PA 15-219

SB0028

General Law	112-115, 118-119	6
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[pause]

REP. ORANGE (48th):

Have all members voted? Have all members voted? Please check the board to determine if your vote is properly cast. If so, the Clerk will take a tally.

Will the Clerk please announce the tally.

CLERK:

Senate Bill 677 in concurrence with the Senate

Total Number Voting	145
Necessary for Passage	73
Those voting Yea	145
Those voting Nay	0
Absent and not voting	6

REP. ORANGE (48th):

The bill passes in concurrence with the Senate. [gavel]

Are there any announcements or introductions? Announcements or introductions? Representative Kokoruda. You have the floor, madam.

REP. KOKORUDA (101st):

Thank you, Madam Speaker. Today I'm proud to

introduce friends of mine from Madison, Connecticut. This is Dr. Christian Swenby and his daughter Elizabeth. Dr. Swenby is an optometrist in Shelton. And they've come up today and Elizabeth's first time up at the Capitol. And I just want to make sure she's not interested in ever running for office before she leaves here today. I don't want any competition. So would you please welcome Dr. Swenby and his daughter Elizabeth.

[applause]

REP. ORANGE (48th):

Welcome to the Chamber. Are there any further announcements or introductions? Announcements or introductions? If not, we will return to the call of the Calendar. And so would the Clerk please call Calendar No. 128.

CLERK:

On Page 51, House Calendar 128, Favorable Report of the Joint Standing Committee on Judiciary. Substitute House Bill; 6899, AN ACT EXPANDING GUARDIANSHIP OPPORTUNITIES FOR CHILDREN AND IMPLEMENTING PROVISIONS OF THE FEDERAL

PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT.

REP. ORANGE (48th):

Representative Urban.

REP. URBAN (43rd):

Thank you, Madam Speaker. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

REP. ORANGE (48th):

The question is acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Urban.

REP. URBAN (43rd):

Thank you, Madam Speaker. The Clerk has in his possession an amendment, LCO 8108. I ask that he call it and I be allowed to summarize.

REP. ORANGE (48th):

Will the Clerk please call LCO No. 8108, which will be designated as House "A."

CLERK:

House Amendment "A," LCO 8108 as introduced by Representative Urban, Senator Bartolomeo, and Representative Kokoruda.

REP. ORANGE (48th):

The Representative seeks leave of the Chamber to summarize. Without objection. Representative Urban.

REP. URBAN (43rd):

Thank you, Madam Speaker. This is a strike-all amendment and therefore becomes the bill. It makes a number of changes to comply with federal public law 113-183, which is the Federal Preventing Sex Trafficking and Strengthening Families Act.

For the elucidation of the Chamber, there is no changes in this on preventing sex trafficking, it is directed at towards strengthening families and compliance with the federal act as well as many important improvements to our child welfare system that will help improve our permanency outcomes for children and youth in our foster care system and expands guardianship opportunities for children in foster care by permitting subsidized guardianships for fictive kin.

This amendment consolidates several bills, House Bill 6899 House Bill 6896, Senate Bill 1006, and Senate Bill 1007, all of which were unanimously reported by the Committee on Children.

And it also includes an enhancement of the probates courts responsibility and clarifies the relationship between the probate court and DCF on voluntary services cases. And a codification of court rules for the appointment of counsel when certain cases involving children or youth are transferred from probate to superior court.

I'm happy to say that this amendment is the product of collaboration between a number of stakeholders, including the Judicial Branch, the Probate Court Administration, the Office of Chief Public Defender, child advocacy organizations, and the Department of Children and Families. And with that, Madam Speaker, I move adoption.

REP. ORANGE (48th):

Question before the Chamber is adoption. Will you care to remark further on House "A?" The lovely Ranking Member, Noreen Kokoruda. You have the floor, madam.

REP. KOKORUDA (101st):

Thank you, Madam Speaker. This bill really makes several just minor technical and conforming changes. And one of the things it does is expands the caregiver's eligibility. And one of the things

it included was this fictive kin caregiver. Could I ask the proponent of the bill, through you, Madam Speaker, could you explain what a fictive care - kid caregiver is - kin caregiver is?

REP. ORANGE (48th):

Representative Urban.

REP. URBAN (43rd):

Through you, Madam Speaker. Only if you can say that five times fast. Through you, Madam Speaker. A fictive kin is a person who is 21 years of age of older, who is unrelated to the child by birth, adoption, or marriage, but who has an emotionally significant relationship with such child amounting to what would be a familiar relationship. Through you, Madam Speaker.

REP. ORANGE (48th):

Representative Kokoruda.

REP. KOKORUDA (101st):

Thank you, Madam Speaker. And I thank the proponent of the bill and the Chair of - Co-Chair of Children's Committee. And one other thing that I was - thought was important in the bill, it really opens up opportunities for children in foster care and in placements to participate in

what they call more normal childhood activities. And I'd like to ask the proponent of the bill just to explain exactly what is meant by that. Through you, Madam Speaker.

REP. ORANGE (48th):

Representative Urban.

REP. URBAN (43rd):

Through you, Madam Speaker. I want to thank the good Ranking Member for that question. And I also want to thank the Ranking Member of Judiciary for the help that we received from Representative Rebimbas in making these clarifications, which really look at the engagement of parents and guardians in the development of case plans.

And the idea behind this - and I know that we've all experienced this when we had children and foster parents coming into the Children's Committee and when we've gone to forums - that children want to be able to have a normal childhood. They want to be able to do activities that are enjoyed by children in a normal family not in foster care, such as being able to go camping and go overnight or be able to go to the amusement park.

And what this allows for is that instead of

constantly having to check back with the court or with DCF, now with this reasonable standard will be applied to the foster parent. And the child will be able to go for a period of 48 hours on some of these activities that a normal family would participate in. Through you, Madam Speaker.

REP. ORANGE (48th):

Representative Kokoruda.

REP. KOKORUDA (101st):

Through you, Madam Speaker. I thank the proponent for that answer. This bill does a lot for our children that are in foster care. It really gives them a better chance. It gives them better opportunity to live somewhat of a normal life. And I said, most of it is just technical and minor revisions.

So I hope - I stand in support. A lot of work has gone into it. A lot of people worked on it. And I think it does a lot of good for our children. Thank you, Madam Speaker.

REP. ORANGE (48th):

Thank you, madam. Will you care to remark further on the amendment before us? Will you care to remark further on the amendment before us? If

not, let me try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

REP. ORANGE (48th):

All those opposed, nay. The ayes have it. The amendment is adapted. Will you care to remark further on the bill as amended? Will you care to remark further on the bill as amended? Representative Melissa Ziobron of the 34th. You have the floor, madam.

REP. ZIOBRON (34th):

Good afternoon. Thank you, Madam Speaker. I rise with several questions about the strike-all amendment, which is now the bill, which I'd like to pose to the proponent. Through you, please.

REP. ORANGE (48th):

Please proceed.

REP. ZIOBRON (34th):

Thank you, Madam Speaker. In reading through the strike-all amendment, I see on line 200, it starts to state that the child may participate in the permanency hearing, which I think is, you know, frankly a wonderful idea and they should be. My

question is to the proponent, are they not participating now in that process? Why the need for that specific language in this bill? Through you.

REP. ORANGE (48th):

Representative Urban.

REP. URBAN (43rd):

Through you, Madam Speaker. Thank you for that question. I totally agree with you that it's a great thing for them to participate. And I would tell you that by law, the Department of Children and Families must establish and periodically review permanency plans.

But we needed to expand that and put it in language in this bill to be sure. And we changed it from 14 to 12 so that a 12-year-old would also have this opportunity. And we clarified it, through you, Madam Speaker, so that you would know that the child now has three adults that act as a support to them so that they are interacting with adult sort of mentors. And then they actually have two adults who can come with them and consult with them as the permanency plans are being reviewed. Through you, Madam Speaker.

