



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

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**Testimony of Judge William J. Lavery
Select Committee on Children Public Hearing
April 4, 2007**

**House Bill 6285, An Act Concerning the Age of Child with Respect
to Juvenile Court Jurisdiction**

Good morning. My name is William Lavery and I am the Chief Court Administrator for the Connecticut Judicial Branch. I appear before you today to strongly support of House Bill 6285, *An Act Concerning the Age of a Child with Respect to Juvenile Court Jurisdiction*.

I have had the pleasure over the past several months of serving on the Juvenile Jurisdiction Planning and Implementation Committee (Implementation Committee), under the capable leadership of Senator Toni and Representative Toni Walker. This bill incorporates the final recommendations of that Committee, which I strongly support.

By way of background, the Implementation Committee consisted of a broad group of individuals representing a variety of expertise and interests from the Legislature, the Judicial Branch, Executive Branch agencies, the advocacy community and the public. The Committee conducted an exhaustive study of the issue of raising the age of juvenile jurisdiction -- listening to numerous presentations by those who work in the system as well as outside experts in the field, collecting evidence, distributing materials and hearing from all of the stakeholders in the system. In addition, the Committee was fortunate to have the able assistance of the Vera Institute, the National Center for State Courts and Hornby Zeller. In the end, the Committee

produced a Final Report that the Judicial Branch supports without reservation. The recommendations of this Report are incorporated in the legislation before you today.

At this point I must reiterate what I said to the chairs at the outset of the process - that while I support incorporating 16 and 17 year-olds into the juvenile justice system, my support is contingent on obtaining the necessary funding and resources to successfully implement the change. This legislation represents a major change in policy and has very significant implications for the state and local agencies, as well as the service providers, who deal with this population. None of them, however, will be impacted to the extent that the Judicial Branch will be. Failure to provide adequate funding for the court staff, probation staff and services required by this population will cause chaos in the system. This will, in turn, cause serious harm to the children who are currently served by the system, a situation that I cannot allow to happen.

I am confident that the chairs of the Implementation Committee, Senator Harp and Representative Walker, understand my position and will do everything in their power to ensure that adequate resources are provided to the Judicial Branch. I am counting on them to do so. I have attached, for this Committee's review, an information sheet that we have provided to the Implementation Committee, which sets out the estimated costs of the jurisdictional change to the Judicial Branch. There are additional costs to other agencies that I cannot represent, but which must be accounted for, as well.

I do have one issue with this proposal that I would like to bring to the Committee's attention. The bill as drafted would not raise the age for the Families with Service Needs (FWSN) category, and would maintain the category of Youth in Crisis. I believe that the bill should be amended to raise the age for FWSN and thus eliminate the Youth in Crisis category. This category was created in the year 2000 to address a problem that existed only because Connecticut's age of juvenile jurisdiction ended at age 16. It was drafted to allow 16 and 17 year olds who did not violate the law but were beyond parental control, had run away, or were truant to be handled in juvenile court rather than in adult court. It was at best a stop-gap measure and has proven to be almost totally ineffective. We strongly recommend that it be eliminated. I have

attached hereto, for the Committee's consideration, an amendment that would accomplish this change.

In addition, I would respectfully request that all references in the bill to "Court Support Services Division" be changed to "Judicial Branch" to reflect that fact that the Court Support Services Division is a division of the Judicial Branch .

In conclusion I would like to reiterate my support for the work and recommendations of the Juvenile Jurisdiction Planning and Implementation Committee. I strongly believe passage of this bill will improve the future of Connecticut's youth and children. This bill represents true progress for our state. We have been one of three states that ends the age of juvenile jurisdiction at age 16 for long enough. This is the year to make the change. I strongly urge the Committee to approve this bill.

Thank you for the opportunity to testify.

**Proposed Amendment to
House Bill 6285 An Act Concerning the Age of Child with Respect
to Juvenile Court Jurisdiction**

1. In line 6, insert an opening bracket before "any" and delete ", " the closing bracket and "except that".
2. In line 7 delete "and proceedings" and insert a closing bracket after "means".
3. In line 15, insert an opening bracket before "(2)".
4. In line 21, insert a closing bracket after "year;".
5. Insert the following after line 556:

Sections 46b-150f, 46b-150g and 46b-150h of the general statutes are repealed.

Estimated Costs to the Judicial Branch relating to the Jurisdictional Change of 16-17 Year Olds

- includes phasing in of services and support beginning October 1, 2007
- fully annualized in FY 2010

	FY 2008	FY 2009	FY 2010	additional staff
Probation staffing	1,421,823	3,812,262	7,149,926	(1) 115
Community based contracts	3,382,500	7,439,000	12,853,200	
Court based staffing		1,856,293	5,934,894	120
Detention staff		713,945	2,450,240	(2) 40
Comm. based Pretrial Detention	1,236,000	1,823,500	10,055,409	
Infrastructure	488,213	1,044,757	1,354,350	13
Total	6,528,535	16,689,756	39,798,019	288

(1) Includes 85 Juvenile Probation Officers, 15 JPO Supervisors, and 15 Clerical Staff. Based on NCSC calculations, the Judicial Branch needs an additional 101 Juvenile Probation Officers to meet the intake and supervision needs of 16/17 year olds. Based on the introduction of evidence-based services, coupled with diversion efforts, the Branch anticipates a reduction of up to 15% in the number of 16/17 yr olds requiring probation services. Should that reduction not be realized, up to 16 Adult Probation Officers will be made available for transfer to Juvenile Probation

(2) reflects needs beyond what was already included in submitted budget request relating to new Bridgeport facility

- costs are exclusive of facility leasing requirements for Juvenile Probation Staff. Estimated Lease costs relating to expanded JPO staff were incorporated into current services budget request (1.5 M), but not recommended in Governor's budget

- in addition, 3-5 M will be required for one time facility improvements and renovations to existing Judicial facilities