



**Substitute House Bill No. 5382**

**Public Act No. 24-126**

**AN ACT CONCERNING THE RECOMMENDATIONS OF THE OFFICE OF THE CHILD ADVOCATE.**

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

Section 1. Section 17a-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(a) There shall be a State Advisory Council on Children and Families which shall consist of [twenty members as follows] the following members: (1) [Fourteen] Nineteen members appointed by the Governor, including two persons who are child care professionals, two persons eighteen to twenty-five years of age, inclusive, served by the Department of Children and Families, one child psychiatrist licensed to practice medicine in this state, one health care professional who has expertise in children's health and is licensed in the state, one attorney who has expertise in legal issues related to children and youth, three members of one or more Youth Advisory Boards, as defined in section 17a-10c, one member of an organization that advocates for the protection and advancement of the legal rights of children, one member of an organization that advocates for policies to promote child welfare and seven persons who shall be representative of young persons, parents and others interested in the delivery of services to children and youths, including child protection, behavioral health and prevention

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services, at least four of whom shall be parents, foster parents or family members of children who have received, or are receiving, behavioral health services or child welfare services; and (2) six members representing the regional advisory councils established pursuant to section 17a-30, appointed one each by the members of each council. Not more than half the members of the council shall be persons who receive income from a private practice or any public or private agency that delivers mental health, substance abuse, child abuse prevention and treatment or child welfare services. Members of the council shall serve without compensation, except for necessary expenses incurred in the performance of their duties. The Department of Children and Families shall provide the council with funding to facilitate the participation of those members representing families and youth, as well as for other administrative support services. Members shall serve on the council for terms of two years each and no member shall serve for more than three consecutive terms. The commissioner shall be an ex-officio member of the council without vote and shall attend its meetings. Any member who fails to attend three consecutive meetings or fifty per cent of all meetings during any calendar year shall be deemed to have resigned. The council shall elect a chairperson and vice-chairperson to act in the chairperson's absence.

(b) The council shall meet quarterly, and more often upon the call of the chair or a majority of the members. The council's meetings shall be held at locations that facilitate participation by members of the public, and its agenda and minutes shall be posted on the department's web site. A majority of the members in office, but not less than six members, shall constitute a quorum. The council shall have complete access to all records of the institutions and facilities of the department in furtherance of its duties, while at all times protecting the right of privacy of all individuals involved, as provided in section 17a-28, as amended by this act.

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(c) The duties of the council shall be to: (1) Recommend to the commissioner programs, legislation or other matters which will improve services for children and youths, including behavioral health services; (2) annually review and advise the commissioner regarding the proposed budget; (3) interpret to the community at large the policies, duties and programs of the department; (4) issue any reports it deems necessary to the Governor and the Commissioner of Children and Families; (5) review and comment on the reports described in subsection (b) of section 17a-3; (6) independently monitor the department's progress in achieving its goals as expressed in such reports; [and] (7) offer assistance and provide an outside perspective to the department so that it may be able to achieve the goals expressed in such reports; (8) conduct a review of departmental data pertaining to child safety, well-being and permanency not less than twice per year; and (9) conduct an annual evaluation to determine the extent to which the department is discharging its child protection responsibilities under state and federal law.

(d) In implementing the duties described in subsection (c) of this section, the council shall prioritize (1) the protection of children from abuse and neglect by ensuring that the state maintains an effective plan to prevent such abuse and neglect and divert children from foster care; (2) the reduction and elimination of preventable child fatalities and the unnecessary removal of children from their homes; (3) permanency and stability in home placements for children, including, but not limited to, the placement of children with family members whenever possible and the successful transition from foster care of youth exiting the child welfare system; (4) the reduction of disparate outcomes between minority and other populations served by the child welfare system; (5) the timely, appropriate and adequate provision of services to children and families to meet the physical, mental health and developmental needs of such children; and (6) collaboration among state agencies in furtherance of the duties described in subsection (c) of this section.

