



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

EXTERNAL AFFAIRS DIVISION

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**Testimony of Stephen N. Ment
Judiciary Committee Public Hearing
March 5, 2007**

**Senate Bill 595, An Act Adopting The Uniform Child
Abduction Prevention Act**

Good afternoon. Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in regards to *Senate Bill 595, An Act Adopting the Uniform Child Abduction Prevention Act*. The Judicial Branch has a number of technical concerns with this proposal. More specifically, the Branch has the following concerns:

- Sections 4-8 do not specifically address the hearing to be held. Although the hearing is implied in section 8, subsection (2), the proposal does not explicitly describe the hearing or the requirements of the hearing.
- Section 5(b) proposes additional criteria to establish temporary emergency jurisdiction, but the proposal implies it is the only criteria, which discounts the pre-existing criteria found in 46b-115n.
- In section 7, we recommend the phrase "the petitioner" be deleted, unless it is truly intentional. If it is intentional, perhaps it ought to be included with other references to "the respondent", such as in line 92. Also, numerous references are made to reports and lists (such as compliance reports issued by the United States Department of State). It is not clear, however, how these lists are to be accessed.
- In section 8, lines 226-230, require the clerk's office to take bond/security. It is recommended that the retention and disbursement procedures be articulated

more specifically and preferably to include "by court order". The potential workload increase to the clerk's office is significant, as clerks would need to issue numerous partial payments, retain monies for up to 18 years until the age of majority is reached, and develop a system to track future disbursements. Also in section 8, we would respectfully suggest that the word "warrant" be replaced with "order", as "order" is generally used in the family/juvenile context, and that, in line 237, replace "direct the use of" with "issue an order for".

- In section 9, in line 263, we recommend inserting "with DCF or a relative" in between "child" and "pending". Also in section 9(d) it is not clear who would search NCIC or COLLECT. Family and juvenile clerks do not have access to either system.

Finally, we would respectfully request that the effective date be January 1st, 2008, as additional time to implement this bill will be necessary.

Thank you for the opportunity to submit written testimony.