



General Assembly

**Substitute Bill No. 347**

February Session, 2016

\* SB00347JUD\_\_032916\_\_ \*

**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 (1) 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, and (2) has  
6 successfully completed the comprehensive training program for  
7 guardians ad litem sponsored by the Judicial Department.

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

16 (2) A court, on its own motion or upon a motion of a party, may  
17 appoint a court appointed special advocate in any proceeding in which  
18 a petition is filed under section 46b-129 or 46b-149 of the general

19 statutes. The court appointed special advocate may conduct an  
20 independent investigation of the facts associated with the filing of the  
21 petition and shall undertake and facilitate activities in furtherance of  
22 the child's best interests, including, but not limited to, making  
23 recommendations to the court. Upon appointment by the court and  
24 after obtaining any required releases to access records, a court  
25 appointed special advocate shall have access to (A) any party to such  
26 proceeding, and (B) all information or records relevant to the child's  
27 best interests including, but not limited to, school records, child care  
28 records, medical records, mental health records, court records and  
29 records maintained by the Department of Children and Families.  
30 Nothing in this section shall permit a court appointed special advocate  
31 to supplant or interfere with any counsel or guardian ad litem  
32 appointed to represent the best interests of a child in such proceeding.  
33 Notwithstanding the provisions of this subsection, a court appointed  
34 special advocate may, in appropriate cases as determined by the court,  
35 undertake activities in furtherance of the child's best interests, until the  
36 child who is the subject of a petition filed under section 46b-129 or 46b-  
37 149 of the general statutes reaches twenty-one years of age.

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

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

51 (d) A court appointed special advocate who acts in good faith and

52 within the scope of the court's appointment shall not be civilly or  
53 criminally liable for actions undertaken in connection with such  
54 appointment. Any staff member of a court appointed special advocate  
55 program affiliated with the National Court Appointed Special  
56 Advocates Association who acts in good faith and within the scope of  
57 his or her employment shall not be civilly or criminally liable for  
58 actions undertaken in connection with such employment. The  
59 protection provided in this subsection shall not apply to acts or  
60 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

**JUD**      *Joint Favorable Subst.*