons and the state for the purpose of ensuring the provision of uniform, high-quality legal representation and non-legal advocacy to children involved in judicial proceedings in Colorado.

**(2)**

**(a)** The Colorado supreme court shall appoint a nine-member child's representative board, referred to in this article as the "board". No more than five members of the board shall be from the same political party. The members of the board shall be representative of each of the congressional districts in the state. Three members of the board shall be attorneys admitted to practice law in this state who have experience in representing children as guardians ad litem or as legal representatives of children. Three members of the board shall be citizens of Colorado not admitted to practice law in this state, who shall have experience at advocating for children in the court system. Three members of the board shall be citizens of the state who are not attorneys and who have not served as CASA volunteers or child and family investigators.

**(b)** Members of the board shall serve for terms of four years; except that, of the members first appointed, five shall serve for terms of two years. Vacancies on the board shall be filled by the supreme court for the remainder of any unexpired term. In making appointments to the board, the supreme court shall consider place of residence, gender, race, and ethnic background. The supreme court shall establish procedures for the operation of the board.

**(c)** Members of the board shall serve without compensation but shall be reimbursed for actual and reasonable expenses incurred in the performance of their duties.

performance of their duties.  
**(d)** Any expenses incurred for the board shall be paid from the general operating budget of the office of the child's representative.

**(3)** The board shall have the following responsibilities:

**(a)**

**(I)** To appoint, and discharge for cause, a person to serve as the director of the office of the child's representative, referred to in this section as the "director".

**(II)** The director shall have been licensed to practice law in this state for at least five years prior to appointment and shall be familiar with the unique demands of representing a child in the court system. The director shall devote his or her full time to the performance of his or her duties and shall not engage in the private practice of law.

**(III)** The compensation of the director shall be fixed by the general assembly and may not be reduced during the term of the director's appointment.

**(b)** To fill any vacancy in the directorship for the remainder of the unexpired term;

**(c)** To work cooperatively with the director to provide governance to the office of the child's representative, to provide fiscal oversight of the general operating budget of the office of the child's representative, to participate in funding decisions relating to the provision of GAL, CASA, and representative of the child services throughout the state, and to assist with the duties of the office of the child's representative concerning GAL and CASA training, as needed.

**Source:** **L. 2000:**Entire article added, p. 1768, § 1, effective July 1. **L. 2002:**(2)(a) amended, p. 944, § 3, effective August 7. **L. 2003:**(2)(a) amended, p. 753, § 2, effective March 25. **L. 2005:**(2)(a) amended, p. 962, § 8, effective July 1.

## ▼ Annotations

### Research References & Practice Aids

#### **Hierarchy Notes:**

C.R.S. Title 13, Art. 91

### State Notes

### Research References & Practice Aids

#### **Cross references:**

For the legislative declarations contained in the 2005 act amending subsection (2)(a), see sections 1 and 3 of chapter 244, Session Laws of Colorado 2005.

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Office of the Child's Representative  
**Administrative and Oversight Policies**

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**I. Introduction**

The Office of the Child’s Representative (OCR) was created pursuant to House Bill 00-1371 (13-91 101 – 106, C.R.S.) as an independent office within, but separate from, the Judicial Department. The OCR provides services, primarily through contracts with attorneys as a guardian *ad litem* (GAL) and/or child legal representative (CLR). The OCR is required to comply with all Colorado Chief Justice Directives.

The following policies are consistent with the State Fiscal Rules and the State Controller’s Office Fiscal Procedures. The following expands on areas not covered by existing policies and/or establishes the procedures needed for complying with applicable standards. Any references below indicating approval by the Executive Director mean Executive Director or designee, unless otherwise indicated.

OCR will review these policies periodically and update them as necessary.

**II. Board of Directors**

- a. Meetings
  - i. Regular meetings are held four times per year.
  - ii. Special/emergency meetings may be called at the discretion of the Board Chair.
  - iii. Members’ attendance may be in-person or via conference call.
  - iv. A quorum is required for any formal action.

- v. While meetings are not subject to Colorado's Open Meetings Law, OCR will abide by the OCR Board bylaws.
- b. Complaints against the Executive Director are made through the Provide Feedback section of OCR's webpage.
  - i. The Board of Directors will discuss any complaints in executive session at the next regular board meeting. The Board, at the discretion of the Chair or Co-Chair, may schedule a special meeting for the purposes of discussing complaints against the Executive Director.
  - ii. Board minutes shall describe any action taken by the Board in executive session.

