



General Assembly

February Session, 2010

Raised Bill No. 5310

LCO No. 1526

* _____HB05310KIDJUD031010_____*

Referred to Committee on Select Committee on Children

Introduced by:
(KID)

**AN ACT CONCERNING PLACEMENT OF CHILDREN AND YOUTH
WHEN THERE IS SERIOUS RISK OF DANGER TO HEALTH AND
SAFETY.**

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

1 Section 1. Section 46b-129 of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2010*):

4 (a) Any selectman, town manager, or town, city or borough welfare
5 department, any probation officer, or the Commissioner of Social
6 Services, the Commissioner of Children and Families or any child-
7 caring institution or agency approved by the Commissioner of
8 Children and Families, a child or such child's representative or
9 attorney or a foster parent of a child, having information that a child or
10 youth is neglected, uncared-for or dependent, may file with the
11 Superior Court that has venue over such matter a verified petition
12 plainly stating such facts as bring the child or youth within the
13 jurisdiction of the court as neglected, uncared-for or dependent, within
14 the meaning of section 46b-120, the name, date of birth, sex and
15 residence of the child or youth, the name and residence of such child's
16 parents or guardian, and praying for appropriate action by the court in

17 conformity with the provisions of this chapter. Upon the filing of such
18 a petition, except as otherwise provided in subsection (k) of section
19 17a-112, the court shall cause a summons to be issued requiring the
20 parent or parents or the guardian of the child or youth to appear in
21 court at the time and place named, which summons shall be served not
22 less than fourteen days before the date of the hearing in the manner
23 prescribed by section 46b-128, and the court shall further give notice to
24 the petitioner and to the Commissioner of Children and Families of the
25 time and place when the petition is to be heard not less than fourteen
26 days prior to the hearing in question.

27 (b) If it appears from the specific allegations of the petition and
28 other verified affirmations of fact accompanying the petition and
29 application, or subsequent thereto, that there is reasonable cause to
30 believe that (1) the child or youth is suffering from serious physical
31 illness or serious physical injury or is in immediate physical danger
32 from the child's or youth's surroundings, and (2) that as a result of said
33 conditions, the child's or youth's safety is endangered and immediate
34 removal from such surroundings is necessary to ensure the child's or
35 youth's safety, the court shall either (A) issue an order to the parents or
36 other person having responsibility for the care of the child or youth to
37 appear at such time as the court may designate to determine whether
38 the court should vest the child's or youth's temporary care and custody
39 in a person related to the child or youth by blood or marriage or in
40 some other person or suitable agency pending disposition of the
41 petition, or (B) issue an order ex parte vesting the child's or youth's
42 temporary care and custody in a person related to the child or youth
43 by blood or marriage or in some other person or suitable agency. A
44 preliminary hearing on any ex parte custody order or order to appear
45 issued by the court shall be held not later than ten days after the
46 issuance of such order. The service of such orders may be made by any
47 officer authorized by law to serve process, or by any probation officer
48 appointed in accordance with section 46b-123, investigator from the
49 Department of Administrative Services, state or local police officer or
50 indifferent person. Such orders shall include a conspicuous notice to

