



General Assembly

Amendment

February Session, 2002

LCO No. 4083

HB0574804083HD0

Offered by:

REP. LAWLOR, 99th Dist.

REP. FARR, 19th Dist.

To: Subst. House Bill No. 5748

File No. 453

Cal. No. 304

**"AN ACT CONCERNING THE COURT SUPPORT SERVICES
DIVISION."**

1 Strike line 145 in its entirety and insert the following in lieu thereof:
2 "[office] Court Support Services Division recommends dismissal of the
3 charge."

4 Strike line 524 in its entirety and insert the following in lieu thereof:
5 "among juvenile offenders. To that end, the executive director of the
6 Court Support Services Division shall cooperate"

7 In line 537, strike "Court Support Services" and insert "Judicial
8 Department" in lieu thereof

9 In line 538, strike "Division"

10 In line 879, strike "Court Support Services Division" and insert
11 "Judicial Department" in lieu thereof

12 Strike lines 1093 to 1125, inclusive, in their entirety and insert the

13 following in lieu thereof:

14 "Sec. 37. Section 54-56m of the general statutes is repealed and the
15 following is substituted in lieu thereof (*Effective October 1, 2002*):

16 (a) There shall be established, in the geographical area of the
17 Superior Court for the towns of Berlin, New Britain, Newington,
18 Rocky Hill and Wethersfield, the geographical area of the Superior
19 Court for the towns of Bethlehem, Middlebury, Naugatuck, Prospect,
20 Southbury, Watertown, Wolcott, Woodbury and Waterbury, and such
21 other geographical areas of the Superior Court as the Chief Court
22 Administrator may designate, programs of mediation wherein the
23 court may refer a criminal prosecution to mediation for resolution. For
24 the purposes of this section, "mediation" means the process where two
25 or more persons to a dispute agree to meet with an impartial third
26 party to work toward a resolution of the dispute which is satisfactory
27 to all parties in accordance with principles of mediation commonly
28 used in labor management disputes.

29 (b) If mediation is successful, the prosecuting authority, upon
30 recommendation of the family relations counselor or mediation officer,
31 shall enter a nolle prosequi and the prosecution shall be terminated
32 and the defendant released from custody.

33 (c) If mediation is unsuccessful or the defendant fails to comply
34 with the terms of any mediation agreement, the family relations
35 counselor or mediation officer shall notify the prosecuting authority
36 and prosecution of the defendant may be initiated.

37 (d) There shall be established, in [the Family Division of the
38 Superior Court in] the two geographical areas of the Superior Court
39 enumerated in subsection (a) of this section and in [each geographical
40 area of the Superior Court designated by the Chief Court
41 Administrator, a unit] such other geographical areas of the Superior
42 Court as the Chief Court Administrator may designate, units to
43 provide mediation services in cases referred by the court to mediation.
44 In addition, mediation services in cases referred by the court to

45 mediation may also be provided by private agencies under contract
46 with the Judicial Department."

47 In line 1138, after the closing bracket insert "(a)"

48 In line 1205, after the closing bracket insert the following:

49 "(b) The Court Support Services Division shall establish written
50 uniform weighted release criteria based upon the premise that the least
51 restrictive condition or conditions of release necessary to insure the
52 appearance in court of the defendant is the pretrial release alternative
53 of choice. Such criteria shall be based on, but not be limited to, the
54 following considerations: (1) The nature and circumstances of the
55 offense insofar as they are relevant to the risk of nonappearance; (2)
56 the defendant's record of previous convictions; (3) the defendant's past
57 record of appearance in court after being admitted to bail; (4) the
58 defendant's family ties; (5) the defendant's employment record; (6) the
59 defendant's financial resources, character and mental condition; and
60 (7) the defendant's community ties."

61 Strike lines 1208 to 1237, inclusive, in their entirety and insert the
62 following in lieu thereof:

63 "(a) Upon notification by a police officer pursuant to section 54-63c
64 that an arrested person has not posted bail, a bail commissioner shall
65 promptly conduct an interview and investigation as specified in
66 subdivisions (1) and (2) of subsection (a) of section 54-63b, as amended
67 by this act, and, based upon the criteria established pursuant to
68 [subdivision (2) of subsection (c)] subsection (b) of section 54-63b, as
69 amended by this act, and except as provided in subsection (b) of this
70 section, the bail commissioner shall promptly order release of such
71 person on the first of the following conditions of release found
72 sufficient to provide reasonable assurance of the person's appearance
73 in court: (1) Upon the execution of a written promise to appear without
74 special conditions; (2) upon the execution of a written promise to
75 appear with any of the nonfinancial conditions as specified in
76 subsection [(b)] (c) of this section; (3) upon the execution of a bond

77 without surety in no greater amount than necessary; or (4) upon the
78 execution of a bond with surety in no greater amount than necessary.
79 If the person is unable to meet the conditions of release ordered by the
80 bail commissioner, the bail commissioner shall so inform the court in a
81 report prepared pursuant to subdivision (4) of subsection (a) of section
82 54-63b, as amended by this act."

83 In line 1244, strike the opening and closing brackets and strike
84 "subparagraphs (A) to"

85 In line 1245, strike "(D), inclusive, of subdivision (1)"

86 Strike sections 41 and 42 in their entirety and renumber the
87 remaining sections accordingly

88 In line 1479, strike "Court"

89 In line 1480, strike "Support Services Division" and insert "Judicial
90 Department" in lieu thereof

91 After line 1664, insert the following and renumber the remaining
92 section accordingly:

93 "Sec. 53. (NEW) (*Effective January 1, 2003*) (a) The Chief Court
94 Administrator shall establish and maintain an automated registry of
95 protective orders that shall contain protective or restraining orders
96 issued by courts of this state, including, but not limited to, orders
97 issued pursuant to sections 46b-15 of the general statutes, as amended,
98 46b-38c of the general statutes, as amended by this act, 53a-40e of the
99 general statutes, 54-1k of the general statutes, as amended by this act,
100 54-82q of the general statutes and 54-82r of the general statutes, as
101 amended by this act, and may also contain protective orders issued by
102 courts of other states that have been registered in this state pursuant to
103 section 46b-15a of the general statutes, as amended by this act. The
104 registry shall clearly indicate the date of commencement, the
105 termination date, if specified, and the duration of any order contained
106 therein. The Chief Court Administrator shall adopt policies and

107 procedures for the operation of the registry.

