



General Assembly

February Session, 2024

**Substitute Bill No. 5506**



**AN ACT CONCERNING FAMILIES WITH SERVICE NEEDS.**

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

1 Section 1. Subdivision (3) of section 46b-120 of the 2024 supplement  
2 to the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2024*):

4 (3) "Family with service needs" means a family that includes a child  
5 who is at least seven years of age and is under eighteen years of age who  
6 [ according to a petition lawfully filed on or before June 30, 2020,] (A)  
7 has without just cause run away from the parental home or other  
8 properly authorized and lawful place of abode, (B) is beyond the control  
9 of the child's parent, parents, guardian or other custodian, (C) has  
10 engaged in indecent or immoral conduct, [or] (D) is a truant or habitual  
11 truant or who, while in school, has been continuously and overtly  
12 defiant of school rules and regulations, or (E) is thirteen years of age or  
13 older and has engaged in sexual intercourse with another person and  
14 such other person is thirteen years of age or older and not more than  
15 two years older or younger than such child;

16 Sec. 2. (NEW) (*Effective October 1, 2024*) (a) Any parent or guardian  
17 who believes that the acts or omissions of such parent or guardian's  
18 child are such that the child is from a family with service needs, as  
19 defined in section 46b-120 of the general statutes, as amended by this  
20 act, may file a written complaint setting forth those facts with the

21 Superior Court that has venue over the matter.

22 (b) The court shall refer a complaint filed under subsection (a) of this  
23 section to a probation officer, who shall promptly determine whether it  
24 appears that the alleged facts, if true, would be sufficient to meet the  
25 definition of a family with service needs. A complaint alleging that a  
26 child is a truant or habitual truant shall not be determined to be  
27 insufficient to meet the definition of a family with service needs solely  
28 because it was filed during the months of April, May or June. If such  
29 probation officer so determines, the probation officer shall, after an  
30 initial assessment, promptly refer the child and the child's family to a  
31 youth services bureau, established pursuant to section 10-19m of the  
32 general statutes, or to a family support center established pursuant to  
33 section 5 of this act, for services for a period of at least ninety days. If the  
34 child and the child's family are referred to a youth services bureau or to  
35 a family support center and the person in charge of such program  
36 determines that the child and the child's family can no longer benefit  
37 from its services after an initial ninety-day period of such services, the  
38 person in charge of such program shall inform the probation officer,  
39 who shall, after an appropriate assessment, either refer the child and the  
40 child's family to a youth services bureau or family support center for  
41 additional services or determine whether or not to file a petition with  
42 the court under subsection (c) of this section. If the child and the child's  
43 family are referred to a youth services bureau or family support center  
44 and the person in charge of the youth services bureau or family support  
45 center determines that the child and the child's family can no longer  
46 benefit from its services, the person in charge of the youth services  
47 bureau or family support center shall inform the probation officer, who  
48 may file a petition with the court in the manner prescribed in subsection  
49 (c) of this section. The probation officer shall inform the complainant in  
50 writing of the probation officer's action under this subsection. If it  
51 appears that the allegations are not true, or that the child's family does  
52 not meet the definition of a family with service needs, the probation  
53 officer shall inform the complainant in writing of such finding.

54 (c) A petition alleging that a child is from a family with service needs

55 shall be verified and filed with the Superior Court which has venue over  
56 the matter. The petition shall set forth plainly: (1) The facts which bring  
57 the child within the jurisdiction of the court; (2) the name, date of birth,  
58 sex and residence of the child; (3) the name and residence of the child's  
59 parent or parents, guardian or other person having control of the child;  
60 and (4) a prayer for appropriate action by the court in conformity with  
61 the provisions of this section.

62 (d) When a petition is filed under subsection (c) of this section, the  
63 court may issue a summons to the child and the child's parents,  
64 guardian or other person having control of the child to appear in court  
65 at a specified time and place. The summons shall be signed by a judge  
66 or by the clerk or assistant clerk of the court, and a copy of the petition  
67 shall be attached thereto. Whenever it appears to the judge that orders  
68 addressed to an adult, as set forth in section 46b-121 of the general  
69 statutes, are necessary for the welfare of such child, a similar summons  
70 shall be issued and served upon such adult if he or she is not already in  
71 court. Service of summons shall be made in accordance with section 46b-  
72 128 of the general statutes, as amended by this act. The court may punish  
73 for contempt, as provided in section 46b-121 of the general statutes, any  
74 parent, guardian or other person so summoned who fails to appear in  
75 court at the time and place so specified. If a petition is filed under  
76 subsection (c) of this section alleging that a child is from a family with  
77 service needs because a child is a truant or habitual truant, the court may  
78 not dismiss such petition solely because it was filed during the months  
79 of April, May or June.

