

JUDICIARY COMMITTEE

Public Hearing: April 4, 2007

Testimony of Monique Ferraro in Support of
Senate Bill 1269

Greetings, Chairs and Committee Members—

My name is Monique Mattei Ferraro of Watertown, CT. I am a private citizen, an attorney, and a member of the Child Protection Commission. I am here today to talk with you about SB 1269, and the importance of fully funding the Commission on Child Protection's work. I have submitted written testimony.

The children and parents represented by attorneys funded by the Child Protection Commission are involved in some of the most profound and important issues affecting our rights as free citizens. For parents, the rights are to raise your children, unfettered by government intrusion. For the children, their interests are of those who have no other voice or protection and who require the state's action to determine their best interests. For the Government, the interest is to protect our most vulnerable citizens, least able to protect themselves but to also protect the rights of their parents to raise them according to their beliefs. We are, after all, a free country. The balance among government interest, parental rights and the best interest of the child is not perfectly achieved. Not the stuff careers or fortunes are made of, but how the balance is struck is life altering.

You won't be hearing from the children protected by the Commission on Child Protection, the subject funded by SB 1269. Their voices are rarely, if ever heard. Who wants to talk about being abused by their parents, being unwanted by those who should love you and put your interests above all others? Neglected? What indigent parent wants to suffer the compounded indignities of defending themselves against a state system stacked against them when their parenting skills come into question and then come here, before you, to ask for money to advocate for their legal rights?

What child who has suffered such trauma can put the proper words to the experience in order to be understood? What child could properly convey to you the importance of competent legal advocacy for their cause? Even those children who would like to speak to you—even if they understood their rights-- cannot. They are squelched by the agencies- private and public- who protect them. Their reasons are convoluted and may be based on paternalistic instincts. The people the Commission on Child Protection advocates for will only be heard through their advocates, however few of them we may be.

You also aren't going to be hearing much other than a couple of agency heads and a few interested parties today. You'll never get a letter. You won't receive a handshake someday thanking you for seeing to it that you voted for funding a cause that ultimately prevented a child from being put back into a home where she would be murdered, or, on the other hand, helped to facilitate his placement with loving and effective parents and who helped him to turn out alright. Funding the legal representation of indigents in child

protection matters is not a sexy issue. As with all prophylactic measures, it's hard to give you a precise statistic or even a prediction about what good you'll be doing.

It's just the right thing to do.

You've started a very good thing. The legislature, together with the Governor's blessing and support, funded and facilitated the Commission on Child Protection. We hired the State's first Chief Child Protection Attorney—Carolyn Signorelli. In the short time Attorney Signorelli and her staff have been on board, they have put together trainings for child protection attorneys, instituted an accounting system and a system for assignment of attorneys and raised the rate of compensation for attorneys representing indigent children and parents. Those are excellent strides in a short period of time with a modicum of funding. Unheard of for the state.

Yes, I know. This is the point in the presentation where your eyes roll and you say, "ka-ching." I'll tell you upfront-- I'm not asking you to appropriate \$20,000 for a hammer. I'm here to ask you honor a promise, a promise the State of Connecticut made to its Children by creating the Child Protection Commission. Before the Child Protection Commission was formed, each case was assigned to an attorney whose compensation was less than an average of \$12.00 per hour per case. In the first few months Attorney Signorelli was CCPA, she lobbied the commission to increase compensation to attorneys to a flat rate of \$500 a case, and that still averages out to be less than what security guards

or police officers make directing traffic, or that a good hairdresser makes on a coloring job.

Sure, not every attorney is only getting \$16.67 per hour under the flat rate agreement. But, does that mean that the system is right, or working? No. The flat rate as it is now is still a woefully inadequate amount to compensate a professional for advocating for such important stakes. The flat rate does not serve the goal of seeing that children or indigents' parents receive the best legal services, adequate to protect their constitutional rights to family integrity, well-being and safety.

An hourly rate has its problems, too, as attorneys have been accused of charging too many hours. But these attorneys are the exception, not the rule. Also, we have put into place an excellent system to monitor abuses and award excellence. Our Child Protection Commission, our Chief Child Protection Attorney and her staff have brought the system from the dark ages into the new millennium. Let's give them the opportunity to show us what they can do by granting their request for funding and ensure the future commitment of our state to the indigent children and parents who deserve proper representation in child protection proceedings. The attorneys we appoint should be well qualified to observe the high standards we expect and that their clients deserve. They should also be fairly compensated.

We all think we'd do the right thing for children. After all, children are our future. They're innocents. Who can resist loving a child? They cannot help themselves, so they rely on us adults to take care of them. Given the opportunity, do we really have the

wherewithal to follow through on our most precious, most important, most honorable goals? Let's make sure each child, each parent and family has an equal chance to be heard and to enjoy the protection of the great State of Connecticut. SB 1269 gives you an opportunity to really help children when they need it most. I encourage you to support this bill and give the Commission on Child Protection the tools it needs to fulfill this legislature's vision when it created the Commission.