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Sec. 2. Section 17a-15a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

The Department of Children and Families shall include the following information in each document of the department entitled study in support of permanency plan and status report for permanency planning team, except when otherwise directed by the Juvenile Court: (1) A description of any problems or offenses that necessitated the placement of the child with the department; (2) a description of the type and an analysis of the effectiveness of the care, treatment and supervision that the department has provided for the child; (3) for each child in substitute care, the current visitation schedule between the child and his or her parents and siblings; (4) a description of every effort taken by the department to reunite the child with a parent or to find a permanent placement for the child, including, where applicable, every effort to assist each parent in remedying factors that contributed to the removal of the child from the home; (5) a proposed timetable for reunification of the child and a parent, a permanent placement if continued substitute care is recommended or a justification of why extended substitute care is necessary; [and] (6) whether the child has been visited no less frequently than every three months by a state or private agency if the child has been placed in foster care outside this state; (7) the dates of administrative case review meetings and permanency team meetings; (8) whether the department has received or obtained the most up-to-date information concerning the child's medical, dental, developmental, educational and treatment needs from any relevant service providers; (9) whether the child has received services recommended by any such providers, and a description of any concerns identified by such providers; (10) a description of (A) any new report alleging abuse or neglect pertaining to the child or a parent of the child received pursuant to section 17a-103a, (B) whether such report resulted in an investigation, and (C) the findings of any such investigation; (11) any new criminal charges pending against any such parent; (12) for any child in the care

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and custody of the department, whether the child was placed in a licensed home or home eligible for licensure pursuant to section 17a-114, and whether any applicable waivers have been obtained pursuant to said section; and (13) for any child under three years of age, whether the child was screened for developmental and social-emotional delays pursuant to section 17a-106e, whether any such delays were identified and, if so, whether the child was referred to the birth-to-three program pursuant to said section.

Sec. 3. Subsection (g) of section 17a-28 of the 2024 supplement to the general statutes is amended by adding subdivision (34) as follows (*Effective July 1, 2024*):

(NEW) (34) Any individual, upon the request of such individual, when the information concerns an incident of abuse or neglect that resulted in the fatality or near fatality of a child or youth, provided (A) such disclosure shall be limited to (i) the cause and circumstances of such fatality or near fatality, (ii) the age and gender of such child or youth, (iii) a description of any previous reports of or investigations into child abuse or neglect that are relevant to the child abuse or neglect that led to such fatality or near fatality, (iv) the findings of any such investigations, and (v) a description of any services provided and actions taken by the state on behalf of such child or youth that are relevant to the child abuse or neglect that led to such fatality or near fatality, and (B) the department shall not make any disclosure that is prohibited by the provisions of any relevant federal law, including, but not limited to, Titles IV-B and IV-E of the Social Security Act, as amended from time to time. The department may withhold the disclosure of any records described in this subdivision if the commissioner determines that such disclosure may (i) result in harm to the safety or well-being of the child or youth who is the subject of such records, the family of such child or youth, or any individual who made a report of abuse or neglect pertaining to such child or youth, or (ii)

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interfere with a pending criminal investigation.

Sec. 4. Subsection (h) of section 17a-28 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(h) The department may, subject to subsections (b) and (c) of this section, disclose records without the consent of the person who is the subject of the record, to:

(1) An employee or former employee of the department or such employee or former employee's authorized representative for purposes of participating in any court, administrative or disciplinary proceeding, provided such disclosure shall be limited to records that are necessary to the proceeding, as determined by the department;

(2) Multidisciplinary teams, as described in section 17a-106a;

(3) A provider of professional services for a child, youth or parent referred to such provider, provided such disclosure is limited to information necessary to provide services to the child, youth or parent;

(4) An individual or agency under contract with the department for the purposes of identifying and assessing a potential foster or adoptive home or visiting resource for a child or youth, provided no information identifying a biological parent of a child or youth is disclosed without the permission of such biological parent;

(5) A physician examining a child with respect to whom abuse or neglect is suspected and who is authorized pursuant to section 17a-101f to keep the child in the custody of a hospital when such physician requires the information in a record of the department to determine whether to keep the child in protective custody;