51 the respondent written in clear and simple language containing at least
52 the following information: (i) That the order contains allegations that
53 conditions in the home have endangered the safety and welfare of the
54 child or youth; (ii) that a hearing will be held on the date on the form;
55 (iii) that the hearing is the opportunity to present the parents' position
56 concerning the alleged facts; (iv) that an attorney will be appointed for
57 parents who cannot afford an attorney; (v) that such parents may
58 apply for a court-appointed attorney by going in person to the court
59 address on the form and are advised to go as soon as possible in order
60 for the attorney to prepare for the hearing; (vi) that such parents, or a
61 person having responsibility for the care and custody of the child or
62 youth, may request the Commissioner of Children and Families to
63 investigate placing the child or youth with a person related to the child
64 or youth by blood or marriage who might serve as a licensed foster
65 parent or temporary custodian for such child or youth. The
66 commissioner, where practicable, shall investigate such relative or
67 relatives prior to the preliminary hearing and provide a report to the
68 court at such hearing as to such relative's suitability; and (vii) if such
69 parents have any questions concerning the case or appointment of
70 counsel, any such parent is advised to go to the court or call the clerk's
71 office at the court as soon as possible. Upon application for appointed
72 counsel, the court shall promptly determine eligibility and, if the
73 respondent is eligible, promptly appoint counsel. The expense for any
74 temporary care and custody shall be paid by the town in which such
75 child or youth is at the time residing, and such town shall be
76 reimbursed for such expense by the town found liable for the child's or
77 youth's support, except that where a state agency has filed a petition
78 pursuant to the provisions of subsection (a) of this section, the agency
79 shall pay such expense. The agency shall give primary consideration to
80 placing the child or youth in the town where such child or youth
81 resides. The agency shall file in writing with the clerk of the court the
82 reasons for placing the child or youth in a particular placement outside
83 the town where the child or youth resides. Upon issuance of an ex
84 parte order, the court shall provide to the commissioner and the parent
85 or guardian specific steps necessary for each to take to address the ex

86 parte order for the parent or guardian to retain or regain custody of the
87 child or youth. Upon the issuance of such order, or not later than sixty
88 days after the issuance of such order, the court shall make a
89 determination whether the Department of Children and Families made
90 reasonable efforts to keep the child or youth with his or her parents or
91 guardian prior to the issuance of such order and, if such efforts were
92 not made, whether such reasonable efforts were not possible, taking
93 into consideration the child's or youth's best interests, including the
94 child's or youth's health and safety.

95 (c) The preliminary hearing on the order of temporary custody or
96 order to appear or the first hearing on a petition filed pursuant to
97 subsection (a) of this section shall be held in order for the court to: (1)
98 Advise the parent or guardian of the allegations contained in all
99 petitions and applications that are the subject of the hearing and the
100 parent's or guardian's right to counsel pursuant to subsection (b) of
101 section 46b-135; (2) assure that an attorney, and where appropriate, a
102 separate guardian ad litem has been appointed to represent the child
103 or youth in accordance with subsection (b) of section 46b-123e and
104 sections 46b-129a and 46b-136; (3) upon request, appoint an attorney to
105 represent the respondent when the respondent is unable to afford
106 representation, in accordance with subsection (b) of section 46b-123e;
107 (4) advise the parent or guardian of the right to a hearing on the
108 petitions and applications, to be held not later than ten days after the
109 date of the preliminary hearing if the hearing is pursuant to an order of
110 temporary custody or an order to show cause; (5) accept a plea
111 regarding the truth of such allegations; (6) make any interim orders,
112 including visitation, that the court determines are in the best interests
113 of the child or youth. The court, after a hearing pursuant to this
114 subsection, shall order specific steps the commissioner and the parent
115 or guardian shall take for the parent or guardian to regain or to retain
116 custody of the child or youth; (7) take steps to determine the identity of
117 the father of the child or youth, including ordering genetic testing, if
118 necessary, and order service of the petition and notice of the hearing
119 date, if any, to be made upon him; (8) if the person named as the father

