



General Assembly

February Session, 2016

***Raised Bill No. 347***

LCO No. 2515



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT ESTABLISHING A PROGRAM FOR COURT APPOINTED  
SPECIAL ADVOCATES IN CERTAIN JUVENILE COURT MATTERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2016*) (a) For the purposes of  
2 this section, "court appointed special advocate" means a volunteer who  
3 is recruited, screened, trained and supervised by a local court  
4 appointed special advocate program that is affiliated with the National  
5 Court Appointed Special Advocates Association.

6 (b) (1) The Judicial Department shall establish, within available  
7 resources, a court appointed special advocate program. Under the  
8 program, a court appointed special advocate may serve as a resource  
9 to the superior court for juvenile matters in determining and  
10 furthering the best interests of a person under eighteen years of age  
11 who is the subject of a petition filed under section 46b-129 or 46b-149  
12 of the general statutes. The program shall be administered by the Chief  
13 Court Administrator within the superior court for juvenile matters.

14 (2) A court, on its own motion or upon a motion of a party, may

15 appoint a court appointed special advocate in any proceeding filed  
16 under section 46b-129 or 46b-149 of the general statutes. The court  
17 appointed special advocate may conduct an independent investigation  
18 of the facts associated with the filing of the petitions and shall  
19 undertake and facilitate activities in furtherance of the child's best  
20 interests, including, but not limited to, making recommendations to  
21 the court. Upon appointment by the court and after obtaining any  
22 required releases to access records, a court appointed special advocate  
23 shall have access to (A) any party to such proceeding, and (B) all  
24 information or records relevant to the child's best interests including,  
25 but not limited to, school records, child care records, medical records,  
26 mental health records, court records and records maintained by the  
27 Department of Children and Families. Nothing in this section shall  
28 permit a court appointed special advocate to supplant or interfere with  
29 any counsel or guardian ad litem appointed to represent the best  
30 interests of a child in such proceeding. Notwithstanding the provisions  
31 of this subsection, a court appointed special advocate may, in  
32 appropriate cases as determined by the court, undertake activities in  
33 furtherance of the child's best interests, until the child who is the  
34 subject of a petition filed under section 46b-129 or 46b-149 of the  
35 general statutes reaches twenty-one years of age.

36 (3) No fees shall be charged for the services provided by a court  
37 appointed special advocate.

38 (c) Prior to accepting any person who seeks to serve as a court  
39 appointed special advocate, the National Court Appointed Special  
40 Advocates Association or a court appointed special advocate program  
41 located in this state and affiliated with said association shall require  
42 that such person submit to (1) a state and national criminal history  
43 records check conducted in accordance with section 29-17a of the  
44 general statutes, and (2) a check of the state child abuse and neglect  
45 registry established under section 17a-101k of the general statutes. Any  
46 person who refuses to consent or cooperate in processing of such  
47 checks shall not be accepted into the court appointed special advocate

48 program.

49 (d) A court appointed special advocate who acts in good faith and  
50 within the scope of the court's appointment shall not be civilly or  
51 criminally liable for actions undertaken in connection with such  
52 appointment. Any staff member of a court appointed special advocate  
53 program affiliated with the National Court Appointed Special  
54 Advocates Association who acts in good faith and within the scope of  
55 his or her employment shall not be civilly or criminally liable for  
56 actions undertaken in connection with such employment. The  
57 protection provided in this subsection shall not apply to acts or  
58 omissions that constitute intentional, wilful or wanton misconduct.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	New section

**Statement of Purpose:**

To establish a court appointed special advocate program for certain juvenile court matters.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*