



July 2009

CCA Secures Passage of Important Bills to Protect Connecticut's Most Vulnerable Children 1

Executive Director Martha Stone Wins Pretigious Charles J. Parker Award 2

CCA's Medical-Legal Partnership Holds Free Clinics to "Keep the Power On" 3

Alina's Soft Brown Eyes Hide the Pain of Years of Abuse by Her Stepfather 4

CCA's Teen Legal Advocay Clinic Organizes Teen Justice Court at Harding High School in Bridgeport 5

Significant Legislation on Truancy Reporting, IOLTA Funding and DCF Awaiting Governor's Signature 7

Center for Children's Advocacy Authors and Secures Passage of Two Important Bills to Protect Connecticut's Most Vulnerable Children

Edmund Mikolowsky, Esq.
Cooperating Attorney, Center for Children's Advocacy

Increased Accountability for DCF

Public Act 09-96
An Act Concerning "Stuck Kids"

Commonly referred to as "Stuck Kids," Public Act 09-96 will have a significant, positive effect on children and youth who do not have a permanent place to live.

This legislation represents a major first step in addressing the needs of children at risk under the current child welfare system, including children who are run-aways or homeless, often as a result of parental abuse or neglect.

The "Stuck Kids" law requires DCF to conduct an annual review of the cases of all children and youth in DCF care during the previous calendar year and report in detail, including the number and age of those who:

- 1) are living in a psychiatric hospital or out-of-state treatment center and have overstayed their estimated placement time, and an analysis of the reasons for out-of-state placements and overstays;
- 2) have run away or are homeless, the number of days each has been a runaway or homeless, and an analysis of the trends relating to runaways and homelessness;
- 3) have a permanency plan or another

planned permanency living arrangement and an analysis of the trends relating to permanency plans; and

4) have refused DCF services and an analysis of the trends relating to participation in services.

In addition to the reporting provisions, another significant provision of this new law requires the DCF Commissioner to conduct case and service reviews for each child in the groups described above.

The first DCF report on Stuck Kids is due to the Connecticut legislature on February 1, 2010. Detailed information about this largely unseen population, including completion of case and service reviews, will enable CCA and other child advocacy organizations to secure proper support services to help this population.

Pilot Open Court

Public Act 09-194
An Act Concerning Policies, Practices and Procedures of DCF and a Pilot Program to Increase Public Access to Juvenile Proceedings

A second major piece of CCA-authored legislation has passed the State Senate and House of Representatives and awaits the Governor's signature as of publication of this newsletter. Public Act 09-194



KidsCounsel® newsletter for attorneys and child advocates is published by the Center for Children's Advocacy (CCA), a non-profit law firm dedicated to improving the lives of Connecticut's most vulnerable children.

Center for Children's Advocacy
www.kidscounsel.org
 65 Elizabeth Street, Hartford, CT 06105

860-570-5327
 editor: bberk@kidscounsel.org

Board of Directors

Brett Dignam, Esq, Chair
 Nelly Rojas Schwan, LCSW, Secretary
 Peter Arakas, Esq, MSW, Treasurer
 Mario Borelli, Esq.
 Kathryn Emmett, Esq, Ex Officio
 Deborah Freeman, Esq.
 Constance Belton Green, Esq, EdD
 L. Philip Guzman, Ph.D.
 Rosalie B. Roth
 Felix Springer, Esq.
 Martha Stone, Esq.
 Preston Tisdale, Esq.
 Sandra Trevino, LCSW
 Stanley A. Twardy, Jr., Esq.

Advisory Board

Miriam Berkman, Esq, MSW
 John Brittain, Esq.
 Wesley Horton, Esq.
 Elizabeth Morgan
 Eileen Silverstein, Esq.
 Stephen Wizner, Esq.