120 appears, and admits that he is the father, provide him and the mother
121 with the notices that comply with section 17b-27 and provide them
122 with the opportunity to sign a paternity acknowledgment and
123 affirmation on forms that comply with section 17b-27. Such documents
124 shall be executed and filed in accordance with chapter 815y and a copy
125 delivered to the clerk of the superior court for juvenile matters; (9) in
126 the event that the person named as a father appears and denies that he
127 is the father of the child or youth, advise him that he may have no
128 further standing in any proceeding concerning the child, and either
129 order genetic testing to determine paternity or direct him to execute a
130 written denial of paternity on a form promulgated by the Office of the
131 Chief Court Administrator. Upon execution of such a form by the
132 putative father, the court may remove him from the case and afford
133 him no further standing in the case or in any subsequent proceeding
134 regarding the child or youth until such time as paternity is established
135 by formal acknowledgment or adjudication in a court of competent
136 jurisdiction; (10) identify any person or persons related to the child or
137 youth by blood or marriage residing in this state who might serve as
138 licensed foster parents or temporary custodians and order the
139 Commissioner of Children and Families to investigate and determine,
140 not later than thirty days after the preliminary hearing, the
141 appropriateness of placement of the child or youth with such relative
142 or relatives; and (11) in accordance with the provisions of the Interstate
143 Compact on the Placement of Children pursuant to section 17a-175,
144 identify any person or persons related to the child or youth by blood or
145 marriage residing out of state who might serve as licensed foster
146 parents or temporary custodians, and order the Commissioner of
147 Children and Families to investigate and determine, within a
148 reasonable time, the appropriateness of placement of the child or
149 youth with such relative or relatives.

150 (d) (1) (A) If not later than thirty days after the preliminary hearing,
151 or within a reasonable time when a relative resides out of state, the
152 Commissioner of Children and Families determines that there is not a
153 suitable person related to the child or youth by blood or marriage who

154 can be licensed as a foster parent or serve as a temporary custodian,
155 and the court has not granted temporary custody to a person related to
156 the child or youth by blood or marriage, any person related to the child
157 or youth by blood or marriage may file, not later than ninety days after
158 the date of the preliminary hearing, a motion to intervene for the
159 limited purpose of moving for temporary custody of such child or
160 youth. If a motion to intervene is timely filed, the court shall grant
161 such motion except for good cause shown.

162 (B) Any person related to a child or youth may file a motion to
163 intervene for purposes of seeking temporary custody of a child or
164 youth more than ninety days after the date of the preliminary hearing.
165 The granting of such motion shall be solely in the court's discretion,
166 except that such motion shall be granted absent good cause shown
167 whenever the child's or youth's most recent placement has disrupted
168 or is about to disrupt.

169 (C) A relative shall appear in person, with or without counsel, and
170 shall not be entitled to court appointed counsel or the assignment of
171 counsel by the Chief Child Protection Attorney except as provided in
172 section 46b-136.

173 (2) Upon the granting of intervenor status to such relative of the
174 child or youth, the court shall issue an order directing the
175 Commissioner of Children and Families to conduct an assessment of
176 such relative and to file a written report with the court not later than
177 forty days after such order, unless such relative resides out of state, in
178 which case the assessment shall be ordered and requested in
179 accordance with the provisions of the Interstate Compact on the
180 Placement of Children, pursuant to section 17a-175. The court may also
181 request such relative to release such relative's medical records,
182 including any psychiatric or psychological records and may order such
183 relative to submit to a physical or mental examination. The expenses
184 incurred for such physical or mental examination shall be paid as costs
185 of commitment are paid. Upon receipt of the assessment, the court
186 shall schedule a hearing on such relative's motion for temporary

187 custody not later than fifteen days after the receipt of the assessment. If
188 the Commissioner of Children and Families, the child's or youth's
189 attorney or guardian ad litem, or the parent or guardian objects to the
190 vesting of temporary custody in such relative, the agency or person
191 objecting at such hearing shall be required to prove by a fair
192 preponderance of the evidence that granting temporary custody of the
193 child or youth to such relative would not be in the best interests of
194 such child or youth.

195 (3) If the court grants such relative temporary custody during the
196 period of such temporary custody, such relative shall be subject to
197 orders of the court, including, but not limited to, providing for the care
198 and supervision of such child or youth and cooperating with the
199 Commissioner of Children and Families in the implementation of
200 treatment and permanency plans and services for such child or youth.
201 The court may, on motion of any party or the court's own motion, after
202 notice and a hearing, terminate such relative's intervenor status if such
203 relative's participation in the case is no longer warranted or necessary.

