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Joint Committee on Judiciary
Room 2500, Legislative Office Building
300 Capitol Avenue
Hartford, CT 06106

Re: S.B. No. 5388—An Act Concerning Court Fees and the Delivery of Legal Services to the Poor

Mr. Chairman and Members of the Committee:

I would like to voice my opposition to this bill, which is unduly burdensome and has unintended consequences. This bill is supposed to assist poor people; but it is actually taxing poor people, because any increase in the court fees will be passed on to the consumer, who is already experiencing financial difficulty, in the form of the judgment. Thus, an unintended consequence is that the very consumers this bill attempts to help will ultimately be paying these fees. We understand the need for additional revenue, but we feel this is a poor method.

The bill is actually anti-consumer and anti-business. We, as attorneys, are not paying the increase in the costs – it is our clients who are advancing the costs— small businesses, such as electricians, plumbers, or landscapers who are seeking redress in our courts. Such an increase fees are making the courts less accessible to those small businesses, as well as the consumer who may need to sue for redress, for example, for return of his or her rent deposit.

The \$25.00 increases may not seem like too much; however, in September of 2009, just over two years ago, the fee to sue in small claims was raised from \$35.00 to \$75.00. If this new fee increase goes into effect, the fee to start a small claims action will have almost tripled in less than three years.

Similarly, the fee to attempt to collect on a judgment through either a bank execution or a wage execution, was also raised from \$35.00 to \$75.00 in September of 2009, and will have almost tripled in less than 3 years. Additionally, less than 9 years ago, in 2003, there was no fee for a bank execution, and the fee for a wage execution was \$20. So, in 9 years, the fee for a wage execution will have increased five-fold, and a \$100 fee will have been added for a bank execution.

A new fee of \$125 is also proposed in this bill for claiming a case to the trial list. Wherever there are issues of fact, we are required to claim the case to the trial list, or the case will be dismissed by the Court. In Superior Court, the fee for starting a new action was raised from \$225 to \$300 in September 2009. If it is raised to \$325, and adding on the new \$125 fee, the fee to have a trial in Superior Court will have doubled from \$225 to \$450 in less than three years.

By placing such a high barrier for entry into the judicial system, we are precluding court access to the very people you wish to assist, as well as to numerous small businesses. We ask that you consider the financial harm to both consumers and small businesses that this bill will cause, especially in light of the most recent fee increases.

Thank you for your time and attention.



Linda Strumpf