



# House of Representatives

General Assembly

**File No. 512**

February Session, 2012

House Bill No. 5510

*House of Representatives, April 18, 2012*

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT PROVIDING NOTICE OF PENDING FAMILY RELATIONS MATTERS TO JUDGES IN FAMILY VIOLENCE CASES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 46b-38c of the 2012 supplement  
2 to the general statutes is repealed and the following is substituted in  
3 lieu thereof (*Effective October 1, 2012*):

4 (d) In all cases of family violence, a written or oral report and  
5 recommendation of the local family violence intervention unit, and a  
6 written or oral report of the clerk of the Superior Court indicating  
7 whether the parties in the family violence case are parties to a case  
8 pending on the family relations docket of the Superior Court, shall be  
9 available to a judge at the first court date appearance to be presented at  
10 any time during the court session on that date. A judge of the Superior  
11 Court may consider and impose the following conditions to protect the  
12 parties, including, but not limited to: (1) Issuance of a protective order  
13 pursuant to subsection (e) of this section; (2) prohibition against  
14 subjecting the victim to further violence; (3) referral to a family

15 violence education program for batterers; and (4) immediate referral  
16 for more extensive case assessment. Such protective order shall be an  
17 order of the court, and the clerk of the court shall cause (A) a copy of  
18 such order to be sent to the victim, and (B) a copy of such order, or the  
19 information contained in such order, to be sent by facsimile or other  
20 means within forty-eight hours of its issuance to the law enforcement  
21 agency for the town in which the victim resides and, if the defendant  
22 resides in a town different from the town in which the victim resides,  
23 to the law enforcement agency for the town in which the defendant  
24 resides. If the victim is employed in a town different from the town in  
25 which the victim resides, the clerk of the court shall, upon the request  
26 of the victim, send, by facsimile or other means, a copy of such order,  
27 or the information contained in such order, to the law enforcement  
28 agency for the town in which the victim is employed within forty-eight  
29 hours of the issuance of such order.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	46b-38c(d)

**JUD**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill creates a notification requirement for court clerks in family violence cases and does not result in a fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

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**OLR Bill Analysis****HB 5510*****AN ACT PROVIDING NOTICE OF PENDING FAMILY RELATIONS MATTERS TO JUDGES IN FAMILY VIOLENCE CASES.*****SUMMARY:**

This bill requires court clerks to notify judges presiding over family violence cases of any pending civil family relations matter involving the same parties. The notice can be written or oral and must be available to the judge at the defendant's first scheduled court appearance.

By law, family violence cases are those involving an incident, other than the non-abusive disciplining of a minor child, between family or household members that either causes physical injury or creates fear that physical injury is about to occur. Family relations matters include divorce, legal separation, marriage annulment, alimony, child support, and paternity.

EFFECTIVE DATE: October 1, 2012

**BACKGROUND*****Related Bill***

sHB 5548, also favorably reported by the Judiciary Committee, provides family violence victims with greater support from courts, law enforcement agencies, and victim services providers.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 44    Nay 0    (04/02/2012)