



# State of Connecticut

## SENATE

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**TESTIMONY IN SUPPORT OF HB 6569  
AN ACT CONCERNING CIVIL ACTIONS AND SUBPOENAS FILED  
TO HARASS AN INDIVIDUAL OR AFTER NUMEROUS ACTIONS AGAINST  
THE INDIVIDUAL HAVE BEEN DISMISSED**

**Judiciary Committee Public Hearing  
March 13, 2013**

Chairmen Coleman and Fox, Ranking Members Kissel and Rebimbas, and members of the Judiciary Committee, thank you for the opportunity to testify in support of HB 6569, AN ACT CONCERNING CIVIL ACTIONS AND SUBPOENAS FILED TO HARASS AN INDIVIDUAL OR AFTER NUMEROUS ACTIONS AGAINST THE INDIVIDUAL HAVE BEEN DISMISSED.

Instances of vexatious litigation and other types of frivolous or malicious actions present a grave problem to our state and its citizens. Too often, a party avails herself of our legal system for the seemingly sole purpose of harassing or otherwise troubling an individual or governmental entity. Such actions are a drain on the sparse taxpayer-funded resources of our courts of law, and so strong is the policy against vexatious litigation that C.G.S. § 52-568 imposes double—and in certain cases treble—damages on those parties found engaged in this practice. This bill seeks to address many of the problems associated with vexatious litigation by requiring that the filing party submit a sworn certificate affirming a good-faith belief in the merits of their lawsuit and that the court review such certificate before proceeding to adjudicate the matter.

While this bill would protect crime victims and individuals against whom multiple civil actions have been filed and dismissed, I encourage this committee to additionally propose that C.G.S. § 52-259b be amended to protect against the waiving of court fees for those individuals qualifying for such waiver and who nevertheless file arguably meritless claims against municipalities, public officials, or the state. Requiring that a filing party demonstrate their action is not vexatious prior to an award of such waiver would further the policy goals of reducing both abuse of our legal system to harass individuals and waste of taxpayer dollars to finance these frivolous lawsuits. I have this session introduced SB 485 to address this particular concern; I feel, however, such concern can be just as effectively taken up as part of this bill.

Thank you again for the opportunity. I respectfully request that you incorporate these changes into HB 6569 and then vote favorably.