REP. ORANGE (48th):

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Madam Speaker. And I thank the proponent for that answer. And that kind of touches on my second question, which was why 12? What is the magic of that number and why not 14? Through you, Madam Speaker.

REP. ORANGE (48th):

Representative Urban.

REP. URBAN (43rd):

Through you, Madam Speaker. Twelve, I think when we're looking at children today, the 12-year-olds are far more sophisticated than when I was 12. And 14 was the standard before we put this into a bill. And 12 seemed reasonable. I'm not sure that there is a, you know, a federal part to this.

I think it's just that we were looking at lowering the age and getting to a point where we thought that a child would have the opportunity to participate in their permanency plans and to interact with adults and establish those kinds of relationships as they go forward. Through you,

Madam Speaker.

REP. ORANGE (48th):

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Madam Speaker. And then as I read down through down the bill, I come across lines 296 below to 300, where it talks about the permanency plan and the new language in number 4, which is on line 299, says for any child 16 years of age or older. What I didn't see after that was the mention of the opportunity to become an emancipated minor.

My question through the good Madam Speaker would be am I missing something? Is there an opportunity for a 16-year-old to become an emancipated minor? Through you.

REP. ORANGE (48th):

Representative Urban.

REP. URBAN (43rd):

Through you, Madam Speaker. It is elsewhere in the statute.

REP. ORANGE (48th):

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Madam Speaker. And if the good Representative can help me a little bit more understand - I understand, I guess, through somebody from DCF that it may be in statute. But is there any mention of emancipated minor in this bill? Through you.

REP. ORANGE (48th):

Representative Urban.

REP. URBAN (43rd):

Through you, Madam Speaker. The only thing that I can refer to is another plan permanency living arrangement. And that has now been put on 16-year-olds for kids who would, you know, want to be in a situation that would give them a little bit more flexibility in what they are doing. So that is a very big part of this bill. And we have brought back some restrictions and requirements when that happens. So it wouldn't become a catch-all for 16-year-olds that we're having difficulty with permanency planning but that it be very well thought through. So that is the part of this bill that would sort of talk about a 16-year-old that wanted more independence but the actual emancipation is not in this section.

Through you, Madam Speaker.

REP. ORANGE (48th):

Representative Ziobron.

REP. ZIOBRON (34th):

Thank you, Madam Speaker. And I thank the proponent for the explanation. It's been my experience in dealing with young people, especially around 16 years of age, for them to have the opportunity if they're in a bad situation - not necessarily even in the foster system - but simply in a bad situation at home, whether their parents are alcoholics or drug addicts or frankly just abusive, for them to have the opportunity to become an emancipated minor if they so choose.

I'm glad to hear that it's still in statute. It's something that I think that's important, especially at 16 years of age. And I'll keep reading the bill. And I thank the proponent for her answers. Thank you.

REP. ORANGE (48th):

Thank you, madam. Will you care to remark further on the amendment before us? Will you care to remark further on the amendment before us? The bill as amended. Excuse me. Would you care to

remark further on the bill as amended? If not, staff and guests please come to the Well of the House. Members, take your seats. The machine will be open.

CLERK:

[bell ringing] The House of Representatives is voting by roll. The House of Representatives is voting by roll. Will members please report to the Chamber immediately.

[pause]

REP. ORANGE (48th):

Have all members voted? Have all members voted? Please check the board to determine if your vote has been properly cast. If so, the machine will be locked and the Clerk will take a tally.

And will the Clerk please announce the tally.

CLERK:

House Bill 6899 as amended by House "A"

Total Number Voting	145
Necessary for Passage	73
Those voting Yea	145
Those voting Nay	0

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Thank you, Madam President. I would like to place some items on our Consent Calendar.

THE CHAIR: Please proceed, sir.

SENATOR DUFF:

Thank you, Madam President. Calendar Page 18, Calendar 613, House Bill 6899. Calendar Page 18 - oh, I'd like to place that on Consent Calendar, please.

THE CHAIR:

So ordered without objection.

SENATOR DUFF:

Thank you, Madam President. On Calendar Page 18, Calendar 615, House Bill 6737, like to place that item on Consent Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF:

Thank you, Madam President. On Calendar Page 17, Calendar 600, Calendar 6855, like to place that item on Consent Calendar.

THE CHAIR:

Without objection.

SENATOR DUFF:

Thank you, Madam President. On Page 12, Calendar 540, House Bill 6919, I'd like to place that item on Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR DUFF:

SENATOR DUFF:

Thank you, Madam President. On Calendar Page 9, Calendar 503, House Bill 6117, I'd like to place that item on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR DUFF:

Thank you, Madam President. On Calendar Page 8, Calendar 501, House Bill 6830, like to place that item on Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR DUFF:

Thank you, Madam President. We have a number of other items on the Consent Calendar from earlier. If the Clerk can call those items and the ones I just added. And we may have a vote on the first Consent Calendar of the day.

THE CHAIR:

Thank you, sir. Mr. Clerk.

CLERK:

On Page 9, Calendar 508, House Bill 7048. On Page 8, Calendar 501, House Bill 6830. Also on Page 9, Calendar 503, House Bill 6117. Page 10, Calendar 523, House Bill 6849. Page 11, Calendar 529, House Bill 6823. Page 12, Calendar 545, House Bill 7029.

Also on Page 12, Calendar 540, House Bill 6919. And on Page 13, Calendar 567, House Bill 6921. Page 13, Calendar 561, House Bill 6907. Page 16, Calendar 598, House Bill 7003. Page 16, Calendar 595, House Bill 6820. On Page 17, Calendar 600, House Bill 6855.

Page 18, Calendar 613, House Bill 6899. Page 18, Calendar 615, House Bill 6737. On Page 19, Calendar 616, House Bill 6856. Also on Page 19, Calendar 622, House Bill 6186. On Page 20, Calendar 628, House Bill 7027. Page 20, Calendar 626, House Bill 7023.

Page 21, Calendar 632, House Bill 6774. Page 22, Calendar 643, House Bill 5780. On Page 22, Calendar 646, House Bill 7021. On Page 23, Calendar 649, House Bill 5793. Page 24, Calendar 651, House Bill 6987. Page 27, Calendar 408, Senate Bill 1030.

On Page 28, Calendar 517, House Bill 6498. Also on Page 28, Calendar 436, House Bill 5903. And on Page 30, Calendar 432, Senate Bill 1105.

THE CHAIR:

The machine will be opened. Clerk will announce a pendency of roll call vote.

CLERK:

Immediate roll call has been ordered in the Senate. Immediate roll call on Consent Calendar No. 1 has been ordered in the Senate.

[pause]

THE CHAIR: (The President in the Chair)

If all members voted, all members voted, the machine will be closed. Mr. Clerk, will you please call the tally.

CLERK:

On Consent Calendar No. 1

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	36
Those voting Nay	0
Absent/not voting	0

THE CHAIR:

Consent Calendar passes. [gavel] Good afternoon, Senator Duff.

SENATOR DUFF:

Thank you, Madam President. Madam President, I would ask that the Clerk now please call from Senate Agenda No. 1, Emergency Certified Bill, House Bill 7061, please.

THE CHAIR:

Mr. Clerk.

CLERK:

House Bill No. 7061, AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2017, AND MAKING APPROPRIATIONS THEREFOR, AND OTHER PROVISIONS RELATED TO REVENUE, DEFICIENCY APPROPRIATIONS, TAX FAIRNESS AND ECONOMIC DEVELOPMENT.

THE CHAIR:

It will be a good afternoon and a good evening. But a good afternoon, Senator Bye.

SENATOR BYE:

Good afternoon, Madam President. Nice to see you today.

THE CHAIR:

It's good to be seen and good to see you, ma'am.

