

HUMAN SERVICES COMMITTEE: 3/11/08: PUBLIC HEARING

Testimony of Carolyn Signorelli
Chief Child Protection Attorney

RB No.5908: Opposed



Commission on Child Protection
State of Connecticut

Office of the Chief Child Protection Attorney

Good Morning Senator Harris, Representative Villano and esteemed Committee Members. My name is Carolyn Signorelli, Chief Child Protection Attorney for the State of Connecticut. I head the relatively new agency called the Commission on Child Protection. As many of you are aware the Commission on Child Protection and my office are responsible for the system of legal representation for children and parents in cases of abuse, neglect and termination of parental rights brought by the Department of Children and Families in Juvenile Court.

I respectfully submit the following testimony in opposition to Raised Bill No. 5908, An Act Concerning Proceedings and Operations of the Department of Children and Families. Specifically p. 7, lines 180 to 187, p. 10, lines 284 to 286 p. 16, lines 480 to 490 and p. 21, lines 662 to 665 of the act, which establish a rebuttable presumption that placement with an intervening grandparent or blood relative is in the best interest of any child who is the subject of an Order of Temporary Custody, a disposition of commitment or Probate Court proceedings. This presumption can only be rebutted by clear and convincing evidence a burden of proof reserved for the serious legal consequence in child protection matters of a termination of parental rights. This burden unduly prejudices parents who may not agree with such a placement, as well as children who do not desire to be placed with a particular relative and diminishes the rights of these legal parties with respect to relatives who are not legal parties.

Although on its face the proposal seems like a positive development for children to encourage placement with relatives, it severely departs from a long line of jurisprudence regarding parent's rights and child protection principles which establish that best interest determinations must be based upon an individualized assessment of the needs of children. This bill goes too far in asserting the benefits of blood ties over an above adequate safety, well-being and best interest assessments for children who have been subjected to abuse

and neglect in their family settings and who have required the intervention of the state to protect them.

The policies of the Department promoting the use of relative resources and the laws currently in place requiring notification of child protection proceedings to grandparents and permitting grandparent intervention in Orders of Temporary Custody hearings are sufficient to ensure that appropriate relatives are informed of and participate in juvenile court proceedings involving the protection and custody of children. Moreover, the Standards of Practice for Attorneys Representing Children in Child Protection Matters require children's attorneys to explore potential relative resources on behalf of their child clients. Therefore, I respectfully request that the Committee not act favorably on this bill.

Thank you for this opportunity to be heard. If you have any questions, please do not hesitate to contact me.

Respectfully Submitted,



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