(6) An individual who reports child abuse or neglect pursuant to

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sections 17a-101a to 17a-101c, inclusive, or section 17a-103, who made a report of abuse or neglect, provided the information disclosed is limited to (A) the status of the investigation conducted pursuant to section 17a-101g resulting from the individual's report; and (B) in general terms, the action taken by the department as a result of such investigation;

(7) An individual or organization engaged in the business of medical, psychological or psychiatric diagnosis and treatment and who is treating a person, provided the commissioner, or the commissioner's designee, determines that the disclosure is necessary to accomplish the objectives of diagnosis or treatment;

(8) A court or public agency in another state or a federally recognized Indian tribe, that is responsible for investigating child abuse or neglect, preventing child abuse and neglect or providing services to families at risk for child abuse or neglect, for the purpose of such investigation, prevention or providing services to such families;

(9) An individual conducting bona fide research, provided no information identifying the subject of the record is disclosed unless (A) such information is essential to the purpose of the research; and (B) the department has given written approval for the use of such information;

(10) An individual or agency involved in the collection of fees for services, provided such information is limited to the name and address of the person who received the services and the fees for services, except as provided in section 17b-225. In cases where a dispute arises over such fees or claims or where additional information is needed to substantiate the fee or claim, the Department of Children and Families may disclose the following: (A) That the person was, in fact, provided services by the department; (B) the dates and duration of such services; and (C) a general description of the types of services, including evidence that a service or treatment plan exists and has been carried out and evidence to substantiate the necessity for admission and length of stay in an

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institution or facility;

(11) A law enforcement officer or state's attorney if there is reasonable cause to believe that (A) a child or youth is being abused or neglected or at risk of being abused or neglected as a result of any suspected criminal activity by any individual, or (B) an employee of the department is being threatened or harassed or has been assaulted by a client or coworker;

(12) Any individual interviewed as part of an investigation conducted pursuant to section 17a-101g, who is not otherwise entitled to such information, provided such disclosure is limited to: (A) The general nature of the allegations contained in the reports; (B) the identity of the child or youth alleged to have been abused or neglected; and (C) information necessary to effectively conduct the investigation;

(13) Any individual, when information concerning an incident of child abuse or neglect has been made public or the commissioner reasonably believes publication of such information is likely, provided such disclosure is limited to: (A) Whether the department has received any report in accordance with sections 17a-101a to 17a-101c, inclusive, or section 17a-103; (B) in general terms, any action taken by the department, provided: (i) Names or other individually identifiable information of the child or other family members is not disclosed, regardless of whether such individually identifiable information is otherwise available, and (ii) the name or other individually identifiable information of the person suspected to be responsible for the abuse or neglect is not disclosed unless such person has been arrested for a crime due to such abuse or neglect; (C) confirmation or denial of the accuracy of information that has been made public; and (D) notwithstanding the provisions of section 46b-124, in general terms, the legal status of the case;

(14) Any individual for the purpose of locating such individual's missing parent, child, sibling, aunt, uncle, first cousin or grandparent,



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provided such disclosure is limited to information that assists in locating such missing parent, child, sibling, aunt, uncle, first cousin or grandparent;

[(15) Any individual, when the information concerns an incident of abuse or neglect that resulted in a child or youth fatality or near fatality of a child or youth, provided disclosure of such information is in general terms and does not jeopardize a pending investigation;]

[(16)] (15) A judge of a court of competent jurisdiction whenever an employee of the department is subpoenaed and ordered to testify about such records for purposes of in camera inspection to determine if such records may be disclosed pursuant to this section if (A) the court has ordered that such records be provided to the court; or (B) a party to the proceeding has issued a subpoena for such records; and

[(17)] (16) An individual who is not employed by the department who arranges, performs or assists in performing functions or activities on behalf of the department, including, but not limited to, data analysis, processing or administration, utilization reviews, quality assurance, practice management, consultation, data aggregation and accreditation services.

