



2021 Edition

Glossary of Connecticut Family Law Terms

-A-

ABANDONMENT DEFENSE—“Abandonment without cause by a spouse shall be a defense to any liability pursuant to the provisions of subdivisions (1) to (4), inclusive, of subsection (b) of this section for expenses incurred by and for the benefit of such spouse. Nothing in this subsection shall affect the duty of a parent to support his or her minor child.” Conn. Gen. Stat. § [46b-37](#)(e) (2021).

ABANDONMENT OF SPOUSE—“Notwithstanding the provisions of subsection (a) of this section, a spouse who abandons his or her spouse without cause shall be liable for the reasonable support of such other spouse while abandoned.” Conn. Gen. Stat. § [46b-37](#)(c) (2021).

ABUSED—“A child may be found “abused” who (A) has been inflicted with physical injury or injuries other than by accidental means, (B) has injuries that are at variance with the history given of them, or (C) is in a condition that is the result of maltreatment, including, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.” Conn. Gen. Stat. § [46b-120](#)(5) (2021).

ACKNOWLEDGED PARENT—“means a person who has established a parent-child relationship under sections 24 to 35, inclusive, of this act.” (Created by [P.A. 21-15](#), § 2(1), effective January 1, 2022)

ADJUDICATED PARENT—“means a person who has been adjudicated to be a parent of a child by a court of competent jurisdiction.” (Created by [P.A. 21-15](#), § 2(2), effective January 1, 2022)

ADOPTABLE PERSON—“means a person who has not been adopted but whose biological parents had their parental rights terminated under the laws of the state of Connecticut.” Conn. Gen. Stat. § [45a-743](#)(1) (2021).

ADOPTED PERSON—“means (A) a person who was adopted under the laws of the state of Connecticut or (B) a person who was adopted in another jurisdiction but whose biological parents have had their parental rights terminated in the state of Connecticut.” Conn. Gen. Stat. § [45a-743](#)(2) (2021).

ADOPTION—“means the establishment by court order of the legal relationship of parent and child.” Conn. Gen. Stat. § [45a-707](#)(1) (2021).

ADOPTION AGREEMENT—“To complete an adoption, two steps are essential. First, there must be an agreement to give and receive the child in adoption, and second, there must be approval of the agreement by a Probate Court having jurisdiction. The fundamental basis of the proceeding is the agreement. If the purported agreement is void, there is nothing which the Probate Court can approve.” [Killen v. Klebanoff](#), 140 Conn. 111, 115-116, 98 A.2d 520 (1953).

ADOPTION ASSISTANCE AGREEMENT—“means a written agreement, binding on the parties to the agreement, between the State agency, other relevant agencies, and the prospective adoptive parents of a minor child which at a minimum (A) specifies the nature and amount of any payments, services, and assistance to be provided under such agreement, and (B) stipulates that the agreement shall remain in effect regardless of the State of which the adoptive parents are residents at any given time. The agreement shall contain provisions for the protection (under an interstate compact approved by the Secretary or otherwise) of the interests of the child in cases where the adoptive parents and child move to another State while the agreement is effective.” [42 U.S.C. §675](#)(3).

ADOPTION AND GUARDIANSHIP ASSISTANCE PROGRAM—[42 USC §673](#).

ADOPTION REVIEW BOARD—“(a) . . . the Adoption Review Board may, upon application, notice and hearing as hereinafter provided, for cause shown that it is in the best interests of the minor child, waive the requirement that the minor child be placed by the Commissioner of Children and Families or a child-placing agency.

(b) Any judge of probate who has had presented to him an application for adoption which may not proceed because the child has not been so placed may apply in writing to the Adoption Review Board for a waiver of such requirement.” Conn. Gen. Stat. § [45a-764](#) (2021).

ADULT ADOPTION—“ Any person eighteen years of age or older may, by written agreement with another person at least eighteen years of age but younger than himself or herself, unless the other person is his or her spouse, brother, sister, uncle or aunt of the whole or half blood, adopt the other person as his or her child, provided the written agreement shall be approved by the Probate Court for the district in which the proposed adoptive parent resides or, if the proposed adoptive parent does not reside in this state, for the district in which the adopted person resides.” Conn. Gen. Stat. § [45a-734](#)(a) (2021).

ADULTERY (Definition)—“means voluntary sexual intercourse between a married person and a person other than such person's spouse.” Conn. Gen. Stat. § [46b-40](#)(f) (2021).

ADULTERY (Grounds)—“A decree of dissolution of a marriage or a decree of legal separation shall be granted upon a finding that one of the following causes has occurred: (3) adultery.” Conn. Gen. Stat. § [46b-40](#)(c)(3) (2021).

ADULTERY AND ALIMONY—“Adultery is not listed as a factor to be considered unless it is one of the causes for the dissolution of marriage.” [Venuti v. Venuti](#), 185 Conn. 156, 158, 440 A.2d 878 (1981).

AGENCY PLACEMENT—“ An application for the adoption of a minor child not related to the adoptive parents shall not be accepted by the Court of Probate unless (A) the child sought to be adopted has been placed for adoption by the Commissioner of Children and Families or a child-placing agency, and the placement for adoption has been approved by the commissioner or a child-placing agency; (B) the placement requirements of this section have been waived by the Adoption Review Board as provided in section 45a-764; (C) the

application is for adoption of a minor child by a stepparent as provided in section 45a-733; or (D) the application is for adoption of a child by another person who shares parental responsibility for the child with the parent as provided in subdivision (3) of subsection (a) of section 45a-724. The commissioner or a child-placing agency may place a child in adoption who has been identified or located by a prospective parent, provided any such placement shall be made in accordance with regulations promulgated by the commissioner pursuant to section 45a-728. If any such placement is not made in accordance with such regulations, the adoption application shall not be approved by the Court of Probate." Conn. Gen. Stat. § [45a-727](#)(a)(3) (2021).

AGO—" means the Connecticut Attorney General's office, or any assistant attorney general within such office who is responsible for performing any IV-D function in accordance with the cooperative agreement between the department and such office." Conn. Regs. § [17b-179\(a\)-1](#) (1).

ALIENATION OF AFFECTIONS—"This is a tort based upon willful and malicious interference with the marriage relation by a third party, without justification or excuse By definition, it includes and embraces mental anguish, loss of social position, disgrace, humiliation and embarrassment, as well as actual pecuniary loss due to destruction or disruption of marriage relationship and the loss of financial support, if any." [Donnell v. Donnell](#), 415 S.W.2d 127, 132 (Tenn. 1967).

ALIMONY (Definition)—"Money a court requires one spouse to pay the other spouse for support before and/or after the divorce is granted. If you do not ask for alimony at the final hearing, you can never get it in the future." [State of Connecticut Judicial Branch Common Legal Words](#).

"An award of alimony is based primarily on a spouse's continuing duty to support." [Martone v. Martone](#), 28 Conn. App. 208, 216, 611 A.2d 896 (1992).

ALIMONY (Factors)—"In determining whether alimony shall be awarded, and the duration and amount of the award, the court shall consider the evidence presented by each party and shall consider the length of the marriage, the causes for the annulment, dissolution of the marriage or legal separation, the age, health, station, occupation, amount and sources of income, earning capacity, vocational skills, education, employability, estate and needs of each of the parties and the award, if any, which the court may make pursuant to section 46b-81, and, in the case of a parent to whom the custody of minor children has been awarded, the desirability and feasibility of such parent's securing employment." Conn. Gen. Stat. § [46b-82](#)(a) (2021).

