

**Commission on Child Protection  
Minutes of August 17, 2006 Monthly Meeting**

Commission Members Present: Chill, Dandrow, Geballe, Mack, Turner and Ferraro  
(by phone)

Others Present: Carolyn Signorelli, Chief Child Protection Attorney  
Doug Monahan

Judge Turner chaired the meeting, which began at 5:40 p.m.

**I. Report by Chief Child Protection Attorney**

**a. Transition from Judicial**

Signorelli reported that as of June 28, 2006, the office is processing all bills for Juvenile and Family matters, including the June submissions. Attorneys are beginning to use the Commission's procedures on the website. As of July 3, 2006, the office has been providing all the appointments for Juvenile attorneys, except emergency appointments at time of hearing. Website is being visited (unique visitors in July=891)

A Commission member queried if the office is getting IT help and if the attorneys had expressed any concerns about our procedures. Signorelli answered that she is receiving some limited IT support from the Judicial Department but will need to outsource some work on the Commission's database. Few attorneys have expressed concern about our procedures; the requirement that attorneys get Excel for bill submission appears to be the primary concern raised.

One challenge has been that if there is no information in the Commission's system about prior appointment of counsel in a case, it is possible for a second attorney to be appointed. Also, some attorneys have expressed concerns about not getting timely notice of hearings and last minute changes to the docket. This issue will be addressed when attorneys can gain on-line access to dockets.

Of the bill submissions to date, two will need to be audited. Signorelli met with the State Auditors to get advice and was counseled to talk with OPM to get resources for auditing.

**b. Training**

Signorelli reported that she purchased discounted NACC memberships (\$40/attorney, total of \$5,000) for contract attorneys. Membership provides the attorneys with access to the NACC website, the NACC textbook, discounts on training and purchases of books.

A Commission member queried if the NACC membership will be provided each year. Signorelli responded that there has been no commitment to do so. Another Commission member asked if the membership provided on-line training opportunities. Signorelli

responded that both NACC and the Center for Children's Advocacy have useful listservs that attorneys can use to help get questions answered.

Signorelli report that Judicial used Court Improvement Project (CIP) funds to purchase the "Handbook on Interviewing Children" which she will distribute to contract attorneys during her visits to courthouses in August.

Signorelli sent a memo to Kim Nilsen, DCF's Executive Committee member of the Governor's Task Force on Justice for Abused Children, requesting that some of its unspent funds be used for Commission training initiatives. Signorelli also reported that DCF has some grant funds to protect the legal rights of children and youth.

Signorelli also noted that the Task Force recommendations regarding models of representation (made through a subcommittee on the issue) recommended that the Commission stick with the current contract system but increase fees, rather than create a new state agency. Signorelli developed a budget proposal for FY 08 for discussion with OPM Secretary Genuario based on the Task Force Recommendations (see III, below).

#### **c. Appellate Advocacy Program, Mentoring & Certification**

Signorelli reported that one attorney has expressed interest in doing only appellate cases (at \$40/hour) and another 5-6 attorneys have expressed interest in doing appellate work. According to the Attorney General's Office, there are about 30 child protection cases appealed each year. Signorelli will provide oversight of this Appellate Unit and will either do training herself or get some training for the attorneys who have expressed interest.

A Commission member expressed concern that the suggested pay scale in the Task Force recommendations for less experienced attorneys (i.e., \$55/hour for 0-4 years experience) should be more finely graduated to pay less for attorneys with no experience, suggesting \$50/hour for attorneys with no experience, and \$60/hour for attorneys with 1-4 years experience. Signorelli said she is considering tying compensation rates to certification; rates increase when an attorney is NACC-certified.

She noted that NACC has agreed that Connecticut will be one of the first states in which it will offer its certification program at the conclusion of its three pilots and reviewed for the Commission the components of the certification process. Certification is good for five years; renewal is an easier process. To date about 40 contract attorneys have agreed to go through certification and some attorneys in the AG's office also have expressed interest; NACC would like at least 75 attorneys to participate.

Signorelli noted that she is in the process of assigning mentors to new contract attorneys.

#### **d. NACC Conference**

Signorelli said she asked the Juvenile Court judges to recommend attorneys to attend the four-day NACC Conference in October. Fourteen attorneys were selected to attend, along with Signorelli; total cost to the Commission is about \$20,000. The attorneys have been

asked to bring all materials they gather from the conference and do presentations for other contract attorneys at the regional trainings.