Sec. 5. Subsection (j) of section 46b-129 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(j) (1) For the purposes of this subsection and subsection (k) of this section, (A) "permanent legal guardianship" means a permanent guardianship, as defined in section 45a-604, [and] (B) "caregiver" means (i) a fictive kin caregiver, as defined in section 17a-114, who is caring for a child, (ii) a relative caregiver, as defined in section 17a-126, who is caring for a child, or (iii) a person who is licensed or approved to provide foster care pursuant to section 17a-114, who is caring for a child,

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and (C) "trial home visit" means the temporary placement of a child or youth committed to the Commissioner of Children and Families in the home of such child's or youth's parent or guardian.

(2) Upon finding and adjudging that any child or youth is uncared for, neglected or abused the court may (A) commit such child or youth to the Commissioner of Children and Families, and such commitment shall remain in effect until further order of the court, except that such commitment may be revoked or parental rights terminated at any time by the court; (B) vest such child's or youth's legal guardianship in any private or public agency that is permitted by law to care for neglected, uncared for or abused children or youths or with any other person or persons found to be suitable and worthy of such responsibility by the court, including, but not limited to, any relative of such child or youth by blood or marriage; (C) vest such child's or youth's permanent legal guardianship in any person or persons found to be suitable and worthy of such responsibility by the court, including, but not limited to, any relative of such child or youth by blood or marriage in accordance with the requirements set forth in subdivision [(5)] (6) of this subsection; or (D) place the child or youth in the custody of the parent or guardian with protective supervision by the Commissioner of Children and Families subject to conditions established by the court.

(3) If the court approves a permanency plan filed with the court that recommends the reunification of the child or youth with such child's or youth's parent or guardian, the Commissioner of Children and Families may, with the agreement of all parties of record, authorize a trial home visit prior to the revocation of the order of commitment pertaining to such child or youth. The commissioner shall (A) provide the court and all parties of record written notice of the commissioner's intent to authorize any such trial home visit not later than fifteen days prior to such authorization; (B) create a trial home visit plan that shall be provided to all parties of record, and include, but need not be limited to,

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announced and unannounced visits to the home by the department and the provision of any services during such trial home visit that the commissioner determines are necessary to promote the child's or youth's well-being; and (C) file a motion for revocation of commitment not later than thirty days after the date such trial home visit commences, unless the commissioner removes the child or youth from the home prior to that time pursuant to its responsibility and authority over children and youth committed to the care and custody of the commissioner. A trial home visit authorized under this section shall remain in effect until the commissioner removes such child or youth pursuant to subparagraph (C) of this subdivision or the court grants a motion for revocation of commitment filed pursuant to said subparagraph.

[(3)] (4) If the court determines that the commitment should be revoked and the child's or youth's legal guardianship or permanent legal guardianship should vest in someone other than the respondent parent, parents or former guardian, or if parental rights are terminated at any time, there shall be a rebuttable presumption that an award of legal guardianship or permanent legal guardianship upon revocation to, or adoption upon termination of parental rights by, any caregiver or person or who is, pursuant to an order of the court, the temporary custodian of the child or youth at the time of the revocation or termination, shall be in the best interests of the child or youth and that such caregiver is a suitable and worthy person to assume legal guardianship or permanent legal guardianship upon revocation or to adopt such child or youth upon termination of parental rights. The presumption may be rebutted by a preponderance of the evidence that an award of legal guardianship or permanent legal guardianship to, or an adoption by, such caregiver would not be in the child's or youth's best interests and such caregiver is not a suitable and worthy person. The court shall order specific steps that the parent must take to facilitate the return of the child or youth to the custody of such parent.

