

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 23-0947.01 Chelsea Princell x4335

**HOUSE BILL 23-1280**

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**HOUSE SPONSORSHIP**

**Joseph and Soper,**

**SENATE SPONSORSHIP**

**Roberts and Gardner,**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CODIFICATION OF THE COLORADO ACCESS TO**  
102 **JUSTICE COMMISSION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill codifies the Colorado access to justice commission (commission). The governor, legislative leadership, supreme court of Colorado, and Colorado legal organizations are to appoint the 17- to 20-member commission. Additionally, the Colorado supreme court justice liaison, the executive director of Colorado legal services, the executive director of the legal aid foundation of Colorado, and a representative of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.*



1 OF TOOLS, POLICIES, AND SERVICES TO ADDRESS THIS GAP. THE  
2 COMMISSION HAS SERVED AS A HUB FOR THE MANY STAKEHOLDERS  
3 WORKING ON ACCESS TO THE CIVIL LEGAL PROCESS WITHOUT STATUTORY  
4 ACKNOWLEDGMENT.

5 (d) FROM 2003 TO THE PRESENT, THE NEED FOR ACCESS TO JUSTICE  
6 AND THE IMPORTANCE OF IMPROVING ACCESS HAVE GROWN, BUT THE  
7 CHALLENGES OF ACCESS TO JUSTICE IN COLORADO AND AROUND THE  
8 NATION HAVE BECOME MORE ACUTE;

9 (e) A STUDY BY THE INSTITUTE FOR THE ADVANCEMENT OF THE  
10 AMERICAN LEGAL SYSTEM AT THE UNIVERSITY OF DENVER FOUND THAT  
11 ACCESS TO JUSTICE IS A BROAD SOCIETAL PROBLEM, WITH SIXTY-SIX  
12 PERCENT OF THE AMERICAN POPULATION EXPERIENCING AT LEAST ONE  
13 LEGAL PROBLEM IN THE PAST FOUR YEARS AND WITH LESS THAN HALF OF  
14 THOSE PROBLEMS BEING COMPLETELY RESOLVED;

15 (f) PEOPLE WITH FEWER ECONOMIC RESOURCES ARE A  
16 VULNERABLE POPULATION DUE TO LACK OF ACCESS TO JUSTICE, AND  
17 BLACK, INDIGENOUS, AND OTHER PEOPLE OF COLOR ARE PARTICULARLY  
18 VULNERABLE AS THEY ENCOUNTER LEGAL ISSUES AT A HIGHER RATE AND  
19 OF GREATER SERIOUSNESS THAN OTHER POPULATIONS, ACCORDING TO THE  
20 INSTITUTE FOR THE ADVANCEMENT OF THE AMERICAN LEGAL SYSTEM AT  
21 THE UNIVERSITY OF DENVER. A 2022 STUDY BY THE LEGAL SERVICES  
22 CORPORATION FOUND THAT LOW-INCOME AMERICANS DO NOT RECEIVE  
23 ANY OR ENOUGH LEGAL HELP FOR NINETY-TWO PERCENT OF THEIR LEGAL  
24 PROBLEMS.

25 (g) IN RESPONSE TO THESE TRENDS, IN 2021, THE COMMISSION  
26 UNDERTOOK A SYSTEMATIC STATEWIDE STUDY TO BETTER UNDERSTAND  
27 THE CHALLENGES FACING THOSE TRYING TO RESOLVE CIVIL LEGAL

1 PROBLEMS. THE COMMISSION CONDUCTED A TOTAL OF FORTY-ONE  
2 DIFFERENT LISTEN AND LEARN SESSIONS, MEETING VIRTUALLY WITH LEGAL  
3 AND COMMUNITY SERVICE PROVIDERS IN EACH OF COLORADO'S  
4 TWENTY-TWO JUDICIAL DISTRICTS. THE STUDY REVEALED THAT, DUE TO  
5 THE COMPLEXITY OF LEGAL MATTERS AND THE PROHIBITIVE COST OF  
6 LEGAL HELP, BARRIERS TO ACCESS IMPACT COLORADANS OF ALL  
7 BACKGROUNDS AND FROM ALL WALKS OF LIFE.

