



PRESIDING JUVENILE JUDGE ORDER 2021-01
STATE OF COLORADO
FIRST JUDICIAL DISTRICT

**ORDER RE: SIXTH REVISED PARENTING TIME PROTOCOL FOR DEPENDENCY AND NEGLECT CASES
IN RESPONSE TO THE COVID-19 PANDEMIC**

This order was preceded by PJJO 20-01, PJJO 20-06, PJJO 20-08, PJJO 20-11, PJJO 20-14, PJJO 20-15.

Under the authority granted under 1st J.D. Chief Justice Order (CJO) 2019-20, the Presiding Juvenile Judge has determined that it is necessary to make ongoing modifications to the 1st J.D. Parenting Time Protocol, currently provided in Appendix C of the 1st J.D. Dependency and Neglect District Plan, in response to the COVID-19 pandemic.

The 1st J.D. recognizes the importance of parenting time in developing and maintaining attachments and in achieving timely reunification and remains committed to that practice. The Court also acknowledges that parents, caregivers, and children are vulnerable during this public health crisis. The Court places the health, safety, and wellbeing of our children and families paramount in issuing this revised order which outlines a process for return to in-person parenting time where it can be done safely. In consideration of changed circumstances since the issuance of PJJO 20-01 and PJJO 20-15, the Jefferson County Division of Children Youth and Families (The Division) is authorized to continue providing in-person parenting time for all children in accordance with the protocol set forth in attached Exhibit A.

1. The Division remains responsible for the logistics of parenting time including but not limited to scheduling visits and notifying all involved parties.
2. This Order shall apply to all cases where therapeutic, supervised, or monitored visits are occurring. The caseworker and Guardian ad litem (GAL) shall have the continued discretion upon agreement to expand visitation and reduce supervision on all cases unless the Court has Ordered otherwise.
3. In addition to granting discretion to the Caseworker and GAL to expand parenting time, the Court urges the treatment team on each case to review each case and make every effort to

reduce the impact of this Order on children and families. For example, the team shall consider whether they are able to safely move from professional supervision to relative or kin supervision. The team should also consider whether safety planning around allowing parents to live with relative or kin providers is a possibility. Also, in cases where parents are on track to have children returned home, the team should consider whether the return home date could be safely advanced.

4. The Court has reviewed the fourth set of revised recommendations of the multi-disciplinary working group created to review options for in-person parenting time and propose recommendations and guidelines to the Court. The most recent recommendations address, *inter alia*, who may attend visits, the maximum time for visits and other safety measures. Those recommendations are incorporated into Exhibit A and are approved, adopted and made an Order of the Court.
5. The Court ORDERS all caregivers, kin and foster parents, to cooperate with the sharing of information regarding the children, including pictures, and developmental milestones with the parents or parents' counsel during this temporary change in parenting time protocol.
6. This order is subject to change based on developments with the COVID-19 pandemic and any public health orders associated therewith, in addition to modifications to CJO 2020-12 and Colorado Supreme Court Chief Justice Orders or issuance of Chief Justice Directives (CJDs).
7. Recently, issues of quarantine after travel have been raised in cases where children subject to the Court's jurisdiction are traveling out-of-state. In the absence of clear guidelines from the CDC or other public health agencies, the Court has determined that questions of quarantine after travel will be made on a case by case basis.
8. If the parties are unable to agree on whether quarantine after travel is necessary, any party may file a forthwith motion and shall follow the same process as detailed in paragraphs eight (8) through eleven (11) of this Order.
9. If parties agree upon or the Court Orders a mandatory quarantine period following travel, virtual parenting time shall continue during the quarantine period.
10. Caseworkers, GALS and CASAs are permitted to observe visits subject to the guidelines set forth in Exhibit A.
11. In cases where it is determined that in-person parenting time is not safe or does not comply with recommended protocols, virtual parenting time shall constitute reasonable efforts on the part of the Division, pending further Order of the Court as a result of a contested Motion.

12. All provisions of this Order are subject to modification at any time based on intervening Public Health Orders, Chief Judge Orders and Chief Judge Directives.

DONE AND SIGNED on this 8th day of February, 2021

Ann Gail Meinstre

Ann Gail Meinstre,
Presiding Juvenile Judge
First Judicial District

Jefferson County Parenting Time Program**Exhibit A****Transition Plan**

The Division of Children, Youth, Families and Adult Protection (CYFAP) believes that parenting time is a critical and essential part of maintaining and developing connections between a parent and child. The following plan was developed in partnership with the major stakeholders in the Jefferson County child welfare system as well as Maple Star, and applies to all parenting time providers. Consideration is given to the health and safety of all involved including children and parents, caseworkers, parenting time providers, foster, kinship and relative providers, as well as other children residing in foster and kinship homes. We know that the virus knows no boundaries, so although we believe that children should visit with their parents, it is our responsibility to ensure the health and safety of everyone, including others who might be impacted by the decision for a family to begin in person visits. We know also that our knowledge of the virus and its manner of spreading is still limited but constantly evolving and that may lead to modifications in this transition plan.

