Testimony Regarding H.B. 6824: An Act Concerning the State Budget for the Biennium Ending June Thirtieth 2017, and Making Appropriations Therefor and Other Provisions Related to Revenue

Appropriations Committee
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Senator Bye, Representative Walker, and distinguished members of the Appropriations Committee:

I am testifying on behalf of Connecticut Voices for Children, a research-based public education and advocacy organization that works statewide to promote the well-being of Connecticut's children, youth, and families.

Connecticut Voices for Children would like to take this opportunity to urge the Appropriations Committee to support providing legal representation to youth who are subject to involuntary termination from the Department of Children and Families (DCF) care.

Young people transitioning from foster care are at high risk for homelessness. In fact the most comprehensive study of youth who have aged out of foster care found that by age 24, 24% will have experienced homelessness, and 37% will have couch surfed.[1] Furthermore, foster care involvement is a known pathway to youth homelessness in Connecticut. A recent survey of 100 young people currently experiencing homelessness found that half reported involvement with DCF.[2]

Providing an attorney to youth who are at risk of discharge will help to protect vulnerable young people from being pushed out of foster care to homelessness. After a young person turns 18, DCF requires that youth pursue a post-secondary education program to remain in care.[3] For young people in foster care – who are often behind in school as a result of the trauma they have experienced over the course of their childhood – maintaining compliance with this requirement can be a daunting task; over the past 3 years, 294 youth have been discharged for failing to comply with this requirement.[4]

The Department has made great strides in improving post-secondary educational supports, and the number of youth discharged for non-compliance has declined sharply over the past three years.[5] However, when youth are threatened with discharge, they receive little support if they attempt to contest the Department's decision. Youth are notified of their discharge with a confusing and technical form, the DCF-800.

Furthermore, while youth may appeal their discharge, if they want an attorney they must pay out of pocket.[6] This is an enormous expense for any young adult, much less one who has grown up in foster care. **Unsurprisingly, during the 309 discharge appeals between 2010 and 2013, only 11 young people had legal representation, and DCF's decision to discharge was reversed only 9 times.**[7] This is particularly troubling, because Connecticut wisely guarantees legal counsel to all children in the foster care system.[8] However, children lose their right to counsel after they turn 18 – precisely the age at which this representation is most necessary, as youth are at risk of being discharged from Agency care.[9] This is in contrast to the best practice recommended by the American Bar Association (ABA) Center on Children and the Law.[10]

Connecticut should provide legal representation to young adults threatened with discharge, to ensure that no youth is unnecessarily or prematurely pushed out of care.

Thank you for the opportunity to submit testimony.

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[1] See, Mark Courtney, Amy Dworsky, Jennifer Hook, Adam Brown, Colleen Cary, Kara Love, Vanessa Vorhies, JoAnn Lee, Melissa Raap, Gretchen Ruth Cusick, Thomas Keller, Judy Havlicek, Alfred Perez, Sherri Terau, "Midwest Evaluation of the Adult Functioning of Former Foster Youth," *Chapin Hall at the University of Chicago*. 2011. Available at http://www.chapinhall.org/research/report/midwest-evaluation-adult-functioning-former-foster-youth.

[2] See, Derrick Gordon and Bronwyn Hunter, "Invisible No More: Creating Opportunities for Youth Who Are Homeless," *The Consultation Center, Yale University School of Medicine*. 2013. Available at http://pschousing.org/files/InvisibleNoMoreReport.pdf.

[3] See, DCF Policy Manual 42-20-30. Available at http://www.ct.gov/dcf/cwp/view.asp?a=2639&q=327784.

[4] See, "Department of Children and Families Services to Prepare Youth Aging Out of State Care," *Connecticut Legislative Program Review and Investigations Committee*. February 6th, 2014. Available at http://www.cga.ct.gov/pri/docs/2013/DCF%20Age%20Out%20Staff%20F&R%20Report.pdf.

[5] *Ibid.*

[6] *Ibid.*

[7] Additionally, 51 cases were settled. See, "Department of Children and Families Services to Prepare Youth Aging Out of State Care," *Connecticut Legislative Program Review and Investigations Committee*. February 6th, 2014. Available at http://www.cga.ct.gov/pri/docs/2013/DCF%20Age%20Out%20Staff%20F&R%20Report.pdf

[8] See, CGS 46b-129a.

[9] *Ibid.* See also, CGS 46b-120 for the definition of "child."

[10] See, "Model Act Governing the Representation of Children in Abuse, Neglect, and Dependency Proceedings." Available at http://www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/empowerment/model_act_final.authcheckdam.pdf.