204 (4) Any person related to a child or youth may file a motion to
205 intervene for purposes of seeking permanent guardianship of a child
206 or youth more than ninety days after the date of the preliminary
207 hearing. The granting of such motion to intervene shall be solely in the
208 court's discretion, except that such motion shall be granted absent
209 good cause shown whenever the child's or youth's most recent
210 placement has disrupted or is about to disrupt. The court may, in the
211 court's discretion, order the Commissioner of Children and Families to
212 conduct an assessment of such relative granted intervenor status
213 pursuant to this subdivision.

214 (e) If any parent or guardian fails, after service of such order, to
215 appear at the preliminary hearing, the court may enter or sustain an
216 order of temporary custody.

217 (f) Upon request, or upon its own motion, the court shall schedule a
218 hearing on the order for temporary custody or the order to appear to

219 be held not later than ten days after the date of the preliminary
220 hearing. Such hearing shall be held on consecutive days except for
221 compelling circumstances or at the request of the parent or guardian.

222 (g) At a contested hearing on the order for temporary custody or
223 order to appear, credible hearsay evidence regarding statements of the
224 child or youth made to a mandated reporter or to a parent may be
225 offered by the parties and admitted by the court upon a finding that
226 the statement is reliable and trustworthy and that admission of such
227 statement is reasonably necessary. A signed statement executed by a
228 mandated reporter under oath may be admitted by the court without
229 the need for the mandated reporter to appear and testify unless called
230 by a respondent or the child, provided the statement: (1) Was provided
231 at the preliminary hearing and promptly upon request to any counsel
232 appearing after the preliminary hearing; (2) reasonably describes the
233 qualifications of the reporter and the nature of his contact with the
234 child; and (3) contains only the direct observations of the reporter, and
235 statements made to the reporter that would be admissible if the
236 reporter were to testify to them in court and any opinions reasonably
237 based thereupon. If a respondent or the child gives notice at the
238 preliminary hearing that he intends to cross-examine the reporter, the
239 person filing the petition shall make the reporter available for such
240 examination at the contested hearing.

241 (h) If any parent or guardian fails, after due notice of the hearing
242 scheduled pursuant to subsection (g) of this section and without good
243 cause, to appear at the scheduled date for a contested hearing on the
244 order of temporary custody or order to appear, the court may enter or
245 sustain an order of temporary custody.

246 (i) When a petition is filed in said court for the commitment of a
247 child or youth, the Commissioner of Children and Families shall make
248 a thorough investigation of the case and shall cause to be made a
249 thorough physical and mental examination of the child or youth if
250 requested by the court. The court after hearing may also order a
251 thorough physical or mental examination, or both, of a parent or

252 guardian whose competency or ability to care for a child or youth
253 before the court is at issue. The expenses incurred in making such
254 physical and mental examinations shall be paid as costs of
255 commitment are paid.

256 (j) Upon finding and adjudging that any child or youth is uncared-
257 for, neglected or dependent, the court may commit such child or youth
258 to the Commissioner of Children and Families. Such commitment shall
259 remain in effect until further order of the court, except that such
260 commitment may be revoked or parental rights terminated at any time
261 by the court, or the court may vest such child's or youth's legal
262 guardianship in any private or public agency that is permitted by law
263 to care for neglected, uncared-for or dependent children or youths or
264 with any other person or persons found to be suitable and worthy of
265 such responsibility by the court, including, but not limited to, any
266 relative of such child or youth by blood or marriage. If the court
267 determines that the commitment should be revoked and the child's or
268 youth's legal guardianship should vest in someone other than the
269 respondent parent, parents or former guardian, or if parental rights are
270 terminated at any time, there shall be a rebuttable presumption that an
271 award of legal guardianship upon revocation to, or adoption upon
272 termination of parental rights by, any relative who is licensed as a
273 foster parent for such child or youth, or who is, pursuant to an order of
274 the court, the temporary custodian of the child or youth at the time of
275 the revocation or termination, shall be in the best interests of the child
276 or youth and that such relative is a suitable and worthy person to
277 assume legal guardianship upon revocation or to adopt such child or
278 youth upon termination of parental rights. The presumption may be
279 rebutted by a preponderance of the evidence that an award of legal
280 guardianship to, or an adoption by, such relative would not be in the
281 child's or youth's best interests and such relative is not a suitable and
282 worthy person. The court shall order specific steps that the parent
283 must take to facilitate the return of the child or youth to the custody of
284 such parent. The commissioner shall be the guardian of such child or
285 youth for the duration of the commitment, provided the child or youth

