
OLR Bill Analysis**HB 5304*****AN ACT PREVENTING HOMELESSNESS FOR YOUTH UNDER THE CARE OF THE COMMISSIONER OF CHILDREN AND FAMILIES.*****SUMMARY:**

This bill (1) with certain exceptions, prohibits the Department of Children and Families (DCF) from discharging from its custody any child who does not have a long-term residence other than a shelter or a single-room occupancy hotel and (2) requires children age 18 or older released from DCF custody to remain in aftercare for at least 45 days after release, during which time DCF must provide case management services to the child.

It also requires a judge in certain proceedings involving a child or youth released from DCF custody to get the child's or youth's consent before providing him or her with legal representation. Current law allows a judge to appoint legal representation for a child without the child's consent in any juvenile matter in which the judge determines the interests of justice require it.

The law allows a child to be placed in a planned permanent living arrangement under a DCF permanency plan and provides as examples placement in (1) an independent living program or (2) long-term foster care with an identified foster parent. The bill specifically allows, as an additional example of such an arrangement, placement with an adult who has a significant connection to the child or youth and is willing to provide the child a permanent living arrangement. (A permanency plan states what permanent outcome DCF feels is in the child's or youth's best interest and the facts on which DCF based that position.)

EFFECTIVE DATE: October 1, 2014

DCF DISCHARGE AND AFTERCARE

The bill prohibits DCF from discharging a child from its custody

unless (1) the child has a residence other than a shelter for adults or families or a single-room occupancy hotel and (2) the department reasonably expects that the residence will remain available to the child for at least 12 months after he or she is discharged. For purposes of the bill's discharge and aftercare provisions, a "child" is anyone under age 18, or anyone under age 21 attending secondary or technical school, college, or state-accredited job training program full-time.

The prohibition does not apply to a child who (1) DCF placed in a residential facility or group home, (2) is in the military or job corps, (3) is a full-time post-secondary student, or (4) has refused DCF care and custody.

The bill requires children age 18 or older who are released from DCF custody to remain in aftercare for at least 45 days after being released. During the aftercare period, DCF must provide case management services to the child and, if he or she becomes or risks becoming homeless during that period, the department must assist him or her to obtain a residence other than a shelter or single-room occupancy hotel. This requirement does not apply when (1) a court terminates DCF's custody or (2) the child is age 21 or older. (But the definition of child above does not apply to anyone age 21 or older.)

COURT-ORDERED LEGAL REPRESENTATION

The bill requires a judge appointing legal representation for a child or youth in a proceeding to get the child's or youth's consent before doing so if the child or youth was released from DCF custody because of (1) a denial, suspension, or termination of benefits or (2) a juvenile court decision that the department's continued custody is not in the child's or youth's best interest under a permanent legal guardianship order (an order that places an abused or neglected child or youth with a guardian until age 18 without terminating parental rights). Currently, a judge may appoint such representation without the child's or youth's consent in any case in which he or she determines the interest of justice so requires.

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 12 Nay 0 (03/11/2014)