

JUDICIARY COMMITTEE: 3/2/08: PUBLIC HEARING

Testimony of Carolyn Signorelli
Chief Child Protection Attorney

R.B. No. 5699: Oppose



Commission on Child Protection
State of Connecticut

Office of the Chief Child Protection Attorney

Senator McDonald, Representative Lawlor and esteemed Committee Members, my name is Carolyn Signorelli, Chief Child Protection Attorney. I head the Commission on Child Protection.

I respectfully submit the following testimony in opposition to R.B. No. 5699 An Act Improving Outcomes for Children under the Custody, Care or Supervision of the Commissioner of the Department of Children and Families.

While I appreciate the intent behind this bill, I believe it would so clog our juvenile court docket in child protection matters that the court system would be stretched beyond its already limited capacity. This would negatively impact the ability of the juvenile court to conduct necessary evidentiary hearings in contested cases and it would slow the process down for all cases considerably. The time that the court process takes for social workers would be significantly increased, diminishing their time to conduct actual casework. While all of the circumstances outlined in the act are very significant and concerning, a court hearing is not the solution or necessary in every instance. There are cases where social workers, providers and attorneys are communicating and working together to try to meet the child's needs and although there are challenges and difficulties, the parties do not feel the need for court intervention.

Supporting efforts to reduce attorney caseloads and improve attorney competence will be a much more effective way to address the concerns regarding permanency which this act attempts to resolve. In addition, a bill currently being considered by the Select Committee on Children, S.B. No. 160, An Act Providing Parents or Guardians with More Involvement during the Commitment Process of a Child with the Department of Children And Families requires social workers to share information regarding the case events outlined in this bill. S.B. 160 seeks to address the failure of DCF to communicate with counsel for the parties in a timely fashion regarding important case events, which renders it more difficult for parents and children to obtain the assistance they

need and to receive effective legal representation. If attorneys have the information regarding case events and problems in advance and have the time, as well as the advocacy skills, to contact social workers; request meetings with workers, supervisors and providers; obtain administrative treatment hearings; attend educational PPT's; and work with their clients and DCF to arrive at creative solutions, permanency can be achieved without court hearings. When the above steps or efforts fail, a good attorney will request some remedy from the court. My office as well as the Standards of Practice adopted by the Commission on Child Protection encourages attorneys to participate in advocacy outside of the court on behalf of their clients. They are also encouraged to take action in court when necessary to hold DCF accountable and ensure that their client's rights and interests are protected.

The primary factor behind most of the events listed in this act is the lack of resources and placements. The inability of the state to properly allocate funds to support and develop the continuum of successful evidence based programs and services at the levels and in the locations necessary is a failure that can not be remedied by the local juvenile judges hearing specific cases. Court hearings do not change the existence or availability of appropriate services and Judges often find themselves equally frustrated by their inability to fashion orders that can overcome that reality. Use of the court process to address concerns regarding the Department's progress towards permanency and stability should be reserved for those cases where the participants involved have reason to believe court orders are necessary and can accomplish an identified goal for the specific case. Overwhelming the court docket with unnecessary hearings will only reduce the system's ability to achieve permanency for all children.

Obviously, if the legislature feels strongly that these hearings be mandatory, then a significant investment, over and above what is needed to handle the "Raise the Age" legislation, would also need to be made for more Judge and court staff time. My agency's budget would also be significantly affected by the increased attorney billing for attending these hearings, some of which may not be necessary or prove an ineffective means to resolve the problem.

I therefore respectfully request that this Committee not favorably report on this bill and instead continue to promote laws and policies that require social workers to communicate with attorneys and DCF to effectively allocate funding to establish appropriate services to meet the needs of the children and families it serves.

Respectfully Submitted,



Carolyn Signorelli