Beginning February 16, 2021, CYFAP will institute the following parenting time protocol:

Children Ages 0-18 years old**Parenting Time Sessions in the Community and at the JCDHS building**

- This protocol applies to all parenting time/visitation programs including the CYFAP Family Intervention Services (FIS) Team.
- **FAILURE TO MEET THE SAFETY PROTOCOLS OUTLINED HERE AND THOSE OUTLINED BY THE PARENTING TIME FACILITATOR SHALL RESULT IN VISITATION REVERTING TO VIRTUAL TIME ONLY.**
- All participants, including professionals, are required to arrive 15 minutes early to ensure parenting time sessions begin on time. The child(ren)'s treatment team is required to assess the appropriateness of in person parenting time sessions. Following a discussion between the child(ren)'s treatment team, in person visits can occur for ALL children. Consensus can be reached via email, text message, phone call, and/or facilitated meeting.
- **All adults, including professionals, are required to wear a facial covering meeting CDC guidelines at all times.** Children will be required to wear a facial covering when developmentally appropriate.
- Handwashing/sanitizing and facial coverings will be strictly enforced for all adults and children when developmentally appropriate.
- Parents are requested to bring hand sanitizer to use during the session. If a parent is unable to provide it, the parenting time facilitator will provide hand sanitizer.

- The child(ren)'s team must consider and determine the child(ren)'s and parent's ability to comply with social distancing guidelines and the requirement to utilize a facial covering.
- Due to the need to remove one's facial covering, eating meals during a visit should be avoided and/or limited as much as possible.
- Parents will be able to hold infants. Social distancing is encouraged with older, more mobile children.
- The number of families that can be served is directly impacted by the availability of parenting time providers, the availability of space needed to adequately socially distance, and the extra time needed in between parenting time sessions to adequately clean rooms.
- All families cannot be guaranteed in person visits and/or may need to do a combination of in-person and virtual visits. Each parent will begin with one in-person visit per week to ensure that as many families as possible are given the opportunity to have in person contact. Decisions regarding increases for in-person parenting time will be made by the treatment team based on criteria already developed including whether the child/ren will be returning home soon.
- Each in person parenting time session shall not exceed 2.5 hours and all in person parenting time sessions shall not exceed 5 hours per week.
- No additional visitors or observers will be allowed to attend in-person visits. Professionals on the child's treatment team are NOT considered observers.
- Caseworkers, GALS, and CASAs are permitted to observe visits. In order to minimize the amount of people physically present, professional members of the child's team are NOT permitted to observe visits together.
- Observation of a family by a professional cannot be unannounced and must be scheduled directly with the parenting time facilitator at least 24 hours in advance.
- Professional members of the child's treatment team are required to disclose to the parenting time facilitator if they were exposed to COVID during the past 14 days and/or are experiencing any symptoms prior to the visit. Professionals will not be allowed to observe a visit if they are experiencing any symptoms or have recently been exposed. Additionally, professional members of the child's treatment team are required to inform the Division if they later discover they were exposed to COVID prior to the visit or are experiencing any symptoms following the visit.
- Where visits are indoors, in-person observation by professionals is discouraged at this time due to not having access to indoor space that will allow for adequate social distancing. Upon advance request, arrangements can be made for in-person observation. When visits occur at the CYF building, arrangements can be made for virtual observation by contacting the parenting time coordinator.
- Professional members of the child's treatment team are required to wear a facial covering during the entire session.
- Professional members of the child's treatment team are not allowed to bring food, gifts, or activities to the session.

- To minimize disruption of the session, all participants, including professional members of the child's treatment team, are required to remain within the general area of the visit. Participants may use the restroom and return to the visit.

High Risk Populations:

- Parenting time sessions that include people (this includes parents and temporary caregivers) that are 65 and older and/or anyone with underlying health conditions will continue to receive special consideration. Many of these visits will continue as virtual. However, on a case by case basis, the Division and treatment team may consult with a medical professional (e.g.. the child's pediatrician) to determine if inperson visitation can be done safely and to obtain specific directions on ways to mitigate the associated risks.

Location:

- The Children, Youth, Families and Adult Protection building will have approximately 9 rooms available for parenting time. This building will be open 8 am to 8 pm Monday through Thursday. Although the county buildings are closed on Friday, special permission has been given to open this building on Fridays during normal business hours. However, given the lack of availability of a sheriff on Fridays, only families that the team agrees do not present any safety concerns will be scheduled on Friday.
- There will be approximately three rooms available at the Jefferson County Headstart building that will be available late afternoon, after Headstart closes for the day. This space can also be used on weekends.
- Maplestar will also have availability at their office to conduct visits.

Transportation:

- Foster and Kinship providers will be asked to transport children to their scheduled parenting time session.
- Placement providers may stay in their cars with the children.
- Parenting time facilitators will come get the children once parents are safely in a room.
- The children will be returned to the placement provider's cars following completion of the visit.
- Maple Star Parenting Time Program will not be providing transportation services at this time.

Screening:

- Maple Star facilitators will call all participants within 24 hours of the scheduled session and conduct the Maple Star screening tool to ensure no one is currently exhibiting any symptoms and to confirm that all participants will arrive with an appropriate facial covering. Professionals

may complete the screening tool when they arrive to the session. Participants are prohibited from attending an in person visit if the screening tool is not completed.

- Quarantine requirements following travel will be determined on a case by case basis. The CDC guidelines suggest a 14-day quarantine when traveling to areas experiencing high levels of COVID-19, including destinations with a Level 3 Travel Health Notice, when engaging in high risk activities (including large gatherings, mass gatherings, crowds, or cruise ship travel). The mode of transportation during travel should also be considered.
- All motions for travel shall include information regarding whether the travel is to an area experiencing high levels of COVID-19 at the time of travel, the activities that the child/youth will engage in and the mode of transportation. The motion for travel will also include a statement about whether the requester of the travel believes this is a high risk travel that necessitates a quarantine. The Rule 121 certification will include an opinion of other parties on whether the travel necessitates a quarantine. The Court will make the final determination and enter orders regarding the need for a 14-day quarantine following travel if the parties are unable to agree.
- If a quarantine is required, virtual parenting time sessions will be conducted until the quarantine period concludes.