

H12-CP16-016519-A
H12-CP16-016520-A

IN RE: [REDACTED]
[REDACTED]

SUPERIOR COURT

JUVENILE MATTERS AT HARTFORD
[REDACTED]

MOTION FOR INTERIM ORDER

Pursuant to C.G.S.A. § 46b-121 (b) (1) and § 46b-129 (c) (6), the minor children, through undersigned counsel, move this Court to make an interim order in the best interests of the children. In support of this Motion, they state the following:

1. Petitions alleging neglect of [REDACTED] and [REDACTED] (age 11) were filed by the Department of Children and Families (DCF) on [REDACTED]. A case status conference is scheduled for September [REDACTED].

2. One of the underlying bases for the neglect petitions is that both children have missed a significant number of school days during the 2015-2016 school year. [REDACTED] missed 96 days of school and was tardy on 4 days. [REDACTED] missed 65 days of school and was tardy on 16 days.

3. Respondent parents, who are divorced, share custody of [REDACTED] and [REDACTED].

4. The custody order from issued by Judge Carbonneau on [REDACTED], [REDACTED] states that "Father shall have parenting time from Monday after school Wednesday after school and alternating weekends from Friday after school until Monday after school. Mother shall have parenting time from Wednesday after school until Friday after school and alternating weekends from Friday after school

until Monday after school." Further, "all parenting time transitions shall take place at the children's schools when school is in session."

5. Undersigned counsel met individually with [REDACTED] on [REDACTED], [REDACTED] at which time they both reported their absences from school were motivated by the desire to not go to Father's home on the days of Father's scheduled parenting time.

6. Glastonbury Public Schools will be back in session for the 2016-2017 school year on August 31, 2016.

7. [REDACTED] reported a willingness to attend school regularly as long as they are not forced to transition to Father's home at the end of the school day.

8. A court order is necessary to modify the transition location from the boys' schools to an alternate neutral location, so that [REDACTED] do not continue to miss school.

9. The Department of Children and Families is in support of this motion.

WHEREFORE, the undersigned attorney for [REDACTED] moves this Court to issue an interim order that modifies the current custody transition location from the children's schools to an alternate neutral location.

Respectfully submitted,



Zoe Stout
Center for Children's Advocacy, Inc.
University of Connecticut School of Law
65 Elizabeth Street
Hartford, CT 06105
Juris # 421708
860 570-5327

ORDER

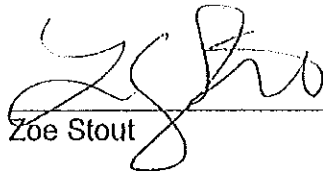
The above motion having come before this Court for consideration, it is hereby ordered GRANTED/DENIED.

Superior Court Judge

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been faxed to Patricia Johnson, Assistant Attorney General, 860 808-5595 and mailed via first class to self-represented parties [REDACTED] and [REDACTED] this 11th day of August 2016.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



Zoe Stout

H12-CP16-016519-A
H12-CP16-016520-A

IN RE: [REDACTED]

SUPERIOR COURT
JUVENILE MATTERS AT HARTFORD
[REDACTED] 2016

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SUPERIOR COURT
JUVENILE MATTERS
HARTFORD

MOTION TO REARGUE CHILDREN'S MOTION FOR INTERIM ORDER

Pursuant to Practice Book §§11-12 and 34a-1 and Conn. Gen. Stat. §§ 46b-121; 129 and 121a, the minor children, through undersigned counsel, hereby request the Court grant a reargument on the Children's Motion for an Interim Order or in the alternative, articulate the basis for its denial of the Motion for Interim Order filed on August 11, 2016. In support of this Motion, they state the following:

1. Petitions alleging neglect of [REDACTED] (age 15) and [REDACTED] (age 11) were filed by the Department of Children and Families (DCF) on [REDACTED].

2. One of the underlying bases for the neglect petitions is that both children were absent from school a significant number of days during the 2015-2016 school year. [REDACTED] missed ninety-six days of school and was tardy four days. [REDACTED] missed sixty-five days of school and was tardy sixteen days.

3. The case status conference in this Court was originally scheduled for [REDACTED]. Glastonbury Public Schools commenced the 2016-2017 school year on August 31, 2016.

4. Respondent parents, who are divorced, share custody of [REDACTED] and [REDACTED].

5. Undersigned counsel met individually with [REDACTED] on [REDACTED], [REDACTED] at which time they both reported their absences from school were motivated by the desire to not go to father's home on the days of father's scheduled parenting time.

