

H12-xxxxxx
H12-xxxxxx

IN RE: :
: SUPERIOR COURT
: JUVENILE MATTERS AT HARTFORD
: 2006

MOTION FOR INCREASED VISITATION

Pursuant to Conn. Gen. Stat. §§ 46b-121 and 17a-10a, the minor children, Mary and Jane, hereby move for increased visitation with their mother. In support of this Motion, they state:

1. On, 2003, the Court of Probate for the District of xx granted temporary custody of Mary and Jane to their maternal aunt. Subsequently, on xx, 2003, Probate Court ordered that temporary custody vest in the Department of Children and Families (hereinafter, DCF) and that physical custody of both children remain with RELATIVE. On XX 2004, Mary and Jane, then 6 and 9 years old, were committed to the Department of Children and Families.

2. Mary and Jane's mother, Mrs. Doe, has had ongoing mental health issues that have affected her ability to parent. Her inability to manage her mental health challenges led to the removal of her children.

3. Throughout DCF's involvement with the Doe family, Mary and Jane have lived with their RELATIVES. By all accounts the children thrive in this placement and have bonded with their RELATIVES. They attend their neighborhood school and a local after-school day care program. It has been recommended by the state and the undersigned attorney

that the children continue to live with their RELATIVES and that guardianship is legally transferred to them. RELATIVES are committed to ensuring that the children maintain healthy and regular contact with their Mother. RELATIVES communicated to the undersigned attorney that the girls would benefit from increased visitation with their mother.

4. Over the past few years, Mrs. Doe has taken several steps to manage her mental health disabilities. She engaged in therapy with a clinician at PROVIDER and complied with a medication regimen for treatment of Bipolar Disorder. Mrs. Doe has been able to maintain a clean apartment in Hartford.

5. Initially, after the children came into DCF care, visitation between the children and Mrs. Doe was held in the community and at Mrs. Doe's Hartford apartment. During these early visits Mrs. Doe was often inappropriate with the children, removed and distant, unable to interact with them in a traditional or acceptable manner. Eventually, these visits proved too difficult for the children who were timid and unsure of their mother.

6. As a result of the difficult visits between Mrs. Doe and her children, in 2004, visits were moved to VISTATION CENTER. Reports from VISTATION CENTER initially indicated that Mrs. Doe continued to struggle in her relationships with her children and had difficulty engaging with them in an appropriate manner. Over time, however, Mrs. Doe began interacting more maturely and consistently with the girls and VISTATION CENTER reports grew increasingly positive. (See VISTATION CENTER, Report to DCF Social Worker, attached hereto as Exhibit A) Despite this report from VISTATION CENTER, Mrs. Doe has only one visit per week with her daughters and this one-hour visit continues to be supervised by DCF.

7. The girls, while content living with their RELATIVES, have a strong bond with their mother and look forward to their weekly visits. They report having a good time with their mother, that they play games and tell stories. They wish, however, that they could see her more often.

8. Throughout the life of this case and at DCF's request, Mrs. Doe and her children have submitted to multiple psychiatric and psychological evaluations. Each of the professional evaluators was asked to submit recommendations as to the extent of contact that should be permitted between Mrs. Doe and her daughters.

9. In a recent evaluation conducted by psychiatrist A dated, 2006, PSYCHIATRIST A stated, "the primary recommendation at this time is for a substantial increase in visitation with the mother to include unsupervised and overnight visitation." P. 11 (emphasis added). PSYCHIATRIST A noted in his recommendation that there have been no reports of "any specific safety concerns" during visitations by either the RELATIVES or from the visitation program. Id. PSYCHIATRIST A further described the positive relationship between the girls and their mother, noting that "the children do appear to be benefiting from contact with the mother. They also appear to have an ongoing and significant relationship with their mother." Id. (emphasis added).

10. Recently, DCF requested yet another evaluation be performed. According to the this evaluation, performed by PSYCHIATRIST b, "visitation with [the girls'] mother is very important to continue, for the girls and for Ms. M. It is healthy for them to have loving, positive relationships, and to do things together." Report, p. 30. According to PSYCHIATRIST b evaluation, Mrs. Doe, could serve as a positive influence in the lives of

her daughters. PSYCHIATRIST b recommended that a “gradual move from supervised to unsupervised visitation should occur,” as well as a move to day-long visits. Id.

11. Despite these professional recommendations, which were specifically requested by DCF, there has been no movement to liberalize visitation. Mary and Jane continue to see their mother only once per week, for one hour, supervised by DCF. None of the expert recommendations have been implemented, and the children suffer as a result.

12. Furthermore, the undersigned attorney has attempted to correspond with DCF several times over the last few months to ensure that the recommendations for increased visitation were being implemented. (See letters from the undersigned attorney to DCF dated April , 2006; May , 2006; May, 2006; June , 2006, attached hereto as Exhibit B) None of the attorney’s letters or phone calls were returned.

WHEREFORE, the attorney for the minor children respectfully requests that this court order DCF to incorporate the recommendations of PSYCHIATRISTS into a formal visitation plan and implement that plan in a timely fashion.

Respectfully submitted,

BY: _____

Center for Children’s Advocacy, Inc.
University of Connecticut School of Law
65 Elizabeth Street
Hartford, CT 06105
860-570-5327 860-570-5256 fax

Attorney for the Children

ORDER

The Motion For Increased Visitation, having come before this Court for consideration, it is hereby ordered:

GRANTED/DENIED.

Judge, Superior Court

CERTIFICATE OF SERVICE