ALIMONY ORDER—"At the time of entering the decree, the Superior Court may order either of the parties to pay alimony to the other, in addition to or in lieu of an award pursuant to section 46b-81. The order may direct that security be given therefor on such terms as the court may deem desirable, including an order pursuant to subsection (b) of this section or an order to either party to contract with a third party for periodic payments or payments contingent on a life to the other party. The court may order that a party obtain life insurance as such security unless such party proves, by a preponderance of the evidence, that such insurance is not available to such party, such party is unable to pay the cost of such insurance or such party is uninsurable." Conn. Gen. Stat. § [46b-82](#)(a) (2021).

ALIMONY PENDENTE LITE—"means alimony or maintenance "pending litigation" and is payable during the pendency of a divorce proceeding so as to enable a dependent spouse to proceed with or defend against the action." [Jayne v. Jayne](#), 663 A.2d 169, 176 (Pa. Super. 1995).

ALLEGED GENETIC PARENT—“means a person who is alleged to be, or alleges that the person is, a genetic parent or possible genetic parent of a child whose parentage has not been adjudicated. ‘Alleged genetic Parent’ includes an alleged genetic father and alleged genetic mother. ‘Alleged genetic parent’ shall not include: (A) A presumed parent; (B) A person whose parental rights have been terminated or declared not to exist; or (C) A donor.” (Created by [P.A. 21-15](#), § 2(3), effective January 1, 2022)

ANTENUPTIAL AGREEMENT (or prenuptial agreement or premarital agreement)—“means an agreement between prospective spouses made in contemplation of marriage.” Conn. Gen. Stat. § [46b-36b](#) (2021).

ARREARAGE—“means either one or a combination of (A) court ordered current support payments which have become due and payable and remain unpaid; and (B) support due for past periods that has been found owing by a court of competent jurisdiction, whether or not presently payable.” Conn. Regs. § [17b-179b-1](#)(1).

ASSISTANCE CASE—“ means one in which the recipient of IV-D services is receiving benefits under the TFA or foster care programs, or the federal waiver granted under section 1115 of the Social Security Act.” Conn. Regs. § [17b-179\(a\)-1](#)(2).

-B-

BCSE—[Public Act No. 16-13](#) renamed the Bureau of Child Support Enforcement (BCSE) to the Office of Child Support Services (OCSS).

BEST INTEREST OF THE CHILD STANDARD IN CONNECTICUT—“Orders re custody, care, education, visitation and support of children. Best interests of the child. Access to records of minor child by noncustodial parent. Orders re therapy, counseling and drug or alcohol screening.” Conn. Gen. Stat. § [46b-56](#) (2021). *See Also:* [Best Interest of the Child Standard in Connecticut](#) (Research Guide).

BEST INTEREST OF THE CHILD STANDARD IN RELOCATION CASES—“In any proceeding before the Superior Court arising after the entry of a judgment awarding custody of a minor child and involving the relocation of either parent with the child, where such relocation would have a significant impact on an existing parenting plan, the relocating parent shall bear the burden of proving, by a preponderance of the evidence, that (1) the relocation is for a legitimate purpose, (2) the proposed location is reasonable in light of such purpose, and (3) the relocation is in the best interests of the child.” Conn. Gen. Stat. § [46b-56d](#)(a) (2021).

“In making or modifying any order as provided in subsection (a) of this section, the rights and responsibilities of both parents shall be considered and the court shall enter orders accordingly that serve the best interests of the child and provide the child with the active and consistent involvement of both parents commensurate with their abilities and interests. Such orders may include, but shall not be limited to: (1) Approval of a parental responsibility plan agreed to by the parents pursuant to section 46b-56a; (2) the award of joint parental responsibility of a minor child to both parents, which shall include (A) provisions for residential arrangements with each parent in accordance with the needs of the child and the parents, and (B) provisions for consultation between the parents and for the making of major decisions regarding the child's health, education and religious upbringing; (3) the award of sole custody to one parent with appropriate parenting time for the noncustodial parent where sole custody is in the best interests of the child; or (4) any

other custody arrangements as the court may determine to be in the best interests of the child." Conn. Gen. Stat. § [46b-56\(b\)](#) (2021). *See Also:* [Parental Relocation](#) (Research Guide).

BIOLOGICAL PARENT—"means the biological mother or father of a person." Conn. Gen. Stat. § [45a-743\(6\)](#) (2021).

BIRTH CERTIFICATE—" Not later than ten days after each live birth which occurs in this state, a birth certificate shall be filed with the registrar of vital statistics in the town in which the birth occurred and the certificate shall be registered if properly filed, by manual or electronic systems as prescribed by the commissioner. On and after January 1, 1994, each hospital with two hundred or more live births in calendar year 1990, or any subsequent calendar year, shall electronically transmit birth information data to the department in a computer format approved by the department. Each birth certificate shall contain such information as the department may require and shall be completed in its entirety. Medical and health information which is required by the department, including information regarding voluntary acknowledgments of paternity and whether the child was born out of wedlock, shall be recorded on a confidential portion of the certificate to be sent directly to the department. Such confidential records may be used for statistical and health purposes by the department or by a local director of health, as authorized by the department, for records related to the town served by the local director of health and where the mother was a resident at the time of the birth of the child. Such birth certificate and confidential records may be used internally by the hospital for records transmitted by the hospital for statistical, health and quality assurance purposes. The department shall give due consideration to national uniformity in vital statistics in prescribing the format and content of such certificate." Conn. Gen. Stat. § [7-48\(a\)](#) (2021).

-C-

CCSES—"means the Connecticut Child Support Enforcement System, the automated system used by BCSE and its cooperating agencies to collect and distribute child support and maintain related records." Conn. Regs. § [17b-179\(a\)-1\(5\)](#). [Note: [Public Act No. 16-13](#) renamed the Bureau of Child Support Enforcement (BCSE) to the Office of Child Support Services (OCSS)].

CHILD—"means any person under eighteen years of age who has not been legally emancipated, except that (A) for purposes of delinquency matters and proceedings, "child" means any person who (i) is at least ten years of age at the time of the alleged commission of a delinquent act and who is (I) under eighteen years of age and has not been legally emancipated, or (II) eighteen years of age or older and committed a delinquent act prior to attaining eighteen years of age, or (ii) is subsequent to attaining eighteen years of age, (I) violates any order of the Superior Court or any condition of probation ordered by the Superior Court with respect to a delinquency proceeding, or (II) wilfully fails to appear in response to a summons under section 46b-133 or at any other court hearing in a delinquency proceeding of which the child had notice, and (B) for purposes of family with service needs matters and proceedings, child means a person who is at least seven years of age and is under eighteen years of age." Conn. Gen. Stat. § [46b-120\(1\)](#) (2021). (Amended by [P.A. 21-174](#), effective July 1, 2021)

CHILD—"means a person of any age whose parentage may be determined under sections 1 to 86, inclusive, of this act." (Created by [P.A. 21-15](#), § 2(6), effective January 1, 2022)

CHILD ABUSE AND NEGLECT REGISTRY. Conn. Regs. §§ [17a-101k-1 thru 17a-101k-16](#).

CHILD ARREST— Arrest of child. Notice of arrest. Release or detention of arrested child. Alcohol or drug testing or treatment as condition of release. Admission of child to juvenile detention center. Entry of take into custody order or other process into central computer system. Duration of order to detain. Conn. Gen. Stat. § [46b-133](#) (2021).

CHILD CARE FACILITY—“means a congregate residential setting for the out-of-home placement of children or youths under eighteen years of age, licensed by the Department of Children and Families.” Conn. Gen. Stat. § [45a-707](#)(2) (2021).

CHILD CUSTODY DETERMINATION—“means a judgment, decree, or other order of a court providing for the legal custody, physical custody or visitation with respect to a child. The term includes a permanent, temporary, initial and modification order. The term does not include an order relating to child support or other monetary obligation of an individual.” Conn. Gen. Stat. § [46b-115a](#)(3) (2021).

