



**STATE OF CONNECTICUT  
JUDICIAL BRANCH**

**EXTERNAL AFFAIRS DIVISION**

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**Testimony of Deborah Fuller  
Judiciary Committee Public Hearing  
March 12, 2007**

**Senate Bill 1398, An Act Concerning Court Operations**

Good afternoon. My name is Deborah Fuller and I appear before you today on behalf of the Judicial Branch to support **Senate Bill 1398, An Act Concerning Court Operations**, which was submitted by the Judicial Branch as part of our legislative package.

This proposal contains the statutory amendments that are necessary to implement recommendations of the Judicial Branch's Public Access Task Force. The Public Access Task Force, which was made up of a diverse group of judges, media members, attorneys and a former chancellor of the state university system, was created by Justice Borden nearly a year ago to ensure that our court system is open, transparent and accountable. The Task Force made 38 concrete recommendations to provide the maximum degree of public access to the courts. The majority of the recommendations do not require statutory changes and many have already been implemented. However, four of the recommendations do require statutory authorization. We have included the necessary language in this proposal, as follows:

- Section 4 would require the Judicial Branch to establish an administrative waiver of copying costs for indigent persons;
- Section 5 would make alternate incarceration plans a matter of public record in those cases where the defendants have been ordered as part of their sentence to participate in the program;

- Section 6 would revise the procedure for sealing the affidavits that are attached to search warrants; and
- Sections 7 and 8 would allow the disclosure of any contents of a competency examination that are used in court, and would require the judge in a competency hearing to state on the record the reasons for his or her finding that the defendant is competent or not competent.

In addition to these Task Force-related proposals, this bill would make the following changes:

- Allow the Judicial Branch to move further in the direction of electronic records-storage by adding to the types of copies that may be admitted as evidence in lieu of originals, and by allowing the destruction of originals that have been copied by computer-based imaging system or process.
- Establish a 10-year retention period for records of participation in the pretrial alcohol education program, so that the recently-enacted statutory provision allowing participation in that program more than once, but not more than once every ten years, can be implemented; and
- Make a technical change to language enacted last year (P.A. 06-106) establishing a surcharge on traffic violations.

I urge the Committee to act favorably on this proposal. Thank you for the opportunity to testify.