8 (h) THE COVID-19 PANDEMIC REQUIRED EXPERIMENTATION AND  
9 INNOVATION IN COLORADO'S COURT SYSTEM AND ELSEWHERE,  
10 UNCOVERING WAYS THAT THE LEGAL SYSTEM CAN WORK BETTER FOR  
11 PEOPLE AND ORGANIZATIONS WITH LEGAL NEEDS; AND

12 (i) THERE IS AN INTERSECTION OF NEED AND OPPORTUNITY WITH  
13 RESPECT TO ACCESS TO CIVIL JUSTICE FOR ALL COLORADANS, SUCH THAT  
14 THE COMMISSION'S ONGOING WORK MERITS STATUTORY RECOGNITION,  
15 INFORMING THE GOVERNOR AND GENERAL ASSEMBLY THROUGH REGULAR,  
16 SYSTEMATIC INPUT FROM THE COMMISSION.

17 (2) THEREFORE, THE GENERAL ASSEMBLY RECOGNIZES THAT  
18 ACCESS TO CIVIL COURTS IS A PILLAR OF DEMOCRACY AND ENACTS THIS  
19 ARTICLE 5.7 TO CODIFY THE COLORADO ACCESS TO JUSTICE COMMISSION  
20 AND AFFIRM ITS COMMITMENT TO EQUITABLE ACCESS TO THE CIVIL LEGAL  
21 PROCESS.

22 **13-5.7-102. Definitions.** AS USED IN THIS ARTICLE 5.7, UNLESS  
23 THE CONTEXT OTHERWISE REQUIRES:

24 (1) "COMMISSION" MEANS THE COLORADO ACCESS TO JUSTICE  
25 COMMISSION ESTABLISHED PURSUANT TO SECTION 13-5.7-103.

26 (2) "FUND" MEANS THE COLORADO ACCESS TO JUSTICE CASH FUND  
27 CREATED IN SECTION 13-5.7-105.

1           **13-5.7-103. Colorado access to justice commission - creation**

2   **- membership - operation.** (1) THERE IS CREATED THE COLORADO  
3 ACCESS TO JUSTICE COMMISSION, WHICH HAS THE POWERS AND DUTIES  
4 SPECIFIED IN THIS ARTICLE 5.7.

5           (2) (a) THE COMMISSION CONSISTS OF:

6           (I) AT LEAST SEVENTEEN BUT NO MORE THAN TWENTY VOTING  
7 MEMBERS, AS FOLLOWS:

8           (A) AT LEAST EIGHT BUT NO MORE THAN TEN MEMBERS APPOINTED  
9 BY THE COLORADO BAR ASSOCIATION;

10          (B) AT LEAST THREE BUT NO MORE THAN FOUR MEMBERS  
11 APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME COURT OF COLORADO;

12          (C) ONE MEMBER APPOINTED BY THE GOVERNOR;

13          (D) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE  
14 COLORADO SENATE;

15          (E) ONE MEMBER APPOINTED BY THE SPEAKER OF THE COLORADO  
16 HOUSE OF REPRESENTATIVES;

17          (F) ONE MEMBER APPOINTED BY COLORADO LEGAL SERVICES, A  
18 NONPROFIT AGENCY, OR ITS SUCCESSOR AGENCY;

19          (G) ONE MEMBER APPOINTED BY THE COLORADO LAWYER TRUST  
20 ACCOUNT FOUNDATION, OR ITS SUCCESSOR AGENCY; AND

21          (H) ONE MEMBER APPOINTED BY THE LEGAL AID FOUNDATION OF  
22 COLORADO, OR ITS SUCCESSOR AGENCY; AND

23          (II) AT LEAST FOUR NONVOTING, EX OFFICIO MEMBERS,  
24 INCLUDING:

25           (A) THE COLORADO SUPREME COURT JUSTICE LIAISON;

26           (B) THE EXECUTIVE DIRECTOR OF COLORADO LEGAL SERVICES, OR  
27 ITS SUCCESSOR AGENCY;

1 (C) THE EXECUTIVE DIRECTOR OF THE LEGAL AID FOUNDATION OF  
2 COLORADO, OR ITS SUCCESSOR AGENCY; AND

3 (D) A REPRESENTATIVE OF THE COLORADO ATTORNEY GENERAL  
4 APPOINTED BY THE CHAIR OF THE COMMISSION.