Legal Staff

Martha Stone, Esq.
 Executive Director

Jay E. Sicklick, Esq.
 Deputy Director; Director,
 Medical Legal Partnership Project

Hannah Benton, Esq.
 Equal Justice America Fellow
 Truancy Court Prevention Project

Carmia Caesar, Esq.
 Staff Attorney, TeamChild
 Juvenile Justice Project

Sarah Healy Eagan, Esq.
 Director, Child Abuse Project

Joshua Michtom, Esq.
 Staff Attorney,
 Teen Legal Advocacy Clinic

Bonnie Roswig, Esq.
 Senior Staff Attorney,
 Medical-Legal Partnership Project

Stacey Violante Cote, Esq, MSW
 Director, Teen Legal Advocacy Clinic
 Principal Attorney,
 Immigrants and Refugees
 New Arrivals Advocacy Project

Staff

Bonnie Berk
 Director, Communications

Brent M. Colley
 Website Consultant

Mary Jane DeFilippo
 Financial Consultant

Meshie Knight
 Administrative Assistant

Lori Nordstrom, Esq.
 Development Coordinator

Micky Orkin
 Director, Donor Relations

Andrea Spencer, PhD
 Educational Consultant

Ann Tremont
 Office Manager

Ron Trotto
 Technology Consultant

CCA Executive Director Martha Stone Wins Prestigious Charles J. Parker Legal Services Award



On June 8, 2009, Martha Stone was presented with the Connecticut Bar Association's Charles J. Parker Legal Services Award, given to a member of the Connecticut Bar who has a "deep and abiding interest in and dedication to the delivery of legal services" to Connecticut's disadvantaged population.

The winner of this award has consistently worked selflessly in advancing the goal of providing legal services to all Connecticut residents. Martha founded the Center for Children's Advocacy in 1997 and has been a civil rights attorney for over 30 years. Prior to her leadership role at CCA,

Martha was associate director of Children's Rights in New York, and was legal director of the Connecticut Civil Liberties Union for 18 years.

Martha Stone is the recipient of many awards for her work representing Connecticut's most vulnerable children. She is also co-chair of the legislature's Families with Service Needs Advisory Board, and leads efforts to reform the State's response to juvenile status offenders. Please join us in congratulating Martha on this important award.

CCA Holds Three Free Clinics to Help Low Income Families “Keep the Power On”

Bonnie Roswig, Esq.
Senior Staff Attorney,
Medical-Legal Partnership Project

Electricity and heat are a fundamental need and the absence of these services impacts every aspect of a family’s life – health, well-being and even education.

The Medical Legal Partnership Project (MLPP) hosted its third round of “Keep the Power On” (KPO) utility clinics this spring. MLPP Attorney Bonnie Roswig, assisted by Robert Flanagan, Pro Bono Coordinator of the KPO Clinics, arranged three clinics that were held at St. Francis Hospital in Hartford and at the Human Services offices in Rocky Hill and Coventry. The goal of these clinics is to help families avoid utility termination and to access the special programs for low income families that are offered by the State of Connecticut and by Northeast Utilities. During the clinics, families are not only enrolled in the programs but are also given individualized budget counseling so that they better evaluate their daily expenses.

Over ninety families, whose households included one hundred sixty five children, were assisted at the “Keep the Power On” clinics.

The success of the program was enhanced by the collaborative nature of the event – not only did Northeast Utilities, St. Francis Hospital, and Human Services of Rocky Hill and Coventry partner with the Center for Children’s Advocacy, but families were given counseling by volunteer attorneys, paralegals and law students from the Aetna, the University of Connecticut School of Law, the University of Hartford Paralegal Program and the Manchester Community College Paralegal Program. Staffs from Community Renewal Team and End Hunger Connecticut were on site to provide additional social services. Donations for refreshments were provided by the Aetna, the Central Connecticut Paralegal Association and Stew Leonard.

“Keep the Power On” recently received national attention. Attorney Roswig was asked to present information about the clinics at the National Medical Legal Partnership Summit in March 2009 and at the ABA/

NLADA Equal Justice Conference in May 2009.

The clinic was featured in an article focusing on Medical Legal Partnership Projects in the ABA magazine “Dialogue.”



Robert Flanagan, Pro Bono Coordinator of KPO Utility Clinics, teams with volunteer Amara Neng, a second year student at University of Connecticut School of Law, to provide individualized budget counseling and help families evaluate their monthly expenses.



Gio Prado (left), formerly with the Hispanic Health Council, and Jessica White, a nurse at Connecticut Children’s Medical Center, are Utility Clinic volunteers. Here, they help a single parent complete her application to avoid utility termination.