SENATOR BYE:

Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

The motion's on acceptance and passage in conjunction with the House. Would you remark?

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HOUSE BILL	PAGES
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Madam Chair.

SENATOR BARTOLOMEO: Anyone else? Well thank you very much for being here with us. We appreciate it.

REP. PHILIP MILLER: Thank you.

SENATOR BARTOLOMEO: Okay.

Next is Christine Rapillo.

CHRISTINE RAPILLO: Good morning, Senator Bartolomeo, Representative Urban, distinguished members of the Committee on Children. I am Christine Rapillo, and I am the Director of Delinquency Defense and Child Protection for the Office of the Chief Public Defender. OCPD manages attorneys for indigent children in delinquency matters and in family custody cases, for indigent parents in child welfare cases, and for all children in child welfare cases. I've submitted testimony on four bills. I'm going to speak only on House Bill 6896, AN ACT CONCERNING THE TRANSFER OF YOUTHS FROM THE COURT OF PROBATE TO THE SUPERIOR COURT, and 1007, AN ACT CONCERNING PERMANENCY PLACEMENTS.

HB6899
SB1006

The Office of the Chief Public Defender strongly supports Raised House Bill 6896, AN ACT CONCERNING THE TRANSFER OF YOUTHS FROM THE COURT OF PROBATE TO THE SUPERIOR COURT. This bill is important to our agency and we very much thank this Committee for raising it and allowing us to be heard on it. This proposal codifies Section 35a-19 of the Connecticut Practice Book which addresses the procedure for transferring cases from probate court to superior court for juvenile matters. That provision currently requires that the Office of the Chief Public Defender pay any probate estate attorney who wishes to remain on a case

Children and Families, DCF is constantly looking for a permanent placement for that child. This proposal encourages the subject child's participation in the planning process. Children should be engaged with the important decisions that are going to impact his or her life, and this proposal would help teach children in DCF care to become good self advocates and help establish decision making skills that will carry over into adulthood.

This bill would allow children over the age of 12 to have two adult advisors to help them advocate for their desired permanency outcome. We're excited about this. We're about to launch a pilot program where children who have really no permanent family, who have this APLA, alternative planned living arrangement designation, to allow some of those cases to get heightened representation. And we're going to see if providing more representation to those kids improves their outcomes. And we think that those lawyers under this proposal could actually be identified as one of those advocates if the child so chose.

Children are also going to be asked to identify up to three relatives who they want to be identified as possible placement arrangements. And it's going to require the court to inquire as to what efforts have been made to find those children permanent homes. This proposal fits nicely with Raised Bill 6899 which limits this alternative planned living arrangement to kids who are over the age of 16, allows for non-relative people with a close relationship -- relationship to children to be designated as caregivers, and would provide for all kids in DCF care to participate in more normal childhood activities.

The Office of the Chief Public Defender thanks

MIRIAM KRAMER: Good morning, Senator Bartolomeo, Representative Urban, and distinguished members of the Children's Committee. My name is Mickey Kramer, and I'm the Associate Child Advocate in the Office of the Child Advocate. Sarah Eagan is unfortunately -- not unfortunately, she's out of town and so I am here today to talk with you in support of and offer testimony supporting Senate Bills 1006, 1007, 1008, and House Bill 6899.

The mandate of the Office of the Child Advocate includes evaluating delivery of state-funded services for children and advocating for policies and practices that promote children's well-being and safety. OCA supports S.B. 1006, AN ACT CONCERNING VOLUNTARY SERVICES WITHIN THE DEPARTMENT OF CHILDREN AND FAMILIES which seeks to clarify the responsibilities of the DCF and probate court with regard to children who are admitted to DCF on a voluntary basis. Voluntary services are a critical resource for children and youth living with significant mental health challenges when their needs cannot be effectively met through services currently available to the parent or guardian.

These services include home- and community-based treatment as well as out-of-home treatment such as treatment foster care residential treatment. Voluntary services require a partnership between the youth, parent, and DCF in developing a treatment plan that addresses the needs of the youth -- the child or the youth. The focus must be on the best interests of the child as well as the need for permanency planning for children and youth whose specialized needs require out-of-home placement.

These children often have very complex needs

Connecticut right now we're at critical and exciting opportunities existing in the state to innovate and strengthen our wellness system for infants, toddlers, and families.

But our current system of services and supports for our youngest and most vulnerable children right now there's a -- consists of a bunch of moving parts. And we are really in great need of bringing them together in a really meaningful way. And so we're looking forward to whether it's the repurposing or the changes to the early childhood cabinet, but opportunities to assure and ensure interagency accountability, collaboration, and coordination of those services for children. And we are absolutely thrilled that there is such a consistent focus. I think she said a laser focus, and that's great, on the youngest kids.

Finally, OCA supports House Bill 6899, AN ACT EXPANDING GUARDIANSHIP OPPORTUNITIES FOR CHILDREN AND IMPLEMENTING PROVISIONS OF THE FEDERAL PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT providing that children and youth in DCF care have the opportunity to engage in age-appropriate outings and activities such as sleepovers and trips to the mall.

Children in foster care or group care may have difficulty participating in kind of everyday child -- normal child activities in due -- in part due to confusion over whether or not the foster parent or the social worker who has the authority to make decisions. Sometimes it's about whether or not potential homes have been vetted, you know, through background checks and all those kinds of things. And that really impedes kids in foster care's ability to kind of normalize their lives.

And so while the department really does try to, you know, encourage the normalization of these activities, sometimes it's really hard to be a foster child. And the people that are -- the social workers, and I know I used to work with DCF -- at DCF, and I know social workers and foster parents are always trying to look for opportunities to just make it normal. And so we -- if we can facilitate that, that would be terrific.

The other thing that H.B. 6899 does it extends the opportunity for subsidized adoption to fictive kin which are described -- which are defined in the bill as adults who are unrelated to the child but have an emotionally significant relationship with such a child. Which that certainly -- and particularly again when we're talking about older youth in care, that just expands opportunities for -- for life-long commitment and living with a family. So thank you for the opportunity. I'm happy to take any questions.

SENATOR BARTOLOMEO: Thank you. And your explanations and examples were very helpful. Questions?

Representative Staneski.

REP. STANESKI: Thank you, Madam Chair. Good morning.

MIRIAM KRAMER: Good morning.

REP. STANESKI: Thank you for your testimony. I just would like to know your thoughts on the section where if a child is at least 12 years of age, this child shall identify not more than three adults with whom such child has a significant relationship and who may serve as permanency resources. The identity of such

child shall be recorded in the case plan of such child. Does that mean all three -- I guess I'm trying to understand, the child is going to identify three family members or adults that they may live with. Are those adults going to be notified -- my question is -- I guess my concern is three people who want the child then become a fight over the child. So can you give me your thoughts on how you think that will play out.

MIRIAM KRAMER: Yeah, we're not exactly sure and, you know, I think that the spirit of it really is about, you know, including the child's voice and -- and learning from the child what connections they have to people and how that might work for the child. The language as it is, I think that, you know, and we're happy to work with people on -- on amending, you know, things if you find that necessary. But in terms of -- it seems to put a little bit of -- too much responsibility on a 12 year old to actually identify, have the responsibility to identify. But certainly we want people asking children, you know, who is important to you, you know, and -- and processing with them why. And if, you know, those are good relationships, we want to preserve them at all costs.

REP. STANESKI: I agree. There's no such thing as too much love. But I guess again my question is and my concern is -- and I'm hoping it's being duly noted as we're going forward is just at 12 years old and you're picking three people and you have this input. And then three people all say they want you or maybe one of them doesn't. I just didn't know how much information was out there, it just -- cautious as we move forward. Thank you.

MIRIAM KRAMER: Right. I agree.

SENATOR BARTOLOMEO: Is there an age you would recommend?

