



*Division of Public Defender Services
State of Connecticut*

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COMMITTEE ON CHILDREN
FEBRUARY 14, 2013

TESTIMONY OF CHRISTINE RAPILLO
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DIVISION OF PUBLIC DEFENDER SERVICES

**RAISED BILL 6346, AN ACT REVISING VARIOUS STATUTES CONCERNING THE DEPARTMENT OF
CHILDREN AND FAMILIES**

The Office of Chief Public Defender is concerned about Section 4 of *Raised Bill 6346, An Act Revising Various Statutes Concerning the Department of Children and Families*. This section deals with how the Federal Fair Credit Reporting Act impacts the Department of Children and Families and the children committed to its care. Unfortunately, children in DCF care find themselves the victims of identity theft. Family members or other caregivers with access to a child's social security number use the child's name and information to obtain credit, car loans or make other financial transactions. This happens even to very young children. The child usually does not find out about this until years later when they are an adult trying to get a loan, a credit card or a lease for an apartment.

Conn. Gen. Stat. Sec. 17a-114b already requires DCF to obtain an annual credit report on all children in care over the age of sixteen. This proposal shifts the responsibility and the cost of resolving fraud to the child's attorney. *Section 4 of Raised Bill 6346* would mandate that DCF provide the child's attorney with the credit report and makes the lawyer responsible for identifying fraud and helping the child resolve it. Current law puts the responsibility for resolving these issues on the Department of Children and Families. They are the guardian for these children and should be responsible for assisting them with credit issues. DCF is a large agency with attorneys on staff in each region and in the central office. It makes more financial sense to train a few DCF staff lawyers to assist committed children with credit issues.



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The lawyers who represent children in child protection actions have no training in accounting or credit issues. OCPD would need to train over 100 lawyers on how to review a credit report and advocate with creditors and reporting agencies. We would need significant additional funds to pay the attorneys to take on this added responsibility.

The lawyers who represent children in child protection actions are under contract to the Office of the Chief Public Defender. Our contracts with the attorneys provide for a flat rate fee of \$500 to represent children in child protection matters. It is unreasonable to expect that the attorneys would take on a lengthy endeavor like resolving a credit issue for no additional fee. The procedure for resolving credit fraud is long, technical and arduous. This change could potentially cost our agency thousands of dollars, as the advocacy for credit fraud would need to be compensated at an hourly rate of \$50 outside the flat fee. When we were given administration of the child protection operations, the budget was \$2.5 million in deficit. That budget was then cut by nearly \$2 million in the first year. Although we have managed to operate without a deficiency in our child protection account, there is no room to add additional expenses. The Office of Chief Public Defender simply does not have the funding to pay for advocacy in this area.