108 (b) The information contained in the registry shall not be subject to
109 disclosure under the Freedom of Information Act, as defined in section
110 1-200 of the general statutes, as amended, and may be accessed only in
111 accordance with this section. Any employee of the Judicial Department
112 authorized by policies and procedures adopted by the Chief Court
113 Administrator shall have access to such information. The Chief Court
114 Administrator may grant access to such information to personnel of
115 the Department of Public Safety, the Department of Correction, the
116 Board of Parole, the Psychiatric Security Review Board, the Division of
117 Criminal Justice, any municipal or tribal police department within this
118 state or any other agency, organization or person determined by the
119 Chief Court Administrator, pursuant to policies and procedures
120 adopted by the Chief Court Administrator, to have a legitimate interest
121 in the information contained in the registry. Except as provided in
122 subsection (c) of this section, the information contained in the registry
123 shall be provided to and may be accessed through the Connecticut On-
124 Line Law Enforcement Communications Teleprocessing System
125 maintained by the Department of Public Safety. Any person granted
126 access to the registry may use the information obtained from the
127 registry to perform such person's duties and may disclose such
128 information in the performance of such person's duties.

129 (c) Any person protected by an order contained in the registry of
130 protective orders may make a request in writing, on a form prescribed
131 by the Chief Court Administrator, that the registry not disclose such
132 protected person's name and address except to the law enforcement
133 agency for the town in which (1) such protected person resides, (2)
134 such protected person is employed, or (3) the person subject to the
135 order resides.

136 (d) Any person who has reason to believe that information
137 concerning such person which is contained in the registry of protective
138 orders is not consistent with a valid court order may submit a written
139 request for verification of such information to the clerk of the superior

140 court for the judicial district in which such order was issued. If the
141 clerk finds that such information contained in the registry is not
142 consistent with such order, the clerk shall promptly cause such
143 information to be removed from the registry.

144 (e) The orders and other information required or permitted to be
145 contained in the registry of protective orders may be entered in the
146 registry in any written or electronic form approved by the Chief Court
147 Administrator. For the purposes of this section, an order is contained
148 in the registry if the information contained in such order and
149 information concerning the issuance of such order is entered in the
150 registry in a manner approved by the Chief Court Administrator
151 pursuant to this subsection.

152 Sec. 54. Subsection (e) of section 46b-15 of the general statutes, as
153 amended by section 12 of public act 01-130, is repealed and the
154 following is substituted in lieu thereof (*Effective January 1, 2003*):

155 (e) The applicant shall cause notice of the hearing pursuant to
156 subsection (b) of this section and a copy of the application and of any
157 ex parte order issued pursuant to subsection (b) of this section to be
158 served on the respondent not less than five days before the hearing.
159 Upon the granting of an ex parte order, the clerk of the court shall
160 provide two certified copies of the order to the applicant, [and a copy
161 to the Family Division.] Upon the granting of an order after notice and
162 hearing, the clerk of the court shall provide two certified copies of the
163 order to the applicant [and a copy to the Family Division] and a copy
164 to the respondent. Every order of the court made in accordance with
165 this section after notice and hearing shall contain the following
166 language: "This court had jurisdiction over the parties and the subject
167 matter when it issued this protection order. Respondent was afforded
168 both notice and opportunity to be heard in the hearing that gave rise to
169 this order. Pursuant to the Violence Against Women Act of 1994, 18
170 USC 2265, this order is valid and enforceable in all fifty states, any
171 territory or possession of the United States, the District of Columbia,
172 the Commonwealth of Puerto Rico and tribal lands." The clerk of the

173 court shall send, [a certified] by facsimile or other means, a copy of any
174 ex parte order and of any order after notice and hearing, or the
175 information contained in any such order, to the law enforcement
176 agency for the town in which the applicant resides and, if the
177 respondent resides in a town different than the town in which the
178 applicant resides, to the law enforcement agency for the town in which
179 the respondent resides, within forty-eight hours of the issuance of such
180 order. If the applicant is employed in a town different than the town in
181 which the applicant resides, the clerk of the court shall, upon the
182 request of the applicant, send, [a certified] by facsimile or other means,
183 a copy of any such order, or the information contained in any such
184 order, to the law enforcement agency for the town in which the
185 applicant is employed within forty-eight hours of the issuance of such
186 order.

187 Sec. 55. Subsections (c), (d) and (e) of section 46b-38c of the general
188 statutes, as amended by section 13 of public act 01-130, are repealed
189 and the following is substituted in lieu thereof (*Effective January 1,*
190 *2003*):

191 (c) Each such local family violence intervention unit shall: (1) Accept
192 referrals of family violence cases from a judge or prosecutor, (2)
193 prepare written or oral reports on each case for the court by the next
194 court date to be presented at any time during the court session on that
195 date, (3) provide or arrange for services to victims and offenders, (4)
196 administer contracts to carry out [said] such services, and (5) establish
197 centralized reporting procedures. All information provided to a family
198 relations officer in a local family violence intervention unit shall be [for
199 the sole purpose] solely for the purposes of preparation of the report
200 and the protective order forms for each case and recommendation of
201 services and shall otherwise be confidential and retained in the files of
202 such unit [,] and not be subject to subpoena or other court process for
203 use in any other proceeding or for any other purpose, except that if the
204 victim has indicated that the defendant holds a permit to carry a pistol
205 or revolver or possesses one or more firearms, the family relations
206 officer shall disclose such information to the court and the prosecuting

207 authority for appropriate action.

208 (d) In all cases of family violence, a written or oral report and
209 recommendation of the local family violence intervention unit shall be
210 available to a judge at the first court date appearance to be presented at
211 any time during the court session on that date. A judge of the Superior
212 Court may consider and impose the following conditions to protect the
213 parties, including, but not limited to: (1) Issuance of a protective order
214 pursuant to subsection (e) of this section; (2) prohibition against
215 subjecting the victim to further violence; (3) referral to a family
216 violence education program for batterers; and (4) immediate referral
217 for more extensive case assessment. Such protective order shall be an
218 order of the court, and the clerk of the court shall cause (A) a certified
219 copy of such order to be sent to the victim, and (B) a [certified] copy of
220 such order, or the information contained in such order, to be sent by
221 facsimile or other means within forty-eight hours of its issuance to the
222 law enforcement agency for the town in which the victim resides and,
223 if the defendant resides in a town different than the town in which the
224 victim resides, to the law enforcement agency for the town in which
225 the defendant resides. If the victim is employed in a town different
226 than the town in which the victim resides, the clerk of the court shall,
227 upon the request of the victim, send, [a certified] by facsimile or other
228 means, a copy of such order, or the information contained in such
229 order, to the law enforcement agency for the town in which the victim
230 is employed within forty-eight hours of the issuance of such order.

