

CHILD AND FAMILY INVESTIGATOR (CFI)
formerly "Special Advocate" (SA)

The court may appoint an individual to serve the court as the child and family investigator (CFI) in a case (CRS §14-10-116.5). The person appointed may be an attorney, a mental health professional, or any other individual with appropriate training, qualifications and an independent perspective acceptable to the court. In much of the state, attorneys and mental health professionals are appointed exclusively. This is true in Douglas and Elbert Counties. In some rural areas, children's advocates and trained members of the community like nurses or educators may round out the pool of potential child and family investigators.

In the order of appointment for a CFI, the court will set forth the specific duties of the CFI, which usually include investigating specific issues before the court, and making written recommendations to the court.

The court will order payment of the costs for the CFI, payable by any or all parties, except if one of the parties is indigent, the indigent parties' share of the cost of the CFI will be borne by the state, through the Office of the Child's Representative. [(303) 860-1517 or email at Email@coloradochildrep.com]

The CFI may be called to testify regarding his or her recommendations, and the standards by which the CFI is expected to conduct their investigations are detailed in Chief Justice Directive 04-08, dated November 2005, and available online at: <http://www.courts.state.co.us/supct/directives/04-08.pdf>.

The CFI standards issued by the Colorado Supreme Court in CJD 04-08 are an important set of guidelines for the conduct of child and family investigations, and are described briefly as follows:

A. GENERAL PRINCIPLES:

1. THE CFI SHALL ACT PROFESSIONALLY
2. THE CFI SHALL MAINTAIN OBJECTIVITY

B. ROLE OF THE CFI:

3. THE CFI SERVES AS AN INVESTIGATIVE ARM OF THE COURT
4. THE CFI SHALL NOT SERVE DUAL ROLES
5. THE CFI MAY MOVE TO THE ROLE OF PARENTING COORDINATOR

C. DUTIES OF THE CFI: THE CFI SHALL:

6. MAINTAIN COMPETENCE THROUGH TRAINING
7. ACKNOWLEDGE WHEN AN ISSUE IS BEYOND HIS OR HER COMPETENCE
8. COLLECT DATA AND CONDUCT AN INVESTIGATION SUFFICIENT TO ALLOW THE CFI TO PROVIDE COMPETENT OPINIONS
9. HAVE AGE-APPROPRIATE COMMUNICATION WITH THE CHILD/REN INVOLVED
10. REPORT CHILD ABUSE TO THE PROPER AGENCY AND THE COURT
11. PREPARE A CLEAR AND TIMELY REPORT
12. PROVIDE COPIES OF HIS OR HER FILES UPON REQUEST
13. MAINTAIN CONFIDENTIALITY
14. REQUEST TERMINATION OF THE APPOINTMENT WHEN PERMANENT OR POST-DECREE ORDERS ARE ENTERED

D. COMMUNICATION: THE CFI SHALL:

15. DEVELOP WRITTEN POLICIES FOR THE PARTIES
16. DEVELOP WRITTEN POLICIES FOR COUNSEL
17. REVIEW COURT ORDERS
18. HAVE NO PRIVATE OR *EX PARTE* COMMUNICATION WITH THE COURT