

POST CONVICTION UNIT PROTOCOLS

Purpose:

The Juvenile Post Conviction and Re-Entry Unit (PCU) was established to fulfill the Division's obligation to its juvenile clients under Practice Book §3-9(e). The PCU provides post conviction advocacy to all clients represented by Public Defenders and Assigned Counsel who were placed on Probation with Residential Placement.

Responsibilities:

The PCU represents clients at: probation status review hearings; Multi-Disciplinary Team meetings; Administrative Case Reviews (if committed to DCF under Child Protection), discharge planning meetings, educational meetings, motions for extension of probation and motions for modification/termination of probation. The Unit also responds to complaints regarding conditions of confinement and claims of abuse and neglect as well as any other event that occurs between the client and CSSD during the period of their probation with residential placement.

Referral Process:

The PCU becomes aware of a client only when a referral is sent from a field office or from an attorney acting as Assigned Counsel. For a referral to be accepted by the PCU, all information requested on the form must be provided. *The client should execute the "Case Transfer and Authorization to Release" on the day the client is committed as part of the referral process.* If the attorney of record does not have the client sign the Case Transfer prior to being placed in REGIONS, they will be required to travel to the client's location to obtain the client's signature. Please don't forget the Authorization since information should not be shared with PCU unless the client has consented. The PCU attorney will then file an appearance "in addition to" the attorney of record.

If the attorney of record would like to provide post conviction advocacy to the client, please contact Attorney James Connolly to clarify this arrangement. In such cases, the PCU will maintain an active client listing in JustWare (DPDS database), but will not provide representation to the client. The active listing would ensure that any information that comes to the attention of the PCU would be passed on to the attorney of record. If the PCU and the attorney of record attempt to "share" the post conviction advocacy, this will likely create problems with duplication of effort and confusion on behalf of the client and others providing services to the client.

If a client is arrested for a new offense while they are on probation with residential placement, the field office attorney will appear on behalf of the client unless other arrangements are made. Assigned Counsel will be appointed on new cases at the discretion of the Supervising Attorney.

Communications:

If the attorney of record is a DPDS employee, they can access JustWare for updates on clients referred to the PCU. Assigned Counsel can receive client updates by contacting the PCU directly. If a PCU client appears in court on new charges, the attorney of record shall notify the PCU.