



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

EXTERNAL AFFAIRS DIVISION

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**Testimony of Deborah Fuller
Judiciary Committee Public Hearing
February 24, 2006**

**Senate Bill 155, An Act Concerning the Duties of and
Service of Process by State Marshals**

Good afternoon. My name is Deborah Fuller and I appear before you today on behalf of the Judicial Branch to testify on *S. B. 155, An Act Concerning the Duties of and Service of Process by State Marshals*.

The Judicial Branch has concerns with section 10 of this bill, which would mandate that the Chief Court Administrator, in consultation with the chairperson of the State Marshal Commission, establish procedures on the availability of state marshals to serve temporary restraining orders which would not require the continuous presence of state marshals at the courts, except in extraordinary circumstances.

As the committee may be aware, a person who has been subjected to a continuous threat of physical pain or injury by a family or household member or a person with whom they have a dating relationship may apply for a civil restraining order. This application is made at the court, and is presented to a judge for signature at that time. If the application is granted and an order is issued, it must be served by a state marshal on the respondent in order to be effective. Currently, the Judicial Branch and the state marshals are operating under an understanding that provides for a state marshal to be available at the courts to serve these orders after they are signed by the judges. Last summer, Judge Pellegrino, who was the Chief Court Administrator at that

time, agreed to pilot a program that allows the state marshals to be contacted by phone, so that they do not have to be continuously present at court. This program began in the Tolland, Litchfield and Windham judicial districts, and was expanded to the New London and Middletown judicial districts just this month. An evaluation of the effectiveness of this program has not yet been concluded. For this reason, we believe that it is premature to enact legislation mandating such a program, and respectfully request that this provision be deleted from the bill.

Thank you for the opportunity to express our concern.