Compare with: **FOREIGN MATRIMONIAL JUDGMENTS.**

CHILD-PLACING AGENCY—“means any agency within or without the state of Connecticut licensed or approved by the Commissioner of Children and Families in accordance with sections [17a-149](#) and [17a-151](#), and in accordance with such standards which shall be established by regulations of the Department of Children and Families.” Conn. Gen. Stat. § [17a-93](#)(7) (2021).

CHILD SUPPORT AND ARREARAGE GUIDELINES—“means the rules, schedule and worksheet established under this section and sections [46b-215a-2c](#), [46b-215a-3a](#), [46b-215a-4b](#) and [46b-215a-5c](#), and [46b-215a-6](#) of the Regulations of Connecticut State Agencies for the determination of an appropriate child support award, to be used when initially establishing or modifying both temporary and permanent orders.” Conn. Regs. § [46b-215a-1](#)(5).

COHABITATION—“is a dwelling together of man and woman in the same place in the manner of husband and wife.” [Wolk v. Wolk](#), 191 Conn. 328, 332, 464 A.2d 780 (1983).

CONTEMPT— “is a disobedience to the rules and orders of a court which has power to punish for such an offense...A civil contempt is one in which the conduct constituting the contempt is directed against some civil right of an opposing party and the proceeding is initiated by him.” [State v. Jackson](#), 147 Conn. 167, 168-169, 158 A.2d 166 (1960).

COMMITMENT OF CHILD OR YOUTH—“Upon finding and adjudging that any child or youth is uncared for, neglected or abused the court may (A) commit such child or youth to the Commissioner of Children and Families, and such commitment shall remain in effect until further order of the court, except that such commitment may be revoked or parental rights terminated at any time by the court; (B) vest such child's or youth's legal guardianship in any private or public agency that is permitted by law to care for neglected, uncared for or abused children or youths or with any other person or persons found to be suitable and worthy of such responsibility by the court, including, but not limited to, any relative of such child or youth by blood or marriage; (C) vest such child's or youth's permanent legal guardianship in any person or persons found to be suitable and worthy of such responsibility by the court, including, but not limited to, any relative of such child or youth by blood or marriage in accordance with the requirements set forth in subdivision (5) of this subsection; or (D) place the child or youth in the custody of the parent or guardian with protective supervision by the Commissioner of Children and Families subject to conditions established by the court.” Conn. Gen. Stat. § [46b-129](#)(j)(2) (2021).

CONFIDENTIALITY OF AND ACCESS TO RECORDS—

- o Adoption records. Conn. Gen. Stat. §§ [45a-743 to 45a-757](#) (2021).
- o Child abuse and neglect. Conn. Gen. Stat. § [17a-28](#) (2021).

COURTSHIP GIFTS—“A minority of jurisdictions has adopted a ‘no-fault’ approach, i.e., the modern trend, holding that once an engagement is broken, the engagement ring should be returned to the donor, regardless of fault.” *Thorndike v. Demirs*, Superior Court, Judicial District of Waterbury at Waterbury, No. CV05-5000243-S (July 26, 2007) (44 Conn. L. Rptr. 30, 37) (2007 WL 2363411).

CUSTODIAL PARENT—“means the parent who provides the child’s primary residence.” Conn. Regs. § [46b-215a-1](#)(8).

CUSTODIAL PARTY—“means the individual who has physical custody of a child, or, in foster care cases, the Commissioner of the Department of Children and Families.” Conn. Regs. § [17b-179\(a\)-1](#)(8).

-D-

DCF—[Department of Children and Families](#).

DELINQUENT—“(A) A child may be adjudicated as “delinquent” who has, while under sixteen years of age, (i) violated any federal or state law, except section [53a-172](#), [53a-173](#), [53a-222](#), [53a-222a](#), [53a-223](#) or [53a-223a](#), or violated a municipal or local ordinance, except an ordinance regulating behavior of a child in a family with service needs, (ii) wilfully failed to appear in response to a summons under section [46b-133](#), as amended by this act, or at any other court hearing in a delinquency proceeding of which the child had notice, (iii) violated any order of the Superior Court in a delinquency proceeding, except as provided in section [46b-148](#), as amended by this act, or (iv) violated conditions of probation supervision or probation supervision with residential placement in a delinquency proceeding as ordered by the court;

(B) A child may be adjudicated as “delinquent” who has (i) while sixteen or seventeen years of age, violated any federal or state law, other than (I) an infraction, except an infraction under subsection (d) of section [21a-267](#), (II) a violation, except a violation under subsection (a) of section [21a-279a](#), (III) a motor vehicle offense or violation under title 14, (IV) a violation of a municipal or local ordinance, or (V) a violation of section [51-164r](#), [53a-172](#), [53a-173](#), [53a-222](#), [53a-222a](#), [53a-223](#) or [53a-223a](#), (ii) while sixteen years of age or older, wilfully failed to appear in response to a summons under section [46b-133](#), as amended by this act, or at any other court hearing in a delinquency proceeding of which the child had notice, (iii) while sixteen years of age or older, violated any order of the Superior Court in a delinquency proceeding, except as provided in section [46b-148](#), as amended by this act, or (iv) while sixteen years of age or older, violated conditions of probation supervision or probation supervision with residential placement in a delinquency proceeding as ordered by the court.” Conn. Gen. Stat. § [46b-120](#)(2) (2021). (Amended by [P.A. 21-104](#), effective January 1, 2022)

DELINQUENT ACT—“means (A) the violation by a child under the age of sixteen of any federal or state law, except the violation of section [53a-172](#), [53a-173](#), [53a-222](#), [53a-222a](#), [53a-223](#) or [53a-223a](#), or the violation of a municipal or local ordinance, except an ordinance regulating behavior of a child in a family with service needs, (B) the violation by a child sixteen or seventeen years of age of any federal or state law, other than (i) an infraction, except an infraction under subsection (d) of section [21a-267](#), (ii) a violation, except a

violation under subsection (a) of section [21a-279a](#), (iii) a motor vehicle offense or violation under title 14, (iv) the violation of a municipal or local ordinance, or (v) the violation of section [51-164r](#), [53a-172](#), [53a-173](#), [53a-222](#), [53a-222a](#), [53a-223](#) or [53a-223a](#), (C) the wilful failure of a child, including a child who has attained the age of eighteen, to appear in response to a summons under section [46b-133](#), as amended by this act, or at any other court hearing in a delinquency proceeding of which the child has notice, (D) the violation of any order of the Superior Court in a delinquency proceeding by a child, including a child who has attained the age of eighteen, except as provided in section [46b-148](#), as amended by this act, or (E) the violation of conditions of probation supervision or probation supervision with residential placement in a delinquency proceeding by a child, including a child who has attained the age of eighteen, as ordered by the court." Conn. Gen. Stat. § [46b-120](#)(7) (2021). (Amended by [P.A. 21-104](#), effective January 1, 2022)

DEPENDENT—"means a spouse or child for whom a person is legally responsible under state law." Conn. Regs. § [46b-215a-1](#)(9).

DETERMINATION OF PARENTAGE—"means establishment of a parent-child relationship by a court adjudication or signing of a valid acknowledgment of parentage under sections 24 to 35, inclusive, of this act." (Created by [P.A. 21-15](#), § 2(8), effective January 1, 2022)

DEVIATION CRITERIA—"means those facts or circumstances specified in section 46b-215a-5c of the Regulations of Connecticut State Agencies, which may justify an order different from the presumptive support amounts." Conn. Regs. § [46b-215a-1](#)(10).

DISCRETION EXERCISED BY THE TRIAL COURT—"While a trial court must consider a number of factors in awarding alimony and distributing the assets of the parties, and may exercise broad discretion in that consideration...it need not recite each factor in its decision, and it is sufficient that the memorandum of decision 'at least reflect a proper consideration and weighing of the factors set forth in the statute.'" [Siracusa v. Siracusa](#), 30 Conn. App. 560, 564, 621 A.2d 309 (1993).