Fall 2009 Clinics

MLPP “Keep the Power On” clinics for fall 2009 are planned for Connecticut Children Medical Center, the Hospital of Central Connecticut and a community site in Bridgeport. Information about dates and times will be posted at www.kidscounsel.org

Alina is a quiet teen with soft brown eyes. Those eyes hide the pain of years of abuse at the hands of her stepfather.

Bonnie Roswig, Esq.
Senior Staff Attorney,
Medical Legal Partnership Project



When Alina first looks at you, you see a quiet teenager with soft brown eyes. When you look more closely, her eyes reveal a lack of focus that gives pause for great concern.

Alina's family moved from Puerto Rico to Massachusetts two years ago. Her stepfather

had been offered work and the family found housing close to his job. After a very short time, the extreme domestic violence the family had suffered in Puerto Rico began again; Alina's stepfather beat both the girls and their mother. Alina was raped repeatedly, and her mother finally took action, escaping with the girls to Hartford to seek refuge with family.

Alina's history of abuse at the hands of her stepfather and the domestic violence she continually witnessed as a young girl contributed to problems that had begun to manifest years earlier. She suffered from ongoing seizures and began to experience auditory hallucinations that directed her to harm herself and her family.

Alina's doctor, a pediatrician at Connecticut Children's Medical Center (CCMC), was very concerned about her physical and mental health status. She was looking for a way to help the family get assistance from the Department of Social Services (DSS). The mother's application to DSS for cash assistance had been denied and Alina's application for disability from the Social Security Administration (SSA) had been rejected. Alina's pediatrician called CCA attorney

Bonnie Roswig of the Center's Medical Legal Partnership Project for help.

Attorney Roswig contacted DSS and explained the family's need for assistance. Years of violence had left the mother with disabling trauma, making it very difficult for her to find full time work. Alina was so emotionally disabled that she could not attend school on a regular basis and needed her mother's constant care.

CCA Advocacy Secures Help for Family

Attorney Roswig's successful legal advocacy led to Alina's family receiving emergency financial assistance from DSS. At Alina's SSA disability hearing, Attorney Roswig submitted a brief that included evidence of Alina's psychiatric impairments, including records from medical and psychiatric facilities in Connecticut and Massachusetts.

CCA also obtained Alina's educational records, which documented significant learning disabilities exacerbated by her psychiatric condition.

As the day of the SSA hearing approached, Attorney Roswig was concerned about the stress Alina's mother would suffer when she testified to the domestic violence, sexual abuse and psychotic episodes that led to the application for disability. Fortunately, the Court contacted CCA the morning of the hearing to say that the Judge had ruled in favor of Alina's appeal based on the submitted documentation.

Alina's physical and emotional challenges continue, but she is moving in a positive direction. Attorney Roswig recently helped Alina secure an appropriate educational setting and she continues to carefully monitor the family's progress.

You can help Connecticut's most vulnerable children.

Visit www.kidscounsel.org to donate or mail a donation to Center for Children's Advocacy 65 Elizabeth Street, Hartford, CT 06105

Would you consider including CCA in your estate plans?

Contact Mickey Orkin at 860-570-5327 or morkin@kidscounsel.org for information.

CCA Organizes New Teen Justice Court at Warren Harding High School High School Youth to be in Charge of Discipline for their Peers

Josh Michtom, Esq.
Staff Attorney, Teen Legal Advocacy Clinic

The Teen Justice Court, newly created at Warren Harding High School in Bridgeport, puts high school students in charge of discipline at the school, creating a sense of personal investment in good behavior, with the goal of reducing high school suspensions.

Created by CCA Staff Attorney Josh Michtom, and Kathleen Boland, a social studies teacher at Harding High School, the program includes 30 students from all grades who will sit with faculty members on seven-person disciplinary boards to determine the punishments students receive for certain rules violations in the high school.