231 (e) A protective order issued under this section may include
232 provisions necessary to protect the victim from threats, harassment,
233 injury or intimidation by the defendant, including, but not limited to,
234 an order enjoining the defendant from (1) imposing any restraint upon
235 the person or liberty of the victim, [;] (2) threatening, harassing,
236 assaulting, molesting or sexually assaulting the victim, [;] or (3)
237 entering the family dwelling or the dwelling of the victim. Such order
238 shall be made a condition of the bail or release of the defendant and
239 shall contain the following language: "In accordance with section 53a-
240 223, any violation of this order constitutes criminal violation of a

241 protective order. Additionally, in accordance with section 53a-107,
242 entering or remaining in a building or any other premises in violation
243 of this order constitutes criminal trespass in the first degree. These are
244 criminal offenses each punishable by a term of imprisonment of not
245 more than one year, a fine of not more than two thousand dollars, or
246 both. Violation of this order also violates a condition of your bail or
247 release, and may result in raising the amount of bail or revoking
248 release." Every order of the court made in accordance with this section
249 after notice and hearing shall also contain the following language:
250 "This court had jurisdiction over the parties and the subject matter
251 when it issued this protection order. Respondent was afforded both
252 notice and opportunity to be heard in the hearing that gave rise to this
253 order. Pursuant to the Violence Against Women Act of 1994, 18 USC
254 2265, this order is valid and enforceable in all fifty states, any territory
255 or possession of the United States, the District of Columbia, the
256 Commonwealth of Puerto Rico and tribal lands." [The Department of
257 Public Safety, in cooperation with the Office of the Chief Court
258 Administrator shall establish a twenty-four-hour registry of protective
259 orders on the Connecticut on-line law enforcement communications
260 teleprocessing system] The information contained in and concerning
261 the issuance of any protective order issued under this section shall be
262 entered in the registry of protective orders pursuant to section 53 of
263 this act.

264 Sec. 56. Section 54-1k of the general statutes is repealed and the
265 following is substituted in lieu thereof (*Effective January 1, 2003*):

266 Upon the arrest of a person for a violation of section 53a-181c, 53a-
267 181d or 53a-181e, the court may issue a protective order pursuant to
268 this section. Such order shall be an order of the court, and the clerk of
269 the court shall cause a certified copy of such order to be sent to the
270 victim, and a [certified] copy of such order, or the information
271 contained in such order, to be sent by facsimile or other means within
272 forty-eight hours of its issuance to the appropriate law enforcement
273 agency. A protective order issued under this section may include
274 provisions necessary to protect the victim from threats, harassment,

275 injury or intimidation by the defendant, including but not limited to,
276 an order enjoining the defendant from (1) imposing any restraint upon
277 the person or liberty of the victim, [;] (2) threatening, harassing,
278 assaulting, molesting or sexually assaulting the victim, [;] or (3)
279 entering the dwelling of the victim. Such order shall be made a
280 condition of the bail or release of the defendant and shall contain the
281 following language: "In accordance with section 53a-223, any violation
282 of this order constitutes criminal violation of a protective order.
283 Additionally, in accordance with section 53a-107, entering or
284 remaining in a building or any other premises in violation of this order
285 constitutes criminal trespass in the first degree. These are criminal
286 offenses each punishable by a term of imprisonment of not more than
287 one year, a fine of not more than two thousand dollars, or both.
288 Violation of this order also violates a condition of your bail or release
289 and may result in raising the amount of bail or revoking release."
290 [Any] The information contained in and concerning the issuance of
291 any protective order issued under this section shall be entered in the
292 registry of protective orders [established under subsection (e) of
293 section 46b-38c] pursuant to section 53 of this act.

294 Sec. 57. Section 54-76l of the general statutes is repealed and the
295 following is substituted in lieu thereof (*Effective January 1, 2003*):

296 (a) The records of any youth adjudged a youthful offender,
297 including fingerprints, photographs and physical descriptions, shall be
298 confidential and shall not be open to public inspection or be disclosed
299 except as provided in this section, but such fingerprints, photographs
300 and physical descriptions submitted to the State Police Bureau of
301 Identification of the Division of State Police within the Department of
302 Public Safety at the time of the arrest of a person subsequently
303 adjudged a youthful offender shall be retained as confidential matter
304 in the files of [such] the bureau [,] and be opened to inspection only as
305 [hereinafter] provided in this section. Other data ordinarily received
306 by [such] the bureau, with regard to persons arrested for a crime, shall
307 be forwarded to the bureau to be filed, in addition to [the] such
308 fingerprints, photographs and physical descriptions, [as mentioned

309 above,] and be retained in the division as confidential information,
310 open to inspection only as [hereinafter] provided in this section.

311 (b) The records of any youth adjudged a youthful offender on or
312 after October 1, 1995, or any part thereof, may be disclosed to and
313 between individuals and agencies, and employees of such agencies,
314 providing services directly to the youth, including law enforcement
315 officials, state and federal prosecutorial officials, school officials in
316 accordance with section 10-233h, court officials, the Division of
317 Criminal Justice, the [Office of Adult Probation, the Office of the Bail
318 Commission] Court Support Services Division, the Board of Parole and
319 an advocate appointed pursuant to section 54-221 for a victim of a
320 crime committed by the youth. Such records shall also be available to
321 the attorney representing the youth, in any proceedings in which such
322 records are relevant, to the parents or guardian of such youth, until
323 such time as the youth reaches the age of majority or is emancipated,
324 and to the youth upon his emancipation or attainment of the age of
325 majority, provided proof of the identity of such youth is submitted in
326 accordance with guidelines prescribed by the Chief Court
327 Administrator. Such records disclosed pursuant to this subsection shall
328 not be further disclosed.

329 (c) The records of any youth adjudged a youthful offender, or any
330 part thereof, may be disclosed upon order of the court to any person
331 who has a legitimate interest in the information and is identified in
332 such order. Records or information disclosed pursuant to this
333 subsection shall not be further disclosed.

334 (d) The records of any youth adjudged a youthful offender, or any
335 part thereof, shall be available to the victim of the crime committed by
336 such youth to the same extent as the record of the case of a defendant
337 in a criminal proceeding in the regular criminal docket of the Superior
338 Court is available to a victim of the crime committed by such
339 defendant. The court shall designate an official from whom such
340 victim may request such information. Information disclosed pursuant
341 to this subsection shall not be further disclosed.

