

TESTIMONY OF SUE A. COUSINEAU IN SUPPORT OF  
RAISED BILL 1269

Senator McDonald, Representative Lawlor and members of the Judiciary Committee. Thank you for the opportunity to offer testimony concerning Raised Bill 1269, An Act Concerning The Quality of Legal Representation For Children and Youth in Juvenile Matters. I am an attorney in private practice. In the past, my practice has included a variety of areas, including corporate representation, residential real estate, estate planning, probate and divorce law. Over the past ten years, my practice has developed into one with a limited focus in the areas of child protection and children's representative in family matters. I am the president of the Juvenile Matters Trial Lawyers Association (JMTLA), a bar association with the singular goal of improving the quality of legal representation afforded the families involved in Juvenile Matters. I am proud to say that I was a founding member of JMTLA and proud of all that has been accomplished since our inception. JMTLA has been instrumental in and very supportive of the creation of the Commission on Child Protection and the appointment of a Chief Child Protection Attorney. However, we still have a long way to go and I am here asking you to pass Raised Bill 1269 to further our common goal.

Representing children and their families in Child Protection cases is a complex and demanding vocation. As in any profession, there are attorneys who do a very good job, others who could use some improvement and, unfortunately, some who should be removed from the pool of appointees. The

formation of the position of Chief Child Protection Attorney was the first step in providing the much needed mechanism to assess the attorneys appointed to represent children and indigent parents in child protection matters, provide training to said attorneys, establish practice and caseload standards, assess the system under which representation is currently provided and overall, develop a system that provides the best legal representation for some of our State's neediest citizens.

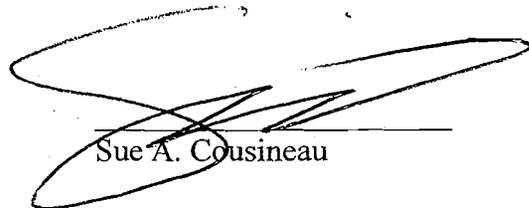
In order to satisfy all of the requirements of the enabling legislation (46b-123c), the Chief Child Protection Attorney needs adequate funding. Currently, her office is not staffed sufficiently to handle the appointment and oversight of the contract attorneys and the processing of the billing generated by said attorneys. Her current budget does not allow for the study of systems for providing legal services in child protection matters nor does it allow for any changes from the current system including changes to the payment structure, changes that could be utilized to keep and attract the best attorneys possible. Passing Raised Bill 1269 will allow for the Chief Child Protection Attorney to operate more effectively towards our common goal of improving legal representation in child protection matters.

Passing this Bill will provide the Chief Child Protection Attorney with the means to develop and implement procedures to improve the quality of legal representation in child protection matters. Improved legal representation has been shown to make a difference, to reduce the number of children removed from their homes and to shorten the time those removed spend in foster care.

These reductions translate to increased savings in foster care costs as well as better results for children. While no one can dispute that there are many instances where removal of a child from their home is necessary, there is also a price paid by the children that are removed from their homes. A 2006 study conducted by researchers at the University of Minnesota, and published in the journal *Development and Psychopathology*, demonstrated that there is harm done to children placed in foster-care. This study compared maltreated children placed in foster care to similarly maltreated children left at home with little or no help and found that the maltreated children that were left at home fared better than those placed in foster care.

The Governor's proposed budget has not provided the funds necessary for the Chief Child Protection to carry out the legislative directive of improving the quality of legal representation of Children in Juvenile Matters. The passage of Raised Bill 1269 can correct this and provide the best for the children of the State of Connecticut embroiled in the Child Protection System.

Respectfully Submitted



Sue A. Cousineau