DOMESTIC VIOLENCE—"means (1) A continuous threat of present physical pain or physical injury against a family or household member, as defined in section 46b-38a, as amended by this act; (2) stalking, including but not limited to, stalking as described in section 53a-181d, of such family or household member; (3) a pattern of threatening, including but not limited to, a pattern of threatening as described in section 53a-62, of such family or household member or a third party that intimidates such family or household member; or (4) coercive control of such family or household member, which is a pattern of behavior that in purpose or effect unreasonably interferes with a person's free will and personal liberty. "Coercive control" includes, but is not limited to, unreasonably engaging in any of the following: (A) Isolating the family or household member from friends, relatives or other sources of support; (B) Depriving the family or household member of basic necessities; (C) Controlling, regulating or monitoring the family or household member's movements, communications, daily behavior, finances, economic resources or access to services; (D) Compelling the family or household member by force, threat or intimidation, including, but not limited to, threats based on actual or suspected immigration status, to (i) engage in conduct from which such family or household member has a right to abstain, or (ii) abstain from conduct that such family or household member has a right to pursue; (E) Committing or threatening to commit cruelty to animals that intimidates the family or household member; or (F) Forced sex acts, or threats of a sexual nature, including, but not limited to, threatened acts of sexual conduct, threats based on a person's sexuality or threats to release sexual images." Conn. Gen. Stat. § [46b-1](#)(b) (2021). (Amended by [P.A. 21-78](#), effective from passage)

DRUG-DEPENDENT CHILD—“means a psychoactive substance dependence on drugs as that condition is defined in the most recent edition of the American Psychiatric Association's “Diagnostic and Statistical Manual of Mental Disorders”. No child shall be classified as drug-dependent who is dependent (A) upon a morphine-type substance as an incident to current medical treatment of a demonstrable physical disorder other than drug dependence, or (B) upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic or other stimulant and depressant substances as an incident to current medical treatment of a demonstrable physical or psychological disorder, or both, other than drug dependence.” Conn. Gen. Stat. § [46b-120](#)(12) (2021). (Amended by [P.A. 21-104](#), effective January 1, 2022)

DUTY TO SUPPORT SPOUSE—“An award of alimony is based primarily on a spouse's continuing duty to support... General Statutes § 46b-82 governs the award of alimony and specifically states it may be in addition to a property distribution award pursuant to § 46b-81.” [Martone v. Martone](#), 28 Conn. App. 208, 216, 611 A.2d 896 (1992).

-E-

EMPLOYERS PROHIBITED FROM DISCRIMINATION (against witness in child abuse proceedings) “(a) No employer shall (1) discharge, or in any manner discriminate or retaliate against, any employee who in good faith makes a report pursuant to sections [17a-101a](#) to [17a-101d](#), inclusive, and [17a-103](#), testifies or is about to testify in any proceeding involving child abuse or neglect, or (2) hinder or prevent, or attempt to hinder or prevent, any employee from making a report pursuant to sections [17a-101a](#) to [17a-101d](#), inclusive, and [17a-103](#), or testifying in any proceeding involving child abuse or neglect...” Conn. Gen. Stat. § [17a-101e](#)(a) (2021).

ENFORCEMENT OF CHILD CUSTODY DETERMINATION—“A court of this state shall recognize and enforce, but not modify except in accordance with section [46b-115m](#), a child custody determination of a court of another state if (1) the court of the other state exercised jurisdiction under a provision substantially similar to section [46b-115k](#), [46b-115l](#) or [46b-115m](#), the determination was made under factual circumstances meeting the jurisdictional standards of this chapter and the determination has not been modified in accordance with this chapter, or (2) the child custody determination was registered in this state pursuant to section [46b-115w](#). A child custody determination which satisfies the criteria in subdivision (1) or (2) of this section shall have the same effect and shall be enforced in the same manner as a child custody determination rendered by the Superior Court.” Conn. Gen. Stat. § [46b-115x](#) (2021).

ENGAGEMENT RING, RETURN OF—“A minority of jurisdictions has adopted a ‘no-fault’ approach, i.e., the modern trend, holding that once an engagement is broken, the engagement ring should be returned to the donor, regardless of fault... Pursuant to this approach, fault is irrelevant, if ascertainable at all, because ownership of the engagement ring was conditional and the condition of marriage was never fulfilled” [Thorndike v. Demirs](#), Superior Court, Judicial District of Waterbury at Waterbury, No. CV05-5000243-S (July 26, 2007) (44 Conn. L. Rptr. 30) (2007 WL 2363411). *See Also:* [Return of Engagement Ring and Courtship Gifts](#) (Research Guide).

-F-

FALSE ALLEGATIONS OF CHILD ABUSE—“Any person who is alleged to have knowingly made a false report of child abuse or neglect pursuant to sections [17a-101a](#) to [17a-101d](#), inclusive, and [17a-103](#) shall be referred to the office of the Chief State's Attorney for purposes of a criminal investigation.” Conn. Gen. Stat. § [17a-101e](#)(c) (2021).

FAMILY VIOLENCE CRIME—“means a crime as defined in section [53a-24](#), other than a delinquent act, as defined in section [46b-120](#), which, in addition to its other elements, contains as an element thereof an act of family violence to a family or household member. ‘Family violence crime’ includes any violation of section [53a-222](#), [53a-222a](#), [53a-223](#), [53a-223a](#) or [53a-223b](#) when the condition of release or court order is issued for an act of family violence or a family violence crime. ‘Family violence crime’ does not include acts by parents or guardians disciplining minor children unless such acts constitute abuse.” Conn. Gen. Stat. § [46b-38a](#)(3) (2021). (Amended by [P.A. 21-78](#), effective from passage)

FAMILY WITH SERVICE NEEDS—“means a family that includes a child who is at least seven years of age and is under eighteen years of age who, according to a petition lawfully filed on or before June 30, 2020, (A) has without just cause run away from the parental home or other properly authorized and lawful place of abode, (B) is beyond the control of the child's parent, parents, guardian or other custodian, (C) has engaged in indecent or immoral conduct, or (D) is thirteen years of age or older and has engaged in sexual intercourse with another person and such other person is thirteen years of age or older and not more than two years older or younger than such child.” Conn. Gen. Stat. § [46b-120](#)(3) (2021).

FAULT IN MARITAL BREAKUP—“ In determining whether alimony shall be awarded, and the duration and amount of the award, the court shall consider the evidence presented by each party and shall consider the length of the marriage, the causes for the annulment, dissolution of the marriage or legal separation, the age, health, station, occupation, amount and sources of income, earning capacity, vocational skills, education, employability, estate and needs of each of the parties and the award, if any, which the court may make pursuant to section [46b-81](#), and, in the case of a parent to whom the custody of minor children has been awarded, the desirability and feasibility of such parent's securing employment.” Conn. Gen. Stat. § [46b-82](#) (2021).

FOREIGN MATRIMONIAL JUDGMENT—“means any judgment, decree or order of a court of any state in the United States in an action for divorce, legal separation, annulment or dissolution of marriage, for the custody, care, education, visitation, maintenance or support of children or for alimony, support or the disposition of property of the parties to an existing or terminated marriage, in which both parties have entered an appearance.” Conn. Gen. Stat. § [46b-70](#) (2021). *NOTE: If unmarried, see CHILD CUSTODY DETERMINATION.*

FOSTER FAMILY—“means a person or persons, licensed by the Department of Children and Families or approved by a licensed child-placing agency, for the care of a child or children in a private home.” Conn. Gen. Stat. § [17a-93](#)(13) (2021).