### **III. Contract Attorney Administration**

- a. New/renewing attorneys' contracts and paperwork
  - i. OCR requires various documents from all new attorney contractors prior to billing OCR, including but not limited to:
    - 1. Signed contract.
    - 2. Evidence of professional liability insurance and certification that such insurance will be maintained throughout the life of the contract.
    - 3. W-9 form.
    - 4. Disclosure of former PERA employment, if applicable.
    - 5. EFT/Direct Deposit form and voided check.
    - 6. Signed welcome letter ("Affirmation of Understanding").
  - ii. Administrative Assistant uses the following forms for the addition of any new attorney contractors
    - 1. New Case-Carrying Contractor checklist.
    - 2. List Revision checklist.
  - iii. To ensure timely return of signed contracts and other documents, OCR will perform the following follow-up until documents are received unless otherwise indicated by staff attorney:
    - 1. Administrative Assistant sends contract and other documents with a requested return date of 5 business days.
    - 2. Administrative Assistant sends first reminder (email) to contractor if documents are not received by the initial deadline.
    - 3. Administrative Assistant sends at least two weekly reminders (email and phone call) thereafter.
    - 4. Administrative Assistant notifies staff attorney to send next reminder and monitors return of documents with staff attorney.
    - 5. Staff attorney determines next steps to receive documents.
  - iv. Completed documents from new attorneys are provided to the Administration and Accounting Specialist who establishes access in the Colorado Attorney Reimbursement Expense System (CARES); a username and password are provided to the new attorney.
  - v. New attorneys are not active in CARES (i.e., cannot bill) until the contract is executed and attorney is established in the Colorado Open Resource Engine (CORE) financial system and set up for EFT payments.



**GUIDANCE TO BOARDS & COMMISSIONS REGARDING  
COVID-19 VACCINATIONS AND TESTING**

**FEBRUARY 21, 2022 UPDATE**

I want to begin by congratulating you and your teams for your work navigating the challenges of the COVID-19 pandemic. Around every blind curve, you have stayed true and stalwart in your resolve to provide a healthy work environment and innovate to provide essential services to the people of Colorado when they needed it most. Operationally, what we have accomplished as a state is unprecedented.

We are providing you with updated guidance as it relates to Boards and Commissions. In summary:

Colorado has made tremendous progress in terms of containing and treating COVID-19 infection and distributing the lifesaving COVID-19 vaccine. Over 85% of Colorado's eligible population has now received at least one dose of the vaccine, and we are beginning to see life return to a new normal.. Containing and ultimately ending the pandemic is possible if as many people as possible roll up their sleeves and get the vaccine.

Beginning February 22nd, 2022 Boards and Commission guidance for in-person meetings will be updated to reflect current COVID-19 conditions and updated policy.

**The Governor's strong recommendation is that:**

- 1) Boards and commissions may resume in-person meetings with the following recommendations:
- 2) A virtual participation option should be offered for board members and the public
- 3) Meetings should follow local restrictions, including mask mandates and room capacity limits.
- 4) We encourage all members attending the meeting in person to attest to their vaccination status to the board administrator, but it is not required.
- 5) Anyone feeling sick or exhibiting COVID-19 symptoms, even if mild, must not attend a meeting in person.
- 6) All members of boards and commissions attending meetings in person, as well as members of the public attending the meeting in person, may wear a mask if they choose and should always follow local guidance.

With these updates, it is important to note that we are developing a process for reinstatement of masking and the return to all virtual meetings based on the latest public health data and recommendations from CDPHE. If necessary, we maintain the option to make necessary changes to this guidance if warranted.

Again, thanks to you and your employees for your continued support and flexibility as we've navigated through the toughest times of this pandemic. Our intent has always been to protect



**COLORADO**  
Governor Jared Polis

the health of our workforce and the public we serve. We know you and your workforces are ready for a sense of normalcy and continuity, and this is one step in that direction.

For additional information, please see CDPHE Guidance

For indoor events: <https://covid19.colorado.gov/indoor-events>

For workplaces: <https://covid19.colorado.gov/office-based-businesses>