342 (e) Any reports and files held by the [Office of Adult Probation]
343 Court Support Services Division regarding any youth adjudged a
344 youthful offender who served a period of probation may be [disclosed
345 to the Office of the Bail Commission] accessed and disclosed by
346 employees of the division for the purpose of performing the duties
347 contained in section 54-63b.

348 (f) Information concerning any youth adjudged a youthful offender
349 who has escaped from an institution to which such youth has been
350 committed or for whom an arrest warrant has been issued may be
351 disclosed by law enforcement officials.

352 (g) The information contained in and concerning the issuance of any
353 protective order issued in a case in which a person is found eligible to
354 be adjudged a youthful offender shall be entered in the registry of
355 protective orders pursuant to section 53 of this act and may be further
356 disclosed as specified in said section.

357 Sec. 58. Subsection (a) of section 54-82r of the general statutes is
358 repealed and the following is substituted in lieu thereof (*Effective*
359 *January 1, 2003*):

360 (a) Upon application of a prosecutorial official, a court may issue a
361 protective order prohibiting the harassment of a witness in a criminal
362 case if the court, after a hearing at which hearsay evidence shall be
363 admissible, finds by a preponderance of the evidence that harassment
364 of an identified witness in a criminal case exists or that such order is
365 necessary to prevent and restrain the commission of a violation of
366 section 53a-151 or 53a-151a. Any adverse party named in the complaint
367 has the right to present evidence and cross-examine witnesses at such
368 hearing. Such order shall be an order of the court, and the clerk of the
369 court shall cause a certified copy of such order to be sent to the
370 witness, and a [certified] copy of such order, or the information
371 contained in such order, to be sent by facsimile or other means within
372 forty-eight hours of its issuance to the appropriate law enforcement
373 agency.

374 Sec. 59. Section 54-86e of the general statutes is repealed and the
375 following is substituted in lieu thereof (*Effective January 1, 2003*):

376 The name and address of the victim of a sexual assault under
377 section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a, or injury or
378 risk of injury, or impairing of morals under section 53-21, or of an
379 attempt thereof, shall be confidential and shall be disclosed only upon
380 order of the Superior Court, except that (1) such information shall be
381 available to the accused in the same manner and time as such
382 information is available to persons accused of other criminal offenses,
383 and (2) if a protective order is issued in a prosecution under any of
384 said sections, the name and address of the victim, in addition to the
385 information contained in and concerning the issuance of such order,
386 shall be entered in the registry of protective orders pursuant to section
387 53 of this act.

388 Sec. 60. Subsection (g) of section 54-142a of the general statutes is
389 repealed and the following is substituted in lieu thereof (*Effective*
390 *January 1, 2003*):

391 (g) The provisions of this section shall not apply to any police or
392 court records or the records of any state's attorney or prosecuting
393 attorney with respect to any information or indictment containing
394 more than one count (1) while the criminal case is pending, or (2) when
395 the criminal case is disposed unless and until all counts are entitled to
396 erasure in accordance with the provisions of this section. Nothing in
397 this section shall require the erasure of any information contained in
398 the registry of protective orders established pursuant to section 53 of
399 this act.

400 Sec. 61. Subsection (a) of section 6-38f of the general statutes, as
401 amended by section 9 of public act 01-9 of the June special session, is
402 repealed and the following is substituted in lieu thereof (*Effective*
403 *October 1, 2002*):

404 (a) (1) Notwithstanding the provisions of section 6-38, the State
405 Marshal Commission shall appoint as a state marshal any eligible

406 individual who applies for such a position. For the purposes of this
407 section, "eligible individual" means an individual who was a deputy
408 sheriff or special deputy sheriff of a corporation on or after May 31,
409 1995, who had served as a deputy sheriff or special deputy sheriff of a
410 corporation for a period of not less than four years and who has
411 submitted an application to the State Marshal Commission on or
412 before July 31, 2001, provided any such eligible individual submitted
413 an initial application dated on or before June 30, 2000.

414 (2) For the purpose of showing proof that [one] an individual has
415 served as a deputy sheriff [.] as required by this subsection,
416 information contained in the Connecticut State Register and Manual
417 shall be accepted as evidence.

418 (3) Any person authorized to apply for appointment as a state
419 marshal pursuant to this section who is determined not to be eligible
420 for such appointment by the State Marshal Commission may appeal
421 such determination to the Superior Court for the judicial district of
422 [Hartford] New Britain in accordance with the procedures and time
423 periods set forth in chapter 54.

424 Sec. 62. Subsections (f) and (g) of section 7-152b of the general
425 statutes are repealed and the following is substituted in lieu thereof
426 (*Effective October 1, 2002*):

427 (f) If such assessment is not paid on the date of its entry, the hearing
428 officer shall send by first class mail a notice of the assessment to the
429 person found liable and shall file, not less than thirty days nor more
430 than twelve months after such mailing, a certified copy of the notice of
431 assessment with the clerk of a superior court facility designated by the
432 Chief Court Administrator [within the boundaries of the judicial
433 district in which the town, city or borough is located] together with an
434 entry fee of eight dollars. The certified copy of the notice of assessment
435 shall constitute a record of assessment. Within such twelve-month
436 period, assessments against the same person may be accrued and filed
437 as one record of assessment. The clerk shall enter judgment, in the

438 amount of such record of assessment and court costs of eight dollars,
439 against such person in favor of the town, city or borough.
440 Notwithstanding any [other] provision of the general statutes, the
441 hearing officer's assessment, when so entered as a judgment, shall have
442 the effect of a civil money judgment and a levy of execution on such
443 judgment may issue without further notice to such person.

444 (g) A person against whom an assessment has been entered
445 pursuant to this section is entitled to judicial review by way of appeal.
446 An appeal shall be instituted within thirty days of the mailing of notice
447 of such assessment by filing a petition to reopen assessment, together
448 with an entry fee in an amount equal to the entry fee for a small claims
449 case pursuant to section 52-259, [in the superior court for the
450 geographical area in which the town, city or borough is located] at the
451 superior court facility designated by the Chief Court Administrator,
452 which shall entitle such person to a hearing in accordance with the
453 rules of the judges of the Superior Court.