IV-D—“means the child support enforcement program mandated by Title IV-D of the federal Social Security Act and implementing OCSE regulations, as implemented in Connecticut under section [17b-179](#) of the Connecticut General Statutes and related statutes and regulations.” Conn. Regs. § [17b-179\(a\)-1](#)(11).

FPLS—“means the [Federal Parent Locator Service](#) operated by OCSE [the [Federal Office of Child Support Enforcement](#)].” Conn. Regs. § [17b-179\(a\)-1](#)(10).

FRAUDULENT CONVEYANCES—“A party asserting that a conveyance or transfer was fraudulent must prove either: (1) that the conveyance was made without substantial consideration and rendered the transferor unable to meet his obligations or (2) that the conveyance was made with a fraudulent intent in which the grantee participated. . . . The elements of fraudulent conveyance, including . . . fraudulent intent, must be proven by clear, precise and unequivocal evidence.” *Thompson v. Gannalo*, Superior Court, Judicial District of Ansonia-Milford at Milford, No. CV08-5006995 (June 11, 2010) (50 Conn. L. Rptr. 93) (2010 WL 2817519)

-G-

GUARDIANSHIP OF A MINOR—“means guardianship, unless otherwise specified, of the person of a minor and refers to the obligation of care and control, the right to custody and the duty and authority to make major decisions affecting such minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment.” Conn. Gen. Stat. § [17a-93](#)(4) (2021).

-H-

HABITUAL INTEMPERANCE—“In an action for dissolution of a marriage or a legal separation on the ground of habitual intemperance, it shall be sufficient if the cause of action is proved to have existed until the time of the separation of the parties.” Conn. Gen. Stat. § [46b-40](#)(d) (2021).

HEART BALM STATUTE—“The predominant view is that Heart Balm statutes should be applied no further than to bar actions for damages suffered from loss of marriage, humiliation, and other direct consequences of the breach, and should not affect the rights and duties determinable by common law principles.” *Piccininni v. Hajus*, 180 Conn. 369, 372, 429 A.2d 886 (1980). *See Also*: Conn. Gen. Stat. § [52-572b](#) (2021).

HOME VISIT—“All investigations of a report of child abuse or neglect pursuant to this section shall include a home visit at which the child and any siblings are observed, if appropriate, a determination of the nature, extent and cause or causes of the reported abuse or neglect, a determination of the person or persons suspected to be responsible for such abuse or neglect, the name, age and condition of other children residing in the same household and an evaluation of the parents and the home. The report of such investigation shall be in writing.” Conn. Gen. Stat. § [17a-101g](#)(b) (2021).

-I-

IMMUNITY FROM LIABILITY(reports of child abuse and neglect)—“Any person, institution or agency which, in good faith, (1) makes a report pursuant to sections 17a-101a to 17a-101d, inclusive, and 17a-103, or (2) provides professional medical intervention or

assistance in any proceeding involving child abuse and neglect, including, but not limited to, (A) causing a photograph, x-ray or a physical custody examination to be made, (B) causing a child to be taken into emergency protective custody, (C) disclosing a medical record or other information pertinent to the proceeding, or (D) performing a medically relevant test, shall be immune from any liability, civil or criminal, which might otherwise arise from or be related to the actions taken pursuant to this subsection and shall have the same immunity with respect to any judicial proceeding which results from such report or actions, provided such person did not perpetrate or cause such abuse or neglect. The immunity from civil or criminal liability extends only to actions done pursuant to this subsection and does not extend to the malpractice of a medical professional that results in personal injury or death.” Conn. Gen. Stat. § [17a-101e](#)(b) (2021).

INABILITY TO PAY— “The inability of an obligor to pay court-ordered alimony, without fault on his part, is a good defense to a contempt motion. The burden of proving an inability to pay rests with the obligor. Whether the obligor has established his inability to pay by credible evidence is a question of fact. The obligor must establish that he cannot comply, or was unable to do so. It is then within the sound discretion of the court to deny a claim of contempt when there is an adequate factual basis to explain the failure to pay.” [Bauer v. Bauer](#), 173 Conn. App. 595, 600, 164 A.3d 796 (2017).

INDIAN CHILD PROTECTION AND FAMILY VIOLENCE PREVENTION ACT— Congress’ findings regarding child abuse on Indian reservations. [25 U.S.C. §§3201](#) et seq.

IN PERSONAM JURISDICTION—“The fact that the court has jurisdiction to dissolve the marriage, however, does not mean that it has jurisdiction to entertain or make orders for alimony, child support, custody, or property. The court cannot exercise personal jurisdiction over a non-resident party concerning temporary or permanent alimony and child support unless that party has received actual notice of the complaint and the party requesting alimony meets the residency requirements of 46b-44 of the General Statutes... The defendant may choose to litigate the issues concerning support, alimony, and property in Connecticut, and if she does so the court will have in personam jurisdiction over her.” [Keefe v. Keefe](#), Superior Court, Judicial District of Hartford-New Britain at Hartford, No. FA00-0723938-S (May 31, 2000) (2000 WL 765508).

INTENDED PARENT—“means a person, married or unmarried, who manifests an intent to be legally bound as a parent of a child conceived by assisted reproduction.” (Created by [P.A. 21-15](#), § 2(13), effective January 1, 2022)

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS—“The court will end its general discussion by reviewing the four matters that must be shown to establish the tort. An Appellate Court case adopting the formulation set forth in *Petyan v. Ellis*, supra, states that to establish this tort four **factors must be established**: `(1) that the actor intended to inflict emotional distress or that he knew or should have known that emotional distress was the likely result of his conduct (2) that the conduct was extreme and outrageous (3) that the defendant's conduct was the cause of the plaintiff's distress and (4) that the emotional distress sustained by the plaintiff was severe...” [Deutsche Bank v. Lichtenfels](#), Superior Court, Judicial District of New Haven, Nos. CV04-4003402-S, CV06-5007438-S (June 17, 2009) (48 Conn. L. Rptr. 133) (2009 WL 2230937).

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN—Conn. Gen. Stat. § [17a-175](#) (2021).

-J-

JOINT DUTY OF SUPPORT—“. . . it shall be the joint duty of each spouse to support his or her family, and both shall be liable for: (1) The reasonable and necessary services of a physician or dentist; (2) hospital expenses rendered the husband or wife or minor child while residing in the family of his or her parents; (3) the rental of any dwelling unit actually occupied by the husband and wife as a residence and reasonably necessary to them for that purpose; and (4) any article purchased by either which has in fact gone to the support of the family, or for the joint benefit of both.” Conn. Gen. Stat. § [46b-37](#)(b) (2021).

-L-

LACHES—“A conclusion that a plaintiff has been guilty of laches is one of fact for the trier and not one that can be made by this court, unless the subordinate facts found make such a conclusion inevitable as a matter of law. . . Laches consists of two elements. First, there must have been a delay that was inexcusable, and, second, that delay must have prejudiced the defendant. . .” [Kurzatkowski v. Kurzatkowski](#), 142 Conn. 680, 684-685, 116 A.2d 906 (1955).

LONG ARM STATUTE (giving Connecticut courts jurisdiction over nonresident party)—“The court may exercise personal jurisdiction over the nonresident party as to all matters concerning temporary or permanent alimony or support of children, only if: (1) The nonresident party has received actual notice under subsection (a) of this section; and (2) the party requesting alimony meets the residency requirement of section 46b-44.” Conn. Gen. Stat. § [46b-46](#)(b) (2021).

