



Commonwealth of Massachusetts
THE TRIAL COURT
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COMMISSIONER

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July 6, 2009

The Honorable Senator Karen Spilka, Co-chair
Committee on Children and Families
The Massachusetts Senate
General Court
The State House
Room 511-C
Boston, Massachusetts 02133

The Honorable Paul Donato, Co-chair
Committee on Children and Families
The Massachusetts House of Representatives
The State House
Room 540
Boston, Massachusetts 02133

**RE: Senate Bill No. 68, An Act Regarding Families and Children
Engaged in Services.**

Dear Senator Spilka and Representative Donato:

I am responding to your request for input regarding Senate Bill no. 68. As a member of the Executive Steering Committee, I must voice serious concerns regarding this proposed legislation. As you know, from the outset, the Probation Department has maintained that the services currently available are insufficient to meet the needs of the children and families. However, the enactment of this legislation-- creating a complex new delivery system and restricting the right of a parent or school to seek court assistance through the laws pertaining to Children in Need of Services (CHINS)-- does not solve this insufficiency of services and would be disastrous in these difficult economic times.

Recently, the Office of the Child Advocate of the Commonwealth noted in its annual report that state budget cuts to agencies including the Department of Children and Families may

result in a rise in applications for CHINS applications.¹ Given the continued deterioration of the state's economy and the long term outlook, it is difficult to see how an entirely new system which requires the creation of scores of new positions is possible. In December 2008, there were 5,822 active CHINS cases in which the probation officers were assisting children and families in Massachusetts. There is no question this legislation places a roadblock in the way of families trying to obtain much needed assistance for children in trouble, and that few, if any, could navigate their way through a system which is as yet nonexistent. From the outset the Probation Department has been ready and eager to embrace the provision of more efficient and better services for the children and families of the Commonwealth, but the proposed legislation would not achieve that result.

Very truly yours,



Patricia A. Walsh
Deputy Commissioner

¹2008 Annual Report, Office of the Child Advocate of Massachusetts, p. 27