



COUNTY ATTORNEY'S OFFICE

108 8th Street, Suite 219
Glenwood Springs, CO 81601
(970) 945-9150

Protocol for Records Requests for Active Dependency or Neglect Cases

Garfield County (“County”) has been providing discovery in Dependency or Neglect cases for over a decade at no cost to the Office of the Child’s Representative (“OCR”) or the Office of Respondent Parent Counsel (“ORPC”). The County spends hundreds of hours every year on redacting, providing a written redaction log, organizing through bates labeling, and distributing discovery for Dependency or Neglect cases.

The County Attorney’s Office (“CAO”) provides “Discovery” at the beginning of every case once an order of appointment has been issued for the GALs and RPCs. “Discovery” as used in this protocol refers to all of the information contained in the Department of Human Services Child Welfare Division that is required to be disclosed pursuant to Colorado Rule of Juvenile Procedure (C.R.J.P.) 4.6. The order of appointment requires the provision of confidential documents to the attorneys representing the parents or children in these cases.

The CAO also provides Discovery on a routine basis prior to contested hearings, striving to provide that Discovery 30 days before the contested hearing or pursuant to the CMO on the same day the disclosures are due. Further, the CAO provides discovery when requested by the RPC or GAL or by Court Order. The CAO under the direction of the Board of County Commissioners (BOCC) is changing its practice and policy regarding the distribution of information subject to C.R.J.P. 4.6. The Colorado State Legislature provides funding for ORPC, which includes funding for records requests necessary to present a defense to the dependency and neglect case.

The following will be the process the CAO will follow beginning March 1, 2025. The CAO will no longer automatically provide the information referenced above without an official written request via the CORA form located on the Garfield County Website at www.garfieldcountyco.gov.

1. First Request - At any time after the case is initiated pursuant to CRJP 4.6(f) when the RPC or GAL submits a CORA request at www.garfieldcountyco.gov. The Form takes one minute to complete and in the box titled “Name of document requested, including the county office or department where the document originated” the requestor should state “Discovery request under CRJP 4.6 per court order for the GAL/RPC in Garfield County case number _____.” Then please email dveals@garfield-county.com and mburrows@garfield-county.com a copy of the order of appointment. A copy of the order of appointment is necessary in order to ensure the attorney receives the

materials permitted to be provided under that order. The Discovery will be made within 21 days of the request.

2. Subsequent Requests – If a RPC or GAL would like an updated file, they may fill out another CORA request form request at www.garfieldcountyco.gov. Please include in the box titled “Name of document requested, including the county office or department where the document originated” the requestor should state “Discovery request under CRJP 4.6 in Garfield County case number _____ starting from _____ [date]. If the request is made because the case is scheduled for a contested hearing pursuant please email dveals@garfield-county.com and mburrows@garfield-county.com the date of the scheduled hearing. When the RPC or GAL submits a CORA request for the purpose of a contested hearing Discovery will be made within 10 working days of the request or if the hearing is within 10 working days, not later than 7 calendar days prior to the contested hearing.

The CAO will treat all Discovery requests as requests for all of the information under C.R.C.P. 4.6(f)(1). If the requestor does not want the full file, please provide the portions of C.R.C.P.4.6(f)(1) that are being requested.

Further, the CAO will continue to provide the automatic disclosures required by C.R.C.P. 4.6(e) and (h). As outlined in the Rule, no written request is required for those mandatory disclosures.