

SUPREME COURT PENDING CASE

The following appeal is fully briefed and eligible for assignment by the Supreme Court in the near future.

IN RE HENRRY P. B.-P., SC 19907

Juvenile Matters at Hartford

Juveniles; Immigration; Whether Appellate Court Properly Affirmed Judgments Dismissing Appeals from Probate on Ground that Probate Court Lacked Statutory Authority to Provide Relief Once the Child Turned Eighteen. Henry was seventeen years old when he fled persecution in Honduras and was reunited with his mother in Connecticut. Henry and his mother filed petitions in the Probate Court asking that it make findings necessary for Henry to petition the federal government to remain in this country. The Probate Court denied relief on those petitions, and Henry and his mother challenged those decisions with two appeals to the Superior Court. The Superior Court dismissed the appeals, finding that it lacked jurisdiction because Henry had turned eighteen years old before the appeals were filed. Henry and his mother appealed to the Appellate Court, claiming that, under the circumstances here, the Probate Court should have waived certain requirements and should have provided emergency relief before Henry turned eighteen in the form of special immigrant juvenile status findings. The Appellate Court (171 Conn. App. 393) disagreed and affirmed the judgments of dismissal, finding that the plain language of the statutes governing guardianship of minor children and authorizing special immigrant juvenile status findings did not permit the Probate Court to provide Henry and his mother the relief they sought once Henry turned eighteen. The Appellate Court concluded that, as a result, the trial court properly found that Henry and his mother's claims had been rendered moot because the Probate Court could not provide them the relief they requested once Henry had attained the age of majority. Henry and his mother appeal, and the Supreme Court will decide whether the Appellate Court properly affirmed the Superior Court judgments dismissing their appeals from the Probate Court.

The Practice Book Section 70-9 (a) presumption in favor of coverage by cameras and electronic media does not apply to the case above.

The summary appearing here is not intended to represent a comprehensive statement of the facts of the case, nor an exhaustive inventory of issues

raised on appeal. This summary is prepared by the Staff Attorneys' Office for the convenience of the bar. It in no way indicates the Supreme Court's view of the factual or legal aspects of the appeal.

*John DeMeo
Chief Staff Attorney*