286 has not reached the age of eighteen years or, in the case of a child or
287 youth in full-time attendance in a secondary school, a technical school,
288 a college or a state-accredited job training program, provided such
289 child or youth has not reached the age of twenty-one years, by consent
290 of such youth, or until another guardian has been legally appointed,
291 and in like manner, upon such vesting of the care of such child or
292 youth, such other public or private agency or individual shall be the
293 guardian of such child or youth until such child or youth has reached
294 the age of eighteen years or, in the case of a child or youth in full-time
295 attendance in a secondary school, a technical school, a college or a
296 state-accredited job training program, until such child or youth has
297 reached the age of twenty-one years or until another guardian has
298 been legally appointed. The commissioner may place any child or
299 youth so committed to the commissioner in a suitable foster home or in
300 the home of a person related by blood or marriage to such child or
301 youth or in a licensed child-caring institution or in the care and
302 custody of any accredited, licensed or approved child-caring agency,
303 within or without the state, provided a child shall not be placed
304 outside the state except for good cause and unless the parents or
305 guardian of such child are notified in advance of such placement and
306 given an opportunity to be heard, or in a receiving home maintained
307 and operated by the Commissioner of Children and Families. In
308 placing such child or youth, the commissioner shall, if possible, select a
309 home, agency, institution or person of like religious faith to that of a
310 parent of such child or youth, if such faith is known or may be
311 ascertained by reasonable inquiry, provided such home conforms to
312 the standards of said commissioner and the commissioner shall, when
313 placing siblings, if possible, place such children together. As an
314 alternative to commitment, the court may place the child or youth in
315 the custody of the parent or guardian with protective supervision by
316 the Commissioner of Children and Families subject to conditions
317 established by the court. If the commissioner objects to such placement
318 because of a serious risk of danger to the health or safety of the child or
319 youth from such placement, implementation of the placement order
320 shall be delayed for twenty-four hours. The court shall immediately

321 review the order and, if it finds that placement with the parent or
322 guardian creates a serious risk of danger to the health and safety of the
323 child or youth, it shall issue an order committing the child or youth to
324 the Commissioner of Children and Families. Upon the issuance of an
325 order committing the child or youth to the Commissioner of Children
326 and Families, or not later than sixty days after the issuance of such
327 order, the court shall determine whether the Department of Children
328 and Families made reasonable efforts to keep the child or youth with
329 his or her parents or guardian prior to the issuance of such order and,
330 if such efforts were not made, whether such reasonable efforts were
331 not possible, taking into consideration the child's or youth's best
332 interests, including the child's or youth's health and safety.

