MEMORANDUM

TO: Judiciary Committee

FROM: Attorney Shirley M. Pripstein

On Behalf of Legal Services Family Law Consortium

RE: S.B. 178
AAC THE CONTINUATION OF CHILD SUPPORT OBLIGATIONS AFTER THE TERMINATION OF PARENTAL RIGHTS DUE TO ABUSE OR NEGLECT OF THE CHILD.

Recommended Committee Action:	REJECT THE BILL

This bill would amend C.G.S. §§17b-745, 46b-84, 46b-171, 46b-215, and 45a-217 to allow the child support obligation of parent to continue after the termination of his or her parental rights on grounds of abuse or neglect on motion of the other parent.

The emotional appeal of this bill is understandable: why should a person who abused or neglected a child escape liability for support of the child, leaving the other parent with all the financial responsibility?

Despite the emotional appeal of continuation of the child support obligation after termination of parental rights, the family law and child protection attorneys of legal services believe that it is contrary to the best interest of children.

In all cases in which an individual's parental rights are terminated, termination is in the child's best interest. The court is required to make a finding that termination is in the child's best interest before parental rights are terminated.

The attraction of having the child support obligation end with termination of parental rights leads many an abuser to agree to termination of parental rights. Without this lure, there is no incentive at all to agree to termination of parental rights. The likely result will be an increase in the number of trials, with an increased cost to the State of Connecticut, and a decrease in the number of terminations of parental rights

Whether the benefit of allowing continuation of the child support obligation past termination of parental rights is worth the cost of more trials and fewer parental rights terminations is a policy decision to be made by the legislature. The legal service community believes it is not and that that the bill should be rejected.

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