MIRIAM KRAMER: You know, I -- I think that every child, I mean we have to understand each individual child and their developmental capacity. And, you know, some -- some 12 year olds are extremely mature and some are very, you know. So I really do think it's got to be child specific, but we should be kind of paying attention to children of all ages and the messages that they're giving us and trying to seek out from them, you know, what their -- what their thoughts are on -- on lots of things, you know, not necessarily though requiring that they be responsible. We're responsible for children, but -- but I think we should be listening to children maybe a lot more than we do now.

SENATOR BARTOLOMEO: Thank you. Anyone else? Thank you very much.

MIRIAM KRAMER: Have a good day.

SENATOR BARTOLOMEO: Next we have Elaine Zimmerman who will be followed by Kristina Stevens

ELAINE ZIMMERMAN: Good morning, Senator Bartolomeo, Representative Urban, and members of the Committee. My name is Elaine Zimmerman, I'm the Director of the Commission on Children and I'm here today in support of Senate Bill 956 and House Bill 6898. Senate Bill 956 allows Care 4 Kids services for a parent or a caretaker who is attending an institution of higher education. You can't work or learn or improve yourself if you don't have child care. We at the State have deemed that Care 4 Kids is only for you when you are working. This creates a difficult path.

know that I loved talking and hearing from other alumni of the system, you know, seeing where they are. And I can't wait to be like them, you know, successful and proud to come out of the system as they are. The only thing I'm -- the things I'm involved with DCF is I'm on the youth advisory board and another group which is called the New England Youth Coalition. So those are things that we kind of do here. We think of policies that can effect youth on a New England scale, and we go through the process in which we can bring them to committees like you guys that will better our lives.

SENATOR BARTOLOMEO: So I'm going to go out on a limb here, but there are some really amazingly dedicated DCF people behind you. And I'm going to ask that if you're comfortable, the two of you, maybe give them some contact information because I think you would be really wonderful as advocates and examples to some other children that are within the system to, you know, benefit from your experience. So thank you both for being here. Do we have questions for either Earl or Ashley? Thank you so very much.

ASHLEY CHEVERETTE: Thank you.

SENATOR BARTOLOMEO: Now, Edie, we're going to have DCF speak and then you'll be on the next -- okay. Will she be able to stay as well? Okay. All right. Wonderful.

So Kristina.

KRISTINA STEVENS: Good morning. Good morning, Senator Bartolomeo, Representative Urban, Senator Martin, Representative Kokoruda I know has stepped out, and members of the Committee on Children. My name is Kristina Stevens, I'm

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SB1007

an Administrator for the Department of Children and Families Clinical and Community Consultation and Support Team. Barbara Claire will be joining me momentarily who is DCF's Legal Director. And we're here to testify on three of the bills on today's agenda.

I do in some ways want to make this very brief and just say what they said and we're good -- absolutely, absolutely, yes. And just always admire and appreciate the fact that what they say is far more compelling than anything that you will hear from me at all. So I'm the dry portion of today's event and you'll get much more compelling information I know from them.

So let me start by saying that the Department of Children and Families supports House Bill 6899, AN ACT EXPANDING GUARDIANSHIP OPPORTUNITIES FOR CHILDREN AND IMPLEMENTING PROVISIONS OF THE FEDERAL PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT, Public Law 113-183. This bill expands guardianship opportunities for children in foster care by permitting subsidized guardianships for fictive kin. It also makes a number of changes to state statutes to comply with the requirements of Public Law 113-183, signed by the President September 29, 2014.

This new federal law makes many important improvements to the child welfare system that will improve performance of permanency outcomes for children and youth in foster care. Included with our written testimony is a section by section summary of the bill. Public Law 113-183 requires states to adopt a number of statutory and policy changes to comply with the new federal law, and such changes must be in place on or before September 29, 2015. These will be building on efforts already underway in Connecticut. And I'm really

excited because Connecticut I think is well positioned to continue with these advancements.

I would also like to offer the follow comments regarding Senate Bill Number 1007, AN ACT CONCERNING PERMANENCY PLACEMENTS. This bill addresses many similar elements that are included and embedded in the House Bill 6899 which I just mentioned and it is submitted to the Committee to address requirements of Public Law 113-183. The department has had a group tasked with addressing the various policy changes outlined in the Public Law, meeting since November, and we are on track to have the necessary policy and practice changes in place for July 1st of this year.

House Bill 6899 includes all of the federal provisions that do require statutory change. Other changes including many that were outlined in Senate Bill 1007 can and are being accomplished in policy revisions and practice model implementation currently underway. For example, the provision of Senate Bill 1007 which specifies that a child over 12 may name up to three -- three people as resources through the administrative case review. This will be accomplished both through our current policy changes and through what is now being implemented in Connecticut as our Child and Family Permanency Practice Model.

I'm -- I always appreciate hearing from folks like Ashley and Earl. What was saddening to me is that unfortunately they did not benefit from at their age now, they're not benefitting from some of the practice changes that are happening today. Though I think we have so much to learn from them and can continue to build on that. So I did want to just very briefly mention that in the fall of 2014 we have been implementing a Child and Family Permanency Teaming Model which

builds on our overall teaming continuum. So the expectation, quite frankly, is that every child and youth will be driving -- and family will be driving their case planning process and not just limited to the administrative case review which happens twice a year.

But it's an expectation for every single case connected to the department that a team that's composed of those people closest to the child, youth, and family are sitting together at least every six to eight weeks with a sense of urgency and commitment to assure that that child exits the system to a strong, permanent placement resource. And that the days of fracturing and severing relationships which often happens in the field, that those don't happen any longer. Because whether you're birth, whether you're foster, whether you're adoptive, you're all sitting around the table together planning in a very connected and unified way.

So what the child and family experiences, to your point, Representative, earlier, there's no such thing as too much love. What the child and youth experience is everybody around the table is here committed to them and their well-being. And so that's inclusive of siblings, of relatives, of coaches, whomever that they believe is most important to them. So we're very excited about those efforts underway and are in full support of 6899. With that I'll turn it over to Barbara Claire to talk about some of the other legislation.

BARBARA CLAIRE: Good morning. How are you? I'm Barbara Claire, the agency Legal Director for the Department of Children and Families. The other bill that we'd like to address is Senate Bill 1006, AN ACT CONCERNING VOLUNTARY SERVICES WITHIN THE DEPARTMENT OF CHILDREN AND FAMILIES

normative and organic much like Earl said, that it's not scripted, and it's not one hour a week based on, you know, an availability and, quite frankly, in a sterile environment. It's about how do you assure that those relationships stay intact and in place and are fostered and encouraged so that they are, in fact, normative experiences for kids. I had a young man who I worked with in another state system who said to me that it was at his parent's funeral that he met his nine siblings. And that was just unacceptable.

SENATOR BARTOLOMEO: So what I'm wondering is, Barbara maybe this is a question for you, but if we entertain the idea that S.B. 10 -- 1007 is not necessary, we would only want to kind of put the brakes on that if, in fact, we knew for sure that it wasn't going to, you know, that it was going to continue and that kind of thing. And so is it possible, and we don't want a whole big document, but if you could provide us with the language that is going to be in the policy and practice guide relevant to this so that we could compare it and make sure that, you know, they're absolutely accomplishing the same task before we consider whether or not this should go forward.

BARBARA CLAIRE: Yes, we can do that. But also there's -- there's another way that this -- that this language is enforced without needing it to be written into state law and that is that this is federal language now, passed, I think Kristina mentioned it passed last September by Congress and signed into law by the President at the end of September. DCF's 4-E funding is dependent upon us enacting us. The only -- in our bill, 6899, we included those portions that we felt require statutory change.