333 (k) (1) Nine months after placement of the child or youth in the care
334 and custody of the commissioner pursuant to a voluntary placement
335 agreement, or removal of a child or youth pursuant to section 17a-101g
336 or an order issued by a court of competent jurisdiction, whichever is
337 earlier, the commissioner shall file a motion for review of a
338 permanency plan. Nine months after a permanency plan has been
339 approved by the court pursuant to this subsection, the commissioner
340 shall file a motion for review of the permanency plan. Any party
341 seeking to oppose the commissioner's permanency plan, including a
342 relative of a child or youth by blood or marriage who has intervened
343 pursuant to subsection (d) of this section and is licensed as a foster
344 parent for such child or youth or is vested with such child's or youth's
345 temporary custody by order of the court, shall file a motion in
346 opposition not later than thirty days after the filing of the
347 commissioner's motion for review of the permanency plan, which
348 motion shall include the reason therefor. A permanency hearing on
349 any motion for review of the permanency plan shall be held not later
350 than ninety days after the filing of such motion. The court shall hold
351 evidentiary hearings in connection with any contested motion for
352 review of the permanency plan. The commissioner shall have the
353 burden of proving that the proposed permanency plan is in the best
354 interests of the child or youth. After the initial permanency hearing,

355 subsequent permanency hearings shall be held not less frequently than
356 every twelve months while the child or youth remains in the custody
357 of the Commissioner of Children and Families. The court shall provide
358 notice to the child or youth, the parent or guardian of such child or
359 youth, and any intervenor of the time and place of the court hearing on
360 any such motion not less than fourteen days prior to such hearing.

361 (2) At a permanency hearing held in accordance with the provisions
362 of subdivision (1) of this subsection, the court shall approve a
363 permanency plan that is in the best interests of the child or youth and
364 takes into consideration the child's or youth's need for permanency.
365 The child's or youth's health and safety shall be of paramount concern
366 in formulating such plan. Such permanency plan may include the goal
367 of (A) revocation of commitment and reunification of the child or
368 youth with the parent or guardian, with or without protective
369 supervision; (B) transfer of guardianship; (C) long-term foster care
370 with a relative licensed as a foster parent; (D) filing of termination of
371 parental rights and adoption; or (E) another planned permanent living
372 arrangement ordered by the court, provided the Commissioner of
373 Children and Families has documented a compelling reason why it
374 would not be in the best interest of the child or youth for the
375 permanency plan to include the goals in subparagraphs (A) to (D),
376 inclusive, of this subdivision. Such other planned permanent living
377 arrangement may include, but not be limited to, placement of a child
378 or youth in an independent living program or long term foster care
379 with an identified foster parent.

380 (3) At a permanency hearing held in accordance with the provisions
381 of subdivision (1) of this subsection, the court shall review the status of
382 the child, the progress being made to implement the permanency plan,
383 determine a timetable for attaining the permanency plan, determine
384 the services to be provided to the parent if the court approves a
385 permanency plan of reunification and the timetable for such services,
386 and determine whether the commissioner has made reasonable efforts
387 to achieve the permanency plan. The court may revoke commitment if

388 a cause for commitment no longer exists and it is in the best interests of
389 the child or youth.

390 (4) If the court approves the permanency plan of adoption: (A) The
391 Commissioner of Children and Families shall file a petition for
392 termination of parental rights not later than sixty days after such
393 approval if such petition has not previously been filed; (B) the
394 commissioner may conduct a thorough adoption assessment and
395 child-specific recruitment; and (C) the court may order that the child
396 be photo-listed within thirty days if the court determines that such
397 photo-listing is in the best interest of the child. As used in this
398 subdivision, "thorough adoption assessment" means conducting and
399 documenting face-to-face interviews with the child, foster care
400 providers and other significant parties and "child specific recruitment"
401 means recruiting an adoptive placement targeted to meet the
402 individual needs of the specific child, including, but not limited to, use
403 of the media, use of photo-listing services and any other in-state or
404 out-of-state resources that may be used to meet the specific needs of
405 the child, unless there are extenuating circumstances that indicate that
406 such efforts are not in the best interest of the child.

