



General Assembly

**Amendment**

January Session, 2009

LCO No. 8030

**\*HB0641908030HDO\***

Offered by:

REP. URBAN, 43<sup>rd</sup> Dist.  
REP. HAMM, 34<sup>th</sup> Dist.  
REP. LAWLOR, 99<sup>th</sup> Dist.  
REP. WALKER, 93<sup>rd</sup> Dist.  
REP. GONZALEZ, 3<sup>rd</sup> Dist.  
REP. GREEN, 1<sup>st</sup> Dist.

REP. OLSON, 46<sup>th</sup> Dist.  
REP. HURLBURT, 53<sup>rd</sup> Dist.  
REP. DILLON, 92<sup>nd</sup> Dist.  
REP. MORRIS, 140<sup>th</sup> Dist.  
REP. REEVES, 143<sup>rd</sup> Dist.  
REP. BARAM, 15<sup>th</sup> Dist.

To: Subst. House Bill No. **6419**

File No. 510

Cal. No. 333

**"AN ACT CONCERNING THE POLICIES, PRACTICES AND PROCEDURES OF THE DEPARTMENT OF CHILDREN AND FAMILIES."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 46b-122 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2009*):

5 (a) All matters which are juvenile matters, as provided in section  
6 46b-121, shall be kept separate and apart from all other business of the  
7 Superior Court as far as is practicable, except matters transferred  
8 under the provisions of section 46b-127, which matters shall be  
9 transferred to the regular criminal docket of the Superior Court. [Any]  
10 Except as provided in subsection (b) of this section, any judge hearing

11 a juvenile matter may, during such hearing, exclude from the room in  
12 which such hearing is held any person whose presence is, in the court's  
13 opinion, not necessary, except that in delinquency proceedings, any  
14 victim shall not be excluded unless, after hearing from the parties and  
15 the victim and for good cause shown, which shall be clearly and  
16 specifically stated on the record, the judge orders otherwise. For the  
17 purposes of this section, "victim" means a person who is the victim of a  
18 delinquent act, a parent or guardian of such person, the legal  
19 representative of such person or an advocate appointed for such  
20 person pursuant to section 54-221.

21 (b) The Judicial Department shall establish, in a superior court for  
22 juvenile matters location designated by the Chief Court Administrator,  
23 a pilot program to increase public access to proceedings in which a  
24 child is alleged to be uncared for, neglected, abused or dependent or is  
25 the subject of a petition for termination of parental rights. In any  
26 proceeding under this subsection, the judge may order on a case-by-  
27 case basis that such proceeding be kept separate and apart and heard  
28 in accordance with subsection (a) of this section, upon motion of any  
29 party for good cause shown. After consultation with the Juvenile  
30 Access Pilot Program Advisory Board established pursuant to section  
31 502 of this act, the Judicial Department shall adopt policies and  
32 procedures for the operation of the pilot program.

33 (c) Nothing in this section shall be construed to affect the  
34 confidentiality of records of cases of juvenile matters as set forth in  
35 section 46b-124.

36 Sec. 502. (*Effective from passage*) (a) There is established a Juvenile  
37 Access Pilot Program Advisory Board. The board shall consist of the  
38 following members:

39 (1) The Chief Court Administrator, or the Chief Court  
40 Administrator's designee;

41 (2) An attorney who represents children in proceedings in which a  
42 child is alleged to be uncared for, neglected, abused or dependent,

- 43 appointed by the Speaker of the House of Representatives;
- 44 (3) An attorney who serves as a guardian ad litem in proceedings in  
45 the juvenile court, appointed by the president pro tempore of the  
46 Senate;
- 47 (4) A member or former member of the media who has experience  
48 reporting on juvenile matters, appointed by the majority leader of the  
49 House of Representatives;
- 50 (5) An attorney who represents parents in proceedings in which a  
51 child is alleged to be uncared for, neglected, abused or dependent,  
52 appointed by the majority leader of the Senate;
- 53 (6) A judge of the Superior Court assigned to hear juvenile matters,  
54 appointed by the Chief Justice of the Supreme Court;
- 55 (7) An assistant attorney general assigned to the Child Protection  
56 Unit within the Office of the Attorney General, appointed by the  
57 Attorney General;
- 58 (8) An attorney who represents children and parents under a  
59 contract with the Chief Child Protection Attorney, appointed by the  
60 minority leader of the House of Representative;
- 61 (9) An employee of the Department of Children and Families from  
62 the division of the department that provides child welfare services,  
63 appointed by the Commissioner of Children and Families;
- 64 (10) A social worker employed by the Department of Children and  
65 Families who, at the time of appointment, has experience working  
66 directly with children and families on behalf of the department,  
67 appointed by the minority leader of the Senate;
- 68 (11) The Chief Child Protection Attorney, or the Chief Child  
69 Protection Attorney's designee;
- 70 (12) The Child Advocate, or the Child Advocate's designee;

71 (13) The Chief State's Attorney, or the Chief State's Attorney's  
72 designee; and

73 (14) The Chief Public Defender, or the Chief Public Defender's  
74 designee.

75 (b) All appointments to the board shall be made not later than thirty  
76 days after the effective date of this section. Any vacancy shall be filled  
77 by the appointing authority.

78 (c) The Chief Court Administrator and the attorney appointed  
79 pursuant to subdivision (2) of subsection (a) of this section shall serve  
80 as chairpersons of the advisory board. The chairpersons shall schedule  
81 the first meeting of the board, which shall be held not later than sixty  
82 days after the effective date of this section.

83 (d) The Juvenile Access Pilot Program Advisory Board shall (1)  
84 review methods used in other states to increase public access to  
85 juvenile court proceedings of a similar nature to proceedings subject to  
86 the pilot program; (2) monitor the progress made by the Judicial  
87 Department in implementing the pilot program pursuant to section  
88 46b-122 of the general statutes, as amended by this act; (3) not later  
89 than December 31, 2010, submit written recommendations concerning  
90 the pilot program to the Judicial Department and the joint standing  
91 committees of the General Assembly having cognizance of matters  
92 relating to the judiciary and human services, in accordance with  
93 section 11-4a of the general statutes, with respect to such  
94 implementation and the pilot program; and (4) provide consultation to  
95 the Judicial Department pursuant to subsection (b) of section 46b-122  
96 of the general statutes, as amended by this act, regarding policies and  
97 procedures adopted pursuant to said section.

98 (e) The board shall terminate on January 1, 2011.

99 Sec. 503. (*Effective October 1, 2009*) The Judicial Department shall  
100 conduct a comprehensive review of the pilot program established  
101 pursuant to section 46b-122 of the general statutes, as amended by this

102 act. Not later than December 31, 2010, the Chief Court Administrator  
103 shall submit a report on such comprehensive review and the pilot  
104 program, in accordance with section 11-4a of the general statutes, to  
105 the joint standing committees of the General Assembly having  
106 cognizance of matters relating to the judiciary and human services. At  
107 a minimum, the report shall include: (1) An assessment of the pilot  
108 program's effectiveness in balancing the interest in public access to  
109 proceedings included in the pilot program against the best interests of  
110 the children who are the subject of such proceedings; and (2) a  
111 recommendation on whether, and to what extent, the pilot program  
112 should be continued at the established juvenile matters location or  
113 expanded to other juvenile matters locations in the state."