

Legislative History for Connecticut Act

<u>HB 6270</u>	PA 151	1971
House	1570-1571	(2)
Senate	1398-1399	(2)
Judiciary	589	(1)

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JOINT
STANDING
COMMITTEE
HEARINGS

JUDICIARY

PART 2

393-688

1971

J. Gill: (cont'd) They would like to feel that what they are providing in the way of funds would be backed up in the way of staff work. Actually, the Court is providing most of the staff work. But the most objectionable feature of the present system is that it's highly wasteful of judicial time. It means we have to travel the circuitous route of first bringing the child in to determine what he has done which is generally a delinquency hearing. Then, determining what his needs may be and if we arrive at the need for specialized placement beginning again with a brand new petition of neglect which again has to go down the judicial road to a neglect hearing all of which consumes great deal of both judicial man power, staff man power and clerical man power so that every such placement becomes a great deal more costly in terms of time and money than it might be if we could do it ourselves directly. Now, we're not suggesting that all departments be given the same amount of money. We're simply saying that if the state now spends as it does well over a half a million dollars a year on placements of this kind that it probably could be more economically and expeditiously done by direct placement through the Court and through the Welfare Department. If the Department of Children and Youth Services had as much money as ideally perhaps it would like to have. It could probably provide the kind of lend-lease arrangement that we're talking about. But the realities again seem to be that this Department does not have this kind of money and that we will not be able to turn to them in the predictable future for this kind of help.

The next bill is H.B.#6270 and this represents really the correction of an error which your speaker made when he drew the original revision of the Juvenile Court Act two years ago. I might as well acknowledge this publicly.

I failed to make any provision in the Act for revocations of commitments to any institutions, save and except the Department of Children and Youth Services, so that youngsters that are sent to Southberry, Mansfield or to any other institution under a Court decree now theoretically don't have access to the Court to have that decree reviewed. I think the Court has inherent power to reopen any judgment, at least I thought so. But it's been stinging me in the face for two years as a piece of faulty draftsmanship. And I think it should be explicitly in the statute.

H.B.#6373 - AN ACT CONCERNING THE JUVENILE COURT.

Is to give the Court the authority and power to enforce its decrees in cases where it makes awards for emergency custody, primarily, but also perhaps in decrees of final

S-78

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1971

VOL. 14

PART 3

957-1456

April 29, 1971 23.

THE CHAIR:

The question is on passage of the bill as amended. Will you remark further? If not all those in favor signify by saying aye. AYE. Opposed nay? The ayes have it. The bill is passed.

THE CLERK:

Page 2, Cal. 355, File 284. Favorable report of the joint standing committee on Judiciary on H.B. 6270 An Act Concerning Commitments by the Juvenile Court.

THE CHAIR:

Senator Jackson.

SENATOR JACKSON:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Will you remark?

SENATOR JACKSON:

The present law is the child judicative delinquent by the Juvenile Court shall be for an indeterminate time of two years. This bill states that all other commitments delinquent, mentally deficient or mentally ill children by the Juvenile Court pursuant to the provisions of Sec. 17-68 shall be for an indeterminate time. It provides that commitments may be reopened and terminated under certain circumstances.

THE CHAIR:

The question is on passage. Will you remark further?

April 29, 1971

24.

If not all those in favor signify by saying aye. OPPOSED nay?

The ayes have it. The bill is passed.

THE CLERK:

Cal. 381, File 494 Favorable report of the joint standing Committee on Judiciary on Substitute S.B. 854 An Act Concerning Testimony of Accused or of Spouse of Accused.

THE CHAIR:

Senator Jackson.

SENATOR JACKSON:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Will you remark?

Senator Jackson?

Mr. President, this amends Sec. 54-84 of the General Statutes to provide that either spouse who has received personal violence from the other. Or is the spouse of one who is charged with violation of any of the Sections enumerated in the bill may testify against the other spouse.

THE CHAIR:

The question is on passage. Will you remark further? If not all those in favor of passage signify by saying aye. Opposed nay. The ayes have it. The bill is passed.

THE CLERK:

Page 3, top of the page, Cal. No. 393, File 331. Favorable

H-111

CONNECTICUT

GEN. ASSEMBLY

HOUSE

PROCEEDINGS

1971

VOL. 14

PART 4a

1451-1704

Tuesday, April 20, 1971

36.

Is there objection? Hearing none, so ordered and if the Clerk could return to the previous Calendar item, Col. Bingham has returned to the Hall of the House.

MBS

THE CLERK:

Back to Calendar No. 375, House Bill No. 6270, An Act Concerning Commitments by the Juvenile Court.

JAMES F. BINGHAM, 157th District:

Mr. Speaker, I move acceptance of the joint committee's favorable report.

MR. SPEAKER:

Question is on acceptance and passage, will you remark?

JAMES F. BINGHAM, 157th District:

Mr. Speaker, the present law of a child adjudicated a delinquent by the Juvenile Court states that it shall be an indeterminate time up to two years. When we enacted the Juvenile Court act, we emitted to provide for persons to go into court and ask that the children be released. This bill states that all other commitments of delinquent or mentally deficient child, or mentally ill children by the Juvenile Court, who have been committed pursuant to Sec. 17-68 shall be for an indeterminate term. This provides that commitments may be reopened and terminated under circumstances provided for all other mentally deficient and mentally ill children. In other words, if a person is committed to Mansfield or Southbury or Marion Hall, the parents may petition the court for release of the child and after the hearing the child may be released. At the present time

Tuesday, April 20, 1971 37.

MBS

there is no provision for the release of the child from these institutions. This is a good bill and it should pass, Mr. Speaker.

MR. SPEAKER:

Are there further remarks on the bill? If not, all those in favor indicate by saying aye, those opposed? The bill is passed.

THE CLERK:

Page 12 of the Calendar, at the bottom of the page. Calendar No. 415.

PETER W. GILLIES, 75th District:

Mr. Speaker, excuse me, Mr. Speaker, I believe there are matters on page 10 and 11 that require action.

MR. SPEAKER:

The items are not double-starred so would the gentleman from the 75th, for the benefit of the Clerk, call them slowly so that the record may be correct on these items.

PETER W. GILLIES, 75th District:

Yes, Mr. Speaker, on page 10 of the calendar, Calendar No. 0383, House Bill No. 9044, file 341. It is requested that that matter be recommitted.

MR. SPEAKER:

Motion is to recommit, will you remark? Are there objections? Hearing none, so ordered.

PETER W. GILLIES, 75th District:

Mr. Speaker, referring to Calendar 0399, House Bill No. 7579