-M-

MANDATED REPORTERS (child abuse and neglect)—“(1) Any physician or surgeon licensed under the provisions of chapter 370, (2) any resident physician or intern in any hospital in this state, whether or not so licensed, (3) any registered nurse, (4) any licensed practical nurse, (5) any medical examiner, (6) any dentist, (7) any dental hygienist, (8) any psychologist, (9) any school employee, as defined in section 53a-65, (10) any social worker, (11) any person who holds or is issued a coaching permit by the State Board of Education, is a coach of intramural or interscholastic athletics and is eighteen years of age or older, (12) any individual who is employed as a coach or director of youth athletics and is eighteen years of age or older, (13) any individual who is employed as a coach or director of a private youth sports organization, league or team and is eighteen years of age or older, (14) any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer employed by a public or private institution of higher education who is eighteen years of age or older, excluding student employees, (15) any police officer, (16) any juvenile or adult probation officer, (17) any juvenile or adult parole officer, (18) any member of the clergy, (19) any pharmacist, (20) any physical therapist, (21) any optometrist, (22) any chiropractor, (23) any podiatrist, (24) any mental health professional, (25) any physician assistant, (26) any person who is a licensed or certified emergency medical services provider, (27) any person who is a licensed or certified alcohol and drug counselor, (28) any

person who is a licensed marital and family therapist, (29) any person who is a sexual assault counselor or a domestic violence counselor, as defined in section 52-146k, (30) any person who is a licensed professional counselor, (31) any person who is a licensed foster parent, (32) any person paid to care for a child in any public or private facility, child care center, group child care home or family child care home licensed by the state, (33) any employee of the Department of Children and Families, (34) any employee of the Department of Public Health, (35) any employee of the Office of Early Childhood who is responsible for the licensing of child care centers, group child care homes, family child care homes or youth camps, (36) any paid youth camp director or assistant director, (37) the Child Advocate and any employee of the Office of the Child Advocate, (38) any person who is a licensed behavior analyst, (39) any family relations counselor, family relations counselor trainee or family services supervisor employed by the Judicial Department, and (40) any person employed, including any person employed under contract and any independent ombudsperson, to work at a juvenile detention facility or any other facility where children under eighteen years of age are detained and who has direct contact with children as part of such employment." Conn. Gen. Stat. § [17a-101\(b\)](#) (2021).

MARRIAGE—"means the legal union of two persons." Conn. Gen. Stat. § [46b-20\(4\)](#) (2021).

MARRIAGE, DISSOLVED—"A marriage is dissolved only by (1) the death of one of the parties or (2) a decree of annulment or dissolution of the marriage by a court of competent jurisdiction." Conn. Gen. Stat. § [46b-40\(a\)](#) (2021).

MODIFICATION OF SUPPORT ORDER—"Unless and to the extent that the decree precludes modification, any final order for the periodic payment of permanent alimony or support, an order for alimony or support pendente lite or an order requiring either party to maintain life insurance for the other party or a minor child of the parties may, at any time thereafter, be continued, set aside, altered or modified by the court upon a showing of a substantial change in the circumstances of either party or upon a showing that the final order for child support substantially deviates from the child support guidelines established pursuant to section [46b-215a](#), unless there was a specific finding on the record that the application of the guidelines would be inequitable or inappropriate..." Conn. Gen. Stat. § [46b-86\(a\)](#) (2021).

-N-

NEGLECTED—"A child may be found 'neglected' who, for reasons other than being impoverished, (A) has been abandoned, (B) is being denied proper care and attention, physically, educationally, emotionally or morally, or (C) is being permitted to live under conditions, circumstances or associations injurious to the well-being of the child." Conn. Gen. Stat. § [46b-120\(4\)](#) (2021).

NON-ASSISTANCE CASE—"means one in which the recipient of IV-D services applied for such services, is a Medicaid recipient, or is receiving continuation of services following discontinuance of an assistance or Medicaid case." Conn. Regs. § [17b-179\(a\)-1\(14\)](#).

NONCUSTODIAL PARENT—"means a parent who does not provide the child's primary residence." Conn. Regs. § [46b-215a-1\(19\)](#).

NOTICE OF ORDERS—"In all dissolution of marriage or civil union, legal separation, annulment, custody or visitation actions, such notice as the judicial authority shall direct shall be given to nonappearing parties of any orders for support or alimony. No such order

shall be effective until the order of notice shall have been complied with or the nonappearing party has actually received notice of such orders.” Conn. Practice Book § [25-29](#) (2021).

-O-

OCSE—“means the federal [Office of Child Support Enforcement](#) within the [United States Department of Health and Human Services](#), Administration for Children and Families.” Conn. Regs. § [17b-179\(a\)-1](#)(16).

OFFICE OF CHILD SUPPORT SERVICES (OCSS)—“There is created within the Department of Social Services the [Office of Child Support Services](#). The office shall be administered by a director and shall act as the single and separate organizational unit to coordinate, plan and publish the state child support enforcement plan for the implementation of Title IV-D of the Social Security Act, as amended, as required by federal law and regulations. The office shall provide for the development and implementation of all child support services, including the administration of withholding of earnings, in accordance with the provisions of Title IV-D of the Social Security Act, as amended.” **Conn. Gen. Stat. § [17b-179](#)** (2021).

OPEN ADOPTION—“ The plaintiff does not seek to ‘open,’ to set aside or to diminish in any way the adoptive process that has substituted the defendants as the legal parents of the child. The plaintiff’s rights are not premised on an ongoing genetic relationship that somehow survives a termination of parental rights and an adoption. Instead, the plaintiff is asking us to decide whether, as an adult who has had an ongoing personal relationship with the child, she may contract with the adopting parents, prior to adoption, for the continued right to visit with the child, so long as that visitation continues to be in the best interest of the child.” [Michaud v. Wawruck](#), 209 Conn. 407, 412-413, 551 A.2d 738 (1988).

-P-

PARENT—“means a person who has established a parent-child relationship under section 19 of this act.” (Created by [P.A. 21-15](#), § 2(14), effective January 1, 2022)

PARENTAGE—“means the legal relationship between a child and a parent of the child.” (Created by [P.A. 21-15](#), § 2(15), effective January 1, 2022)

PARENT-CHILD RELATIONSHIP—see Parentage.

PARENT-LIKE RELATIONSHIP—“The court, on March 1, 2016, issued an order granting the appellant’s motion to intervene, finding that he had ‘satisfied the requirements of § 46b-59 (b) by clear and convincing evidence that a parent-like relationship exists and denial of visitation would cause harm to the child.’” [Firstenberg v. Madigan](#), 188 Conn. App. 724, 729, 205 A.3d 716 (2019).

“Section 46b-59 (c) enumerates nine nonexclusive factors that the court may consider in determining whether a petitioner has a parent-like relationship with a minor child.” (p. 731)

PERSONAL JURISDICTION—“In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of this state may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if (1) the individual is personally served with process within this state; (2) the individual submits to the jurisdiction of this state by consent in a record, by entering a general appearance or by filing a responsive document having the effect of waiving any contest to personal jurisdiction; (3) the individual resided with the child in this state; (4) the individual resided in this state and provided prenatal expenses or support for the child; (5) the child resides in this state as a result of the acts or directives of the individual; (6) the individual engaged in sexual intercourse in this state and the child may have been conceived by that act of intercourse; or (7) there is any other basis consistent with the constitutions of this state and the United States for the exercise of personal jurisdiction.” Conn. Gen. Stat. § [46b-311](#)(a) (2021).

PRENATAL INJURIES— “Connecticut recognizes that '[a]n infant who has sustained injuries prior to birth, whether the infant is viable or not at that time, has a cause of action in negligence against the alleged wrongdoer.” *Vasquez v. Roy*, Superior Court, Judicial District of New Britain at New Britain, No. CV14-6024908-S (June 18, 2018) (66 Conn. L. Rptr. 602, 604) (2018 WL 3403410)

PRENUPTIAL AGREEMENT (or antenuptial agreement or premarital agreement)—“means an agreement between prospective spouses made in contemplation of marriage.” Conn. Gen. Stat. § [46b-36b](#)(1) (2021).

