



**Senate Bill No. 1008**  
**AN ACT EXTENDING THE AGE OF ELIGIBILITY FOR LEGAL REPRESENTATION PROVIDED BY THE**  
**DEPARTMENT OF CHILDREN AND FAMILIES**  
February 16, 2023

Representative Linehan, Senator Maher, Vice Chairs, Ranking Members, and Distinguished Members of the Committee on Children:

My name is Stacy Schleif, and I submit this testimony on behalf of the Center for Children's Advocacy, the largest children's rights legal organization in New England. The Center, which is affiliated with the University of Connecticut School of Law, provides holistic representation for underserved children in Connecticut's communities through individual representation, education and training, and systemic advocacy. As an attorney in our Child Welfare Project, I represent children whose lives have been intervened upon by the Department of Children and Families.

**The Center strongly supports S.B 1008, An Act Concerning Legal Representation for Children in Certain Proceedings in the Superior Court.**

As the law exists now, Connecticut youth in DCF care lose their court-appointed attorneys the day they turn 18 – attorneys who have represented them since they were first removed from their parents and placed into the state's care. In 2008, federal law gave states the option to extend foster care to age 21<sup>1</sup>; the majority of states, including Connecticut, have since done so.<sup>2</sup> However, while approximately 20 of those states have also ensured a continuity in legal representation, Connecticut has yet to make a similar investment. These are attorneys who are needed not merely to provide a voice in court, but to negotiate contracts with DCF, keep various systems accountable to the law, advocate at school meetings, facilitate communication with providers, ask hard questions, and provide counsel on significant life decisions.

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<sup>1</sup> Federal Fostering Connections to Success and Increasing Adoptions Act of 2008 allowed states to use federal funding to extend care up until age 21.

<sup>2</sup> National Extended Foster Care Review: 50-State Survey of Extended Foster Care Law and Policy. Executive Summary. Juvenile Law Center. <https://jlc.org/sites/default/files/attachments/2018-05/2018-NationalEFCReview-ExecSummary.pdf>

Statistics repeatedly show that youth aging out of foster care are the most at-risk in our society.<sup>3</sup> At-risk of homelessness.<sup>4</sup> At-risk of dropping out of school. At-risk of unemployment. At-risk of incarceration. At-risk for a lifetime of untreated mental health issues. At-risk of being trafficked. These are **our** kids, the ones that **our** state was tasked with the responsibility of raising, and for whom we collectively failed to find reliable, permanent life connections as they transition to adulthood. Starting as high school sophomores, juniors, or seniors, they are left to navigate complex legal issues, systems, and major life decisions by themselves.

To its credit, DCF has put a significant amount of effort into revising its adolescent policies over the past few years, with input from community providers and youth themselves. However, there remains a significant problem in ensuring that such policies, as well as state and federal laws that provide for a vast array of rights to this population, are uniformly implemented and enforced. Because a youth's attorney has an unwavering ethical duty of loyalty to serve the youth and the youth alone, however, as well as the necessary training in deciphering the substance of such policies, they are well-equipped to advocate without the same constraints, and with a different set of tools, than a social worker would be.

By way of example, this past summer alone, I had three youth individually reach out to me, who had each received discharge notices from DCF and were looking for assistance in appealing those decisions. In one young man's case, DCF was attempting to discharge him from care because he wasn't gainfully employed, a condition of his remaining with the Department past age 18. He shared that DCF had lost his green card a few years back – not only was that the reason he couldn't get hired anywhere, but it was also something that no one was looking to rectify before his discharge. As his attorney, I was ultimately able to insist that his team help him apply for a new green card, along with other identity documents, and enroll him in a vocational program, which he had been entitled to attend. Following an administrative hearing, rather than uphold the discharge, the DCF hearing officer ordered his social work team to continue working with him towards a more successful launch into adulthood.

Rather than rely on our foster youth to proactively reach out for assistance, however -- youth who may not have the know-how, resources, time, or wherewithal to do so; youth who are already in crisis; youth whose relationship with DCF has already broken down -- it has become painfully obvious that were they able to keep their court-appointed attorneys without disruption, the continuity of oversight could continue, preventing such stories in the first place. The stories we hear are just a handful of the many out there.

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<sup>3</sup> Annie E. Casey Foundation *Fostering Youth Transitions* report, issued Nov. 2018.

<https://www.aecf.org/resources/fostering-youth-transitions/#summary>

<sup>4</sup> Close to one-third of youth aging out of care experience homelessness after aging out of foster care. Pokempner, Jenny; *Urgent Action Needs to Help Provide Housing for Youth Aging Out of Foster Care*, December 6, 2019.

<https://jlc.org/news/urgent-action-needed-help-provide-housing-youth-aging-out-foster-care>

Nationwide, there has long been consensus and widespread support for this need among those in the field. The only thing preventing Connecticut from doing so at this point is fiscal restraint. We estimate that each additional appointment would cost the Office of the Chief Public Defender approximately \$500, the same rate that attorneys receive for their initial appointments. As both DCF and OCPD are aware, there is federal funding available to Title IV-E agencies, which would allow DCF to receive funding with which they could reimburse OCPD. Per communications with DCF, conversations between the two agencies in this regard have started, and the passage of this bill would surely expedite them.

We have enough evidence about the continued need for attorneys for our transition-age youth. It's past time that we invest in our extended foster care system to make it valuable to all youth. An investment in them now is an investment in our future.<sup>5</sup>

The Center thanks you for considering this critically important issue for the foster youth of Connecticut and urges the Committee to vote in support of S.B. 1008.

Respectfully submitted,  
Stacy L. Schleif, Esq.  
Director, Child Welfare Project  
Center for Children's Advocacy

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<sup>5</sup> There is an estimated increase in per-person lifetime earnings of \$72,000 by extending foster care, and a \$2.40 return on each dollar spent on extended foster care with the attainment of a bachelor's degree, according to a cost-benefit analysis conducted in California. National Conference of State Legislatures, "Older Youth Housing, Financial Literacy and Other Supports," 2/17/2020. <https://www.ncsl.org/research/human-services/supports-older-youth.aspx>