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[(4)] (5) The commissioner shall be the guardian of such child or youth for the duration of the commitment, provided the child or youth has not reached the age of eighteen years, or until another guardian has been legally appointed, and in like manner, upon such vesting of the care of such child or youth, such other public or private agency or individual shall be the guardian of such child or youth until such child or youth has reached the age of eighteen years or, in the case of a child or youth in full-time attendance in a secondary school, a technical education and career school, a college or a state-accredited job training program, until such child or youth has reached the age of twenty-one years or until another guardian has been legally appointed. The commissioner may place any child or youth so committed to the commissioner in a suitable foster home or in the home of a fictive kin caregiver, relative caregiver, or in a licensed child-caring institution or in the care and custody of any accredited, licensed or approved child-caring agency, within or without the state, provided a child shall not be placed outside the state except for good cause and unless the parents or guardian of such child are notified in advance of such placement and given an opportunity to be heard, or in a receiving home maintained and operated by the commissioner. When placing such child or youth, the commissioner shall provide written notification of the placement, including the name, address and other relevant contact information relating to the placement, to any attorney or guardian ad litem appointed to represent the child or youth pursuant to subsection (c) of this section. The commissioner shall provide written notification to such attorney or guardian ad litem of any change in placement of such child or youth, including a hospitalization or respite placement, and if the child or youth absconds from care. The commissioner shall provide such written notification not later than ten business days prior to the date of change of placement in a nonemergency situation, or not later than two business days following the date of a change of placement in an emergency situation. In placing such child or youth, the commissioner shall, if possible, select a home, agency, institution or person of like

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religious faith to that of a parent of such child or youth, if such faith is known or may be ascertained by reasonable inquiry, provided such home conforms to the standards of the commissioner and the commissioner shall, when placing siblings, if possible, place such children together. At least ten days prior to transferring a child or youth to a second or subsequent placement, the commissioner shall give written notice to such child or youth and such [child] child's or youth's attorney of said commissioner's intention to make such transfer, unless an emergency or risk to such [child] child's or youth's well-being necessitates the immediate transfer of such child and renders such notice impossible. Upon the issuance of an order committing the child or youth to the commissioner, or not later than sixty days after the issuance of such order, the court shall determine whether the department made reasonable efforts to keep the child or youth with his or her parents or guardian prior to the issuance of such order and, if such efforts were not made, whether such reasonable efforts were not possible, taking into consideration the child's or youth's best interests, including the child's or youth's health and safety.

[(5)] (6) A youth who is committed to the commissioner pursuant to this subsection and has reached eighteen years of age may remain in the care of the commissioner, by consent of the youth and provided the youth has not reached the age of twenty-one years of age, if the youth is (A) enrolled in a full-time approved secondary education program or an approved program leading to an equivalent credential; (B) enrolled full time in an institution which provides postsecondary or vocational education; or (C) participating full time in a program or activity approved by said commissioner that is designed to promote or remove barriers to employment. The commissioner, in [his or her] the commissioner's discretion, may waive the provision of full-time enrollment or participation based on compelling circumstances. Not more than one hundred twenty days after the youth's eighteenth birthday, the department shall file a motion in the superior court for

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juvenile matters that had jurisdiction over the youth's case prior to the youth's eighteenth birthday for a determination as to whether continuation in care is in the youth's best interest and, if so, whether there is an appropriate permanency plan. The court, in its discretion, may hold a hearing on said motion.

[(6)] (7) Prior to issuing an order for permanent legal guardianship, the court shall provide notice to each parent that the parent may not file a motion to terminate the permanent legal guardianship, or the court shall indicate on the record why such notice could not be provided, and the court shall find by clear and convincing evidence that the permanent legal guardianship is in the best interests of the child or youth and that the following have been proven by clear and convincing evidence:

(A) One of the statutory grounds for termination of parental rights exists, as set forth in subsection (j) of section 17a-112, or the parents have voluntarily consented to the establishment of the permanent legal guardianship;

(B) Adoption of the child or youth is not possible or appropriate;

(C) (i) If the child or youth is at least twelve years of age, such child or youth consents to the proposed permanent legal guardianship, or (ii) if the child is under twelve years of age, the proposed permanent legal guardian is: (I) A relative, (II) a caregiver, or (III) already serving as the permanent legal guardian of at least one of the child's siblings, if any;

(D) The child or youth has resided with the proposed permanent legal guardian for at least a year; and

(E) The proposed permanent legal guardian is (i) a suitable and worthy person, and (ii) committed to remaining the permanent legal guardian and assuming the right and responsibilities for the child or youth until the child or youth attains the age of majority.

