

# Center for *Children's* Advocacy

University of Connecticut School of Law, 65 Elizabeth Street, Hartford, CT 06105

## TESTIMONY OF THE CENTER FOR CHILDREN'S ADVOCACY IN SUPPORT OF S.B. No. 192 AN ACT CONCERNING FINALIZING ADOPTIONS BY THE SUPERIOR COURT FOR JUVENILE MATTERS

This testimony is submitted on behalf of the Center for Children's Advocacy, a non-profit organization based at the University of Connecticut School of Law. The Center provides holistic legal services for poor children in Connecticut's communities through individual representation and systemic advocacy.

**We strongly support Raised Bill 192 which will enable the finalization of adoptions by the Superior Court for Juvenile Matters, thereby aiding in efficiency and promoting permanency for children.**

### DEFINITIONS OF "PERMANENCY" BY YOUTH

A State Child Welfare Agency asked children in the foster care system how they would define "permanency." These are some of their responses<sup>1</sup>:

- "A place to call home where you feel safe and secure and accepted."
- "A place where you belong."
- "When you're at the place you are and there for a long time until becoming an adult—or longer if you want to be."
- "It's a place that you can call home that will still be there in the morning."
- "One home, one bedroom, one mom, one dad. When I hear that word it feels like a fantasy or an illusion—too good to be true."

### A CHILD'S NEED FOR FAMILY

For the thousands of children living in foster care in Connecticut, permanency is just a dream: a dream that they will live with their own biological parents and siblings or a dream that they will find a new mother or father who will love them and keep them close. Too many of our foster youth are consumed with fear over when they will need to move again and when (or if) they will next see their parents. Too many children have the experience of putting all of their worldly belongings in a plastic bag and getting in the car with a social worker, only to be brought to a new place and new people who will take them in. These children may not know if they will get to stay in this new place for a night, a week or forever. Child development experts understand not only the importance of permanency but also the urgency with which child welfare professionals must pursue this goal, explaining

<sup>1</sup> Iowa Department of Human Services, "Permanency for Children: Another Planned Permanent Living Arrangement," found on the web at: <http://www.dhs.iowa.gov/docs/0109%20PB.pdf>.



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**STATES THAT ALLOW JUVENILE COURTS TO FINALIZE ADOPTIONS HAVE MINIMAL DELAYS BETWEEN TERMINATION OF PARENTAL RIGHTS AND ADOPTION**

Federal law emphasizes the importance of permanency and provides mandates to prevent children from languishing in foster care.<sup>3</sup> Unfortunately, the U.S. Department of Health and Human Services' Administration for Children and Families reported that **the average length of stay for children in foster care continues to be more than two years, with eleven percent of foster youth languishing in the system for five years or more.**<sup>4</sup>

Providing judicial continuity for child welfare and resulting adoption cases is a major step to speed up permanency for children. States that allow juvenile courts to finalize adoptions have minimal to no delays between Termination of Parental Rights judgments and the finalization of adoptions, whereas states like Connecticut have significantly longer delays. A U.S. Department of Health and Human Services study indicated that **for fiscal year 2010 only 0.6% of all adoptions in Connecticut were finalized within one month after the Termination of Parental Rights.**<sup>5</sup> This statistic stands in stark contrast with that in a state like Rhode Island, in which 61.0% of adoptions were finalized within one month after Termination of Parental Rights.<sup>6</sup>

**THIS BILL PROVIDES A SIMPLE REMEDY TO DECREASE THE LENGTH OF TIME BETWEEN THE TERMINATION OF PARENTAL RIGHTS AND ADOPTION**

This bill will promote the continuity of judicial attention by authorizing DCF to file a petition for adoption in the Superior Court for Juvenile Matters—the same court that granted the termination of parental rights following the expiration of any appeal or appeal period. The U.S. Department of Health and Human Services emphasized the importance of judicial continuity: **“Multi-court involvement in different stages of child protection cases is discouraged to avoid delays, loss of information, and other inefficiencies.”**<sup>7</sup> Additionally, the bill will ensure timely applications and completions of adoptions by mandating that the Superior Court for Juvenile Matters set a time and date for a hearing upon receipt of the petition and adoption social study. Finally, the bill will ensure continued oversight by providing that all social studies, psychological reports, and court documents previously filed in the termination of parental rights proceeding shall be available to the court, subject to the rules of evidence, for review and consideration in acting upon the petition for adoption of such child or children.

Authorizing the Superior Court for Juvenile Matters to finalize adoptions will ensure efficiency and promote permanency for children.

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<sup>3</sup> Festinger T. and Pratt R. (2002). Speeding adoptions: An evaluation of the effects of judicial continuity. *Social Work Research*, 26(4).

<sup>4</sup> U.S. Department of Health and Human Services' The AFCARS Report can be found on the web at: [http://www.acf.hhs.gov/programs/cb/stats\\_research/afcars/tar/report18.pdf](http://www.acf.hhs.gov/programs/cb/stats_research/afcars/tar/report18.pdf).

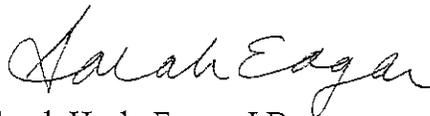
<sup>5</sup> S. Department of Health and Human Services Table, “Time between Termination of Parental Rights (TPR) and Adoption Finalization: October 1, 2009 to September 30, 2010 (FY 2010),” found on the web at: [http://www.acf.hhs.gov/programs/cb/stats\\_research/afcars/statistics/tpr\\_tbl4\\_2010.pdf](http://www.acf.hhs.gov/programs/cb/stats_research/afcars/statistics/tpr_tbl4_2010.pdf).

<sup>6</sup> *Id.*

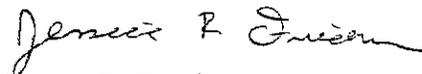
<sup>7</sup> U.S. Department of Health and Human Services Child Information Gateway, “Working with the Courts in Child Protection,” found on the web at: <http://www.childwelfare.gov/pubs/usermanuals/courts/appende.cfm>.

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Respectfully submitted,



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