Last month, the student judges got a final, exciting training before the program went into action: a field trip to Yale Law School, organized by Attorney Michtom, during which the students from Harding met with professors, students, and a U.S. District Court Judge. The students met with members of Yale's Black Law Students Association (BLSA), Latino Law Students Association (LLSA), and Yale Law Women (YLW) to talk about legal careers, college and law school choices. They attended a lecture on judging and fairness in judicial processes from Yale Law Professor Drew Days III, who was Solicitor General under President Clinton and the first black Assistant Attorney General for Civil Rights under President Carter; they talked with Yale Law Professor Tracey Meares about due process; and, they got a tour of the Law School from a student guide. To finish the day, the Harding students met with Judge Charles S. Haight in his courtroom in New Haven.

Attorney Michtom started the school-based legal clinic at Bridgeport's Harding High School two years ago and has met with many of the students. Almost every student he has met, whether college-bound or on the verge of dropping out, has had at least one out-of-school suspension. The students tell him that

they view suspensions as an inevitable, unpredictable part of school life.

Attorney Michtom noticed a lack of uniformity in the way suspensions were handed out. "I was in a meeting with an administrator, and I heard him get two reports over his walkie-talkie, both concerning kids being in the hall without a pass. Within moments, the administrator gave orders: 'I've had a conversation with her about cutting before, so give her three days. Two days for him.'" So, in collaboration with Boland, Attorney Michtom decided to try something new: a mixed student-faculty discipline board, where students facing suspensions can plead their case and ask for alternative punishments from their peers.

After many administrative discussions, the program is off the ground. Josh Michtom and Karen Boland have secured space and materials from Harding's principal, Carol Birks. They have trained the students regarding confidentiality, impartiality, and basic procedure, and conducted mock hearings. The program will hit the ground running in September, handling most, if not all, of the disciplinary cases involving possible punishments no greater than three days' suspension.

"The kids were really excited about the trip," Michtom said. "A lot of them had never been to New Haven, and none of them had been inside Yale Law School. It was great to see them get into the atmosphere of the place. At first, they were quiet and wouldn't ask any questions. But after getting acquainted with the BLSA, LLSA, and YLW members who hosted us, the Harding

students seemed to come alive. By the time we met with Judge Haight, they were raising their hands to ask questions – they were less shy around the judge than I was." Michtom added that a number of the kids told him on the bus ride back to Bridgeport that they had decided they want to become lawyers!



CCA Secures Significant, New Legislation

(continued from page 1)

would make significant improvements to the juvenile court system, including a critical pilot program to increase public access to juvenile proceedings.

Juvenile court hearings are now heard separately from other Superior Court cases and are closed to the public. The new law would require the Judicial Department to establish a pilot program to increase public access to proceedings where a child is alleged to be uncared for, neglected, abused, or dependent, or is the subject of a petition for termination of parental rights. The law would permit a juvenile court judge to order that a proceeding be open to the public. The pilot program is to be located in a juvenile court designated by the chief court administrator.

This legislation would also create a new Juvenile Access Pilot Program Advisory Board which, among its other duties, is directed to review other states' methods of increasing public access to juvenile court proceedings and to monitor the Judicial Department's progress in implementing the pilot program. The Board must submit written recommendations concerning the pilot program to the Judicial Department and the Judiciary and Human Services Committees by Dec. 31, 2010.

The Advisory Board will represent a broad range of professionals active in children's issues, consisting of the following or their designees: the chief court administrator; an attorney who represents children in abuse, neglect or dependency proceedings; an attorney who serves as a guardian ad litem in proceedings in the juvenile court; a member or former member of the media who has experience reporting on juvenile matters; an attorney who represents parents in abuse, neglect or dependency proceedings; a Superior Court judge assigned to hear juvenile matters; an assistant attorney general assigned to the child protection unit in the Attorney General's Office; an attorney who represents children and parents under a contract with the chief child protection attorney; a DCF Child Welfare Services Division employee; a DCF social worker who, at the time of appointment, has experience working directly with children and families on behalf of the department; the chief child protection attorney; the

child advocate; the chief state's attorney; and the chief public defender.

In addition to the provisions on opening juvenile courts, this law would make several unrelated changes in statutes governing DCF. It would require the Department to include specific information in permanency plan documents and to notify all attorneys of record when it decides to transfer a child to an out-of-state facility. The legislation would also direct DCF to determine measurable outcomes for each type of service it provides, incorporate the measurable outcomes in each contract with third party providers, and include achievement of the outcomes and other quality indicators in its annual review of each provider.