6. The custody order issued by the Hon Carbonneau, J. on [REDACTED] states that "Father shall have parenting time from Monday after school Wednesday after school and alternating weekends from Friday after school until Monday after school. Mother shall have parenting time from Wednesday after school until Friday after school and alternating weekends from Friday after school until Monday after school." Further, "all parenting time transitions shall take place at the children's schools when school is in session."

7. Based on conversations undersigned counsel had with the minor children, both of whom reported a willingness to attend school regularly as long as they are not forced to transition to Father's home at the end of the school day, undersigned counsel filed a Motion for Interim Order. The Motion requested a modification of the transition location for parenting time from the children's schools to another neutral location to ensure that the children attend school regularly.

8. The Motion for Interim Order was scheduled on short calendar for [REDACTED] [REDACTED].

9. Undersigned counsel subpoenaed the family's therapist, [REDACTED] of Community Health Resources, to testify on that date in support of the Motion.

10. The Court, by the Hon. Dannehy, J., denied the Motion for Interim Order on [REDACTED] without providing counsel with an opportunity to make an argument in support of the motion.

11. The Court did not permit undersigned counsel to call witnesses in support of the motion.

12. The Court denied the motion at the outset of the hearing before allowing any of the parties to address the merits of the motion. The case management conference date for the neglect petitions was changed to [REDACTED]

13. The Court held the first hearing on the neglect petitions on [REDACTED] at which time parents were advised of their rights and pro forma denials were entered. Pursuant to Conn.Gen.Stat. §46b-129(c)(6), at or subsequent to that preliminary hearing, the court has jurisdiction to make any interim orders that the court determines are in the best interests of the child.

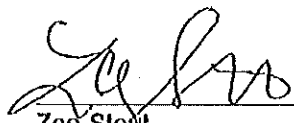
14. Further, pursuant to Conn.Gen.Stat. §46b-121(b)(1), the Superior Court, in juvenile matters, "shall have authority to make and enforce such orders directed to parents, including any person who acknowledges before the court paternity of a child born out of wedlock, guardians, custodians or other adult persons owing some legal duty to a child or youth therein, as the court deems necessary or appropriate to secure the welfare, protection, proper care and suitable support of a child or youth subject to the court's jurisdiction or otherwise committed to or in the custody of the Commissioner of Children and Families."

15. Pursuant to the Connecticut Chief Court Administrator's established Protocol For Efficient And Consistent Handling Of Matters Where Family And Juvenile Courts Have Concurrent Jurisdiction, contemporaneous litigation in Family Court does not stay the Juvenile Court's jurisdiction to hear matters of abuse or neglect involving the same family. See *In re Mikas M.*, Superior Court, Judicial District of Hartford, Docket No. CP10013378A (March 4, 2013, Burgdorff, J.). When "a neglect, uncared for, abuse or termination of parental rights petition is pending in the juvenile court, orders in the family case, if any, shall be stayed pending the outcome of the juvenile petition." *Id.*

16. As of [REDACTED] [REDACTED] has already missed four days of school and [REDACTED] has missed three days, all of which were days that the children believed were Father's parenting days.

WHEREFORE, the undersigned attorney for [REDACTED] moves this Court for reargument on their Motion for Interim Order to change the location of the custody transition, or in the alternative, articulate the reasons for its denial in a written decision.

Respectfully submitted,

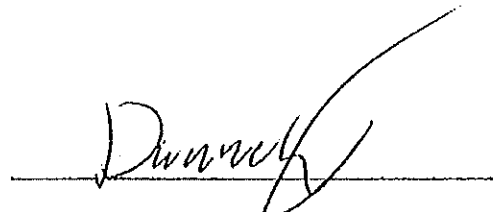
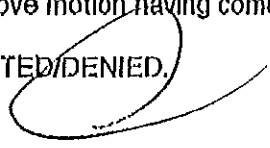


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Attorney for [REDACTED]

ORDER


The above motion having come before this Court for consideration, it is hereby ordered GRANTED/DENIED.



Superior Court Judge

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been faxed to [REDACTED]
Assistant Attorney General, [REDACTED], [REDACTED], counsel for Mother, [REDACTED]
[REDACTED] and emailed to Allsha Mathers, counsel for Father, this [REDACTED].



Zoe Stoll

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IN RE: [REDACTED]

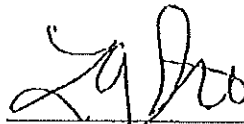
SUPERIOR COURT

JUVENILE MATTERS AT HARTFORD

MOTION FOR EXTENSION OF TIME

Pursuant to Practice Book §§35A-21 and 79-2, the minor children, through undersigned counsel, move this Court to extend the time to file an appeal of the Court's denial of Children's Motion for an Interim Order to [REDACTED]. The extension of time is requested to allow time for appellate review.

Respectfully submitted,



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