



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE JUDICIARY COMMITTEE March 19, 2008

Meg Hooper, Branch Chief, Planning Branch, 509-7218

Senate Bill 703 - An Act Concerning Court Operations and Related Matters, Protection Orders and Judgments of Paternity

The Department of Public Health provides the following concerns regarding sections 27 and 34 of Senate Bill 703.

Sections 27 (19a-42a(a)) and 34 of this proposal contain new provisions requiring the Department of Public Health, upon receipt of an adjudication of non-paternity, to erase the prior adjudication or acknowledgement of paternity. The Department opposes these provisions for several reasons:

1. The Department's paternity registry is a paper-based system. Thus, records cannot be erased, but would need to be obliterated in another manner.
2. The requirement to destroy the record of the prior adjudication or acknowledgement of paternity is contrary to the requirements prescribed in C.G.S. § 19a-42(b) that requires the Department to maintain sufficient documentation to support the amendment to the father's information on the birth record. Further, maintaining such documentation is essential in carrying out our mission to protect the integrity and accuracy of vital records.
3. Since adjudications and acknowledgements of paternity are strictly protected records, we believe that the provision to erase or obliterate the records is unnecessary. Certified copies of adjudications of paternity are never released by the Department, and acknowledgements of paternity are only released to the few specified parties named in C.G.S. § 19a-42a(b). If the intent of this proposal is to ensure that the prior record of paternity naming the wrong father is not released, then we recommend that the bill contain language requiring a court order to obtain access to a record of acknowledgement of paternity that has been superseded. We suggest that the last sentence in 19a-42a(a) (section 27) be revised as follows:

A record of a prior acknowledgement of paternity shall not be accessible to any party, including those listed in 19a-42a(b), except upon court order.

Section 27 (19a-42a-(b)) also revises the law granting access to certified copies of acknowledgements of paternity, expanding parties to include DCF, the Attorney General's Office, employees of the Judicial Branch in the performance of their duties, judges and family support magistrates. This expansion of access appears to be too broad. In order to protect the confidentiality of the document, and to ensure that persons requesting such document have a legitimate need, we recommend that access to DCF employees be limited to DCF staff attorneys. Additionally, we have concerns about providing the acknowledgement of paternity form to "employees of the Judicial Branch in the performance of their duties." Instead, we suggest that the statute limit access to designated employees of the Judicial Branch.

Thank you for your consideration of the Department's views on this bill.

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