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[(7)] (8) An order of permanent legal guardianship may be reopened and modified and the permanent legal guardian removed upon the filing of a motion with the court, provided it is proven by a fair preponderance of the evidence that the permanent legal guardian is no longer suitable and worthy. A parent may not file a motion to terminate a permanent legal guardianship. If, after a hearing, the court terminates a permanent legal guardianship, the court, in appointing a successor legal guardian or permanent legal guardian for the child or youth shall do so in accordance with this subsection.

Sec. 6. Subsections (p) to (t), inclusive, of section 46b-129 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(p) A foster parent, prospective adoptive parent or relative caregiver shall receive notice and have the right to be heard for the purposes of this section in Superior Court in any proceeding concerning a foster child living with such foster parent, prospective adoptive parent or relative caregiver. A foster parent, prospective adoptive parent or relative caregiver who has cared for a child or youth shall have the right to be heard and comment on the best interests of such child or youth in any proceeding under this section which is brought not more than one year after the last day the foster parent, prospective adoptive parent or relative caregiver provided such care. Any notice provided pursuant to this subsection shall include the Internet web site address for any proceeding that will be conducted on a virtual platform. The court shall confirm compliance with the notice requirements set forth in this subsection at any such proceeding.

(q) Upon motion of any sibling of any child committed to the Department of Children and Families pursuant to this section, such sibling shall have the right to be heard concerning visitation with, and placement of, any such child. In awarding any visitation or modifying any placement, the court shall be guided by the best interests of all

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siblings affected by such determination.

(r) The provisions of section 17a-152, regarding placement of a child from another state, and section 17a-175, regarding the Interstate Compact on the Placement of Children, shall apply to placements pursuant to this section. In any proceeding under this section involving the placement of a child or youth in another state where the provisions of section 17a-175 are applicable, the court shall, before ordering or approving such placement, state for the record the court's finding concerning compliance with the provisions of section 17a-175. The court's statement shall include, but not be limited to: (1) A finding that the state has received notice in writing from the receiving state, in accordance with subsection (d) of Article III of section 17a-175, indicating that the proposed placement does not appear contrary to the interests of the child, (2) the court has reviewed such notice, (3) whether or not an interstate compact study or other home study has been completed by the receiving state, and (4) if such a study has been completed, whether the conclusions reached by the receiving state as a result of such study support the placement.

(s) In any proceeding under this section, the Department of Children and Families shall provide notice to (1) each attorney of record for each party involved in the proceeding when the department seeks to transfer a child or youth in its care, custody or control to an out-of-state placement, and (2) the attorney for the child or youth, and any guardian ad litem for such child or youth, of (A) any new report of abuse or neglect pertaining to such child or youth or such child's or youth's parent or guardian received pursuant to section 17a-103a, (B) whether such report resulted in an investigation, and (C) the results of any such investigation.

(t) If a child or youth is placed into out-of-home care by the Commissioner of Children and Families pursuant to this section, the commissioner shall include in any report the commissioner submits to



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the court information regarding (1) the safety and suitability of such [child] child's or youth's placement, taking into account the requirements set forth in section 17a-114; (2) whether the department has received or obtained the most recent information concerning such [child] child's or youth's medical, dental, developmental, educational and treatment needs from any relevant service providers; [and] (3) a timeline for ensuring that such needs are met; (4) for any such child or youth under three years of age, whether the child or youth was screened for developmental and social-emotional delays pursuant to section 17a-106e, whether any such delays were identified and, if so, whether the child or youth was referred to the birth-to-three program pursuant to said section; (5) the dates of administrative case review meetings and permanency team meetings; (6) any new report alleging abuse or neglect pertaining to such child or youth or a parent or guardian of such child or youth pursuant to section 17a-103a, and (A) whether such report resulted in an investigation, and (B) the findings of any such investigation; and (7) any new criminal charges pending against any such parent or guardian. Such information shall also be submitted to the court (A) not later than ninety days after such child or youth is placed into out-of-home care; (B) if such [child] child's or youth's out-of-home placement changes; and (C) if the commissioner files a permanency plan on behalf of such child or youth. The court shall consider such information in making decisions regarding such [child] child's or youth's [well-being] best interests.

