

Dear Madam Chair Michaelson Jenet and member of the committee, thank you for the opportunity to present to you today, it is a true honor. My name is Kaci Nice, representing Foster Mothers like myself and I am here to support this bill because I feel fixing the appellate delay issues is imperative for children and families like ours.

**An average of 10 children and youth entered foster care each day in Colorado in 2020. - US Department of Health and Human Services

**8,740 children and youth lived in foster care in Colorado 2020 - US Department of Health and Human Services

**Over 400 million dollars was spent on child welfare in Colorado in 2019 - Colorado Department of Human Services

**876 Children were in out-of-home placement for more than 2 years in 2021. - Colorado Department of Human Services

**Nationally the average age of children waiting to be adopted is 7.3 years old in 2020. - US Department of Health and Human Services

-There are so many children out there in need of families and homes. The appellate delays only add to this problem and delay of very necessary permanency for these families and children.

-We received an email from our case worker at 10 am we were certified to foster and 1:00 the same day, I received a phone call that there was a 4 lb preemie baby girl that was ready to come home from the hospital. We picked her up from Adams County, which was a drive and commitment for us but she was worth it!

-Over the next 4 months Nicolette's Biological Mother was evaluated for what type of a treatment plan or program she needed to get better but had difficulties with very simple tasks. Nicolette had visitations scheduled 3 times a week at the beginning, but the Birth Mother would rarely come. It was so sad to see a young adult be so affected by choices of HER parents.

-Nicolette's Bio-mother was unable to do really any of the basics but always showed great affection towards her when she did come.

-After nearly a year termination did come but we had not seen the biological mother for many many months. We received notice of an appeal of the termination from her attorney. He told me that he appealed to ensure that he would not be sued for malpractice - even though he personally also had not spoken or seen Nicolette's biological mother in many months. While as a foster parent, this information was appalling to me, I knew regardless, this meant the court system would be overwhelmed and backed up.

-During this appeal process, even though termination occurred, all the regular required meetings still have to occur. We met monthly with our GAL, Case worker, completed paperwork, continuing education and attended court dates that were required. During the year we waited for resolution, money and tax dollars were spent on all of these different attending roles even though our case was very black and white. The termination was upheld and we did end up adopting her in December of 2018.

Because of the big delay myself and many other families experienced, I knew something had to be changed. During investigation I did find out the Judicial branch created an Appellate Workgroup 2 years ago to investigate this issue. They produced a report that identified issues contributing to this problem and recommendations moving forward. This bill will ensure that the workgroup continues for 2 more years and that they implement the changes needed to get us into compliance of the 6 month processing.

According to the workgroup,

-Resolution of a dependency & neglect case on appeal took on average 310 days in 2019.

-There were 425 orders for extension of time to file a record, supplement record or brief in 2020 for dependency and neglect cases.

-35% of the records filed between July 2016-May 2019 were incomplete for dependency and neglect cases.

-After reading the workgroup report, it is imperative they continue. I am also honored to have personally joined the Appellate Workgroup myself to ensure that during the next two years the work is done.

-This problem was not created by a single attorney, committee, or policy, it will take time to fix and address the issue. I feel passionately that we need this bill to ensure the committee will continue and be held accountable for fixing this appellate delay issue.

"Being adopted does not make my child lucky. It makes her loved and part of a forever family, but it also makes her touched by the loss of her primary attachment and that is definitely not lucky. Making a child wait for this permanency only further adds to this hurt and confusion. Expedited processing is necessary for these children." -Unknown

On November 22nd, 2016 Judge Loew made her adoption Final

On February 22, 2022 We are hoping to get all Yeses from you.

-Kaci Nice, Foster Mother

-Nicolette, Daughter