

# ASK THE PROFESSIONALS

*BUSINESS ANSWERS TO PRESSING B2B MATTERS*

## FAMILY LAW

### More on Pot and Parenting Time

In Colorado, adults can legally possess and consume marijuana. But, a court can still regulate your ability to consume marijuana during your parenting time. Colorado courts are still figuring out how to regulate marijuana and parenting time. There is no binding statutory authority and only limited case law guiding our approach to marijuana and parenting time.

Parents who use marijuana and are involved in a custody dispute face a lot of unknowns. Some courts view any use of marijuana, whether for medical or recreational purposes, negatively. Other courts will not regulate the use of marijuana absent a showing that the use of marijuana negatively impacts the children's best interests. This disparate approach to marijuana use is seen between and within individual jurisdictions.

Similar to the courts' varied opinions regarding alcohol, a court's opinion regarding marijuana use will vary case by case and judge by judge. Until we receive more guidance from case law or statutory authority, the courts will focus on children's best interests when reaching parenting time decisions and regulating a parent's ability to consume marijuana.



**Heather Stack**  
Associate Attorney

THE  
**Harris Law Firm P.C.**

1125 17th Street, Suite 450  
Denver, CO 80202  
303-515-5000  
[www.harrisfamilylaw.com](http://www.harrisfamilylaw.com)

Offices in Downtown Denver, Englewood, Evergreen, and Fort Collins

## got advice?

Ask the Professionals is a monthly feature highlighting timely, pertinent issues in key business matters in a variety of industry areas. For more information contact

Denise Jendrusch at **303-803-9250**