H12-CP11-014150-A

H12-CP11-014229-A

H12-CP11-014230-A

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: SUPERIOR COURT

IN RE JOHN DOE :

JANE DOE : JUVENILE MATTERS AT HARTFORD :

: JULY 2, 2018

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

# MOTION FOR PSYCHOLOGICAL EVALUATION

Pursuant to Conn. Gen. Stat. § 46b-129(i), the children, John Doe and Jane Lee, request that the Court order Respondent-Mother, Ms. Suzy Smith, to participate in a psychological evaluation, and order both Ms. Smith and Respondent-Father, James Lee, to participate in separate interactional evaluations with the children. In support of this motion, the following is asserted:

1. Connecticut General Statute § 46b-129(i) provides that “the court after a hearing may also order a thorough physical or mental examination, or both, of a parent or guardian whose competency or ability to care for a child or youth before the court is at issue.”

2. John, age 1, and Jane, age 4, were removed from Respondent-Mother by the Department of Children and Families (hereinafter “DCF”) in August 2017 after John presented with signs and symptoms of physical abuse and related injury. John underwent medical evaluations on August 8-9, 2017 and was found to have a left parietal skull fracture, two left posterior lateral rib fractures, five right lateral rib fractures and a left proximal tibia classic metaphyseal lesion (CML) that were between four and six weeks old. See DCF Summary of Facts to Substantiate Petition for Termination of Parental Rights 1/23/2018. DCF removed the children on an emergency basis due to its concern that Respondent-Mother was continuing contact with the alleged perpetrator of the physical abuse.

3. Medical professionals and DCF alleged Phillip Doe, father of John, to be the likely perpetrator of the abuse on John. According to DCF, Respondent-Mother was inconsistent with acknowledging that Mr. Doe is dangerous to her children.

4. John currently lives with relative foster parents. Jane, pursuant to a voluntary arrangement between the respondents and DCF, were placed to live with Respondent-Father, James Lee.

5. While Jane is currently residing with Mr. Lee and his live-in girlfriend, the children have spent most of their lives with their mother. They are bonded with mother and miss her. Both parents appear affectionate and appropriate with their children. It is not clear at this time what custodial arrangement serves the children’s best interests in the long term.

6. The children’s attorney needs additional information regarding whether reunification with Ms. Smith, or maintaining primary residence with Mr. Lee, better serves the children’s best interests. Additionally, the children’s attorney seeks information as to what, if any, additional services would be necessary to facilitate reunification in a safe and supportive manner.

7. Moreover, a six-day trial occurred on May 7 and 17 as well as June 4, 6, 13, and 22, 2018.

8. Prior to closing arguments on June 22, 2018, DCF received a report that Jane Lee had played in an inappropriate sexual manner.

9. After receiving this report, the State filed a Motion to Reopen the Evidence on June 30, 2018.

10. The Motion to Reopen the Evidence was granted, and trial was set for September 1, 2018.

11. In light of the recent allegations, a determination of Respondent-Mother’s ability to protect and parent her children is needed in order to best serve the interests of Jane Lee in particular as well as the family in general.

12. Such an evaluation is important in determining an appropriate placement plan, but also in generally determining the appropriate treatment needs and other services needed by this family.

13. For all of the above reasons, the requested psychological evaluation of the Respondent-Mother and separate interactional evaluations for both respondents with the children are necessary to further and protect the children’s best interests.

WHEREFORE, counsel for the children respectfully requests the Court order Respondent-Mother, Suzy Smith, to participate in a psychological evaluation, and order Ms. Smith and Respondent-Father, Mr. Lee, to participate in separate interactional evaluations with the children to be performed at the earliest possible date.

Respectfully Submitted,

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ATTORNEY

ADDRESS

Juris #

PHONE

FAX

Attorney for John Doe and Jane Lee

## ORDER

The foregoing Motion having come before this Court, it is hereby ordered:

GRANTED/DENIED.

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Superior Court Judge

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing has been mailed, postage prepaid to Assistant Attorney General and [other parties], this 13th day of April, 2012.

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ATTORNEY