So, for example, there was already statute regarding permanency plans and -- and APLA, another plan permanent living arrangement option. And because the federal law expanded the requirements around there, we needed to update the Connecticut law to match that. But in -- in situations where there is no existing Connecticut law, it's just more done on policy like, for example, free resources for the -- for the case plan, we can do that by policy. We don't need it done by -- by statute. But again we're not opposed to it, but it's not necessary. It's enforced by the federal government, and I can provide you with the -- with the federal law if you would like.

SENATOR BARTOLOMEO: Yeah, absolutely. Definitely we would like the federal law. I guess what I'm trying to understand is is this absolutely redundant based upon the federal law because when it was brought to us for consideration, we weren't made aware of that. It wasn't your agency, but it was this language --

BARBARA CLAIRE: I thought you were -- I thought you were suggesting --

SENATOR BARTOLOMEO: No. No, this language was brought to us by another group. And we weren't aware that it was already covered in federal.

BARBARA CLAIRE: So -- so I believe -- so when we analyzed the federal statute, it was my -- what I thought we had done well was to pick out those sections that did require statutory change in Connecticut. There's a whole bunch of other sections to that federal law, even more so than in -- than in 1007 that don't need codification in Connecticut law from my perspective, from the agency's perspective. So -- so, yes, that language is redundant, in my view. It's also redundant in the bill that we

proposed. But again that's because we already had existing law that needed to be updated.

SENATOR BARTOLOMEO: Okay. So what we'll do offline afterwards is we'll connect with you on where this came from, and then we'll ask that you have some conversations with them, and that everybody comes to consensus --

BARBARA CLAIRE: Yes.

SENATOR BARTOLOMEO: -- so that you can advise the Committee. And then one other thing, as far as 1006, you know, I've actually heard different scenarios about what is currently or isn't happening with voluntary services. And so I wonder if you can just let us know, have there -- have there been changes to voluntary services in the last year or not? Because I actually heard one perspective was there are no voluntary services left. I wonder if you could just update us. I don't know why that perception is out there.

BARBARA CLAIRE: There have been no changes. We're -- we continue to have a voluntary services program. The reason -- the genesis of this bill is that, you know, there's 169 probate courts or whatever the number is, and the -- the statute -- the existing statute was not clear on what the probate courts role was in terms of review of the case plan especially for the in-home cases. So -- so probate court had asked if we would work with them to make that more clear in the statute. And that's all this is intended to do is to codify what our agency and probate court administration feels is the appropriate procedure in probate court because it just wasn't being followed consistently around the state.

SENATOR BARTOLOMEO: And so it's a little bit, you

integrated as part of a healthy new life for children.

SENATOR BARTOLOMEO: Thank you. Thank you very much, Daryll.

Do we have questions? No?

Thank you so very much. We appreciate your being here.

Next is David Woods, who will be followed by Merrill Gay.

DAVID WOODS: Good afternoon, Senator Bartolomeo, Representative Urban, and the Committee. Thank you for hearing from me today. My name is Dave Woods. I'm a colleague of Daryll's, and I'm testifying on behalf of the Center for Children's Advocacy, a public interest law firm that represents Connecticut's most at-risk youth.

And the center supports Raised Bill 6899, and in particular, it's Section 1 which has new language adopting a reasonable and prudent parent standard for foster parents.

Connecticut has rigorous statutory and policy mandates in place ensuring that only the right people become foster parents. Before licensing, DCF assesses both the proposed foster parents and anyone who lives in the foster parents home or has regular access to the home. And applicants have to go through -- and their household members, both go through -- have to submit to multiple criminal background checks and are also checked for allegations of child abuse or neglect. So we know that DCF is doing the job in advance to make sure that fosters, relative placements, and so on, are

done only with qualified and good people.

But without a reasonable and prudent parent standard in place, those well-chosen foster parents are denied the ability to make commonsense decisions for the children they care for. For instance, foster parents can only allow persons, quote, approved in advance by the commissioner, unquote, to take care of their foster kids. That approval in advance standard means that foster parents can't let the foster kids attend sleepover parties, visit summer camps or participate in travel opportunities that may come up even though those kinds of activities are a regular part of the life of foster kids peers.

We think that ostracizing foster children by preventing them from participating in extracurricular and enrichment activities only makes their lives harder, while it simultaneously undermines the foster parents our state has already approved. So, in short, when foster parents can't act like real parents, foster kids don't get treated like regular children.

Other states have recognized this problem and adopted the prudent parent standard as a solution. California authorizes foster parents to make reasonable judgments about babysitting, social activities, and extracurriculars like athletics or church attendance.

Washington State passed a prudent parent standard into law after -- I'm quoting here: Current and former foster youth indicated their experience would have been much more normal if their caregivers had been allowed to decide what activities they could have participated in rather than waiting for their social worker to approve the activity, end of quote.

And Florida passed a law called "Let Kids Be Kids," which introduced a prudent parent standard in 2003 to promote normalcy for each child to the fullest extent possible.

Connecticut takes pains to ensure that only qualified individuals become foster parents. And Raised Bill 6899, especially Section 1, ensures that those foster parents make decisions only with foster children's ages, needs, and well-being foremost in mind. Given all those protections, enabling foster children to live more normal lives is an important step in promoting the best interest of the children in our foster care system.

Thank you. And I'd be happy to answer any questions that you could have.

SENATOR BARTOLOMEO: Thank you. And some of your examples make it much easier to understand why this is important, so I appreciate that.

DAVID WOODS: I didn't understand it very well the first time I read it, and it took me a while to understand what the change was actually about. After I started looking into it, there are a lot of folks who came out of the foster care system in Washington and California and Florida who talked about how this was a sort of overlooked point that really made their lives difficult as foster children.

SENATOR BARTOLOMEO: Yeah. I mean, I find many a time when I'm with my son, and he might, last minute, say, Hey, can I go get ice cream with so-and-so's mom? And you know, you don't even think about the fact that you'd have to then say no, so thank you.

DAVID WOODS: Thank you. And I'd just like to point

out it not only affects the children, but also the foster parents who have jumped through hoops to prove that they have good judgment and can take care of these children. So at the same time that the children are denied the the chance to go for the ice cream, the foster parents are made to feel a little bit foolish or disrespected in that they're supposed to call up the DCF worker and try to get clearance.

SENATOR BARTOLOMEO: Thank you. Point well taken.

Questions?

DAVID WOODS: Thank you so much.

SENATOR BARTOLOMEO: Thank you very much. Thanks for being here.

Next we have Merrill Gay followed by Liz Fraser.

SB956

MERRILL GAY: Senator Bartolomeo, Representative Urban, members of the Committee, my name is Merrill Gay. Thank you for the opportunity to testify today. I'm the executive director of the Connecticut Early Childhood Alliance, a statewide membership organization committed to ensuring that all of the children in Connecticut are healthy, safe, and ready for lifelong success.

The Alliance supports efforts to simplify and expand access to the Care 4 Kids program. Specifically, we support the annual redetermination of family eligibility to reduce the administrative burdens and to bring Connecticut into compliance with the recently reauthorized federal Child Care Development Block Grant.

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STATE OF CONNECTICUT
OFFICE OF THE CHILD ADVOCATE
999 ASYLUM AVENUE, HARTFORD, CONNECTICUT 06105

Sarah Healy Eagan
Child Advocate

Testimony of Sarah Eagan, Child Advocate, State of Connecticut
Regarding Raised Bills 1006, 1007, 1008, and 6899

March 3, 2015

Senator Bartolomeo, Representative Urban, distinguished members of the Children's Committee:

The Office of the Child Advocate appreciates the opportunity to offer this testimony regarding Senate Bills 1006, 1007, 1008, and House Bill 6899.

The mandate of the Office of the Child Advocate (OCA) includes evaluating the delivery of state funded services to children and advocating for policies and practices that promote children's well-being and safety.