454 Sec. 63. Subsections (f) and (g) of section 7-152c of the general
455 statutes are repealed and the following is substituted in lieu thereof
456 (*Effective October 1, 2002*):

457 (f) If such assessment is not paid on the date of its entry, the hearing
458 officer shall send by first class mail a notice of the assessment to the
459 person found liable and shall file, not less than thirty days nor more
460 than twelve months after such mailing, a certified copy of the notice of
461 assessment with the clerk of a superior court facility designated by the
462 Chief Court Administrator [within the boundaries of the judicial
463 district in which the municipality is located] together with an entry fee
464 of eight dollars. The certified copy of the notice of assessment shall
465 constitute a record of assessment. Within such twelve-month period,
466 assessments against the same person may be accrued and filed as one
467 record of assessment. The clerk shall enter judgment, in the amount of
468 such record of assessment and court costs of eight dollars, against such
469 person in favor of the municipality. Notwithstanding any [other]
470 provision of the general statutes, the hearing officer's assessment,

471 when so entered as a judgment, shall have the effect of a civil money
472 judgment and a levy of execution on such judgment may issue without
473 further notice to such person.

474 (g) A person against whom an assessment has been entered
475 pursuant to this section is entitled to judicial review by way of appeal.
476 An appeal shall be instituted within thirty days of the mailing of notice
477 of such assessment by filing a petition to reopen assessment, together
478 with an entry fee in an amount equal to the entry fee for a small claims
479 case pursuant to section 52-259, [in the superior court for the
480 geographical area in which the municipality is located] at a superior
481 court facility designated by the Chief Court Administrator, which shall
482 entitle such person to a hearing in accordance with the rules of the
483 judges of the Superior Court.

484 Sec. 64. Section 2 of public act 01-47 is repealed and the following is
485 substituted in lieu thereof (*Effective October 1, 2002*):

486 (a) As used in this section, "mediation" means the process where the
487 parties in an appeal filed under section 8-8, as amended, 22a-34, as
488 amended by this act or 22a-43, as amended by this act, meet with an
489 impartial third party to work toward resolution of the issues in the
490 decision [of the board] that was the subject of the appeal in accordance
491 with generally accepted principles of mediation.

492 (b) At any time after filing of the appeal, the parties may agree to
493 mediate the decision that was appealed. The parties shall file a
494 statement advising the court that the dispute may be resolved by
495 mediation. [The parties shall cause notice of the mediation to be
496 published in a newspaper having a substantial circulation in the
497 municipality not more than fifteen days after the statement is
498 submitted to the court. Not more than seven days after such notice is
499 published, any aggrieved party, as defined in section 8-8 may petition
500 the court to participate in the mediation process. The court shall make
501 a determination on inclusion of the petitioner in the mediation process
502 not more than seven days after submittal of the petition. The decision

503 of the court may not be appealed.] Mediation shall take place with the
504 consent of each party.

505 (c) Mediation shall begin on the date the statement is filed under
506 subsection (b) of this section and conclude not more than one hundred
507 eighty days after such filing. Such period may be extended for an
508 additional one hundred eighty days upon mutual agreement of the
509 parties. A party may submit a petition to the court requesting another
510 extension or stating why no other extension should be granted. The
511 court, in its discretion, may extend the time for mediation after the
512 second period of one hundred eighty days has elapsed. A party may
513 withdraw from mediation at any time after notification to other parties
514 and to the Superior Court.

515 (d) The contents of mediating sessions shall not be admissible as
516 evidence. A mediator shall not act as or be summoned as a witness in a
517 court proceeding on an appeal if mediation has not resolved the issues
518 of the appeal.

519 (e) A mediator may request the participation in mediation of any
520 person deemed by the mediator necessary for effective resolution of
521 the issues, including representatives of governmental agencies not a
522 party to the action, abutting property owners, intervenors or other
523 persons significantly involved in the decision being appealed.

524 (f) Not more than fifteen days after the conclusion of mediation, the
525 mediators shall file a report with the court describing the proceedings
526 and specifying the issues resolved. If no resolution is made, the
527 mediators shall file a report with the court stating that the issues have
528 not been resolved.

529 (g) The cost of mediation shall be distributed equally among the
530 parties.

531 Sec. 65. Subsection (b) of section 22a-34 of the general statutes is
532 repealed and the following is substituted in lieu thereof (*Effective*
533 *October 1, 2002*):

534 (b) Such appeal shall be brought in accordance with the provisions
535 of section 4-183, except that venue for such appeal shall be in the
536 judicial district of New Britain. Such appeal shall have precedence in
537 the order of trial. The proceedings of the court in the appeal may be
538 stayed by agreement of the parties when a mediation conducted
539 pursuant to section 2 of public act 01-47, as amended by this act,
540 commences. Any such stay shall terminate upon conclusion of the
541 mediation.

542 Sec. 66. Section 22a-43 of the general statutes, as amended by section
543 3 of public act 01-47, is repealed and the following is substituted in lieu
544 thereof (*Effective October 1, 2002*):

545 (a) The commissioner or any person aggrieved by any regulation,
546 order, decision or action made pursuant to sections 22a-36 to 22a-45,
547 inclusive, by the commissioner, a district or municipality or any person
548 owning or occupying land which abuts any portion of land within, or
549 is within a radius of ninety feet of, the wetland or watercourse
550 involved in any regulation, order, decision or action made pursuant to
551 said sections may, within the time specified in subsection (b) of section
552 8-8, as amended, from the publication of such regulation, order,
553 decision or action, appeal to the superior court for the judicial district
554 where the land affected is located, and if located in more than one
555 judicial district to the court in any such judicial district. Such appeal
556 shall be made returnable to [said] the court in the same manner as that
557 prescribed for civil actions brought to [said] the court, except that the
558 record shall be transmitted to the court within the time specified in
559 subsection (i) of section 8-8, as amended. If the inland wetlands agency
560 or its agent does not provide a transcript of the stenographic or the
561 sound recording of a meeting where the inland wetlands agency or its
562 agent deliberates or makes a decision on a permit for which a public
563 hearing was held, a certified, true and accurate transcript of a
564 stenographic or sound recording of the meeting prepared by or on
565 behalf of the applicant or any other party shall be admissible as part of
566 the record. Notice of such appeal shall be served upon the inland
567 wetlands agency and the commissioner. The commissioner may

568 appear as a party to any action brought by any other person within
569 thirty days from the date such appeal is returned to the court. The
570 appeal shall state the reasons upon which it is predicated and shall not
571 stay proceedings on the regulation, order, decision or action, but the
572 court may on application and after notice grant a restraining order.
573 Such appeal shall have precedence in the order of trial.

574 (b) The court, upon the motion of the person who applied for such
575 order, decision or action, shall make such person a party defendant in
576 the appeal. Such defendant may, at any time after the return date of
577 such appeal, make a motion to dismiss the appeal. At the hearing on
578 such motion to dismiss, each appellant shall have the burden of
579 proving such appellant's standing to bring the appeal. The court may,
580 upon the record, grant or deny the motion. The court's order on such
581 motion may be appealed in the manner provided in subsection (p) of
582 section 8-8, as amended.

