



**STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES**



Public Hearing Testimony
Select Committee on Children
February 28, 2012

S.B. No. 192 AN ACT CONCERNING FINALIZING ADOPTIONS BY THE SUPERIOR COURT FOR JUVENILE MATTERS

The Department of Children and Families **supports** S. B. No. 192 - An Act Concerning Finalizing Adoptions by the Superior Court for Juvenile Matters. This proposal is part of DCF's legislative package this year, and we thank the Committee for raising the bill.

This bill would permit the finalization of adoptions in the Superior Court for Juvenile Matters for those cases under the jurisdiction of the Court for purposes of a termination of parental rights (TPR) petition. The Superior Court for Juvenile Matters has detailed knowledge of the case including the child's best interest and the care the child received by the proposed adoptive parents. Approximately 1,000 adoptions are finalized each year by Probate Courts and this legislation would impact 500 to 600 adoptions. The non-DCF adoptions finalized by Probate Courts are typically step-parent adoptions and adoptions facilitated by private child-placing agencies.

The data below from FY 2011 shows that it takes just under one year (11.6 months) on average from termination of parental rights to adoption finalization. The median length of time is 6.9 months. We believe that this bill can decrease this length of time between termination of parental rights and adoption and permit permanency for the child and the adoptive family.

DCF Office	FY 2011 Adoptions	Time from TPR to Adoption	
		Average	Median
Bridgeport	25	7.8 months	6.1 months
Danbury	17	9.7 months	4.8 months
Hartford	75	10.3 months	6.8 months
Manchester	62	9.1 months	6.7 months
Meriden	23	15.7 months	4.5 months
Middletown	9	12.4 months	4.8 months
Milford	17	17.6 months	7.5 months
New Britain	59	12.7 months	7.4 months
New Haven	48	13.5 months	10.6 months
Norwalk	8	14.9 months	4.9 months
Norwich	63	8.5 months	4.6 months
Stamford	6	15.9 months	9.8 months
Torrington	28	8.8 months	5.2 months
Waterbury	56	16.4 months	10.2 months
Willimantic	23	9.9 months	5.7 months
Statewide	519	11.6 months	6.9 months

H.B. No. 5185 AN ACT CONCERNING INTERVIEWS IN CHILD ABUSE AND NEGLECT CASES

The Department of Children and Families **supports** H. B. No. 5185 - An Act Concerning Interviews in Child Abuse and Neglect Cases. This proposal is part of DCF's legislative package this year, and we thank the Committee for raising the bill.

This bill would permit DCF to interview a child in a child protective investigation without parental consent in those limited circumstances when obtaining such consent would place the child at risk of physical harm. Currently, DCF has the legal authority to interview children without parental consent in cases in which the parent or guardian is the alleged perpetrator of physical abuse. The Department believes that this change would strike a reasonable balance between child safety and the rights of the alleged perpetrator, and is consistent with changes the Department is initiating through our new Strengthening Families Practice Model.

H.B. No. 5217 AN ACT CONCERNING REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families **supports** H. B. No. 5217 - An Act Concerning Revisions to Statutes Concerning the Department of Children and Families. This proposal is part of DCF's legislative package this year, and we thank the Committee for raising the bill.

This bill makes a number of technical and/or minor changes to various DCF statutes. The bill accomplishes the following:

- Section 1 amends section 17a-1 of the General Statutes to modify a reference to the Children's Behavioral Health Council.
- Section 2 amends section 17a-4 of the General Statutes to modify the membership of the State Advisory Council on Children and Families to include representation from each of the Regional Advisory Councils. It also permits members to serve three consecutive two-year terms, which is the same as the Advisory Council for the Department of Developmental Services.
- Section 3 amends section 17a-4a of the General Statutes to change the appointing authority for sixteen of the members of the Children's Behavioral Health Advisory Committee from the Chairperson of the State Advisory Council on Children and Families to the Commissioner of Children and Families.
- Sections 4 and 5 amends section 17a-28 of the General Statutes to make technical and minor changes to section 17a-28 of the General Statutes, the DCF confidentiality and access to records statute.
- Section 6 would rename Riverview Hospital in Middletown and Connecticut Children's Place in East Windsor as the Albert J. Solnit Children's Center (North and South Campuses). Dr. Albert J. Solnit, the former Commissioner of Mental Health and Addiction Services, was also the long-time Director of the Yale Child Study Center. He

was a recognized international expert in child psychiatry. Last year, the Department consolidated the operations of the two facilities under a single management structure. For additional information regarding the consolidation plan, please see the report entitled "*The Future of Riverview Hospital for Children and Youth: Ten Steps Forward.*"

