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To: Senate Co-Chair Andrew McDonald
House Co-Chair Michael Lawlor
Senate Ranking Member John Kissel
House Ranking Member Arthur O'Neill
Honorable Members of the Judiciary Committee

From: Judge James J. Lawlor
Probate Court Administrator

Re: RB 7150 An Act Concerning the Funding of Regional Children's Probate Courts

Date: February 26, 2007

In recent years, the number and the complexity of children's cases filed in the Probate Courts have increased significantly. This reflects difficult issues facing Connecticut communities, which issues have become more widespread and severe, most strikingly in the large cities but in smaller towns as well. Poverty, homelessness, substance abuse and mental illness have decimated families. These social and economic trends, coupled with overburdened community agencies, often result in the inability of parents to provide adequate care for their children, putting those children at risk.

The concept of the Regional Children's Probate Court grew from awareness of this changing social landscape and its impact on children. The Probate Court Administrator contracted with Casey Family Services, a division of the Annie E. Casey Foundation, to conduct a study of the handling of children's matters in the probate courts. Casey's final report, issued in 2003, identified many positive aspects of the probate court system, but noted areas of concern, as well. That report was the impetus for the development of the Regional Children's Probate Courts.

Among the concerns identified in the Casey study were:

- The lack of available support and mental health services for families involved in the probate system;
- The lack of monitoring of families after the final decree transferring guardianship;
- Inadequate training of judges;

- Insufficient assistance for guardians appointed through the probate courts;
- Inadequate communications between the probate courts and DCF social workers, who conduct home visits and social studies, and make recommendations to the courts.

In analyzing the report and its recommendations, it quickly became apparent that these issues could not be effectively addressed within the existing, highly localized, probate court system. It was believed that by regionalizing the effort, and consolidating the resources of a number of courts, the level of service provided to families could be increased dramatically. Participating judges could act in concert, providing each other with support and assistance. DCF could concentrate on one court rather than spreading its limited resources among numerous individual courts. Communications between the court and DCF workers, who are so important to process, could thereby be improved. The addition to the court staff of trained social workers as Probate Court Officers, or "PCO's", would enable the court to better identify and connect the families with needed services, monitor progress and work closely with DCF. The General Assembly authorized the establishment of one such court, as a pilot program, in New Haven. The New Haven Regional Children's Probate Court, opened for business on July 1, 2004.

A year later, Drs. Judy M. Lee and Martha Morrison Dore conducted a follow-up study of the New Haven Regional Children's Court. Their study found that the court had met many of its objectives and had implemented, or begun implementation of, many of the recommendations of the original Casey study. Improvements noted included:

- Expedited court process and reduced time to permanency decisions;
- Improved quality of home studies;
- Enhanced communications between the court and DCF;
- Increased oversight of cases throughout the process;
- Improved identification of service needs, case planning and linkage to services;
- More intensive training for participating judges regarding children's issues.

The success of the pilot program in New Haven caused the General Assembly, in 2005, to make that court permanent and to authorize the establishment of up to six additional regional children's courts.

In June of 2006 the Council of State Government's/Eastern Regional Conference chose the New Haven Regional Court as a finalist for its Innovations Award. This national award is presented to a state program that has developed a unique and successful approach to some complex or difficult public policy issue that may serve as a model to be followed by other states. The court was selected as the recipient of the Innovation Award, which was presented at the Council's meeting in Phoenix, Arizona in November of 2006.

There are currently three regional children's probate courts in operation, with two more scheduled to open soon. The Meriden-Wallingford court opened in October of 2005, followed by the New London regional court in May of 2006. The next two, serving the Waterbury area and parts of Windham and Tolland Counties, are expected to be in

operation within the next few months. The target for the opening of the last two regional courts, located in Hartford and Bridgeport, is the end of 2007. With these seven courts in operation, the area served by them will include over 70% of the state's at-risk children.

The costs of establishing and maintaining these courts have, to date, been borne by the Probate Court Administration Fund, established under §45a-82. However, the probate system as a whole, which is the source of the Probate Court Administration Fund, is facing considerable financial difficulties. These difficulties are not the result of the regional children's court, but of larger systemic issues facing the probate system as a whole. While efforts are underway to address those issues, the outcome remains uncertain. The continued operation of the regional children's courts could be in jeopardy. The tremendous gains achieved by the regional children's courts, in the protection of and provision of services to children and families, may be lost due to the unrelated financial problems of the probate system as a whole.

The cost of the program, with the first five courts in operation, is estimated at \$1.425 million per year. With the addition of the Hartford and Bridgeport courts that cost is expected to increase to approximately \$2 million. This cost is quite modest when viewed in relation to the services provided by these courts. Central to the mission of the courts is early intervention in the lives of the affected children. The aim, in so doing, is to divert these children from far more expensive state programs, particularly the child welfare system.

The success achieved by the regional children's probate courts is documented. The provision of state funds for their operation will ensure continued benefits to these needy children and their families, as well as continued savings to the state through the early intervention methods developed and implemented by the courts. We urge your favorable consideration of this bill, so that the courts may continue to provide these successful and much-needed services.