Governor Signs Additional Significant Legislation

Public Act 09-82

An Act Concerning Readmission of Students

The Governor has signed into law a positive piece of legislation concerning readmission to school of expelled students.

By law, boards of education may expel students whose conduct (1) on school grounds or at a school-sponsored activity violates a publicized board policy, is seriously disruptive of the educational process, or endangers persons or property or (2) off school grounds violates board policy and is seriously disruptive of the educational process. Under the new law, if a student who committed an expellable offense seeks to return to school after having been in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement for one year or more, districts may not prevent the student from returning or expel the student for additional time for the original offense.

Other Important Bills Pass Legislature, Await Action from Governor

Truancy Reporting, IOLTA Funding, DCF

Three important bills have been passed by the State Senate and House of Representatives but were not yet signed into law as this newsletter went to press:

Public Act 09-143 An Act Concerning the Reporting of Truancy Data and the Reduction of Certain Duplicate Reports by the Department of Information Technology

Truancy is epidemic in many Connecticut schools, and the consequences of truancy cannot be overstated: truancy is a strong predictor of students dropping out of school and is also linked to juvenile delinquency.

Public Act 09-143 would require local boards of education to include information about truancy in their annual strategic school profile reports. The law would provide parents, educators, and communities with critical information to help shape public policy around issues of truancy prevention. This legislation specifies that measures of truancy include data the State Department of Education is required to collect on attendance and unexcused absences to comply with federal reporting requirements. The law further specifies that truancy data must be considered a public record under the Freedom of Information Act.

Public 09-152 An Act Concerning the Interest Earned on Lawyers' Clients' Funds Account Program and the Transfer of Certain Court Fees To Fund Such Program

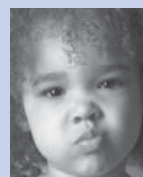
Public Act 09-152 would strengthen IOLTA, primarily funding legal services for the poor. The economic downturn has created a funding crisis for IOLTA accounts. The new legislation would increase court filing fees which will then be used to support delivery of legal services to those most in need. CCA supports this law because it will support legal service programs

that provide critical services to children with complex behavioral and medical needs, and to at-risk youth caught up in the juvenile justice system.

Public 09-205 An Act Implementing the Recommendations of the Program Review and Investigations Committee Concerning the Department of Children and Families

Public Act 09-205 would implement a number of changes in DCF planning, programming, and reporting functions. Among other provisions, this legislation would require DCF, with community partners, to develop and regularly update a single comprehensive strategic plan; expand the authority and oversight of the State Advisory Council on Children and Families with respect to DCF programs and services; require, rather than allow, DCF to establish advisory groups for each facility it operates (Connecticut Children's Place, Connecticut Juvenile Training School, High Meadows, Riverview Hospital, Wilderness School) and provide them with administrative support; and require DCF to collect and analyze data about child abuse and neglect that involves a parent or guardian with a substance abuse problem.

Check updates on significant state legislation at: www.kidscounsel.org/legislative.htm



KidsCounsel is Going Green!

Most issues of KidsCounsel will be distributed by email.

We are still missing many email addresses. If you would like to receive the next issue, PLEASE send your email address to mknight@kidscounsel.org

Attorneys and Advocates Celebrate the Twentieth Anniversary of Sheff v. O'Neill



University of Connecticut
School of Law hosted the
20th Anniversary Celebration
of Sheff v. O'Neill

Left to right:

Plaintiff Carol Vinick

Plaintiff Tom Connolly

Plaintiffs' Counsel Martha Stone
Center for Children's Advocacy

Plaintiff Elizabeth Horton Sheff

Plaintiffs' Counsel Dennis Parker
ACLU Racial Justice Project

Author Susan Eaton

Phil Tegeler
Co-Chair Sheff Movement

Gina Chirichigno
Charles Hamilton Houston Institute
for Race and Justice

Attorney John Brittain

Councilman Jim Boucher

Read more about Sheff v. O'Neill at www.kidscounsel.org/news.htm

KidsCounsel[®]

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

RETURN SERVICE REQUESTED

Non-Profit
U.S. Postage Paid
Permit No. 4759
Hartford, CT 06101