407 (l) The Commissioner of Children and Families shall pay directly to
408 the person or persons furnishing goods or services determined by said
409 commissioner to be necessary for the care and maintenance of such
410 child or youth the reasonable expense thereof, payment to be made at
411 intervals determined by said commissioner; and the Comptroller shall
412 draw his or her order on the Treasurer, from time to time, for such part
413 of the appropriation for care of committed children or youths as may
414 be needed in order to enable the commissioner to make such
415 payments. The commissioner shall include in the department's annual
416 budget a sum estimated to be sufficient to carry out the provisions of
417 this section. Notwithstanding that any such child or youth has income
418 or estate, the commissioner may pay the cost of care and maintenance
419 of such child or youth. The commissioner may bill to and collect from
420 the person in charge of the estate of any child or youth aided under

421 this chapter, or the payee of such child's or youth's income, the total
422 amount expended for care of such child or youth or such portion
423 thereof as any such estate or payee is able to reimburse, provided the
424 commissioner shall not collect from such estate or payee any
425 reimbursement for the cost of care or other expenditures made on
426 behalf of such child or youth from (1) the proceeds of any cause of
427 action received by such child or youth; (2) any lottery proceeds due to
428 such child or youth; (3) any inheritance due to such child or youth; (4)
429 any payment due to such child or youth from a trust other than a trust
430 created pursuant to 42 USC 1396p, as amended from time to time; or
431 (5) the decedent estate of such child or youth.

432 (m) The commissioner, a parent or the child's attorney may file a
433 motion to revoke a commitment, and, upon finding that cause for
434 commitment no longer exists, and that such revocation is in the best
435 interests of such child or youth, the court may revoke the commitment
436 of such child or youth. No such motion shall be filed more often than
437 once every six months.

438 (n) Upon service on the parent, guardian or other person having
439 control of the child or youth of any order issued by the court pursuant
440 to the provisions of subsections (b) and (j) of this section, the child or
441 youth concerned shall be surrendered to the person serving the order
442 who shall forthwith deliver the child or youth to the person, agency,
443 department or institution awarded custody in the order. Upon refusal
444 of the parent, guardian or other person having control of the child or
445 youth to surrender the child or youth as provided in the order, the
446 court may cause a warrant to be issued charging the parent, guardian
447 or other person having control of the child or youth with contempt of
448 court. If the person arrested is found in contempt of court, the court
449 may order such person confined until the person complies with the
450 order, but for not more than six months, or may fine such person not
451 more than five hundred dollars, or both.

452 (o) A foster parent, prospective adoptive parent or relative caregiver
453 shall receive notice and have the right to be heard for the purposes of

454 this section in Superior Court in any proceeding concerning a foster
 455 child living with such foster parent, prospective adoptive parent or
 456 relative caregiver. A foster parent, prospective adoptive parent or
 457 relative caregiver who has cared for a child or youth shall have the
 458 right to be heard and comment on the best interests of such child or
 459 youth in any proceeding under this section which is brought not more
 460 than one year after the last day the foster parent, prospective adoptive
 461 parent or relative caregiver provided such care.

462 (p) Upon motion of any sibling of any child committed to the
 463 Department of Children and Families pursuant to this section, such
 464 sibling shall have the right to be heard concerning visitation with, and
 465 placement of, any such child. In awarding any visitation or modifying
 466 any placement, the court shall be guided by the best interests of all
 467 siblings affected by such determination.

468 (q) The provisions of section 17a-152, regarding placement of a child
 469 from another state, and section 17a-175, regarding the Interstate
 470 Compact on the Placement of Children, shall apply to placements
 471 pursuant to this section.

472 (r) In any proceeding under this section, the Department of Children
 473 and Families shall provide notice to every attorney of record for each
 474 party involved in the proceeding when the department seeks to
 475 transfer a child or youth in its care, custody or control to an out-of-
 476 state placement.

477 (s) The Chief Court Administrator shall prescribe a form to be used
 478 for the issuance of all orders under this section. Such form shall
 479 include information on any recommendations related to the custody or
 480 placement of any child or youth.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2010	46b-129

KID

Joint Favorable C/R

JUD