

Treatment: Options For Placement

OTC Definition

An Order of Temporary Custody (OTC) is defined as a court order to safeguard the immediate welfare of a child which may be issued without a hearing and vests the care and custody of the child concerned in the person or agency named in the order pending the adjudication on the merits of Petition of Alleged Neglect.

When to Seek an OTC

An OTC is usually sought when:

- the life or safety of a child is in jeopardy
- the parents object to placement
- the parents insist upon the child's return home, and
- the case situation is not serious enough to warrant the use of a 96-hour hold.

The Regional Office:

- files a petition alleging neglect
- submits a summary supporting the allegations and a standardized custody affidavit
- files a separate affidavit requesting the Court to give the Commissioner immediate temporary custody of the child in order that such child may be placed or remain outside the home.

Note: The affidavit, signed by the complainant, sets forth the facts regarding the child's condition or the circumstances surrounding his care which require that custody be assumed immediately to protect the child's welfare.

Court Actions

If it appears from the allegations of the petitions and verified affirmations of fact accompanying the petition, that there is reasonable cause to find that the child's condition or the circumstances surrounding his care require that the child's custody be immediately assumed to safeguard the child's welfare, the Court shall:

- issue an order to the parents or other person having responsibility for the care of the child or youth to show cause at such time as the court may designate why the court shall not grant temporary care and custody to the Department of Children and Families pending a hearing on the petition, or
- grant a suitable agency or person the child's temporary care and custody pending a hearing upon the temporary custody petition.

Note: This hearing shall be held within ten (10) days from the issuance of such order. [CONN. GEN. STAT. §46b-129(b)]

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Serving the Order

The Order of Temporary Custody, together with a copy of the petition alleging neglect, must be served on the respondent by any officer authorized by law to serve process, or other indifferent person.

The original bill from these offices should be sent to the Regional Office, approved by the worker and supervisor and forwarded to Central Office for payment from administrative funds.

Cross-reference: For further information on Order of Temporary Custody, please refer to Chapter 46.
