



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

EXTERNAL AFFAIRS DIVISION

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Testimony of the Deborah J. Fuller

**Human Services Committee Public Hearing
February 10, 2009**

**Proposed Bill 6145, An Act Concerning Evidence in Department of
Children and Families Proceedings**

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch on **Proposed Bill 6145, AAC Evidence in Department of Children and Families Proceedings**. We are opposed to this proposal.

This bill would prohibit the Department of Children and Families from providing hearsay evidence to the court. This would apply to the social study, which is submitted to the court by DCF and which includes information from evaluators, treatment providers and other experts.

Under the Connecticut Code of Evidence, there are numerous exceptions to the prohibition on hearsay evidence. These include, among others, business records, admission of a party and duty to report. This proposal would impose a standard for the admission of evidence on juvenile matters that is far more stringent than what is required in all other state courts. Imposing more stringent evidentiary requirements in juvenile court is contrary to longstanding law and custom, which calls for less stringency in juvenile court proceedings in order to ensure a just result and protect the best interests of the child. Enactment of this bill would render valuable evidence inadmissible and seriously hamper child protection proceedings.

We urge the committee not to act favorably on this proposal.