5 (b) NOTHING IN THIS SUBSECTION (2) PREVENTS THE CHAIR OF THE  
6 COMMISSION FROM CREATING NONVOTING EMERITUS POSITIONS FOR  
7 LONG-SERVING, RETIRING COMMISSIONERS.

8 (c) THE GOVERNOR SHALL COORDINATE APPOINTMENTS WITH THE  
9 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF  
10 REPRESENTATIVES WITH RESPECT TO APPOINTMENTS DESCRIBED IN  
11 SUBSECTIONS (2)(a)(I)(C) TO (2)(a)(I)(E) OF THIS SECTION TO ENSURE, TO  
12 THE EXTENT POSSIBLE, REPRESENTATION FROM RURAL AND URBAN  
13 REGIONS OF THE STATE.

14 (d) THE APPOINTING AUTHORITIES SHALL NAME THE INITIAL  
15 MEMBERS TO THE COMMISSION BY SEPTEMBER 1, 2023. MEMBERS OF THE  
16 COMMISSION SERVE THREE-YEAR TERMS AND MAY BE REAPPOINTED BY  
17 THEIR APPOINTING AUTHORITY FOR AN ADDITIONAL TWO TERMS.  
18 MEMBERS OF THE COMMISSION MAY BE REMOVED BY THEIR RESPECTIVE  
19 APPOINTING AUTHORITIES FOR CAUSE. IF A VACANCY OCCURS ON THE  
20 COMMISSION, THE APPOINTING AUTHORITY FOR THE MEMBER WHOSE  
21 POSITION IS VACATED SHALL APPOINT A MEMBER TO FILL THE VACANT  
22 POSITION.

23 (e) THE COMMISSION SHALL SELECT A CHAIR AND VICE-CHAIR OF  
24 THE COMMISSION FROM ITS MEMBERSHIP.

25 (3) MEMBERS OF THE COMMISSION SERVE WITHOUT  
26 COMPENSATION BUT MAY BE REIMBURSED FOR THEIR ACTUAL AND  
27 NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL

1 DUTIES AS MEMBERS OF THE COMMISSION.

2 (4) THE COMMISSION MAY ESTABLISH BYLAWS AS APPROPRIATE  
3 FOR ITS EFFECTIVE OPERATION.

4 (5) THE CHAIR OF THE COMMISSION SHALL ESTABLISH A SCHEDULE  
5 FOR COMMISSION MEETINGS. THE COMMISSION SHALL MEET AT LEAST  
6 ONCE EVERY THREE MONTHS.

7 (6) MEMBERS OF THE COMMISSION, STAFF, AND CONSULTANTS ARE  
8 NOT LIABLE FOR ANY ACT OR OMISSION IN THEIR OFFICIAL CAPACITY  
9 PERFORMED IN GOOD FAITH IN ACCORDANCE WITH THIS ARTICLE 5.7.

10 **13-5.7-104. Duties of commission - mission - staffing - report.**

11 (1) THE MISSION OF THE COMMISSION IS TO EXPAND ACCESS, QUALITY,  
12 AND FAIRNESS IN THE JUSTICE SYSTEM FOR ALL COLORADANS.

13 (2) THE COMMISSION HAS THE FOLLOWING POWERS AND DUTIES:

14 (a) TO IDENTIFY, EXAMINE, AND REPORT ON THE IMPEDIMENTS TO  
15 ACCESSING COLORADO'S CIVIL JUSTICE SYSTEM AND HOW TO MITIGATE OR  
16 ELIMINATE SUCH IMPEDIMENTS;

17 (b) TO EXAMINE SPECIFIC PROBLEMS IN THE CIVIL JUSTICE SYSTEM,  
18 QUALITATIVELY AND QUANTITATIVELY, AND HOW TO SOLVE THEM,  
19 INCLUDING CONSIDERATION OF THE EXPERIENCES OF INDIVIDUALS AND  
20 ORGANIZATIONS WHO USE THE SYSTEM;

