



Written Testimony Before the Judiciary Committee

In opposition to Senate Bill No. 973, AAC the Reimbursement of State Marshals.

The Bureau of Child Support Enforcement (BCSE) within DSS is the lead agency in Connecticut for Title IV-D child support enforcement services. As such, BCSE employs state marshals on a routine basis for service of process in civil actions related to the establishment and enforcement of support orders and paternity matters.

Reimbursement of state marshals "by the state for all reasonable and necessary expenses incurred in the performance of their duties" is inappropriate in view of their status as independent contractors, in accordance with CGS §6-38a.

The first question that naturally arises concerning the proposed amendment is who determines what is "reasonable and necessary"? If it is the state marshals themselves, then the state's potential exposure to unpredictable expenditure amounts renders the provision fiscally untenable. Statutory fee schedules already exist in CGS §§52-261 and 52-261a. In view of these statutes, add-ons in the form of mileage, insurance premiums, and other expenses seem difficult to justify. The language also leaves the door open to billing of expenses to the state in large numbers of cases where service of process is never even completed.

Finally, it also appears from the plain language of this proposal, that the state would be reimbursing state marshals even in private cases in which they are doing fee for service work for parties other than the state. This would represent an indefensible drain on state resources, and is clearly unwarranted.

For additional information on this testimony or any other legislation concerning the Department of Social Services, contact Matthew Barrett at (860) 424-5012.