

**DN.**

**: SUPERIOR COURT-JUVENILE MATTERS**

**IN RE: R R**

**: AT HARTFORD**

**: APRIL 14, 2003**

**MOTION FOR EMERGENCY RELIEF**

Pursuant to Conn. Gen. Stat. §§ 46b-121, 17a-6, 17a-16, 17a-90, and Connecticut Practice Book Section 34a-23, the minor youth, RR, who is under the care and supervision of the Commissioner of the Department of Children and Families (hereinafter, DCF), asks this Court to order the Commissioner of DCF to provide appropriate psychological treatment for the severe post-traumatic stress reaction she is currently experiencing. In support of this Motion, she states the following:

1. R is a sixteen year old youth under the temporary custody of DCF by Order of Temporary Custody issued in February 2003, pursuant to a neglect/uncared for petition against her mother. As a youth under the care and custody of DCF, R is entitled to appropriate health care and treatment, including prompt mental health assessment and treatment.

2. On or about Saturday, March 15, 2003 R disclosed to her current foster mother that

she had been repeatedly sexually assaulted by her “uncle” (her mother’s boyfriend’s brother) when she was thirteen and fourteen years old, and was again forcibly sexually assaulted by this “uncle” on or about February 10, 2003.

3. R and her foster mother reported these assaults to R’s DCF worker during the week of March 17, 2003. R’s foster mother discussed with the DCF worker and the worker’s supervisor the need to obtain psychological support for R, and suggested Dr. D, a clinical psychologist whom the foster mother knew previously through his treatment of other children in the foster mother’s care. The DCF supervisor requested that the foster mother determine whether Dr. D is a specialist in treatment of victims of sexual abuse and ascertain his fee.

4. On March 24, 2003 R was assessed by Dr. D., which assessment was obtained by her foster mother. Dr. D diagnosed R as suffering from severe post-traumatic stress disorder. (A copy of Dr. D.’s statement is attached as Appendix A.)

5. On or about March 25, 2003, R’s foster mother reported to the DCF supervisor that Dr. D is a specialist in the treatment of sexual abuse victims, and what his fees are. The foster mother requested that DCF pay for these necessary treatment services for R. The DCF supervisor refused on the grounds that Dr. D is too expensive.

6. Dr. D. has since provided R with psychological treatment services on March 31, and

April 7, 2003. R and her foster mother have paid for these services through their volunteer labor at a soup kitchen.

7. R again requested, on or about April 4, 2003 through the same DCF supervisor, that DCF pay for her treatment with Dr. D. The supervisor again denied this request. The supervisor said she would send R a list of treatment providers, but R has not received this list to date.

8. On April 14, 2003 the DCF worker informed the foster mother that a referral to Jewish Family Services was made for R on April 10, 2003, but the worker could give no other information concerning the program, including what services were available or the length of time before services would be available.

9. Dr. D's opinion is that R's severe post-traumatic stress response to the sexual assaults affects her daily life and all her interactions. Her recent suspension from school for two days due to a verbal altercation with another female student was related to her inability to separate her response to the rape trauma from her responses to any other stressful situation. R was terminated from her employment on April 13, 2003 due to a verbal altercation with a customer. Dr. D's work with R and her foster mother are enabling R to remain in her foster placement and begin to address some of the traumas related to her sexual abuse and other factors which led to DCF's initiation of the instant neglect petition.

10. Any administrative procedures available to R to compel payment by DCF for these essential psychological services are not available on the expedited time line necessary to safeguard her welfare and preserve her current tenuous stability.

11. For the reasons set forth above, an order of this Court is necessary to secure the child's welfare, protection, and proper care.

WHEREFORE, the undersigned attorney for R R moves that DCF be ordered to immediately pay for appropriate specialized therapeutic services provided by Dr. D until further order of the court.

SUBMITTED BY

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JAMEY BELL

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CERTIFICATION

I hereby certify that a true and attested copy of the foregoing motion was transmitted by

facsimile to the Assistant Attorney General's Office at 860-808-5590, and mailed postage prepaid to 110 Sherman St., Hartford, CT 06105, and to all other parties of record, on April , 2003.

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COMMISSIONER OF THE SUPERIOR COURT

ORDER

The foregoing Motion for Emergency Relief having been duly heard and considered, it is hereby ordered: GRANTED/DENIED as follows: \_\_\_\_\_

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BY THE COURT

DATE: \_\_\_\_\_, J.