PRESUMED PARENT—“means a person who under section 36 of this act is presumed to be a parent of a child, unless the presumption is overcome in a judicial proceeding.” (Created by [P.A. 21-15](#), § 2(17), effective January 1, 2022)

PROSPECTIVE ADOPTIVE FAMILY—“means a person or persons, licensed by the Department of Children and Families or approved by a licensed child-placing agency, who is awaiting the placement of, or who has a child or children placed in their home for the purposes of adoption.” Conn. Gen. Stat. § [17a-93](#)(14) (2021).

PROTECTIVE SUPERVISION—“means a status created by court order following adjudication of neglect whereby a child's place of abode is not changed but assistance directed at correcting the neglect is provided at the request of the court through the Department of Children and Families or such other social agency as the court may specify.” Conn. Gen. Stat. § [17a-93](#)(9) (2021).

-R-

RECEIVING HOME—“means a facility operated by the Department of Children and Families to receive and temporarily care for children in the guardianship or care of the commissioner.” Conn. Gen. Stat. § [17a-93](#)(10) (2021).

RECORDS—“means information created or obtained in connection with the department's child protection activities or other activities related to a child while in the care or custody of the department, including information in the registry of reports to be maintained by the commissioner pursuant to section [17a-101k](#).” Conn. Gen. Stat. § [17a-28](#)(5) (2021).

REGISTRATION OF CHILD CUSTODY DETERMINATION—“A child custody determination issued by a court of another state may be registered in this state, with or without a

simultaneous request for enforcement, by sending to the Superior Court in this state: (1) A letter or other document requesting registration; (2) two copies, including one certified copy, of the determination sought to be registered, and a statement under penalty of perjury that to the best of the knowledge and belief of the petitioner the order has not been modified; and (3) except as otherwise provided in section [46b-115s](#), the name and address of the petitioner and any parent or person acting as parent who has been awarded custody or visitation in the child custody determination sought to be registered." Conn. Gen. Stat. § [46b-115w](#)(a) (2021).

REGISTRY OF SUPPORT ORDERS—"Except as otherwise provided in section [46b-403](#), a support order or income-withholding order of another state or a foreign support order may be registered in this state by sending the following records to the Family Support Magistrate Division of the Superior Court in this state: (1) A letter of transmittal to the tribunal requesting registration and enforcement; (2) two copies, including one certified copy, of the order to be registered, including any modification of the order; (3) a sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage; (4) the name of the obligor and, if known (A) the obligor's address and Social Security number; (B) the name and address of the obligor's employer and any other source of income of the obligor; and (C) a description and the location of property of the obligor in this state not exempt from execution; and (5) except as otherwise provided in section [46b-338](#), the name and address of the obligee and, if applicable, the person to whom support payments are to be remitted." Conn. Gen. Stat. § [46b-371](#)(a) (2021).

REHABILITATIVE ALIMONY—"In particular, rehabilitative alimony, or time limited alimony, is alimony that is awarded primarily for the purpose of allowing the spouse who receives it to obtain further education, training, or other skills necessary to attain self-sufficiency. . . . Rehabilitative alimony is not limited to that purpose, however, and there may be other valid reasons for awarding it." [Utz v. Utz](#), 112 Conn. App. 631, 638-639, 963 A.2d 1049 (2009).

RELATIVE—"means any person descended from a common ancestor, whether by blood or adoption, not more than three generations removed from the child." Conn. Gen. Stat. § [45a-743](#)(7) (2021).

REMOVAL OF CHILD (IMMEDIATE)—" If the Commissioner of Children and Families, or the commissioner's designee, has probable cause to believe that the child or any other child in the household is in imminent risk of physical harm from the child's surroundings and that immediate removal from such surroundings is necessary to ensure the child's safety, the commissioner, or the commissioner's designee, shall authorize any employee of the department or any law enforcement officer to remove the child and any other child similarly situated from such surroundings without the consent of the child's parent or guardian. The commissioner shall record in writing the reasons for such removal and include such record with the report of the investigation conducted under subsection [\(b\)](#) of this section." Conn. Gen. Stat. § [17a-101g](#)(e) (2021).

REPORTS OF CHILD ABUSE OR NEGLECT—"Definitions. Confidentiality and access to records; exceptions. Procedure for aggrieved persons." Conn. Gen. Stat. § [17a-28](#) (2021).

REPPRESSED MEMORY SYNDROME— "We, accordingly, must reject the defendant's argument that, because the plaintiff allegedly did not repress her memories of the sexual assault, § 52-577d is unconstitutional as applied to him." [Tara S. v. Charles J.](#), 178 Conn. App. 547, 556, 176 A.3d 602 (2017).

RESIDENCY REQUIREMENT—“(a) A complaint for dissolution of a marriage or for legal separation may be filed at any time after either party has established residence in this state.

(c) A decree dissolving a marriage or granting a legal separation may be entered if: (1) One of the parties to the marriage has been a resident of this state for at least the twelve months next preceding the date of the filing of the complaint or next preceding the date of the decree; or (2) one of the parties was domiciled in this state at the time of the marriage and returned to this state with the intention of permanently remaining before the filing of the complaint; or (3) the cause for the dissolution of the marriage arose after either party moved into this state.” Conn. Gen. Stat. § [46b-44](#) (2021).

RIGHT TO ALIMONY—“Our alimony statutes does not recognize any absolute right to alimony.” [Thomas v. Thomas](#), 159 Conn. 477, 486, 271 A.2d 62 (1970).

-S-

SES—[Support Enforcement Services](#).

SEPARATION DEFENSE—“No action may be maintained against either spouse under the provisions of this section, either during or after any period of separation from the other spouse, for any liability incurred by the other spouse during the separation, if, during the separation the spouse who is liable for support of the other spouse has provided the other spouse with reasonable support.” Conn. Gen. Stat. § [46b-37](#)(d) (2021).

SERIOUS JUVENILE OFFENSE—“means (A) the violation of, including attempt or conspiracy to violate, section [21a-277](#), [21a-278](#), [29-33](#), [29-34](#), [29-35](#), subdivision (2) or (3) of subsection (a) of section [53-21](#), [53-80a](#), [53-202b](#), [53-202c](#), [53-390](#) to [53-392](#), inclusive, [53a-54a](#) to [53a-57](#), inclusive, [53a-59](#) to [53a-60c](#), inclusive, [53a-64aa](#), [53a-64bb](#), [53a-70](#) to [53a-71](#), inclusive, [53a-72b](#), [53a-86](#), [53a-92](#) to [53a-94a](#), inclusive, [53a-95](#), [53a-100aa](#), [53a-101](#), [53a-102a](#), [53a-103a](#) or [53a-111](#) to [53a-113](#), inclusive, subdivision (1) of subsection (a) of section [53a-122](#), subdivision (3) of subsection (a) of section [53a-123](#), section [53a-134](#), [53a-135](#), [53a-136a](#) or [53a-167c](#), subsection (a) of section [53a-174](#), or section [53a-196a](#), [53a-211](#), [53a-212](#), [53a-216](#) or [53a-217b](#), or (B) absconding, escaping or running away, without just cause, from any secure residential facility in which the child has been placed by the court as a delinquent child.” Conn. Gen. Stat. § [46b-120](#)(8) (2021).

SERIOUS JUVENILE OFFENDER—“means any child adjudicated as delinquent for the commission of a serious juvenile offense.” Conn. Gen. Stat. § [46b-120](#)(9) (2021).

SERIOUS JUVENILE REPEAT OFFENDER—“means any child charged with the commission of any felony if such child has previously been adjudicated as delinquent or otherwise adjudicated at any age for two violations of any provision of title [21a](#), [29](#), [53](#) or [53a](#) that is designated as a felony.” Conn. Gen. Stat. § [46b-120](#)(10) (2021).

