

TO CONTRACT ATTORNEYS, CSOs, AAGs, & COURT
CLERKS.

Most of you know that the New Britain Juvenile Court has been chosen as the site for the trial of the plan to encourage appropriate children who are the named parties in Child Protection cases to attend hearings concerning their future and their welfare. The administrative structure of the program has been discussed among the above noted parties in some detail and Judge Kahn prepared a final plan and structure for implementation of the program. The date scheduled for implementation is January 2, 2008. We have attached to this memo the forms and procedures to be used and followed to implement the plan.

We have scheduled a lunch on Wednesday, December 19th to answer any questions you may have on the program and its implementation. The Judicial Branch is sponsoring the lunch. Please attend.

Judge Marcia Gleeson and Judge Thayer Baldwin

Wednesday, December 19, 2007 - 1:00 - 2:00 pm in Courtroom 3B

NEW BRITAIN JUVENILE COURT PILOT STANDING ORDER
CHILD PROTECTION PROCEEDINGS
CHILD'S ATTENDANCE OR PRESENTATION OF
CHILD'S POSITION IN COURT

1. Any child who is the subject of a child protection proceeding may attend any child protection hearing, absent good cause shown, pursuant to Practice Book Section 32a-5. Counsel for the child should inform their client, where appropriate, that s/he has a right to attend court absent good cause. **However, it is important, whenever possible, that the court and all other parties be made aware of a child's attendance in advance to avoid the potential for harm.**
2. Accordingly, when a child wishes to attend any hearing and/or speak directly to the court without testifying under oath, the attorney for the child shall notify the court and all counsel of record, including any guardian-ad-litem appointed for the child, in writing at least 5 days prior to the hearing by completing a "Child Attendance Form" provided by the court. (See attached).
3. If any party objects to the child's attending and/or speaking directly to the court without testifying, said party shall file, prior to the hearing, a written objection, stating the grounds for such objection. The court shall conduct a hearing on the objection to determine if the child should attend the hearing and the extent and circumstances under which a child will be permitted to participate in the hearing. Absent any objection, the court may *sua sponte* conduct a hearing if the court has concerns about the child's attendance and/or speaking to the court without testifying.
4. The attorney for the child is responsible for arranging transportation to court with the custodian of the child and any other accommodations necessary to facilitate the child's attendance, including any need to sequester or segregate the child prior to the hearing.
5. Any party, including the attorney for the child, who wishes to call a child as a witness in any child protection proceedings must file a motion for permission to call the child as a witness in accordance with Practice Book Section 32a-4(b).

REPORTING CHILD'S POSITION AT PERMANENCY PLAN REVIEW HEARINGS

1. Prior to a hearing on a motion to review a permanency plan ("MRP"), the attorney for the child who is the subject of the proceedings shall consult directly with the child, in an age appropriate manner, regarding the content of the plan and the child's position on the plan.
2. The child's attorney shall submit the child's position on the plan in writing, prior to or at the MRP hearing.

NOTICE OF INTENT TO HAVE CHILD ATTEND CHILD PROTECTION PROCEEDING

(Directions: Please complete this form and return it to the clerk at least 5 days prior to the subject hearing, with copies to all counsel of record, including any guardian-ad-litem for the child. If you intend to call the child as a witness, you must file with the court a motion for permission pursuant to Practice Book Section 32a-4(b) and should not use this form.)

Name of child: _____ Docket # _____ Date _____

Child's Date of Birth: _____

THE HEARING THE CHILD WISHES TO ATTEND:

Type of Hearing: _____

Date and Time of Hearing: _____

PROPOSED EXTENT OF CHILD'S PARTICIPATION:

- Child To Attend Only
- Child To Attend and Speak In a Non-Testimonial Fashion:
 - In camera, with Counsel Present
 - In Camera, without Counsel Present
 - Partial hearing with all parties present
 - Entire hearing with all parties present

(Signature)

(Date)