- Section 7 amends section 17b-221a of the General Statutes to change a reference to Riverview Hospital.
- Sections 8 and 9 reorganize the statutes regarding the failure to report suspected child abuse or neglect by a mandated reporter under sections 17a-101 and 17a-101a of the General Statutes.
- Section 10 clarifies jurisdiction under section 17a-101e of the General Statutes regarding the false reporting of child abuse and neglect.
- Section 11 establishes a procedure for individuals whose names have been on the child abuse and neglect registry for at least five years to show good cause for removal. Under the proposal, good cause includes: 1) the applicant has been rehabilitated; 2) the person has accepted personal responsibility for the acts or omissions that resulted in his or her being included in the registry; 3) a bona fide need to remove his or her name; and 4) at least two supporting letters are submitted from competent adults. DCF must develop the application and include space for the applicant to specify the basis for his or her good cause claim. The applicant is entitled to a contested case hearing if DCF denies the request. Those whose applications are denied can reapply every two years, indicating on each subsequent application good cause that has arisen since the last application.
- Section 12 amends section 52-259a of the General Statutes to waive the fee for certified copies of criminal records for DCF employees acting in the performance of their duties. The proposal would exempt DCF from having to pay copy fees to the courts. Currently, the statute exempts the Division of Criminal Justice, the Division of Public Defender Services, any employee of the Judicial Department, the Attorney General, the Office of Consumer Counsel, the Department of Revenue Services, the Commission on Human Rights and Opportunities, the Freedom of Information Commission, the Board of Labor Relations, the Office of Protection and Advocacy for Persons with Disabilities, the Office of the Victim Advocate and the Department of Social Services.
- Section 13 amends section 17a-107 of the General Statutes to correct an obsolete reference to the Commissioner of Youth Services.
- Section 14 repeals a property conveyance concerning property owned by DCF at the former Long Lane School in Middletown. This conveyance was originally enacted in 1999 as part of legislation concerning the construction of the Connecticut Juvenile Training School. While most of the former Long Lane School property was sold/transferred to Wesleyan University, these properties were to be conveyed to the City of Middletown. At the request of the City, this conveyance has been amended twice (in 2005 and 2009), but now the City is not interested in finalizing the transaction. DCF requests that this property conveyance be repealed so that the property can be disposed of in accordance with standard surplus state property requirements.

S.B. No. 156 AN ACT CONCERNING SIBLING VISITATION FOR CHILDREN IN THE CARE AND CUSTODY OF THE COMMISSIONER OF CHILDREN AND FAMILIES

The Department of Children and Families **supports** S.B. No. 156 - An Act Concerning Sibling Visitation for Children in the Care and Custody of the Commissioner of Children and Families.

We concur with the important objective of this bill to ensure consistent and meaningful visitation of siblings in the care of DCF when they are not placed together. The Department has worked with Connecticut Voices for Children in the development of this proposal, and we appreciate the willingness of the proponents to defer the effective date in order to allow us sufficient time to modify our sibling visitation practice and policies.

Current DCF policy¹ specifies that the Department shall ensure that:

- visits occur as frequently as reasonably possible based upon the consideration of the best interests of the child, including age and developmental level of the child;
- visits be of sufficient number and duration to ensure continuation of the relationship between the child, parents, and siblings; and
- siblings with an existing relationship who are separated due to the Department's intervention be provided with ongoing visitation throughout the length of the separation taking into account the best interests of each sibling, their ages and developmental levels, and the continuation of the sibling relationship.

Below is a resolution adopted last month by the New England Association of Child Welfare Commissioner and Directors, which the Department supported, regarding a sibling "Bill of Rights."

**Sibling Bill of Rights
Approved by NEYC January 2012**

Preamble: The New England Association of Child Welfare Commissioners and Directors recognizes the importance and value of sibling relationships. These rights are intended to guide the New England Child Welfare agencies and their providers in the delivery of care and services to foster youth with the commitment to permanency, safety and well being. This Bill of Rights was developed by the New England Youth Coalition with the support of this Association.

Whereas: the importance of sibling relationships are recognized and respected;

Whereas: sibling relationships provide needed continuity and stability during a child's placement;

Whereas: the sibling bond is unique and separate from the parent-child bond, and may include relations with people not linked by blood;

Whereas: siblings share similar history, heritage, culture and often biology that must be preserved;

Whereas: sibling separation is a significant and distinct loss that must be repaired by frequent and regular contact;

Whereas: every foster child deserves the right to know and be actively involved in his/her siblings' lives absent extraordinary circumstances.

Every foster child:

1. Shall be placed with siblings.

¹ DCF Policy 34-10-7.1

mandated reporting law, section 17a-101 of the General Statutes, does not apply to youth, college, or university coaches. We believe that this is a gap that must be addressed, and we want to work with you this session to remedy this.