OCA supports SB 1006, AAC Voluntary Services within the Department of Children and Families (DCF) which seeks to clarify the responsibilities of the DCF and the Probate Court with regard to children and youth who are admitted to the DCF on a voluntary basis. Voluntary services are a critical resource for children and youth living with significant mental health challenges when their needs cannot be effectively met through services currently available to the parent or guardian. These services include home and community-based treatment as well as out-of-home treatment such as treatment foster care and residential treatment.

Voluntary services require partnership between the youth, parent, and DCF in developing a treatment plan that addresses the needs of the child/youth. The focus must be on best interests of the child/youth as well as the need for permanency planning for children and youth whose specialized needs require out-of-home treatment. These children often have very complex needs, and OCA is frequently contacted because of the lack of agreement between the parent/youth/involved providers and DCF on how and where to best address the complex needs. SB 1006 describes the responsibility and authority of the Probate Court to periodically review the plan and ensure that the plan is consistent with the identified needs and best interests of the child. It emphasizes the need to address permanency for children receiving voluntary services. The Probate Court may also conduct a hearing on its own motion to review the plan for a child who is not in an out-of-home treatment setting if the court determines that imminent concerns regarding the health and safety of the child or youth exist. The bill also provides an option for the parent or youth who is aggrieved by decisions of the Department to terminate admission for voluntary services to request a hearing before the Probate Court who may order the continuation of services and specify a time for determination of a new case service or permanency plan.

The OCA would like to bring to your attention our concern that under a 2005 Memorandum of Agreement between the DCF and the Department of Developmental Services (DDS), children over the age of 8 eligible for DDS due to intellectual disability with co-occurring mental health

importance of sibling connections and encourages commitment to permanent relationships whenever appropriate. SB 1007 permits a court to facilitate ongoing sibling visitation after a child's adoption from foster care, so long as the views of the adoptive parent have been heard and considered, and so long as visitation or ongoing contact is in the child's best interests.

OCA staff have frequently heard from or about children and youth in foster care who are separated from their brother or sister. A child asks "do you know how my brother is?" or shares "I got to see my sister last week and go to her birthday party." Encountering the importance of these relationships for these children is heartbreaking, as sometimes the sibling relationship is their only sense of family connection. Losing that connection for children is often unimaginably painful.

OCA wholeheartedly appreciates the raising of Senate Bill 1008, An Act Creating an Infant Toddler Services Board which seeks to help strengthen families and improve outcomes for our most vulnerable citizens: infants and toddlers.

A critical and exciting opportunity exists for the state to innovate and strengthen its wellness system for infants, toddlers and their families. Our current system of services and supports for our youngest and most vulnerable children consists of a great number of moving parts and this is an excellent opportunity to bring them together in a meaningful way. SB 1008 can assist with development of infrastructure to support strategic planning and investment in CT's infants and toddlers, as well as ensure interagency accountability, collaboration, and coordination of services.

Finally, OCA supports House Bill 6899, An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act providing that children and youth in DCF care have the opportunity to engage in age-appropriate outings and activities such as sleep-overs and trips to the mall.

Children in foster care or group care may have more difficulty participating in such every-day activities, in part due to confusion over whether the foster parent or the social worker or group home provider is able to make developmentally-appropriate rules for the child. Sometimes this confusion can even prevent children from going to a friend's house to play or "hang out" because caregivers are rightfully concerned about following licensing rules and protocols. This Bill clarifies that licensed caregivers and providers should use the "reasonable and prudent parent" standard that they would use with their own child to allow the children in their care to have access to the every-day activities that all children need to thrive and feel happy and normal.

HB 6899 also extends the opportunity for subsidized guardianship to "fictive kin," defined in the bill as an adult who is "unrelated to a child" but who has an "emotionally significant relationship with such child amounting to a familial relationship." OCA supports this change as it increases the opportunity for permanency for the state's abused and neglected youth.

Thank you for the opportunity to submit this testimony.

Sarah Healy Eagan, J.D.
Child Advocate
Office of the Child Advocate, State of Connecticut

STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES

Public Hearing Testimony

Committee on Children
March 3, 2015

S.B. No. 1007 AN ACT CONCERNING PERMANENCY PLACEMENTS

The Department of Children and Families offers the following comments regarding S.B. No. 1007, An Act Concerning Permanency Placements.

This bill addresses many similar elements that are included in H.B. No. 6899, *An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act*. H.B. 6899 was submitted to the Committee by DCF to address requirements of Public Law 113-183, the federal Preventing Sex Trafficking and Strengthening Families Act.

Compliance with various provisions of the new federal law doesn't necessarily require statutory change. H.B. 6899 includes all of the federal provisions that do require a statutory change. Other changes, including many included in S.B. 1007, can be accomplished through policy revisions. For example, the provision of S.B. 1007 which specifies that a child over 12 may name up to three people as resources in the Administrative Case Review (ACR) process can, and will be accomplished through policy. The Department has had a working group tasked with addressing the various policy changes meeting since November and we are on track to have necessary policy changes in place for July 1st.

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Testimony of Stephen N. Ment
Committee on Children Public Hearing
March 3, 2015

Senate Bill 1007, An Act Concerning Permanency Placements

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch concerning Senate Bill 1007, *An Act Concerning Permanency Placements.*

As we noted in our testimony on House Bill 6899, *An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act,* the Judicial Branch is concerned with the requirement in section 1 of this bill that would mandate the court to ask the youth about his or her desired permanency outcome at his or her respective permanency plan hearing. While this input is important, it does not take into consideration what would happen if the youth chooses not to attend the hearing.

Although unfortunate, the simple truth is that it can be very difficult to ensure that a young person will attend his or her hearing, and more times than not, the youth does not attend when invited to do so. Should this occur, must the court continue the permanency plan hearing each time that the youth does not attend? If so, it will threaten the requisite findings being made within the required time period.

Therefore, the Judicial Branch respectfully requests an alternate approach – in addition to the approach currently in the bill – be added to the bill to address situations when the youth does not attend his or her hearing. For example, perhaps language

could be added to the bill that the court will either inquire of the child at the permanency plan hearing, *or* mandate the court review a signed, sworn, timely affidavit from the youth, who within the body of the affidavit states a desire not to attend the hearing, and his or her thoughts on the plan. If this were to occur, the court could then be assured that the youth is aware of the court date, and that the court has the current and accurate position of the child. Appropriate findings could then be made.

Thank you for the opportunity to submit written testimony.

Division of Public Defender Services
State of Connecticut

ATTORNEY CHRISTINE PERRA RAPILLO
DIRECTOR OF DELINQUENCY DEFENSE & CHILD PROTECTION

TESTIMONY OF CHRISTINE RAPILLO
DIRECTOR OF DELINQUENCY DEFENSE AND CHILD PROTECTION
DIVISION OF PUBLIC DEFENDER SERVICES

COMMITTEE ON CHILDREN
MARCH 3, 2015

RAISED BILL No. 6899 AN ACT EXPANDING GUARDIANSHIP OPPORTUNITIES FOR CHILDREN AND IMPLEMENTING PROVISIONS OF THE FEDERAL PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT.

The Office of Chief Public Defender supports passage of **Raised Bill 6899, An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act**. This proposal contains a number of statutory changes aimed at improving outcomes for children in the care and custody of the Department of Children and Families. A number of changes would have the court focus on efforts to secure a permanent family connecting for children and to give the child a voice in the planning process. Much of this proposal is aimed at making daily life more normal for children in foster and congregate care.

Throughout Raised Bill 6899, caregivers of children in DCF custody are given an increased ability to allow a child to engage in normal childhood activities many of us take for granted. This is an effort to allow children in DCF to have more experiences allowing decision making by the immediate caregiver and not requiring approval by a DCF worker for events like trips to the mall with a friend. Currently, there are barriers for children in foster care to participate in activities like field trips and sleepovers. For a child in care, these simple activities require permission from DCF, as the Department is legally responsible for the child. Sleepovers often require criminal or child abuse checks on every adult present, as required by DCF licenses. All these layers of approval make it hard for kids in DCF care to have normal experiences. This proposal would allow caregivers, including staff at congregate care facilities to make decisions on behalf of the child using the "reasonable and prudent parent" standard.

