

1 SPECIAL SESSION

2 H.6

3 Introduced by Representative Willhoit of St. Johnsbury

4 Referred to Committee on

5 Date:

6 Subject: Human services; CHINS proceedings; notice

7 Statement of purpose of bill as introduced: This bill proposes to require notice
8 to the child adjudicated delinquent or found to be neglected or unmanageable
9 regarding the hearing to determine placement of the child.

10 An act relating to notice regarding child placement

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 33 V.S.A. § 5906 is amended to read:

13 § 5906. INSTITUTIONAL CARE OF DELINQUENT CHILDREN-

14 ARTICLE VI

15 A child adjudicated delinquent may be placed in an institution in another
16 party jurisdiction pursuant to this compact, but no such placement shall be
17 made unless the child is given a court hearing on notice to the child, parent, or
18 guardian with opportunity to be heard, prior to his or her being sent to such
19 other party jurisdiction for institutional care and the court finds that:

1 (1) equivalent facilities for the child are not available in the sending
2 agency's jurisdiction; and

3 (2) institutional care in the other jurisdiction is in the best interest of the
4 child and will not produce undue hardship.

5 Sec. 2. 33 V.S.A. § 5926 is amended to read:

6 § 5926. PLACEMENT OF NEGLECTED OR UNMANAGEABLE

7 CHILDREN

8 The officers and agencies of this State having authority to place neglected
9 or unmanageable children may place such a child in another state. However,
10 unless parental rights have been judicially terminated, any such child being
11 placed in another state pursuant to this compact shall, upon request, be given a
12 court hearing on notice to the child, parent, or guardian with opportunity to be
13 heard prior to his or her being sent to such other state for care and the court
14 finds that:

15 (1) equivalent facilities for the child are not available in this State;

16 (2) care in the other state is in the best interest of the child and will not
17 produce undue hardship.

18 Sec. 3. EFFECTIVE DATE

19 This act shall take effect on passage.