Testimony in Support of Raised Bill No. 7039: *AN ACT CONCERNING PUBLIC ACCESS TO PROCEEDINGS IN CERTAIN JUVENILE MATTERS*

Submitted by: The Children's Law Center of Connecticut, Inc.
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The Children's Law Center represents children in high-conflict custody disputes many of which overlap with the Juvenile Court system. Also, The Children's Law Line, a free hotline advice service, receives numerous calls each year from distraught parents who feel that their children have been removed from their homes unnecessarily or feel that their parental rights have been terminated without sufficient cause. Unfortunately, we are very limited in the level of advice we can give these individuals. We cannot even recommend that they bring an advocate or relative to the court proceedings to provide some level of emotional support.

Critics of this legislation argue that, allowing public access to abuse and neglect proceedings will not foster accountability but will further traumatize children who have already been abused. This criticism is unrealistic. Not only does the legislation foster the accountability of lawyers, judges, and social workers within a system that continues to fail in many ways, it also serves to exculpate individuals within child protection services who are unjustly criticized for decisions that result in unforeseeable harm, likely rebuilding the trust the public has lost in the effectiveness of services. Critics of the "accountability" factor, incorrectly argue that only line workers will be open to the scrutiny allowed by this legislation. While this may be true initially, we can certainly expect that the hierarchy within the system will respond with policy changes when current mandates continuously lead to criticism and failure.

Let us be clear that children who are involved in abuse and neglect cases have, in many cases, been abused by their caregivers. In other cases, however, they have been traumatized only by the system that is charged with protecting them. Unnecessary removals and unwarranted reunifications certainly traumatize children more than the prospect of public awareness of the facts of their case, particularly when a Judge maintains the authority to prohibit the dissemination of personal identifying information

under the language of this proposed legislation. Further, the Court also maintains the authority to completely exclude members of the public when it is in the best interest of the child to do so.

Raised Bill No. 7039 is a middle-of-the-road proposal. It provides for a presumption of openness but applies to only abuse and neglect cases. Further, it allows for the continued confidentiality of the parties' identifying information and gives Judges discretion to close courtrooms on a case-by-case basis. It is a balance meant to promote the positive effects of opening abuse and neglect proceedings while limiting the negative effects.

For these reasons, The Children's Law Center supports the enactment of Raised Bill No. 7039.

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