Sec. 7. Section 46b-129 of the general statutes is amended by adding subsections (u) to (w), inclusive, as follows (*Effective July 1, 2024*):

(NEW) (u) Prior to the issuance of any order affecting the legal status or placement of a child in any proceeding under this section, the court shall confirm that (1) any attorney for such child has obtained a clear understanding of the situation and the needs of such child, as described in 42 USC 5106a(b)(2)(B), as amended from time to time; (2) any

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guardian ad litem for such child has performed an independent investigation of the case and is prepared to present information pertinent to the court's determination of the best interests of such child, in accordance with the provisions of subparagraph (D) of subdivision (2) of section 46b-129a, as amended by this act; and (3) any attorney or guardian ad litem for such child has (A) communicated regularly with such child, or, in the case of a nonverbal child, such child's caregivers and service providers, and (B) visited with such child with sufficient frequency as to be informed of such child's situation and needs.

(NEW) (v) In any proceeding to review, modify, terminate or extend an order of protective supervision, the Department of Children and Families shall file with the court information concerning (1) whether the department has received or obtained the most up-to-date information concerning the child's medical, dental, developmental, educational and treatment needs from any relevant service providers; (2) whether the child has received services recommended by any such providers and a description of any concerns identified by such providers; (3) a description of (A) any new report alleging abuse or neglect pertaining to the child or a parent of the child received pursuant to section 17a-103a, (B) whether such report resulted in an investigation, and (C) the findings of any such investigation; (4) any new criminal charges pending against any such parent; and (5) for any child under three years of age, whether the child was screened for developmental and social-emotional delays pursuant to section 17a-106e, whether any such delays were identified and, if so, whether the child was referred to the birth-to-three program pursuant to said section.

(NEW) (w) In any proceeding under this section, the Department of Children and Families shall identify the source of any documentation, statements or allegations included in the department's submissions to the court and the date or dates upon which any such information was obtained by the department.

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Sec. 8. Subparagraph (D) of subdivision (2) of section 46b-129a of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(D) If the court, based on evidence before it, or counsel for the child, determines that the child cannot adequately act in his or her own best interests and the child's wishes, as determined by counsel, if followed, could lead to substantial physical, financial or other harm to the child unless protective action is taken, counsel may request and the court may order that a separate guardian ad litem be assigned for the child, in which case the court shall either appoint a guardian ad litem to serve on a voluntary basis or notify the office of Chief Public Defender who shall assign a separate guardian ad litem for the child. The guardian ad litem shall perform an independent investigation of the case and [may] be prepared to present at any hearing information pertinent to the court's determination of the best interests of the child. The guardian ad litem shall be subject to cross-examination upon the request of opposing counsel. The guardian ad litem is not required to be an attorney-at-law but shall be knowledgeable about the needs and protection of children and relevant court procedures. If a separate guardian ad litem is assigned, the person previously serving as counsel for the child shall continue to serve as counsel for the child and a different person shall be assigned as guardian ad litem, unless the court for good cause also determines that a different person should serve as counsel for the child, in which case the court shall notify the office of Chief Public Defender who shall assign a different person as counsel for the child. No person who has served as both counsel and guardian ad litem for a child shall thereafter serve solely as the child's guardian ad litem.

Sec. 9. (*Effective from passage*) (a) There is established a working group to review available data and information regarding the effectiveness of the Department of Children and Families in discharging its child protection responsibilities and to develop a plan for the public

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dissemination of such data and information on a regular basis. Such data and information may include, but need not be limited to, (1) quantitative and qualitative information regarding the safety, permanency and well-being of children served by the Department of Children and Families, aligned with the requirements of the Federal Child and Family Service Reviews; (2) quality assurance information regarding the assessment and management of risk and safety in child protective service cases, including cases open with the Department of Children and Families in ongoing treatment; (3) the availability, timeliness and effectiveness of services for children and families, including developmental and educational needs; (4) information on differential response, including the outcomes for children served through state-funded diversion programs, such as Community Support for Families and Integrated Family Care and Support; (5) disclosures regarding child fatalities consistent with the requirements of the federal Child Abuse Prevention and Treatment Act, 42 USC 5106 et seq., as amended from time to time; and (6) a summary of findings, recommendations and action steps arising from the Department of Children and Families' internal review of department practices following fatalities and near-fatalities of children where the department had an open case or a case closed within the previous twelve months.