21 (c) TO BRING LEADERS FROM DIVERSE SECTORS TOGETHER TO  
22 IMPLEMENT SOLUTIONS TO ADDRESS STATEWIDE ISSUES THAT IMPEDE  
23 ACCESS TO JUSTICE, THEREBY SUPPORTING AN ECOSYSTEM OF ACCESS TO  
24 JUSTICE WORK BEING DONE STATEWIDE;

25 (d) TO CREATE PRACTICAL SOLUTIONS FOR THOSE WHO LACK THE  
26 INFORMATION, TOOLS, AND SERVICES NECESSARY TO RESOLVE THEIR CIVIL  
27 LEGAL PROBLEMS FAIRLY, QUICKLY, AND ECONOMICALLY;

1 (e) TO ACT AS A LEADER TO INFORM, ENGAGE, AND INSPIRE  
2 LAWYERS, ADVOCATES, COMMUNITY MEMBERS, AND OTHER  
3 STAKEHOLDERS TO IMPROVE ACCESS TO JUSTICE;

4 (f) TO USE ITS PLATFORM TO ELEVATE UNDERSTANDING OF AND  
5 COMMITMENT TO ACCESS TO JUSTICE IN COLORADO;

6 (g) TO ADVOCATE FOR NEEDED CHANGES TO LAWS, PRACTICES,  
7 RULES, AND POLICIES IN COLORADO; AND

8 (h) TO FORM ADVISORY COMMITTEES AS NECESSARY TO GAIN  
9 INPUT AND EXPERTISE FOR THE COMMISSION IN AN EFFORT TO FURTHER  
10 THE DUTIES AND RESPONSIBILITIES SET FORTH IN THIS SUBSECTION (2).

11 (3) (a) COMMISSION ADVISORY COMMITTEES FOCUS ON SPECIFIC  
12 SUBJECT MATTERS AND MAY MAKE RECOMMENDATIONS TO THE FULL  
13 COMMISSION. THE CHAIR OF THE COMMISSION SHALL APPOINT MEMBERS  
14 OF THE COMMISSION TO SERVE ON THE ADVISORY COMMITTEES AND SHALL  
15 APPOINT A COMMISSION MEMBER TO SERVE AS CHAIR OF EACH ADVISORY  
16 COMMITTEE FORMED PURSUANT TO THIS SUBSECTION (3).

17 (b) THE CHAIR OF AN ADVISORY COMMITTEE MAY SELECT  
18 INTERESTED MEMBERS OF THE COMMUNITY WHO ARE NOT MEMBERS OF  
19 THE COMMISSION TO SERVE ON THE ADVISORY COMMITTEE.  
20 NONCOMMISSION MEMBERS OF AN ADVISORY COMMITTEE SERVE WITHOUT  
21 COMPENSATION OR REIMBURSEMENT FOR EXPENSES.

22 (4) THE COMMISSION MAY RESPOND TO INQUIRIES FROM THE  
23 GENERAL ASSEMBLY, THE GOVERNOR, BUSINESSES, OR INDIVIDUALS, AS  
24 RESOURCES ALLOW.

25 (5) (a) THE COMMISSION MAY HIRE STAFF TO FACILITATE ITS  
26 WORK, INCLUDING AN EXECUTIVE DIRECTOR AND OTHER STAFF AS  
27 NECESSARY.



1 (b) AS FUNDS ALLOW, THE COMMISSION MAY ALSO CONTRACT  
2 WITH INDEPENDENT CONTRACTORS TO PROVIDE RESOURCES FOR DATA  
3 COLLECTION, RESEARCH, ANALYSIS, PUBLICATION OF THE COMMISSION'S  
4 FINDINGS AND REPORTS, AND OTHER NECESSARY SERVICES IN  
5 FURTHERANCE OF THE COMMISSION'S PURPOSE.