80 (e) When a petition is filed under subsection (c) of this section alleging  
81 that a child is from a family with service needs because such child has  
82 been habitually truant, the court shall order that the local or regional  
83 board of education for the town in which the child resides, or the private  
84 school in the case of a child enrolled in a private school, shall cause an  
85 educational evaluation of such child to be performed if no such  
86 evaluation has been performed within the one-year period preceding  
87 the date of the filing of the petition.

88 (f) If it appears from the allegations of a petition or other sworn  
89 affirmations that there is: (1) A strong probability that the child may do  
90 something that results in self-injury prior to court disposition; (2) a  
91 strong probability that the child will run away prior to the hearing; or  
92 (3) a need to hold the child for another jurisdiction, a judge may vest  
93 temporary custody of such child in some suitable person or agency. No  
94 nondelinquent juvenile runaway from another state may be held in a  
95 state-operated detention home in accordance with the provisions of  
96 section 46b-151h of the general statutes, the Interstate Compact for  
97 Juveniles. A hearing on temporary custody shall be held not later than  
98 ten days after the date on which a judge signs an order of temporary  
99 custody. Following such hearing, the judge may order that the child's  
100 temporary custody continue to be vested in some suitable person or  
101 agency. Any expenses of temporary custody shall be paid in the same  
102 manner as provided in subsection (b) of section 46b-129 of the general  
103 statutes.

104 (g) If a petition is filed under subsection (c) of this section and it  
105 appears that the interests of the child or the family may be best served,  
106 prior to adjudication, by a referral to community-based or other  
107 services, the judge may permit the matter to be continued for a  
108 reasonable period of time not to exceed six months, which time period  
109 may be extended by an additional three months for cause. If it appears  
110 at the conclusion of the continuance that the matter has been  
111 satisfactorily resolved, the judge may dismiss the petition.

112 (h) If the court finds, based on clear and convincing evidence, that a  
113 child is from a family with service needs, the court may, in addition to  
114 issuing any orders under section 46b-121 of the general statutes: (1)  
115 Refer the child to the Department of Children and Families for any  
116 voluntary services provided by the department or, if the child is from a  
117 family with service needs solely as a result of a finding that the child is  
118 a truant or habitual truant, to the authorities of the local or regional  
119 school district or private school for services provided by such school  
120 district or such school, which services may include summer school, or  
121 to community agencies providing child and family services; (2) order

122 the child to remain in the child's own home or in the custody of a relative  
123 or any other suitable person (A) subject to the supervision of a probation  
124 officer; or (B) in the case of a child who is from a family with service  
125 needs solely as a result of a finding that the child is a truant or habitual  
126 truant, subject to the supervision of a probation officer and the  
127 authorities of the local or regional school district or private school; (3) if  
128 the child is from a family with service needs as a result of the child  
129 engaging in sexual intercourse with another person and such other  
130 person is thirteen years of age or older and not more than two years  
131 older or younger than such child, (A) refer the child to a youth service  
132 bureau or other appropriate service agency for participation in a  
133 program such as a teen pregnancy program or a sexually transmitted  
134 disease program, and (B) require such child to perform community  
135 service such as service in a hospital, an AIDS prevention program or an  
136 obstetrical and gynecological program; or (4) upon a finding that there  
137 is no less restrictive alternative, commit the child to the care and custody  
138 of the Commissioner of Children and Families for an indefinite period  
139 not to exceed eighteen months. The child shall be entitled to  
140 representation by counsel and an evidentiary hearing. If the court issues  
141 any order which regulates future conduct of the child, parent or  
142 guardian, the child, parent or guardian shall receive adequate and fair  
143 warning of the consequences of violation of the order at the time it is  
144 issued, and such warning shall be provided to the child, parent or  
145 guardian, to the child's attorney and to the child's legal guardian in  
146 writing and shall be reflected in the court record and proceedings.

147 (i) At any time during the period of supervision, after hearing and for  
148 good cause shown, the court may modify or enlarge the conditions,  
149 whether originally imposed by the court under this section or otherwise,  
150 as deemed appropriate by the court. The court shall cause a copy of any  
151 such orders to be delivered to the child and to such child's parent or  
152 guardian and probation officer.

