



General Assembly

January Session, 2011

Committee Bill No. 5503

LCO No. 2896

02896HB05503KID

Referred to Committee on Select Committee on Children

Introduced by:
(KID)

**AN ACT CONCERNING THE PRIORITY OF GRANDPARENTS IN
CHILD CUSTODY CASES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 45a-617 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 When appointing a guardian or coguardians of the person of a
4 minor, the court shall take into consideration the following factors: (1)
5 The ability of the prospective guardian or coguardians to meet, on a
6 continuing day to day basis, the physical, emotional, moral and
7 educational needs of the minor; (2) the minor's wishes, if he or she is
8 over the age of twelve or is of sufficient maturity and capable of
9 forming an intelligent preference; (3) the existence or nonexistence of
10 an established relationship between the minor and the prospective
11 guardian or coguardians; and (4) the best interests of the child. There
12 shall be a rebuttable presumption that appointment of a grandparent
13 or, if no grandparent is identified, other relative related by blood or
14 marriage as a guardian is in the best interests of the minor child.

15 Sec. 2. Section 17a-101m of the general statutes is repealed and the

16 following is substituted in lieu thereof (*Effective October 1, 2011*):

17 Immediately upon the removal of a child from the custody of the
18 child's parent or guardian pursuant to subsection (e) of section 17a-
19 101g or section 46b-129, the Commissioner of Children and Families
20 shall exercise due diligence to identify all [adult] grandparents and,
21 after all grandparents are identified or if no grandparents can be
22 identified, other adult relatives of the child, including any adult
23 relatives suggested by the parents, subject to exceptions due to family
24 or domestic violence. Not later than thirty days after the removal, the
25 commissioner shall provide such grandparents and other relatives
26 with notice that (1) the child has been or is being removed from the
27 custody of the child's parent or guardian; (2) explains the options that
28 the relative has under federal, state and local law to participate in the
29 care and placement of the child, including any options that may be lost
30 by failing to respond to the notice; (3) describes the requirements (A)
31 to obtain a foster care license pursuant to section 17a-114, and (B) for
32 additional services and supports that are available for children placed
33 in such a home; and (4) describes the subsidized guardianship
34 program under section 17a-126, including (A) eligibility requirements,
35 (B) the process for applying to the program, and (C) financial
36 assistance available under the program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	45a-617
Sec. 2	<i>October 1, 2011</i>	17a-101m

Statement of Purpose:

To prioritize grandparents over other adult relatives of a child when a court is appointing a guardian for the child, or the Commissioner of Children and Families provides notice that the child has been removed from the custody of the child's parent or guardian.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. ORANGE, 48th Dist.

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