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State of Connecticut

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DIRECTOR OF DELINQUENCY DEFENSE & CHILD PROTECTION

Raised Bill 6899 also makes changes to the list of acceptable permanency options for younger children. Currently, long term foster care or an alternative planned living arrangement (APLA) is an allowable permanent plan for a child whose parent's rights have been terminated and efforts at adoption have been unsuccessful for over ten months. This proposal would limit the APLA designation to children over the age of 16. Even when an APLA plan had been approved, this proposal would require the court to question what efforts had been made to find the child a permanent home any time the plan was reviewed and to inquire as to the child's wishes regarding their living arrangement. OCPD has begun a pilot program to provide enhanced representation to children with an APLA plan and this agency fully supports a statutory requirement that APLA be limited to children over the age of 16.

Raised Bill 6899 contains proposals designed to increase permanent placements for children. Section 6 creates a new designation of "fictive kin" as a possible foster care placement for children. This is a non relative with a close relationship to a child. Section 11 supports permanency by continuing the guardianship subsidy past the child's eighteenth birthday if the youth remains in an approved educational vocational or job training program or if the subsidy is approved by the commissioner. Families and others would be encouraged to take guardianship of a child if they do not fear they will lose the financial support provided to assist the cost of education or job training. Section 12 requires that grandparents and other relatives be indentified and notified when a child is taken into DCF care, and that the notice include instructions on becoming an approved caregiver or foster parents.

Raised Bill 6899 contains many initiatives that will allow children who remain in DCF care to experience a more normal life and be permanently connected to a family or caring individual. The Office of Chief Public Defender supports these efforts and asks this Committee to act favorably on this proposal.

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Center for Children's Advocacy
University of Connecticut School of Law, 65 Elizabeth Street, Hartford, CT 06105

Testimony of the Center for Children's Advocacy in Support of Raised H.B. 6899: An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act, Section 1

Committee on Children
March 3, 2015

Senator Bartolomeo, Representative Urban, Senator Martin, Representative Kokoruda, and Distinguished Members of the Children's Committee:

My name is Dave Woods and I am testifying on behalf of the Center for Children's Advocacy, a public-interest law firm representing Connecticut's most at-risk youth. The Center supports raised bill 6899 generally and, in particular, Section 1, which is new language that adopts a reasonable and prudent parent standard for foster parents.

Adopting a reasonable and prudent parent standard will bring Connecticut in line with other leading states in ensuring that foster parents are empowered to make decisions for the children in their care and that foster children are free to experience rich, fulfilling lives while in state care.

Connecticut has rigorous statutory and policy mandates ensuring that only the right people become foster parents. Foster parents must become licensed before children are turned over to their care, and this process is thorough.[i]

- Before licensing, DCF assesses not only the proposed foster parents, but also any person "who lives in or has regular and consistent access to a foster home, or otherwise participates as a member of the family system."[ii]
- Applicants, along with all their household members, must submit to multiple criminal background checks before licensure, and licenses are denied or revoked whenever allegations of child abuse or neglect are substantiated against potential foster parents.[iii]

But these well-chosen foster parents are currently denied the ability to make common-sense decisions for the children they care for without a reasonable and prudent parent standard in place.

- Foster parents can only allow persons "approved in advance by the commissioner" to take care of their foster kids for "substantial amount[s] of time."[iv]
- Logistically and practically, it is impossible for foster parents to anticipate and get DCF approval for every responsible adult who might assist in children's supervision.

When foster parents can't act like parents, foster children don't get treated like children. The approval-in-advance standard means foster parents can't let their kids attend sleepover parties, visit summer camps, or participate in travel opportunities, even though these activities are a regular part of the lives of their foster kids' peers throughout the state.

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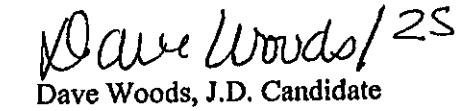
- Foster children must cope with new families, new homes in new towns, new schools and rules when they are placed by DCF. Imbibing foster kids with a sense of normalcy should therefore be our utmost goal.
- Further ostracizing foster children by preventing them from participating in extracurricular and enrichment activities only makes their lives harder while simultaneously undermining the foster parents our state has already approved.

Other states have already recognized the problem and adopted this logical solution. The reasonable and prudent parent standard is now law in a number of forward-thinking jurisdictions, and Connecticut needs to join them.

- California authorizes foster parents to make reasonable judgments about babysitting, social activities with friends and family, and extracurricular opportunities such as athletics and church attendance.[v]
- Washington State cast a prudent parenting standard into law after "current and former foster youth indicated their experience . . . would have been much more normal if their caregivers had been allowed to decide what activities they [could have] participate[d] in, rather than waiting for their social worker to approve the activity."[vi]
- Florida passed its "Let Kids Be Kids" prudent parent law in 2013 to "promote normalcy for each child to the fullest extent possible." This law allows Florida's foster youth to "go[] to the beach with friends" just like the regular kids they are and should be.[vii]

Connecticut takes pains to ensure only qualified individuals become foster parents, and raised bill 6899, Section 1 ensures that foster parents make decisions only with their foster children's ages, needs, and well-being foremost in mind. Given those protections, enabling foster children to live more normal lives is an important step in promoting the best interests of the children in the foster care system. Thank you and I would be happy to answer any questions the Committee may have.

Respectfully submitted,



Dave Woods, J.D. Candidate
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Zoe Stout, Senior Staff Attorney
Child Abuse Project

NOTES

[i] *How to Become an Adoptive Parent, Foster Parent, or Relative Caregiver*, CONN. DEPT. OF CHILDREN AND FAMILIES (2015), http://www.ct.gov/dcf/cwp/view.asp?a=2561&q=314316.

[ii] CONN. AGENCIES REGS. §§ 17a-114-27–28, *available at* http://www.ct.gov/dcf/cwp/view.asp?a=2639&Q=492008.

[iii] CONN. AGENCIES REGS. §§ 17a-114-46, *available at* http://www.ct.gov/dcf/cwp/view.asp?a=2639&Q=492008.

[iv] CONN. AGENCIES REGS. § 17a-114-42, *available at* http://www.ct.gov/dcf/cwp/view.asp?a=2639&Q=492008.

[v] *All County Information Notice No. 1-17-13: Questions and Answers (Q & A) Regarding Reasonable and Prudent Parent Standards*, CAL. DEPT. OF SOCIAL SERVICES (May 17, 2013), HTTP://WWW.DSS.CAHWNET.GOV/LETTERSNOTICES/ENTRES/GETINFO/ACIN/2013/I-17_13.PDF.

[vi] Mike Canfield, *Legislature Passes Senate Bill 6497*, FOSTER PARENT ASSOCIATION OF WASHINGTON STATE (FPAWS), http://www.fpaws.org/content/children's-administration-and-"prudent-parenting"-law.

[vii] *Let Kids Be Kids Law*, FLORIDA DEPT. OF CHILDREN AND FAMILIES (2014), http://www.myflfamilies.com/service-programs/independent-living/let-kids-be-kids-law.

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STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES

Public Hearing Testimony

Committee on Children
March 3, 2015

H.B. No. 6899 AN ACT EXPANDING GUARDIANSHIP OPPORTUNITIES FOR CHILDREN AND IMPLEMENTING PROVISIONS OF THE FEDERAL PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT

The Department of Children and Families **supports** H.B. No. 6899, An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act.