153 (j) (1) The Commissioner of Children and Families may file a motion  
154 for an extension of a commitment under this section on the grounds that  
155 an extension would be in the best interest of the child. The court shall

156 give notice to the child and the child's parent or guardian at least  
157 fourteen days prior to the hearing upon such motion. The court may,  
158 after hearing and upon finding that such extension is in the best interest  
159 of the child and that there is no suitable less restrictive alternative,  
160 continue the commitment for an additional indefinite period of not more  
161 than eighteen months. (2) The Commissioner of Children and Families  
162 may at any time file a motion to discharge a child committed under this  
163 section, and any child committed to the commissioner under this  
164 section, or the parent or guardian of such child, may at any time but not  
165 more often than once every six months file a motion to revoke such  
166 commitment. The court shall notify the child, the child's parent or  
167 guardian and the commissioner of any motion filed under this  
168 subsection, and of the time when a hearing on such motion will be held.  
169 Any order of the court made under this subsection shall be deemed a  
170 final order for purposes of appeal, except that no bond shall be required  
171 and no costs shall be taxed on such appeal. (3) Not later than twelve  
172 months after a child is committed to the Commissioner of Children and  
173 Families in accordance with subdivision (4) of subsection (h) of this  
174 section or section 3 of this act, the court shall hold a permanency hearing  
175 in accordance with subsection (k) of this section. After the initial  
176 permanency hearing, subsequent permanency hearings shall be held at  
177 least once every twelve months while the child remains committed to  
178 the Commissioner of Children and Families.

179 (k) At least sixty days prior to each permanency hearing required  
180 under subsection (j) of this section, the Commissioner of Children and  
181 Families shall file a permanency plan with the court. At each  
182 permanency hearing, the court shall review and approve a permanency  
183 plan that is in the best interests of the child and takes into consideration  
184 the child's need for permanency. Such permanency plan may include  
185 the goal of: (1) Revocation of commitment and subsequent placement of  
186 the child with the parent or guardian, (2) transfer of guardianship, (3)  
187 permanent placement with a relative, (4) adoption, or (5) any other  
188 planned permanent living arrangement ordered by the court, provided  
189 the Commissioner of Children and Families has documented a

190 compelling reason why it would not be in the best interest of the child  
191 for the permanency plan to include the goals set forth in subdivisions  
192 (1) to (4), inclusive, of this subsection. Such other planned permanent  
193 living arrangement may include, but not be limited to, placement of the  
194 child in an independent living program. At any such permanency  
195 hearing, the court shall also determine whether the Commissioner of  
196 Children and Families has made reasonable efforts to achieve the goals  
197 in the permanency plan.

198 (l) (1) Notwithstanding any provision of chapter 815t of the general  
199 statutes: (A) No child who has been adjudicated as a child from a family  
200 with service needs in accordance with this section may be processed or  
201 held in a juvenile residential center as a delinquent child, or be convicted  
202 as delinquent, solely for the violation of a valid order which regulates  
203 future conduct of the child that was issued by the court following such  
204 an adjudication; and (B) no such child who is found to be in violation of  
205 any such order may be punished for such violation by placement in any  
206 juvenile residential center.

207 (2) In entering any order that directs or authorizes placement or  
208 commitment of a child who has been adjudicated as a child from a  
209 family with service needs in accordance with this section, the court shall  
210 make a determination that there is no less restrictive alternative  
211 appropriate to the needs of such child and the community.

212 Sec. 3. (NEW) (*Effective October 1, 2024*) (a) When a child who has been  
213 adjudicated as a child from a family with service needs pursuant to a  
214 petition filed in accordance with section 2 of this act, violates any valid  
215 order which regulates future conduct of the child made by the court  
216 following such an adjudication, a probation officer, on receipt of a  
217 complaint setting forth facts alleging such a violation, or on the  
218 probation officer's own motion on the basis of such officer's knowledge  
219 of such a violation, may file a petition with the court alleging that the  
220 child has violated a valid court order and setting forth the facts claimed  
221 to constitute such a violation. Service shall be made in the same manner  
222 as set forth for a summons in subsection (d) of section 2 of this act. The