6 (6) (a) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE  
7 COMMISSION SHALL PREPARE AND SUBMIT AN ANNUAL REPORT ON ITS  
8 WORK, INCLUDING FINDINGS AND RECOMMENDATIONS APPROVED BY AT  
9 LEAST TWO-THIRDS OF THE VOTING MEMBERS OF THE COMMISSION, TO THE  
10 GOVERNOR AND THE JUDICIARY COMMITTEES OF THE SENATE AND THE  
11 HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES. THE  
12 LEGISLATIVE COMMITTEES OF REFERENCE SHALL CONSIDER THE  
13 COMMISSION'S RECOMMENDATIONS FOR LEGISLATION, AND THE GOVERNOR  
14 SHALL CONSIDER THE COMMISSION'S RECOMMENDATIONS FOR  
15 REGULATORY ACTION. THE COMMISSION SHALL PRESENT ITS REPORT TO  
16 THE LEGISLATIVE COMMITTEES OF REFERENCE DURING THE COMMITTEES'  
17 HEARINGS HELD PURSUANT TO THE "SMART ACT", PART 2 OF ARTICLE 7  
18 OF TITLE 2.

19 (b) WITH REGARD TO ANY LEGISLATIVE RECOMMENDATIONS  
20 CONTAINED IN ITS REPORT, THE COMMISSION SHALL SPECIFY THE LAWS  
21 THAT NEED TO BE CREATED, AMENDED, OR REPEALED TO ENSURE ACCESS  
22 TO JUSTICE FOR ALL COLORADANS.

23 **13-5.7-105. Colorado access to justice cash fund - creation -**  
24 **funding sources - use of fund.** (1) (a) THERE IS CREATED IN THE STATE  
25 TREASURY THE COLORADO ACCESS TO JUSTICE CASH FUND. THE FUND  
26 CONSISTS OF MONEY APPROPRIATED OR TRANSFERRED BY THE GENERAL  
27 ASSEMBLY TO THE FUND AND ANY GIFTS, GRANTS, OR DONATIONS FROM

1 PRIVATE OR PUBLIC SOURCES MADE TO THE COMMISSION FOR THE PURPOSE  
2 OF THIS ARTICLE 5.7.

3 (b) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
4 COMMISSION FOR THE PURPOSES OF THIS ARTICLE 5.7. THE STATE  
5 TREASURER SHALL CREDIT TO THE FUND ALL INTEREST AND INCOME  
6 DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEY IN THE FUND.  
7 ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND  
8 AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND AND MUST  
9 NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER  
10 FUND.

11 (c) THE COMMISSION MAY SOLICIT, ACCEPT, AND EXPEND GIFTS,  
12 GRANTS, OR DONATIONS, INCLUDING IN-KIND DONATIONS, FROM ANY  
13 SOURCE FOR THE PURPOSES OF THIS ARTICLE 5.7, AND NOTHING IN THIS  
14 TITLE 13 PREVENTS THE COMMISSION FROM MAINTAINING AS A SUBSIDIARY  
15 OR IN OTHER APPROPRIATE FORM AN ORGANIZATION EXEMPT FROM  
16 FEDERAL INCOME TAX UNDER 26 U.S.C. SEC. 501(c)(3).

17 (2) THE COMMISSION MAY USE MONEY IN THE FUND FOR THE  
18 IMPLEMENTATION OF THIS ARTICLE 5.7 AND IN FURTHERANCE OF THE  
19 COMMISSION'S MISSION, INCLUDING:

20 (a) TO COMPENSATE THE COMMISSION'S STAFF AND INDEPENDENT  
21 CONTRACTORS;

22 (b) TO PAY THE COSTS OF OBTAINING DATA AND ANALYSES FROM  
23 ORGANIZATIONS AND ENTITIES; AND

24 (c) TO PAY THE COMMISSION MEMBERS' NECESSARY EXPENSES IN  
25 PERFORMANCE OF THEIR DUTIES.

26 **SECTION 2. Act subject to petition - effective date.** This act  
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly; except  
2 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
3 of the state constitution against this act or an item, section, or part of this  
4 act within such period, then the act, item, section, or part will not take  
5 effect unless approved by the people at the general election to be held in  
6 November 2024 and, in such case, will take effect on the date of the  
7 official declaration of the vote thereon by the governor.