

**Testimony Supporting SB 325,
An Act Concerning the Commission on Child Protection**

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Judiciary Committee Public Hearing
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Dear Senator McDonald, Rep. Lawlor and distinguished Members of the Judiciary Committee:

I am President of Connecticut Voices for Children, a research-based public education and advocacy organization that works statewide to promote the well-being of Connecticut's children, youth and families. I also am a member of the Commission on Child Protection, appointed by Senate President Donald Williams.

I write to support SB 325, An Act Concerning the Commission on Child Protection. This Commission, as you know, was established several years ago to move from the Judicial Department to an independent Commission the appointment, payment, and oversight of attorneys who, *inter alia*, provide legal services and serve as guardians ad litem to children and youth in juvenile court proceedings (other than delinquency matters) and certain family relations matters. With a very small staff, the Chief Child Protection Attorney has accomplished much to begin to improve the quality of legal representation, including creating new standards of practice, enhancing training, expanding oversight of performance, and issuing an RFP to test a different, inter-disciplinary model for legal representation of children in child abuse and neglect cases.

Much work, however, remains to be done before the quality of legal representation uniformly rises to the level merited by the seriousness of these proceedings to the lives of the children touched by them. This bill would help in that progress. We support the following:

- **Increasing Commission staff.** Section 1(f) provides for the appointment of a Director of Family Matters to assure that this piece of the Commission's mandate is adequately met; the current staffing complement is insufficient to do so. Section 6 would appropriate funds for this position, as well as two staff attorneys and a paralegal;
- **Contracts.** Section 2(a)(1) allows the Chief Child Protection Attorney to contract with law firms for the delivery of legal services; current law allows the appointment of individual lawyers and not-for-profit legal services agencies only;
- **Role clarification.** Section 3 clarifies that counsel for a child under the age of seven would serve in a dual role – as the child's attorney and guardian ad litem, but that counsel for a child who is seven years old or more acts only as the child's attorney unless the court or the child's attorney determines that the child cannot act in his/her own interest. In this case, if the court decides that a different person should assess and advocate for the child's best interests to reach the appropriate decision based on all relevant facts, the court may appoint a separate guardian ad litem. This would go far in eliminating current role confusion.
- **Retain Chief Child Protection Attorney's access to certain confidential Department of Children and Family records.** Section 5, among other things, would assure the Chief Child Protection Attorney access to certain DCF records; such access is essential to her oversight and performance monitoring functions.