223 child shall be entitled to representation by counsel and an evidentiary  
224 hearing on the allegations contained in the petition. If the court finds, by  
225 clear and convincing evidence, that the child has violated a valid court  
226 order, the court may (1) order the child to remain in such child's home  
227 or in the custody of a relative or any other suitable person, subject to the  
228 supervision of a probation officer or an existing commitment to the  
229 Commissioner of Children and Families, or (2) order that the child be  
230 committed to the care and custody of the Commissioner of Children and  
231 Families for a period not to exceed eighteen months and that the child  
232 cooperate in such care and custody, except that after all other options  
233 are exhausted in the case of a child who is a child from a family with  
234 service needs solely because such child is a truant or habitual truant or  
235 who, while in school, has been continuously and overtly defiant of  
236 school rules and regulations, such child may be placed in the  
237 Connecticut Juvenile Training School or other staff-secure facility for  
238 completion of a residential education program for a period not to exceed  
239 forty-five days, subject to a review by the court of the continuing  
240 placement of such child following each fifteen-day period of such  
241 placement.

242 (b) When a child who has been adjudicated as a child from a family  
243 with service needs pursuant to a petition filed in accordance with  
244 section 2 of this act, is under an order of supervision or an order of  
245 commitment to the Commissioner of Children and Families and  
246 believed to be in imminent risk of physical harm from the child's  
247 surroundings or other circumstances, a probation officer, on receipt of a  
248 complaint setting forth facts alleging such risk, or on the probation  
249 officer's own motion on the basis of such officer's knowledge of such  
250 risk, may file a petition with the court alleging that the child is in  
251 imminent risk of physical harm and setting forth the facts claimed to  
252 constitute such risk. Service shall be made in the same manner as set  
253 forth for a summons in subsection (d) of section 2 of this act. If it appears  
254 from the specific allegations of the petition and other verified  
255 affirmations of fact accompanying the petition, or subsequent thereto,  
256 that there is probable cause to believe that (1) the child is in imminent



257 risk of physical harm from the child's surroundings, (2) as a result of  
258 such condition, the child's safety is endangered and immediate removal  
259 from such surroundings is necessary to ensure the child's safety, and (3)  
260 there is no less restrictive alternative available, the court shall enter an  
261 order that directs or authorizes a peace officer or other appropriate  
262 person to place the child in a staff-secure facility under the auspices of  
263 the Court Support Services Division for a period not to exceed forty-five  
264 days, subject to subsection (c) of this section, with court review every  
265 fifteen days to consider whether continued placement is appropriate, at  
266 the end of which period the child shall either be (A) returned to the  
267 community for appropriate services, subject to the supervision of a  
268 probation officer or an existing commitment to the Commissioner of  
269 Children and Families, or (B) committed to the Department of Children  
270 and Families for a period not to exceed eighteen months if a hearing has  
271 been held and the court has found, based on clear and convincing  
272 evidence, that (i) the child is in imminent risk of physical harm from the  
273 child's surroundings, (ii) as a result of such condition, the child's safety  
274 is endangered and removal from such surroundings is necessary to  
275 ensure the child's safety, and (iii) there is no less restrictive alternative  
276 available. Any such child shall be entitled to the same procedural  
277 protections as are afforded to a delinquent child.

278 (c) No child shall be held prior to a hearing on a petition under this  
279 section for more than twenty-four hours, excluding Saturdays, Sundays  
280 and holidays. For the purposes of this section, "staff-secure facility"  
281 means a residential facility (1) that does not include construction  
282 features designed to physically restrict the movements and activities of  
283 juvenile residents who are placed therein, (2) that may establish  
284 reasonable rules restricting entrance to and egress from the facility, and  
285 (3) in which the movements and activities of individual juvenile  
286 residents may, for treatment purposes, be restricted or subject to control  
287 through the use of intensive staff supervision.

288 Sec. 4. Section 46b-149a of the 2024 supplement to the general statutes  
289 is repealed and the following is substituted in lieu thereof (*Effective*  
290 *October 1, 2024*):

291 (a) Any police officer who receives a report from the parent or  
292 guardian of a child that such child has run away from his or her parent  
293 or guardian's home, shall promptly attempt to locate the child. If the  
294 officer locates such child, or any child the officer believes has run away  
295 from his or her parent or guardian's home without just cause, or any  
296 nondelinquent juvenile runaway from another state, the officer shall  
297 report the location of the child to the parent or guardian, and may  
298 respond in one of the following ways: (1) The officer may transport the  
299 child to the home of the child's parent or guardian or any other person;  
300 [(2) the officer may hold the child in protective custody for a maximum  
301 period of twelve hours until the officer can determine a more suitable  
302 disposition of the matter, provided (A) the child is not held in any  
303 locked room or cell, and (B) the officer may release the child at any time  
304 without taking further action; or (3)] or (2) the officer may transport or  
305 refer a child to a youth service bureau or any public or private agency  
306 serving children, with or without the agreement of the child. If a child  
307 is transported or referred to an agency pursuant to this section, such  
308 agency may provide services to the child unless or until the child's  
309 parent or guardian at any time refuses to agree to those services. Such  
310 agency shall be immune from any liability, civil or criminal, which  
311 might otherwise be incurred or imposed; provided such services are  
312 provided in good faith and in a nonnegligent manner.