**e. Legislative/Agency Meetings**

Signorelli reported that she had met with Sen. Meyer (co-chair of the Select Committee on Children), Rep. Hovey (representing Monroe and Newtown) and Sen. McDonald (co-chair of Judiciary Committee). She has a meeting scheduled with Sen. DeFronzo and is waiting to hear about meetings with Speaker Amann, Rep. Lawlor, and Sen. Harp. She also met with OPM Secretary Genuario on August 11. She noted that Sen. McDonald asked many questions about her plans for evaluating attorneys. She described to the Commission her current plans for evaluation (anonymous surveys of, e.g., judges, CSOs, courtroom clerks, clients, other attorneys, AGs, followed by her personal assessment of attorneys identified as having problems) and much discussion ensued. There was consensus that surveying other attorneys practicing in the area was appropriate (as well as surveying others, e.g., judges, CSOs, courtroom clerks). She will be seeking Judicial approval for this process; Judge Mack indicated he will assist in securing it. It was noted that identifying attorneys who have large numbers of clients asking for the appointment of a different attorney may also help highlight problem attorneys for future investigation by Signorelli.

**f. Proceeding with Training Proposal from Center for Children's Advocacy**

The first day of training by the Center for Children's Advocacy is scheduled for September 27, 2006.

**g. Financial Report**

Signorelli reported that she did not have a financial report for the Commission to review. She noted that payment requested by contract attorneys in July totaled \$931,000 (which included some old bills). By October, she wants all billing to be done on-line and using Excel; she is sending a bulk mailing to all contract attorneys so informing them.

**II. Standards of Practice**

The two sets of standards are nearing completion. Chill will work on harmonizing language. Final comments from Commission members are needed.

**III. Task Force Recommendations/Request for Funding**

Signorelli distributed a document (attached and incorporated herein by reference) for the funding necessary to implement Task Force recommendations, assuming that the Contract system remains in effect. The total amount of new funds requested is about \$15 million, of which a very small portion (for creation of a central database) is a one-time expenditure. The budget requests include an increase in pay rates based on attorney experience, the central database, additional staff for the Commission, one-time costs of NACC Certification and funds to send additional attorneys to the NACC conference and trial advocacy training.

Discussion ensued about whether it is premature to commit to continuation of the contract system, or whether the Commission should make its own independent assessment of the best model. It was agreed that the Commission would use the upcoming year to examine the strengths and limitations of the existing model and of alternative models being used by other jurisdictions, but in the meantime will advocate for additional funding for the existing system as outlined by Signorelli. Signorelli noted that she will have access to Task Force information about other models; the Commission also will accept the offer of Casey Family Services to help convene a forum on the topic.

#### **IV. Teresa T Case**

The Commission briefly discussed the Teresa T case and its potential impacts on the Commission's work. The Commission may consider filing an amicus brief if appropriate.

#### **V. Purchasing Uploadable ABA Child Law Practice**

Signorelli discussed this additional potential resource for contract attorneys, at a cost of \$8,000/year. Questions about the marginal benefit of the resource were raised.

#### **VI. Insurance**

Signorelli noted that some contract attorneys have approached her about the possibility of getting group health insurance; she will be meeting with the State Comptroller to explore possible options through the state employee plan or MEHIP.

#### **VII. Family Matters**

Signorelli noted that the current statute establishing the Commission imposes some responsibilities on the Commission that are not consistent with current practice regarding appointment, training, and oversight of attorneys appointed in Family Matters. Although the Commission pays the bills, Judicial continues to make appointments. Discussion ensued about whether an amendment to the Commission's authorizing legislation was needed and the consensus was that this was not a high priority at this time. Signorelli noted that she hopes to get someone onto her staff who knows Family Matters to assist.

A Commission member suggested that the name of the Commission might be changed to more appropriately reflect its responsibilities. Another suggested that Signorelli start a file of what changes to existing law are needed to further the Commission's goals.

Another Commission member suggested that Signorelli meet with the newly-elected legislators at the gathering for them that is convened after the election.

The meeting was adjourned by Judge Turner at XXX p.m.

Respectfully submitted,

Shelley Geballe, Commission member