583 (c) The proceedings of the court in the appeal may be stayed by
584 agreement of the parties when a mediation conducted pursuant to
585 section 2 of public act 01-47, as amended by this act, commences. Any
586 such stay shall terminate upon conclusion of the mediation.

587 ~~[(c)]~~ (d) No appeal taken under subsection (a) of this section shall be
588 withdrawn and no settlement between the parties to any such appeal
589 shall be effective unless and until a hearing has been held before the
590 Superior Court and [said] the court has approved such proposed
591 withdrawal or settlement.

592 ~~[(d)]~~ (e) There shall be no right to further review except to the
593 Appellate Court by certification for review in accordance with the
594 provisions of subsection (p) of section 8-8, as amended.

595 Sec. 67. Section 51-36a of the general statutes, as amended by section
596 4 of public act 01-186, is repealed and the following is substituted in
597 lieu thereof (*Effective from passage*):

598 (a) For the purposes of this section, "employees of the Judicial

599 Department" shall not include employees of the courts of probate or
600 the Public Defender Services Commission, and "records" shall not
601 include records maintained by the courts of probate or the Public
602 Defender Services Commission.

603 (b) Notwithstanding any [other] provision of the general statutes,
604 employees of the Judicial Department [shall, in the performance of
605 their duties, have the right of access to all] may, in accordance with
606 policies and procedures adopted by the Chief Court Administrator,
607 access any records maintained by the Judicial Department, including
608 erased records, and may disclose the information contained in such
609 records [to the extent necessary for the performance of their duties] in
610 accordance with such policies and procedures.

611 (c) Notwithstanding any [other] provision of the general statutes,
612 Judicial Department contractors and authorized agents of the Judicial
613 Department may, in accordance with policies and procedures adopted
614 by the Chief Court Administrator, access records maintained by the
615 Judicial Department, including erased records, and may disclose the
616 information contained in such records [to the extent necessary for the
617 performance of their duties for the Judicial Department] in accordance
618 with such policies and procedures.

619 (d) This section shall apply to all records in existence on and after
620 the effective date of this section.

621 Sec. 68. Section 8-131 of the general statutes is repealed and the
622 following is substituted in lieu thereof (*Effective October 1, 2002*):

623 After the statement of compensation provided for in section 8-129
624 has been filed with the clerk of the Superior Court, the property owner
625 affected and all other persons having a record interest therein may file
626 with said clerk his or their written acceptance thereof. Said clerk shall
627 thereupon notify the redevelopment agency of such acceptance. If the
628 amount to be paid by the redevelopment agency or the municipality
629 for such property does not exceed ten thousand dollars, said clerk shall
630 send a certified copy of the statement of compensation and the

631 acceptance thereof to the redevelopment agency, and the court shall
632 order the deposit or any balance remaining thereon not disbursed by
633 order of the court in accordance with the procedure set forth in section
634 8-130 to be paid to the persons entitled thereto in accordance with their
635 equities upon application made by such persons. If the amount of such
636 compensation exceeds ten thousand dollars, said clerk shall not certify
637 the same until the compensation has been approved as reasonable in
638 amount by a [state] judge of the Superior Court or a judge trial referee.
639 If such [state] judge or judge trial referee approves such compensation,
640 said clerk shall thereupon send a certified copy of the statement of
641 compensation and the acceptance thereof to the redevelopment
642 agency, and the court shall order the deposit or any such balance
643 remaining on deposit to be paid to the persons entitled thereto in
644 accordance with their equities upon application made by such persons.
645 If such [state] judge or judge trial referee does not approve such
646 statement of compensation, said clerk shall notify the redevelopment
647 agency and the latter may file an amended statement of compensation.

648 Sec. 69. Section 8-132 of the general statutes, as amended by section
649 1 of public act 01-186 and section 113 of public act 01-195, is repealed
650 and the following is substituted in lieu thereof (*Effective October 1,*
651 *2002*):

652 (a) Any person claiming to be aggrieved by the statement of
653 compensation filed by the redevelopment agency may, at any time
654 within six months after the same has been filed, apply to the superior
655 court for the judicial district in which such property is situated [, or, if
656 said court is not in session, to any judge thereof,] for a review of such
657 statement of compensation so far as the same affects such applicant. [,
658 and said court or such judge] The court, after causing notice of the
659 pendency of such application to be given to said redevelopment
660 agency, may appoint a judge trial referee to make a review of the
661 statement of compensation. [Such referee, having given]

662 (b) If the court appoints a judge trial referee, such judge trial referee,
663 after giving at least ten days' notice to the parties interested of the time

664 and place of hearing, shall hear the applicant and said redevelopment
665 agency, shall view the property and take such testimony as such judge
666 trial referee deems material and shall thereupon revise such statement
667 of compensation in such manner as such judge trial referee deems
668 proper and forthwith report to the court. Such report shall contain a
669 detailed statement of findings by the judge trial referee, sufficient to
670 enable the court to determine the considerations upon which the judge
671 trial referee's conclusions are based. The report of the judge trial
672 referee shall take into account any evidence relevant to the fair market
673 value of the property, including evidence of environmental condition
674 and required environmental remediation. The judge trial referee shall
675 make a separate finding for remediation costs and the property owner
676 shall be entitled to a setoff of such costs in any pending or subsequent
677 action to recover remediation costs for the property. [Such report may
678 be rejected] The court shall review the report, and may reject it for any
679 irregular or improper conduct in the performance of the duties of such
680 judge trial referee. If the report is rejected, the court [or judge shall]
681 may appoint another judge trial referee to make such review and
682 report. If the report is accepted, [such] its statement of compensation
683 shall be conclusive upon such owner and the redevelopment agency.

684 (c) If the court does not appoint a judge trial referee, the court, after
685 giving at least ten days' notice to the parties interested of the time and
686 place of hearing, shall hear the applicant and said redevelopment
687 agency and take such testimony as it deems material, may view the
688 subject property, and shall make a finding regarding the statement of
689 compensation. The findings of the court shall take into account any
690 evidence relevant to the fair market value of the property, including
691 evidence of environmental condition and required environmental
692 remediation. The court shall make a separate finding for remediation
693 costs and the property owner shall be entitled to a set-off of such costs
694 in any pending or subsequent action to recover remediation costs for
695 the property. The findings of the court shall be conclusive upon such
696 owner and the redevelopment agency.

