



STATE OF CONNECTICUT
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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Testimony of Stephen N. Ment
Committee on Children Public Hearing
March 3, 2015

**House Bill 6899, An Act Expanding Guardianship Opportunities For Children
And Implementing Provisions Of The Federal Preventing
Sex Trafficking And Strengthening Families Act**

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch concerning **House Bill 6899, *An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act***. The Branch is cognizant of the fact that many of this bill's provisions are necessitated by federal law and supports the Department of Children and Families (DCF) efforts in seeking its passage.

However, the Judicial Branch maintains a concern with one particular aspect of this proposal that recurs throughout the bill. Namely, the bill would mandate the court to ask the youth about his or her desired permanency outcome at his or her respective permanency plan hearing. While a laudable and important consideration, it does not take into consideration what would happen if the youth chooses not to attend the hearing.

Although unfortunate, the simple truth is that it can be very difficult to ensure that a young person will attend his or her hearing, and more times than not, the youth does not attend when invited to do so. Should this occur, must the court continue the permanency plan hearing each time that the youth does not attend? If so, it will threaten the requisite findings being made in time.

Therefore, the Judicial Branch respectfully requests an alternate approach – in addition to the approach currently in the bill – be added to the bill to address situations when the youth does not attend his or her hearing. For example, perhaps language could be added to the bill that the court will either inquire of the child at the permanency plan hearing, *or* mandate the court review a signed, sworn, timely affidavit from the youth, who within the body of the affidavit states a desire not to attend the hearing, and his or her thoughts on the plan. If this were to occur, the court could then be assured that the youth is aware of the court date, and that the court has a current and accurate position of the child. Appropriate findings could then be made.

Thank you for considering this addition to the bill, and we look forward to working with the Department on this important bill.

Thank you for the opportunity to submit written testimony.