This bill expands guardianship opportunities for children in foster care by permitting subsidized guardianships for fictive kin. It also makes a number of changes to state statutes to comply with the requirements of Public Law 113-183, the federal Preventing Sex Trafficking and Strengthening Families Act. This new federal law makes many important improvements to the child welfare system that will help improve permanency outcomes for children and youth in foster care.

This bill includes the following provisions:

- § 1 - NEW section that includes definitions and establishes a criteria for a "reasonable and prudent parent standard" (PL 113-183 requirement).
- § 2 - amends § 17a-11 to limit permanency goal of another planned permanent living arrangement (APPLA) to youth age 16 or older (PL 113-183 requirement).
- § 3 - amends § 17a-111b to limit permanency goal of another planned permanent living arrangement (APPLA) to youth age 16 or older (PL 113-183 requirement).
- § 4- amends § 46b-129 to: limit permanency goal of another planned permanent living arrangement (APPLA) to youth age 16 or older; allow children the ability to engage in age or developmentally appropriate activities; requires court determination that an APPLA goal is the best permanency plan for the child and to identify the compelling reasons why it is not in the best interest of the child to be in a permanent placement with a parent, relative, legal guardian or adoptive parent; require court to ask any APPLA child about his or her desired permanency outcome (PL 113-183 requirement).
- § 5 - amends § 46b-141 to: limit permanency goal of another planned permanent living arrangement (APPLA) to youth age 16 or older; allow children the ability to engage in age or developmentally appropriate activities; requires court determination that an APPLA goal is the best permanency plan for the child and to identify the compelling reasons why it is not in the best interest of the child to be in a permanent placement with a parent, relative, legal guardian or adoptive parent; require court to ask any APPLA child about his or her desired permanency outcome (PL 113-183 requirement).

- § 6 - amends § 17a-114 to: change definition of "special study" to "fictive kin"; authorizes licensed caregivers to apply a "reasonable and prudent parent standard" on behalf of a child (PL 113-183 requirement).
- § 7 - amends § 17a-145 to require licensed homes and institutions to designate an on-site staff person to apply a "reasonable and prudent parent standard" on behalf of a child (PL 113-183 requirement).
- § 8 - amends § 17a-117 to: reinstate references to "Court of Probate" which were inadvertently omitted last year; change the name to the Adoption Subsidy Review Board to the Subsidy Review Board (technical changes).
- § 9 - amends § 17a-118 to change the name of the Adoption Subsidy Review Board to the Subsidy Review Board (technical change).
- § 10 - amends § 17a-120 to change the name of the Adoption Subsidy Review Board to the Subsidy Review Board (technical change).
- § 11 - amends § 17a-126 to allow subsidized guardianships for fictive kin and allows transfer of subsidy to a successor guardian if the guardian dies or becomes incapacitated and the successor is named in the subsidy agreement.
- § 12 - amends § 17a-10b to require notification of a child's siblings when a child is placed in care (PL 113-183 requirement).
- § 13 - amends § 17a-114b to provide annual copies of a child's credit report and assistance with correcting errors beginning at age 14 (PL 113-183 requirement).
- § 14 – NEW section requires DCF to report any missing or abducted child in the legal custody of the Department to the law enforcement for entry into the national crime information database of the Federal Bureau of Investigation and to the National Center for Missing and Exploited Children.
- § 15 – amends § 17a-15 (a) to implement required changes to a child's case plan (PL 113-183 requirement).
- § 16 – amends § 17a-28(g) to allow the sharing of information with any person for the purposes of identifying resources that will promote the permanency plan of a child approved by the court (PL 113-183 requirement).
- § 17 – amends § 17a-6a to require each vendor or contractor of the department or an employee of a vendor or contractor who has access to criminal background check information to submit to state and national criminal history records checks (PL 113-183 requirement).

Public Law 113-183 requires states to adopt a number of statutory and policy changes to comply with the new federal law and such changes must be in place on or before September 29, 2015.

STATE OF CONNECTICUT
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Testimony of Stephen N. Ment
Committee on Children Public Hearing
March 3, 2015

House Bill 6899, An Act Expanding Guardianship Opportunities For Children And Implementing Provisions Of The Federal Preventing Sex Trafficking And Strengthening Families Act

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch concerning House Bill 6899, *An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act.* The Branch is cognizant of the fact that many of this bill's provisions are necessitated by federal law and supports the Department of Children and Families (DCF) efforts in seeking its passage.

However, the Judicial Branch maintains a concern with one particular aspect of this proposal that recurs throughout the bill. Namely, the bill would mandate the court to ask the youth about his or her desired permanency outcome at his or her respective permanency plan hearing. While a laudable and important consideration, it does not take into consideration what would happen if the youth chooses not to attend the hearing.

Although unfortunate, the simple truth is that it can be very difficult to ensure that a young person will attend his or her hearing, and more times than not, the youth does not attend when invited to do so. Should this occur, must the court continue the permanency plan hearing each time that the youth does not attend? If so, it will threaten the requisite findings being made in time.

Therefore, the Judicial Branch respectfully requests an alternate approach – in addition to the approach currently in the bill – be added to the bill to address situations when the youth does not attend his or her hearing. For example, perhaps language could be added to the bill that the court will either inquire of the child at the permanency plan hearing, *or* mandate the court review a signed, sworn, timely affidavit from the youth, who within the body of the affidavit states a desire not to attend the hearing, and his or her thoughts on the plan. If this were to occur, the court could then be assured that the youth is aware of the court date, and that the court has a current and accurate position of the child. Appropriate findings could then be made.

Thank you for considering this addition to the bill, and we look forward to working with the Department on this important bill.

Thank you for the opportunity to submit written testimony.

Connecticut Conference
United Church of Christ

125 Sherman Street
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Testimony in Support of House Bill 6899:
An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act
Submitted by, Michele Mudrick, Legislative Advocate
Connecticut Conference, United Church of Christ
March 3, 2015

Representative Urban, Senator Bartolomeo, and distinguished members of the Committee on Children:

I am Michele Mudrick, Legislative Advocate for the Connecticut Conference, United Church of Christ, and I am writing today in support of House Bill 6899: An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act. We support extending guardianship opportunities for children in foster care by permitting subsidized guardianship for fictive kin and to make conforming changes to comply with the requirements of the federal Preventing Sex Trafficking and Strengthening Families Act.

I am writing on behalf of the 240 congregations and more than 73,000 people in our state's churches. In fact, the United Church of Christ (UCC) is the largest Protestant denomination in Connecticut. Nationally, the UCC has more than 5,700 congregations with nearly 1 million members.

The State of Connecticut Department of Children and Families (DCF) acknowledges that Domestic Minor Sex Trafficking is an increasing issue in Connecticut afflicting children involved with the child welfare system. Statistics also tell us children who are involved with child welfare services and in the foster care system are at a much higher risk to be recruited into the sex industry via prostitution. [1]

So far in 2015 DCF has identified 10 children who have been sold for sex in Connecticut. In the previous four years, some 83 confirmed child prostitutes have been referred to DCF. Almost all the children who have been identified in Connecticut as being sex slaves were foster children or runaways with prior abuse. [2]

The Connecticut Conference of the United Church of Christ therefore urges the Committee on Children to support House Bill 6899: An Act Expanding Guardianship Opportunities for Children and Implementing Provisions of the Federal Preventing Sex Trafficking and Strengthening Families Act. Please expand guardianship opportunities for children in foster care by permitting subsidized guardianship for fictive kin and make conforming changes to comply with the requirements of the federal Preventing Sex Trafficking and Strengthening Families Act. The children of our state deserve it.

Thank you for your work and the opportunity to supply written testimony in support of House Bill 6899.

Blessings,
Michele Mudrick
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[1] Department of Children & Families
[2] The CT Mirror July 17, 2012 DCF Trying New Approach to Combat Child Sex Slavery