H.B. No. 5186 AN ACT ADOPTING A FOSTER PARENT BILL OF RIGHTS

The Department of Children and Families appreciates the intent behind H.B. No. 5186 - An Act Adopting a Foster Parent Bill of Rights, but **has some concerns regarding the language of the bill** as written. The bill would require DCF to:

- treat the foster parent with consideration and respect as a member of the placement team;
- notify the foster parent of meetings scheduled by the department concerning the foster child in order to allow the foster parent to actively participate and have input into the case planning and decision-making process regarding the foster child;
- notify the foster parent of court hearings and administrative case review meetings regarding children in his or her care;
- provide the foster parent with support services to assist in the care of the foster child that are consistent with the foster child's approved permanency plan;
- provide the foster parent with open, complete and timely responses to requests;
- provide the foster parent with information concerning the foster child's medical history, general behavior, and relationships with other foster parents, as permitted under state and federal law;
- provide the foster parent with information concerning the educational history, life experiences and placement circumstances of the foster child, as permitted under state and federal law;
- provide the foster parent with information on all department policies and procedures that relate to the role of a foster parent;
- provide the foster parent with appropriate training to enhance relevant skills and abilities of the foster parent;
- provide the foster parent with (1) information on services that are available through the department, and (2) contact information that allows the foster parent to contact the department at any time;
- provide the foster parent with an opportunity to be heard regarding department decisions and practices, and ensure that the foster parent faces no retaliation if he or she questions or appeals a decision or practice of the department;
- provide the foster parent with notice of the right to contact the department for an administrative hearing as described in subsection (b) of this section; and
- provide the foster parent with a copy of the foster parent bill of rights (1) when a child is placed in foster care with the foster parent, and (2) upon request of the foster parent.

While most of these provisions are reasonable expectations of the relationship between the Department and our foster parents, we do have concerns that enacting this language in state law could subject the state to litigation in which foster parents could assert that the state is legally responsible to provide the services that support the specific provisions of this legislation.

2. Shall be in close proximity to siblings if unable to be in same setting to facilitate frequent and meaningful contact.
3. Shall be afforded contact with siblings regardless of geographic barriers. The methods for contact should be outlined in the child's service plan.
4. Shall be actively involved in his/her siblings' lives and share celebrations including birthdays, holidays, graduations, and meaningful milestones.
5. Shall maintain consistent and regular contact that will be included in service planning.
6. Shall be included in permanency planning decisions relative to his/her siblings. Foster children should know what the expectations are for continued contact when a sibling is adopted or guardianed.
7. Shall be notified by the Child Welfare agency or its agents regarding a sibling's change of placement.
8. Shall be informed when a sibling is discharged from foster care. Alumni shall be allowed to maintain contact with a sibling who remains in state care.
9. Shall be supported by the Child Welfare agency in his/her efforts to maintain relationships with siblings who are not in care or have been adopted or guardianed. The Department shall facilitate such contact as appropriate.
10. Shall have predictable, regular contact with siblings that shall not be withheld as a behavioral consequence absent safety concerns.

S.B. No. 157 AN ACT REVISING THE DEFINITION OF A CHILD CARE FACILITY TO CONFORM WITH THE DEFINITION OF A CHILD

The Department of Children and Families **supports the intent behind** S.B. No. 157 - An Act Revising the Definition of a Child Care Facility to Conform with the Definition of a Child.

This bill revises the statutory definition of "child care facility" in section 17a-93 of the General Statutes to conform with the definition of a "child." This definition relates to those congregate care facilities licensed by DCF. This change is intended to be consistent with the provisions of the "Raise the Age" law. It would permit a youth up to twenty-one years of age who are in school or a job training program to be placed in a child care facility without requiring that they had been placed in a congregate residential setting prior to his eighteenth birthday.

The Department would like to work with the proponents of this legislation to tighten the language to clarify that it applies to youth who either were committed to the care and custody of DCF prior to their 18th birthday or are adjudicated delinquent for an offense committed prior to his or her 18th birthday.

S.B. No. 193 AN ACT CONCERNING MANDATED REPORTERS AND REQUIRING CRIMINAL HISTORY RECORDS CHECKS FOR YOUTH CAMP EMPLOYEES AND VOLUNTEERS

The Department of Children and Families **supports** S.B. No. 193 - An Act Concerning Mandated Reporters and Requiring Criminal History Records Checks for Youth Camp Employees and Volunteers.

Last month, Commissioner Katz testified before the Select Committee on Children and the Judiciary Committee and said that that athletic coaches on all levels -- including youth and collegiate -- who have a great deal of interaction with children, should be included on the list of those mandated to report suspected child abuse and neglect. Currently, Connecticut's