

State of Colorado
7th Judicial District

ADMINISTRATIVE ORDER 2013-02 L.A.N. PROTOCOL

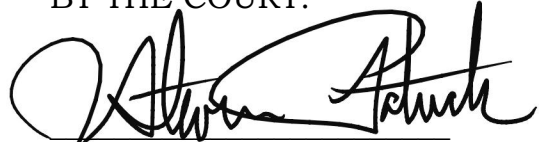
WHEREAS, the Supreme Court of the State of Colorado issued an opinion on January 22, 2013, in *L.A.N. v. L.M.B.*, 2013 CO 6, No. 11SC529, recognizing that the statutory privilege in § 13-90-107(1), C.R.S. applies in dependency and neglect matters and providing that when the subject child is incompetent to hold the privilege and where the parents' interests might be adverse, the GAL may be the proper person to hold the privilege; and

WHEREAS, the Seventh Judicial District desires to create a protocol for the consistent and effective implementation of the holding in *L.A.N.*

IT IS ORDERED THAT: Upon the filing of any Petition in Dependency and Neglect, the Court designates the child's or children's parents, the parent or parents allocated decision-making authority by court order for the child or children, or the court designated guardian or guardians for the child or children as the holder of the privilege under § 13-90-107(1), C.R.S., unless the child is 15 years of age or older, in which case the child is presumed to hold the privilege. Should any party object to this initial order, that party may file a written objection with the Court and request an evidentiary hearing.

Done 22nd day of October, 2013.

BY THE COURT:



J. Steven Patrick
Chief Judge