

Parental Rights Colorado

Last Updated: April 2023

Question	Answer
Does the state allow for termination or limitation of parental rights when a child is born from rape?	Yes
Does the state require a conviction for the sexual offense to terminate or limit the rapist's parental rights?	No
May the state terminate or limit parental rights when there was a sexual assault that led to the birth of the child, but no conviction?	Yes
What parental rights can be terminated or limited?	All rights over child.
Are there any exceptions to the termination or limitation of a rapist's parental rights?	N/A
What other rights may be impacted by terminating a rapist's parental rights?	Victim may be granted protective measure by court for no contact and confidentiality.
What is the procedure for termination or limitation of parental rights in these circumstances?	Victim must petition the court.
What proof do you have to show to terminate or limit the rapist parent's parental rights?	<p>May show that rapist parent (respondant) was convicted on or after July 1, 2013 of sexual assault or crime, or that rapist was convicted of a crime in which the underlying factual basis was sexual assault against the victim.</p> <p>Or, if no conviction, victim must show, by clear and convincing evidence, that the respondant committed a sexual assault against the victim and a child was conceived as a result of the sexual assault.</p> <p>In either instance, victim must establish paternity of alleged parent. Must show that child was conceived by the sexual assault. Must show termination of rapist's parental rights is in the best interest of the child.</p>

Are there any time limits for when a petition must be filed to terminate or limit the rapist parent's rights?	N/A
Does the law apply to both adult victims and underage victims?	Yes
Does the law have any exceptions for married or co-habiting victims?	No
Can a court require the rapist parent to pay child support after parental rights have been terminated?	Yes. And victim may petition for "birth-related costs."
Statutory Citations	<p>See, C.R.S.A. § 19-5-105.7 Termination of parent-child legal relationship in a case of an allegation that a child was conceived as a result of sexual assault but in which <u>no conviction occurred</u>--legislative declaration—definitions.;</p> <p>C.R.S.A. § 19-5-105.5. Termination of parent-child legal relationship upon a finding that the child was conceived as a result of sexual assault--legislative declaration—definitions;</p> <p>C.R.S.A. § 19-5-105. Proceeding to terminate parent-child legal relationship;</p>