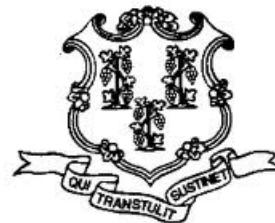


IF YOU WERE
REPRESENTED BY A COURT
APPOINTED ATTORNEY IN
YOUR TPR CASE YOU HAVE
THE RIGHT TO HAVE YOUR
CASE REVIEWED FOR
APPEALABLE ISSUES

After your parental rights have been terminate you have a very limited time in which to have your case reviewed to see if there were any errors in the law that occurred in your case. Because the law sets very specific time limitations in which to do this this brochure is designed to assist you in your obligations in this procedure

WHEN YOUR RIGHTS HAVE BEEN TERMINATED

A Guide to the Appeal Review Process for Parents



Office of the Chief Public
Defender—Child Protection
Division

State of
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Division of Public Defender Services
Child Protection Unit
55 Farmington Ave, 8th Floor
Hartford, CT 06106
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What happens after my trial?

After the TPR trial is concluded, the judge will review all the evidence that has been presented and then issue a decision as to whether or not there was enough evidence to terminate your parental rights.

If your rights have been terminated, the time to file an appeal of the judge's decision begins as soon as the decision is sent to your attorney. **The first 48 hours after your attorney is notified of the decision is the most important to you. You must decide if you would like a review of your case and notify your attorney as soon as possible if you would like your case reviewed.** The longer you wait to make this decision the less time the attorney has to review your case. It is extremely important you provide your attorney from the trial with current contact information to avoid any delay in informing you of the court's decision .



HOW LONG DO I HAVE TO APPEAL MY CASE?

The maximum amount of time to appeal the termination of your parental rights under CT law is sixty (60) days.

The law automatically gives you twenty (20) days from the date the court notifies the attorney of the decision. Your attorney can file a Motion for Extension of Time that will provide you with the additional forty (40) days. You **CANNOT** file an appeal of a termination of parental rights decision after that time period has expired without permission from the Appellate Court.

WHAT DO I NEED TO DO?

AFTER BEING NOTIFIED THAT YOUR RIGHTS HAVE BEEN TERMINATED YOU MUST DO THE FOLLOWING AS SOON AS POSSIBLE FOR YOUR CASE TO BE REVIEWED:

1. YOU MUST PROVIDE YOUR ATTORNEY WITH OR FILE WITH THE JUVENILE CLERKS OFFICE THE **APPLICATION FOR COUNSEL—WAIVER OF FEES (JD-JM-114)** YOU NEED TO INDICATE YOU NEED AN ATTORNEY APPOINTED AND YOUR APPELLATE FEES WAIVED. THIS FORM MUST BE SIGNED IN FRONT OF AN ATTORNEY, CLERK OR NOTARY. YOU CANNOT BE APPOINTED AN ATTORNEY UNTIL THIS FORM IS APPROVED BY JUDGE.
2. YOU MUST NOTIFY YOUR ATTORNEY OR OCPD THAT YOU WISH TO HAVE YOUR CASE REVIEWED. THIS MUST ALSO BE DONE AS SOON AS POSSIBLE. IF YOU CANNOT GET IN TOUCH WITH YOUR ATTORNEY PLEASE CONTACT OCPD AT (860)566-1341

WHAT HAPPENS DURING MY REVIEW?

A new attorney will be appointed to review your case. It is important to keep the court and the lawyer aware of your contact information .

This attorney will review your case to determine if the trial judge made any errors in the law or has reached a factual conclusion that is not supported by the evidence introduced at trial. The attorney will review the trial court's decision, the evidence introduced at trial, and the transcripts of the in-court testimony provided by witnesses during the trial. With your best interest in mind, the attorney will search the entire record for any appealable issues. If the review attorney determines that mistakes in the law were made during the trial, they will file an appeal in the Appellate Court on your behalf. It is important to note that on appeal the Appellate Court will NOT conduct a new trial or consider new evidence. The Appellate Court can only review what happened at the trial and determine if an error has occurred.

If the review attorney does not find any appealable issues of law they will immediately request an in-court review be scheduled within 10 days. At this hearing, the judge will review the record and hear you on possible issues you feel there are but will not allow new evidence. If the judge feels there are issues to appeal, an attorney will be appointed.

If the judge does not appoint an attorney, you may still file the appeal on your own behalf, that is representing yourself, but the Office of the Chief Public Defender-Child Protection will no longer represent you or provide you with an attorney.