SHARED PHYSICAL CUSTODY—“means a situation in which the physical residence of the child is shared by the parents in a manner that ensures the child has substantially equal time and contact with both parents. An exactly equal sharing of physical care and control of the child is not required for a finding of shared physical custody.” Conn. Regs. § [46b-215a-1](#)(23).

SPECIAL NEEDS CHILD (adoption)—“. . . is a child who is a ward of the Commissioner of Children and Families or is to be placed by a licensed child-placing agency and is difficult to place in adoption because of one or more conditions including, but not limited to, physical or

mental disability, serious emotional maladjustment, a recognized high risk of physical or mental disability, age or racial or ethnic factors which present a barrier to adoption or is a member of a sibling group which should be placed together, or because the child has established significant emotional ties with prospective adoptive parents while in their care as a foster child and has been certified as a special needs child by the Commissioner of Children and Families.” Conn. Gen. Stat. § [17a-116](#) (2021).

SPLIT CUSTODY—“means a situation in which there is more than one child in common and each parent is the custodial parent of at least one of the children.” Conn. Regs. § [46b-215a-1](#)(24).

STANDARD OF HARM—“The harm alleged in a visitation petition results from the child's lack of access to the petitioner rather than from the parent-child relationship, which is deemed to be beneficial... In contrast, the harm alleged in a third party custody petition arises from the fundamental nature of the parent-child relationship, which may be emotionally, psychologically or physically damaging to the child.” [Fish v. Fish](#), 285 Conn. 24, 47, 939 A.2d 1040 (2008).

STATUTORY PARENT (adoption)—“means the Commissioner of Children and Families or that child-placing agency appointed by the court for the purpose of giving a minor child or minor children in adoption.” Conn. Gen. Stat. § [17a-93](#)(6) (2021). *See Also*: §§ [45a-707](#)(7), [45a-717](#), [45a-718](#).

SUBSTANTIAL CHANGE IN CIRCUMSTANCES—“In the case of a substantial change in circumstances, subsection (a) ‘authorizes a court to modify the terms of a dissolution agreement’ In *Crowley*, we explained the specific method by which a trial court should proceed with a motion brought pursuant to § 46b-86 (a). ‘When presented with a motion for modification, a court must first determine whether there has been a substantial change in the financial circumstances of one or both of the parties. . . . Second, if the court finds a substantial change in circumstances, it may properly consider the motion and, on the basis of the § 46b-82 criteria, make an order for modification. . . .’” [Gervais v. Gervais](#), 91 Conn. App. 840, 850-851, 882 A.2d 731 (2005).

SUPPORT ORDER—“means a judgment, decree, order, decision or directive, whether temporary, final or subject to modification, issued in a state or foreign country for the benefit of a child, a spouse or a former spouse, which provides for monetary support, health care, arrearages, retroactive support or reimbursement for financial assistance provided to an individual obligee in place of child support. The term may include related costs and fees, interest, income withholding, automatic adjustment, reasonable attorney's fees and other relief.” Conn. Gen. Stat. § [46b-302](#)(28) (2021).

-T-

TEMPORARY ALIMONY—*see* ALIMONY PENDENTE LITE.

TERMINATION OF PARENTAL RIGHTS—“means the complete severance by court order of the legal relationship, with all its rights and responsibilities, between the child and the child's parent or parents so that the child is free for adoption except it shall not affect the right of inheritance of such child or the religious affiliation of such child.” Conn. Gen. Stat. § [17a-93](#)(5) (2021).

THIRD PARTY—“refers to any private individual other than a parent of the child, as distinguished from the state.” [Fish v. Fish](#), 285 Conn. 24, 134, 939 A.2d 1040 (2008).

THIRD PARTY CUSTODY ACTIONS—“Three statutes govern third party custody determinations. General Statutes § 46b-56(a) provides that, in making or modifying an order of custody, the court may award custody to ‘either parent or to a third party....’ Additionally, General Statutes § 46b-57 provides that the trial court ‘may allow any interested third party or parties to intervene upon motion’ in any existing custody proceeding and ‘may award full or partial custody ... of such child to any such third party....’ Finally, General Statutes § 46b-56b provides that, in disputes regarding ‘the custody of a minor child involving a parent and a nonparent,’ there shall be a rebuttable presumption that it is in the best interest of the child for the parent to retain custody unless such custody is shown to be ‘detrimental’ to the child.” [Fish v. Fish](#), 285 Conn. 24, 42, 939 A.2d 1040 (2008).

TIME LIMITED ALIMONY—see REHABILITATIVE ALIMONY.

TREATMENT PROGRAMS FOR PREGNANT WOMEN WITH SUBSTANCE USE DISORDERS AND THEIR CHILDREN—“It shall be the policy of the Department of Mental Health and Addiction Services to develop and implement treatment programs for pregnant women of any age with substance use disorders and their children. The department shall seek private and public funds for such programs. Each program shall, to the extent possible and within available appropriations, offer comprehensive services, including (1) education and prevention programs in high schools and family planning clinics; (2) outreach services to identify pregnant women with substance use disorders early and enroll them in prenatal care and substance abuse treatment programs; (3) case management services; (4) hospital care with substance abuse treatment available in coordination with obstetric services; (5) pediatric care, including therapeutic care for neurologically, behaviorally or developmentally impaired infants; (6) child care for other siblings; (7) classes on parenting skills; (8) home visitation for those who need additional support or who are reluctant to enter a treatment program; (9) access to WIC and other entitlement programs; (10) vocational training for mothers seeking entry to the job market; and (11) a housing component. To the extent possible all services shall be coordinated to be delivered from a centralized location, utilizing medical vans where available and providing transportation assistance when needed.” Conn. Gen. Stat. § [17a-710](#)(a) (2021).

-U-

UNCARED FOR—“A child may be found “uncared for” (A) who is homeless, (B) whose home cannot provide the specialized care that the physical, emotional or mental condition of the child requires, or (C) who has been identified as a victim of trafficking, as defined in section [46a-170](#). For the purposes of this section, the treatment of any child by an accredited Christian Science practitioner, in lieu of treatment by a licensed practitioner of the healing arts, shall not of itself constitute neglect or maltreatment.” Conn. Gen. Stat. § [46b-120](#)(6) (2021).

UNIFORM INTERSTATE FAMILY SUPPORT ACT (UIFSA)—Conn. Gen. Stat. §§ [46b-301](#) - [46b-425](#) (2021).

-W-

WILFUL DESERTION FOR ONE YEAR—“ In an action for dissolution of a marriage or a legal separation on the ground of wilful desertion for one year, with total neglect of duty, the furnishing of financial support shall not disprove total neglect of duty, in the absence of other evidence.” Conn. Gen. Stat. § [46b-40](#)(e) (2021).

WRONGFUL ADOPTION—“ . . . fraudulent concealment by intermediaries (adoption agencies or lawyers and doctors who effect private adoptions) of material facts about a child or her biological family — usually a hereditary physical or mental condition — which, if disclosed to the prospective adoptive parents, would have resulted in the adoption not taking place.” [Juman v. Louise Wise Services](#), 608 N.Y.S.2d 612, 614-615 (1994).

*Prepared by Connecticut Judicial Branch, Superior Court Operations,
Judge Support Services, Law Library Services Unit*

lawlibrarians@jud.ct.gov

These guides are provided with the understanding that they represent only a beginning to research. It is the responsibility of the person doing legal research to come to his or her own conclusions about the authoritativeness, reliability, validity, and currency of any resource cited in this research guide.

View our other research guides at
<https://jud.ct.gov/lawlib/selfguides.htm>

This guide links to advance release opinions on the Connecticut Judicial Branch website and to **case law hosted on Google Scholar and Harvard’s Case Law Access Project**.
The online versions are for informational purposes only.

[Connecticut Judicial Branch Website Policies and Disclaimers](#)

<https://www.jud.ct.gov/policies.htm>