697 (d) If no appeal to the Appellate Court is filed within the time

698 allowed by law, or if one is filed and the proceedings have terminated
699 in a final judgment finding the amount due the property owner, the
700 clerk shall send a certified copy of the statement of compensation and
701 of the judgment to the redevelopment agency, which shall, upon
702 receipt thereof, pay such property owner the amount due as
703 compensation. The pendency of any such application for review shall
704 not prevent or delay whatever action is proposed with regard to such
705 property by the project area redevelopment plan.

706 Sec. 70. Section 8-132a of the general statutes is repealed and the
707 following is substituted in lieu thereof (*Effective October 1, 2002*):

708 (a) Any person making application for payment of moneys
709 deposited in court as provided for by section 8-130 or claiming an
710 interest in the compensation being determined in accordance with
711 section 8-132, as amended, may make a motion to the superior court
712 for the judicial district in which the property that is the subject of the
713 proceedings referred to is located [, or if said court is not in session to
714 any judge thereof,] for a determination of the equity of the parties
715 having an interest in such moneys. [Said court or judge upon such
716 motion or upon its or his own motion may appoint a state] The court
717 may appoint a judge trial referee to hear the facts and to make a
718 determination of the equity of the parties in such moneys. [Such
719 referee, having given]

720 (b) If the court appoints a judge trial referee, such judge trial referee,
721 after giving at least ten days' notice to the parties interested of the time
722 and place of hearing, shall hear the applicant and any parties
723 interested, take such testimonies as such judge trial referee deems
724 material and determine the equities of the parties having a record
725 interest in such moneys and forthwith report to the court. [or judge.]
726 Such report shall contain a detailed statement of findings by the judge
727 trial referee, sufficient to enable the court to determine the
728 considerations upon which the judge trial referee based his
729 conclusions. The [report may be rejected] court shall review the report,
730 and may reject it for any irregular or improper conduct in the

731 performance of the duties of such judge trial referee. If the report is
732 rejected, the court [or judge shall] may appoint another judge trial
733 referee to make such determination and report. If the report is
734 accepted, such determination of the equities shall be conclusive upon
735 all parties given notice of such hearing, subject to appeal to the
736 Appellate Court.

737 (c) If the court does not appoint a judge trial referee, the court, after
738 giving at least ten days' notice to the parties interested of the time and
739 place of hearing, shall take such testimony as it deems material and
740 determine the equities of the parties having a record interest in such
741 moneys. The finding of the court and such determination of the
742 equities shall be conclusive upon all parties given notice of such
743 hearing, subject to appeal to the Appellate Court.

744 (d) If no appeal to the Appellate Court is filed within the time
745 allowed by law, or if one is filed and the proceedings have terminated
746 in a final judgment determining the amount due to each party, the
747 clerk shall send a certified copy of the statement of compensation and
748 of the judgment to the redevelopment agency, which shall, upon
749 receipt thereof, pay such parties the amount due them as
750 compensation. The pendency of any such application for review shall
751 not prevent or delay whatever action is proposed with regard to such
752 property by the project area redevelopment plan.

753 Sec. 71. Section 13a-74 of the general statutes, as amended by section
754 7 of public act 01-105 and section 13 of public act 01-186, is repealed
755 and the following is substituted in lieu thereof (*Effective October 1,*
756 *2002*):

757 After the assessment of damages and benefits provided for in
758 subsection (b) of section 13a-73 has been filed with the clerk of the
759 Superior Court, the property owner affected may file with said clerk
760 the property owner's written acceptance thereof. Said clerk shall
761 thereupon notify the Comptroller and the commissioner of such
762 acceptance. If the amount to be paid by the state for such land, after

763 deducting any benefits which have been assessed, does not exceed one
764 hundred thousand dollars, said clerk shall send a certified copy of the
765 assessment and the acceptance thereof to the commissioner and the
766 Comptroller, and the Comptroller shall, upon receipt thereof, draw an
767 order on the Treasurer in favor of such property owner for the amount
768 due the property owner under such assessment. If the amount of such
769 assessment, after deducting any such benefits, exceeds one hundred
770 thousand dollars, said clerk shall not certify the same to the
771 Comptroller until the assessment has been approved as reasonable in
772 amount by a [state] judge of the Superior Court or a judge trial referee.
773 If such [state] judge or judge trial referee approves such assessment,
774 said clerk shall thereupon send a certified copy of the assessment and
775 the acceptance thereof and a certificate that the same has been so
776 approved to the commissioner and to the Comptroller, and the
777 Comptroller shall, upon receipt thereof, draw an order on the
778 Treasurer in favor of such property owner for the amount due the
779 property owner on such assessment. If such [state] judge or judge trial
780 referee does not approve such assessment, said clerk shall notify the
781 Attorney General and the commissioner and the latter may file an
782 amended assessment.

783 Sec. 72. Section 13a-76 of the general statutes, as amended by section
784 1 of public act 01-75 and section 2 of public act 01-186, is repealed and
785 the following is substituted in lieu thereof (*Effective October 1, 2002*):

786 Any person claiming to be aggrieved by the assessment of such
787 special damages or such special benefits by the commissioner may, at
788 any time within six months after the same has been so filed, apply to
789 the superior court for the judicial district within which such land is
790 situated [or, if said court is not in session, to any judge thereof] for a
791 reassessment of such damages or such benefits so far as the same affect
792 such applicant. [, and said court or such judge] The court, after causing
793 notice of the pendency of such application to be given to [said] the
794 commissioner, may appoint a judge trial referee to make such
795 reassessment of such damages or such benefits. [Such] The court or
796 such judge trial referee, [having given] after giving at least ten days'

797 notice to the parties interested of the time and place of hearing, shall
798 hear the applicant and [said] the commissioner, [shall] may view the
799 land, and shall take such testimony as the court or such judge trial
800 referee deems material and shall thereupon reassess such damages and
801 benefits so far as they affect such applicant. The reassessment [of such]
802 by the court or such judge trial referee shall take into account any
803 evidence relevant to the fair market value of the property, including
804 evidence of required environmental remediation by the Department of
805 Transportation. [Such] The court or such judge trial referee shall make
806 a separate finding for remediation costs, and the property owner shall
807 be entitled to a set-off of such costs in any pending or subsequent legal
808 action to recover remediation costs for the property. If the amount of
809 the reassessment of such damages awarded to any such property
810 owner exceeds the amount of the assessment of such damages by the
811 commissioner for such land, the court or such judge trial referee shall
812 award to such property owner such appraisal fees as the court or such
813 judge trial referee determines to be reasonable. If no appeal to the
814 Appellate Court is filed within the time allowed by law, or if one is
815 filed and the proceedings have terminated in a final judgment finding
816 the amount due the landowner, the clerk shall send a certified copy of
817 the assessment of the commissioner and of the judgment to the
818 Comptroller, who shall, upon receipt thereof, draw an order upon the
819 Treasurer in favor of the landowner for the amount due the landowner
820 as damages. The pendency of any such application for reassessment
821 shall not prevent or delay the layout, extension, alteration, widening,
822 change of grade or other improvement of any such highway.

