



General Assembly

February Session, 2010

Amendment

LCO No. 4676

HB0552204676HDO

Offered by:
REP. HAMM, 34th Dist.

To: Subst. House Bill No. 5522 File No. 484 Cal. No. 305

"AN ACT CONCERNING JUVENILE MATTERS."

1 In line 71, after the period, insert the following:

2 "Counsel for the child or youth shall use such records and
3 communications solely for the purpose of representing the child or
4 youth in a juvenile matter in the civil session concerning the child or
5 youth, and to secure appropriate treatment and services for the child
6 or youth pursuant to sections 17a-10 to 17a-16, inclusive."

7 Strike sections 3 to 5, inclusive, in their entirety, substitute the
8 following in lieu thereof, and renumber sections and internal
9 references accordingly:

10 "Sec. 3. Subsection (b) of section 46b-124 of the general statutes is
11 repealed and the following is substituted in lieu thereof (*Effective*
12 *October 1, 2010*):

13 (b) All records of cases of juvenile matters, as provided in section
14 46b-121, except delinquency proceedings, or any part thereof, and all

15 records of appeals from probate brought to the superior court for
16 juvenile matters pursuant to subsection (b) of section 45a-186, shall be
17 confidential and for the use of the court in juvenile matters, and open
18 to inspection or disclosure to any third party, including bona fide
19 researchers commissioned by a state agency, only upon order of the
20 Superior Court, except that: (1) The records concerning any matter
21 transferred from a court of probate pursuant to section 45a-623 or
22 subsection (g) of section 45a-715 or any appeal from probate to the
23 superior court for juvenile matters pursuant to subsection (b) of section
24 45a-186 shall be available to the court of probate from which such
25 matter was transferred or from which such appeal was taken; (2) such
26 records shall be available to (A) the attorney representing the child or
27 youth, including the Division of Public Defender Services, in any
28 proceeding in which such records are relevant, (B) the parents or
29 guardian of the child or youth until such time as the child or youth
30 reaches the age of majority or becomes emancipated, (C) an adult
31 adopted person in accordance with the provisions of sections 45a-736,
32 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the
33 Division of Criminal Justice who in the performance of their duties
34 require access to such records, (E) employees of the Judicial Branch
35 who in the performance of their duties require access to such records,
36 (F) another court under the provisions of subsection (d) of section 46b-
37 115j, (G) the subject of the record, upon submission of satisfactory
38 proof of the subject's identity, pursuant to guidelines prescribed by the
39 Office of the Chief Court Administrator, provided the subject has
40 reached the age of majority or has been emancipated, (H) the
41 Department of Children and Families, and (I) the employees of the
42 Commission on Child Protection who in the performance of their
43 duties require access to such records; and (3) all or part of the records
44 concerning a youth in crisis with respect to whom a court order was
45 issued prior to January 1, 2010, may be made available to the
46 Department of Motor Vehicles, provided such records are relevant to
47 such order. Any records of cases of juvenile matters, or any part
48 thereof, provided to any persons, governmental and private agencies,
49 and institutions pursuant to this section shall not be disclosed, directly

50 or indirectly, to any third party not specified in subsection (d) of this
51 section, except as provided by court order or in the report required
52 under section 54-76d or 54-91a. The superior court shall maintain in
53 the possession of a court officer its records of psychiatric or
54 psychological reports resulting from an examination ordered by the
55 court in such juvenile matter."

56 In line 211, insert a closing bracket after "placed" and insert "a secure
57 facility designated" after the closing bracket

58 In line 212, strike the closing bracket and strike "the Connecticut
59 Juvenile Training School"

60 Strike section 10 in its entirety and renumber sections and internal
61 references accordingly