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## **OLR Bill Analysis**

### **sSB 1368**

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

#### **SUMMARY**

This bill amends the notice requirements in certain probate court guardianship proceedings. It does so by expanding the (1) recipients of notices for hearings to appoint guardians or co-guardians for a minor and (2) required content of certain notices for hearings to remove a parent as guardian or appoint a guardian (temporary or permanent) or co-guardian for a minor.

For the latter, the bill requires the notices to include specified information, such as how to report suspected child abuse or neglect to the Department of Children and Families (DCF), different processes for obtaining guardianship, and the differences in financial assistance available to guardians and licensed foster parents.

The bill also establishes a 12-member working group to study and make recommendations for improving laws, policies, and procedures related to probate court guardianship proceedings. The working group must report its findings and recommendations to the Judiciary Committee by January 1, 2026. The working group terminates on the date it submits the report or January 1, 2026, whichever is later.

Lastly, the bill makes technical changes.

EFFECTIVE DATE: October 1, 2025, except that the working group provision takes effect upon passage.

#### **NOTICE REQUIREMENTS**

##### ***Notice Recipients***

By law, the probate court must order a hearing notice for

guardianship proceedings that must be given to specified parties as follows:

1. for removing a parent as guardian, notice must be given to the DCF commissioner, minor (if age 12 or older), and both parents at least 10 days before the hearing and
2. for appointing a guardian or co-guardian, notice must be given to the minor (if age 12 or older) at least 10 days before the hearing, as well as the petitioner and all other interested parties known by the court.

For the latter, the bill requires the notice also be given to each person named as a guardian or co-guardian in the petition. It further requires the court, before appointing a guardian or co-guardian, to confirm that they received and understood the notice. Similarly, the bill requires the court to do this for all recipients of the hearing notice for removing a parent as guardian.

***Notice Content***

Under the bill, hearing notices given to (1) all recipients in proceedings to remove a parent as guardian, (2) guardians and co-guardians in proceedings to appoint them, and (3) parents removed as guardians in proceedings to appoint permanent guardians must include the following information:

1. how to report suspected child abuse or neglect to DCF;
2. the differences between the processes for getting guardianship through (a) probate court and (b) a petition filed by DCF in the Superior Court for Juvenile Matters, including requirements for reasonable efforts to prevent the child's removal and reunify them with their parents and required findings before terminating parental rights;
3. the differences in financial assistance available to guardians and DCF-licensed foster parents; and

4. the differences between guardianship and foster care, including DCF involvement, and oversight.

For proceedings involving the removal of a parent as a minor's guardian, existing law also requires the hearing notice to include (1) the associated application, (2) supporting documents and affidavits, (3) other related court orders or notices, and (4) any investigation requests from DCF or other agencies or people.

### **WORKING GROUP ON PROBATE COURT GUARDIANSHIP PROCEEDINGS**

The bill establishes a working group to study and make recommendations to improve laws, policies, and procedures related to probate court guardianship proceedings. At a minimum, the study must review the Office of the Child Advocate's (OCA) 2025 report on Connecticut probate court guardianship proceedings required under PA 24-118.

#### ***Membership***

Under the bill, working group members include the following state officials or their designees: the commissioners of children and families and social services, child advocate, probate court administrator, and Judiciary Committee chairpersons and ranking members. It also includes the following four appointed members:

1. one parent whose guardianship over his or her child was removed, appointed by the Judiciary Committee House chairperson;
2. one adult who, as a child, had a guardian appointed for them by the probate court, appointed by the Judiciary Committee Senate chairperson;
3. one attorney representing children or parents in probate court guardianship proceedings, appointed by the Judiciary Committee House ranking members; and
4. one volunteer guardian ad litem, appointed by the Judiciary

Committee Senate ranking member.

Appointing authorities must make their initial appointments within 30 days after the bill's passage and fill any vacancies. Appointed members may be legislators.

***Leadership and Meetings***

Under the bill, the Judiciary Committee chairpersons are the working group's co-chairpersons. They must schedule and hold the working group's first meeting within 60 days after the bill's passage.

The Judiciary Committee administrative staff serve in this capacity for the working group.

**COMMITTEE ACTION**

Committee on Children

Joint Favorable Substitute

Yea 17    Nay 0    (03/06/2025)