

Resolution 10
In Support of the Reauthorization of CAPTA

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators recognize the importance of preventing child abuse and neglect and of treating victims of such abuse and neglect; and

WHEREAS, in 2003, Congress reauthorized the Child Abuse Prevention and Treatment Act (CAPTA), a grant program to assist states in improving child protective services; and

WHEREAS, grant funds authorized under CAPTA can be used for purposes such as: (1) safe, family-friendly visitation centers for court-ordered supervised visitation between children and abusing parents and for exchange of children for visits with non-custodial parents in cases of domestic violence; (2) kinship care procedures using adult relatives as preferred placements for children removed from their homes; (3) training programs for professionals and paraprofessionals in the law who are involved in the prevention, identification, and treatment of abuse and neglect, including education regarding links between domestic violence and child abuse; and (4) creating and improving the use of multi-disciplinary teams and interagency protocols to enhance investigations and to improve legal preparation and representation, including procedures for appealing and responding to appeals of substantiated abuse and neglect reports and the appointment of an individual to represent a child in judicial proceedings; and

WHEREAS, the above referenced purposes and other purposes cited in CAPTA assist states to prevent child abuse and neglect and treat victims more effectively; and

WHEREAS, proposals may be made to amend CAPTA in ways which could preempt state law and/or impact state and local budgets;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators urge the Congress to reauthorize the Child Abuse Prevention and Treatment Act; and

BE IT FURTHER RESOLVED that the Conferences urge the Congress to ensure that: (1) during its consideration of CAPTA reauthorization legislation, the Congress should take all available and reasonable steps to obtain meaningful and timely input from appropriate branches and agencies of state governments with respect to the bill's federalism or separation of powers implications; and (2) a federalism assessment of the proposed legislation be included in every pertinent committee and conference report.

Adopted as proposed by the CCJ/COSCA Courts, Children, and Families Committee at the 2010 Annual Meeting on July 28, 2010.