823 Sec. 73. Subsection (b) of section 51-15 of the general statutes is
824 repealed and the following is substituted in lieu thereof (*Effective*
825 *October 1, 2002*):

826 (b) The judges of the Superior Court shall adopt orders and rules for
827 the hearing and determination of small claims that shall include;
828 [provisions] (1) Provisions for the institution of small claims actions by
829 attorneys-at-law on suitable forms to be served by a proper officer or
830 indifferent person upon the defendant in the same manner as

831 complaints are served in civil actions; [at least ten days before the
832 small claims session of the court mentioned in such form, and for
833 making his return thereon at least six days before such session; and
834 may also include, among other provisions, the commencement of
835 actions by an attorney-at-law or other person without writ or
836 requirement of pleading other than a written or oral statement to the
837 clerk;] (2) notice by mail; (3) provisions for the early hearing of actions
838 and rules for hearings in accordance with sections 51-193t and 52-549a₂
839 [and for the commencement of such actions without the payment of
840 entry fee or other fee,] and the elimination of any and all [other] fees or
841 costs, except a fee for small claims procedure as prescribed in section
842 52-259; (4) modification of any or all existing rules of pleading, practice
843 and evidence; and (5) a stay of the entry of judgment or of the issuance
844 of execution and an alternative procedure according to the usual rules
845 of practice. Such orders and rules shall permit the institution of a small
846 claims action against a nonresident defendant who owns real or
847 personal property in this state and against an out-of-state corporation.

848 Sec. 74. Subsection (b) of section 51-47b of the general statutes is
849 repealed and the following is substituted in lieu thereof (*Effective*
850 *October 1, 2002*):

851 (b) In no event shall the total of a retired judge's compensation,
852 defined as retirement salary plus fees payable by the state for services
853 as a senior judge or state referee for services rendered in any fiscal
854 year, exceed the [amount equal to the highest salary on which his
855 retirement salary is based during the fiscal year] highest annual salary
856 specified by section 51-47, as amended, during the fiscal year for the
857 judicial office held by the retired judge at the time of retirement.

858 Sec. 75. Subsection (g) of section 51-345 of the general statutes, as
859 amended by section 58 of public act 01-9 of the June special session, is
860 repealed and the following is substituted in lieu thereof (*Effective from*
861 *passage*):

862 (g) Venue for small claims matters shall be at Superior Court

863 facilities designated by the Chief Court Administrator to hear such
864 matters. In small claims matters, civil process shall be made returnable
865 to the Superior Court facility designated by the Chief Court
866 Administrator to serve the small claims area where the plaintiff
867 resides, where the defendant resides or is doing business or where the
868 transaction or injury occurred. If the plaintiff is [either] a domestic
869 corporation, a United States corporation, a foreign corporation or a
870 limited liability company, civil process shall be made returnable to a
871 Superior Court facility designated by the Chief Court Administrator to
872 serve the small claims area [within the boundaries of the judicial
873 district] where the defendant resides or is doing business or where the
874 transaction or injury occurred.

875 Sec. 76. Subsection (d) of section 51-348 of the general statutes, as
876 amended by section 60 of public act 01-9 of the June special session, is
877 repealed and the following is substituted in lieu thereof (*Effective from*
878 *passage*):

879 (d) Venue for [motor vehicle matters] infractions and violations that
880 may be heard and decided by a magistrate pursuant to section 51-193u
881 shall be at Superior Court facilities designated by the Chief Court
882 Administrator to hear such matters.

883 Sec. 77. Subsection (a) of section 52-259a of the general statutes, as
884 amended by section 18 of public act 01-91 and section 11 of public act
885 01-211, is repealed and the following is substituted in lieu thereof
886 (*Effective from passage*):

887 (a) Any member of the Division of Criminal Justice [,] or the
888 Division of Public Defender Services, [or the Family Division or
889 Support Enforcement Services of the Superior Court] any employee of
890 the Judicial Department, acting in the performance of such employee's
891 duties, the Attorney General, an assistant attorney general, the
892 Consumer Counsel, any attorney employed by the Office of Consumer
893 Counsel within the Department of Public Utility Control, the
894 Department of Revenue Services, the Commission on Human Rights

895 and Opportunities, the Freedom of Information Commission, the
896 Board of Labor Relations, the Office of Protection and Advocacy for
897 Persons with Disabilities or the Office of the Victim Advocate, or any
898 attorney appointed by the court to assist any of them or to act for any
899 of them in a special case or cases, while acting in such attorney's
900 official capacity or in the capacity for which such attorney was
901 appointed, shall not be required to pay the fees specified in sections 52-
902 258, 52-259 and 52-259c, subsection (a) of section 52-356a, subsection
903 (a) of section 52-361a, [and] subsection (n) of section 46b-231 and
904 section 10 of public act 01-9 of the June special session.

905 Sec. 78. Subsection (b) of section 52-470 of the general statutes is
906 repealed and the following is substituted in lieu thereof (*Effective*
907 *October 1, 2002*):

908 (b) No appeal from the judgment rendered in a habeas corpus
909 proceeding brought [in order to obtain his release by or in behalf of
910 one] by or on behalf of a person who has been convicted of a crime in
911 order to obtain such person's release may be taken unless the
912 appellant, within ten days after the case is decided, petitions the judge
913 before whom the case was tried or, [a judge of the Supreme Court or
914 Appellate Court] if such judge is unavailable, a judge of the Superior
915 Court designated by the Chief Court Administrator, to certify that a
916 question is involved in the decision which ought to be reviewed by the
917 court having jurisdiction and the judge so certifies.

918 Sec. 79. Subsection (f) of section 54-208 of the general statutes is
919 repealed and the following is substituted in lieu thereof (*Effective*
920 *October 1, 2002*):

921 (f) Payments shall be made in a manner to be determined by the
922 Office of Victim Services, including, but not limited to, lump sum or
923 periodic payments. If an award is not claimed by the applicant within
924 forty-five days after notice of the award, the Office of Victim Services
925 may vacate such award or may order payments from such award to
926 health care providers or victim service providers and vacate any

927 remaining amount of such award."