313 (b) Any police officer acting in accordance with the provisions of this  
314 section shall be deemed to be acting in the course of his official duties.

315 Sec. 5. (NEW) (*Effective October 1, 2024*) (a) For the purposes of this  
316 section, "family support center" means a community-based service  
317 center for children and families against whom a complaint has been filed  
318 with the Superior Court under section 2 of this act that provides  
319 multiple services, or access to such services, for the purpose of  
320 preventing such children and families from having further involvement  
321 with the court as families with service needs.

322 (b) The Court Support Services Division shall contract with one or  
323 more private providers, or with one or more youth service bureaus, or

324 both, to develop a network of family support centers. Each family  
325 support center shall provide, or ensure access to, appropriate services  
326 that shall include, but not be limited to, screening and assessment, crisis  
327 intervention, family mediation, educational evaluations and advocacy,  
328 mental health treatment and services, including gender specific trauma  
329 treatment and services, resiliency skills building, access to positive  
330 social activities, short-term respite care and access to services available  
331 to children in the juvenile justice system. The Court Support Services  
332 Division shall conduct an independent evaluation of each family  
333 support center to measure the quality of the services delivered and the  
334 outcomes for the children and families served by such center.

335 Sec. 6. Subsection (a) of section 46b-128 of the general statutes is  
336 repealed and the following is substituted in lieu thereof (*Effective October*  
337 *1, 2024*):

338 (a) Whenever the Superior Court is in receipt of any written  
339 complaint filed by any person, any public or private agency or any  
340 federal, state, city or town department maintaining that a child's  
341 conduct constitutes delinquency within the meaning of section 46b-120,  
342 as amended by this act, it shall make a preliminary investigation to  
343 determine whether the facts, if true, would be sufficient to be a juvenile  
344 matter and whether the interests of the public or the child require that  
345 further action be taken. If so, the court may authorize the filing of a  
346 verified petition of alleged delinquency or it may make without such  
347 petition whatever nonjudicial disposition is practicable, including the  
348 ordering of such child to do work of which he is capable in public  
349 buildings or on public property, particularly in cases in which the  
350 complaint alleges that the conduct of such child resulted in the wilful  
351 destruction of property, provided the facts establishing jurisdiction are  
352 admitted and that a competent acceptance of such a disposition has been  
353 given by the child and his parent or guardian. If a nonjudicial  
354 disposition is made, the term of any nonjudicial supervision shall be  
355 established by the juvenile probation supervisor or designee provided  
356 such period of supervision shall not exceed one hundred eighty days. In  
357 the case of a child assigned to nonjudicial supervision following a

358 nonjudicial disposition who violates the terms of such supervision, the  
 359 juvenile probation supervisor or designee may refer the matter of the  
 360 alleged delinquency of such child to the court for further proceedings.  
 361 Each verified petition of delinquency filed by the court shall set forth  
 362 plainly (1) the facts which bring the child within the jurisdiction of the  
 363 court, (2) the name, date of birth, sex and residence of the child, (3) the  
 364 names and residence of his parent or parents, guardian or other person  
 365 having control of the child, and (4) a prayer for appropriate action by  
 366 the court in conformity with the provisions of this chapter.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	46b-120(3)
Sec. 2	October 1, 2024	New section
Sec. 3	October 1, 2024	New section
Sec. 4	October 1, 2024	46b-149a
Sec. 5	October 1, 2024	New section
Sec. 6	October 1, 2024	46b-128(a)

**Statement of Legislative Commissioners:**

In Section 2(b), a proviso clause was changed to be a sentence, "such person" was changed to "the person in charge of such program" and "the person in charge of the youth services bureau or family support center" for clarity; and in Section 3(a)(2), "a similar facility" was changed to "other staff-secure facility" for clarity.

**JUD**      *Joint Favorable Subst. -LCO*