(b) The working group shall consist of the following members:

(1) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to children;

(2) The Commissioner of Children and Families, or the commissioner's designee;

(3) The Child Advocate, or the Child Advocate's designee;

(4) The chairperson of the State Advisory Council on Children and

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Families, established pursuant to section 17a-4 of the general statutes, as amended by this act;

(5) The Chief Public Defender, or the Chief Public Defender's designee;

(6) The executive director of the Connecticut Alliance of Foster and Adoptive Families, or the executive director's designee; and

(7) One designated by the Commissioner of Children and Families, who is a representative from an entity with expertise in data collection and analysis.

(c) All initial designations to the working group shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to children shall serve as the chairpersons of the working group. Such chairpersons shall schedule the first meeting of the working group, which shall be held not later than sixty days after the effective date of this section.

(e) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to children shall serve as administrative staff of the working group.

(f) Not later than January 1, 2025, the working group shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to children, in accordance with the provisions of section 11-4a of the general statutes. The working group shall terminate on the date that it submits such report or January 1, 2025, whichever is later.

Sec. 10. (*Effective from passage*) (a) There is established a working

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group to review the delivery of legal services to children in child protection proceedings in this state. Such review shall include, but need not be limited to, models of legal service delivery previously used in this state or currently used in other states, and recommendations for improving the quality of legal representation provided to children in this state.

(b) The working group shall consist of the following members:

(1) One appointed by the speaker of the House of Representatives, who is an attorney with expertise in representing children in child welfare proceedings;

(2) One appointed by the president pro tempore of the Senate, who is an attorney with expertise in representing children in child welfare proceedings;

(3) One appointed by the majority leader of the House of Representatives, who is an attorney with expertise in representing parents in child welfare proceedings;

(4) One appointed by the majority leader of the Senate, who is an attorney with expertise in representing parents in child welfare proceedings;

(5) One appointed by the minority leader of the House of Representatives, who is a representative of an organization dedicated to advancing the legal rights of children;

(6) One appointed by the minority leader of the Senate, who is a representative of an organization dedicated to improving public policy for children;

(7) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters

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relating to children;

(8) The Chief Public Defender, or the Chief Public Defender's designee;

(9) The Child Advocate, or the Child Advocate's designee;

(10) The chief administrative judge of juvenile matters;

(11) The Attorney General, or the Attorney General's designee;

(12) The Commissioner of Children and Families, or the commissioner's designee; and

(13) The executive director of the Connecticut Alliance of Foster and Adoptive Families, or the executive director's designee.

(c) Any member of the working group designated under subdivision (1), (2), (3), (4), (5), (6) or (7) of subsection (b) of this section may be a member of the General Assembly.

(d) All initial designations to the working group shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(e) The chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to children shall serve as the chairpersons of the working group. Such chairpersons shall schedule the first meeting of the working group, which shall be held not later than sixty days after the effective date of this section.

(f) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to children shall serve as administrative staff of the working group.

(g) Not later than November 1, 2024, the working group shall submit

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a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to children, in accordance with the provisions of section 11-4a of the general statutes, and the Office of the Chief Public Defender. The working group shall terminate on the date that it submits such report or November 1, 2024, whichever is later.

Sec. 11. Subsection (d) of section 2-128a of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(d) Not later than [July 1, 2024] January 1, 2025, the working group shall submit the Title IX compliance toolkit to the joint standing committee of the General Assembly having cognizance of matters relating to children, in accordance with the provisions of section 11-4a. The working group shall terminate on the date that it submits such toolkit or [July 1, 2024] January 1, 2025, whichever is later.

Sec. 12. Subsection (a) of section 10-11c of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(a) Not later than [October 1, 2024] April 1, 2025, the Department of Education shall distribute the Title IX compliance toolkit, identified or developed pursuant to section 2-128a, as amended by this act, to local and regional boards of education and provide technical assistance to such boards in the implementation of such toolkit.

Approved June 5, 2024