



General Assembly

February Session, 2008

Raised Bill No. 5699

LCO No. 2367

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Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT IMPROVING OUTCOMES FOR CHILDREN UNDER THE
CUSTODY, CARE OR SUPERVISION OF THE COMMISSIONER OF
CHILDREN AND FAMILIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2008*) (a) With respect to any child
2 or youth who is under the custody, care or supervision of the
3 Commissioner of Children and Families due to abuse, neglect or
4 having been found dependent or uncared for, the commissioner shall
5 arrange for such child's or youth's case to be reviewed by the court
6 having jurisdiction over the custody, care or supervision at least once
7 every ninety days in accordance with subsection (c) of this section.

8 (b) With respect to any child or youth who is under the custody,
9 care or supervision of the Commissioner of Children and Families due
10 to abuse, neglect or having been found dependent or uncared for, the
11 commissioner shall arrange for the child's or youth's case to be
12 reviewed by the court having jurisdiction over the custody, care or
13 supervision, in accordance with subsection (c) of this section, after the
14 occurrence of any of the following events concerning the child or
15 youth:

16 (1) Transfer of the child or youth from more than two
17 nonemergency placements within a six-month period;

18 (2) Overstay of an emergency or temporary placement of the child
19 or youth by more than thirty days, including a placement in a safe
20 home, shelter or short-term assessment resource center or other short-
21 term assessment and respite service program;

22 (3) Transfer of the child or youth to an out-of-state placement;

23 (4) Any change of placement of the child or youth that results in a
24 change of schools;

25 (5) Any expulsion hearing regarding the child or youth;

26 (6) Any arrest or placement of the child or youth in the Connecticut
27 Juvenile Training School, Manson Youth Institution, York Correctional
28 Institution or other secure facility;

29 (7) The failure of the commissioner to place the child or youth for
30 adoption not later than six months after termination of parental rights;

31 (8) The failure of the commissioner to place the child or youth in a
32 permanent family residence not later than eighteen months after the
33 child is placed under the custody, care or supervision of the
34 commissioner; or

35 (9) The child's attaining the age of sixteen.

36 (c) (1) Hearings required under subsections (a) and (b) of this
37 section shall be in addition to any other regularly scheduled judicial
38 hearings or reviews regarding the child or youth.

39 (2) The Commissioner of Children and Families shall file an
40 application with the court having jurisdiction over the custody, care or
41 supervision not later than seven calendar days prior to the date a
42 review is required under subsection (a) of this section, and not more
43 than three calendar days after learning of the existence of one of the

44 events specified in subsection (b) of this section, except that the
45 representative of the child or youth may file an application with such
46 court for a hearing required under subsection (a) or (b) of this section if
47 the commissioner does not file such application by the deadline
48 established in this subsection. The court shall schedule a hearing on
49 any such application not later than seven calendar days after such
50 application is filed unless the hearing is continued for good cause.

51 (d) Except as provided in subsection (e) of this section, at least five
52 calendar days before any hearing required under subsection (a) or (b)
53 of this section, the Department of Children and Families shall prepare
54 and file with the court and the representative of the child or youth a
55 report detailing the history and current status of the child or youth.
56 The report shall include the following information with respect to the
57 child or youth:

58 (1) Current and prior placements for the child or youth;

59 (2) Educational progress of the child or youth, including (A) the
60 number of school transfers for the child or youth, and the department's
61 determination of whether the child's or youth's remaining in a prior
62 school after a change in placement is in the child's or youth's best
63 interest, (B) the child's or youth's attendance records, (C) the child's or
64 youth's grades, (D) the child's or youth's disciplinary records, (E) the
65 child's or youth's progress towards fulfilling course requirements for
66 advancement to the grade level associated with the child's or youth's
67 age, (F) the department's determination of need, if any, for special
68 education services for the child or youth, (G) implementation of any
69 existing individualized education plan for the child or youth, (H) for
70 children and youths fourteen years of age or older, progress toward
71 fulfilling course requirements for graduation from high school and
72 admission to an institution of higher education, (I) for youths sixteen
73 years of age or older, the plan for paying for and taking examinations
74 for college admission, (J) for youths sixteen years of age or older, a
75 statement of whether the youth has been advised individually, in

76 person and in writing, of the funding available from the Department of
77 Children and Families for the payment of higher education expenses,
78 including tuition and application fees, (K) for youths sixteen years of
79 age or older, a statement of whether the youth's guidance counselor or
80 other official at the youth's school has been informed of the
81 Department of Children and Families' policy regarding payment of
82 higher education expenses, including tuition and application fees, and
83 (L) extracurricular activities of the child or youth;

84 (3) Physical well-being, including the child's or youth's most recent
85 medical, psychological and dental examinations;

86 (4) The child's or youth's visitation plan with siblings and relatives,
87 including biological parents;

88 (5) The specific permanency plan for the child or youth, the status of
89 the factors on which the plan depends, an estimate of the plan's
90 likelihood for success, and the contingency plan in the event the plan is
91 not successful, including the timeline for determining when the
92 contingency plan should go into effect;

93 (6) The child's or youth's juvenile delinquency record, if any; and

94 (7) For all youth sixteen years of age or older, a detailed plan for
95 preparing such youth to develop skills as the child matures so that the
96 services of the commissioner are no longer required, including (A) an
97 evaluation of the appropriateness of the youth's remaining under the
98 custody, care or supervision of the commissioner until age twenty-one,
99 and (B) a plan for assisting the youth with: (i) Establishing and
100 supporting life-long family connections with adults who are significant
101 to such youth, (ii) housing, (iii) health care, (iv) credit and financial
102 services, (v) employment, (vi) education, including higher education,
103 and (vii) emotional and social supports.

104 (e) If a plan for transferring the child or youth out of the custody,
105 care or supervision of the commissioner has been submitted to the

106 court pursuant to a review under this section, the Department of
107 Children and Families shall only be required to file an update on the
108 implementation of the plan at any subsequent hearing required under
109 this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	New section

Statement of Purpose:

To promote permanency and provide additional case review for children and youths under the custody, care or supervision of the Commissioner of Children and Families by requiring judicial review for such children and youths at regular intervals and after the occurrence of specified events.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]