



General Assembly

January Session, 2013

Raised Bill No. 6690

LCO No. 4947



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING COURT PROCEEDINGS AND THE PROTECTION OF ANIMALS.

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

1 Section 1. (NEW) (*Effective July 1, 2013*) (a) In any proceeding in the
2 civil or criminal session of the Superior Court in which the welfare or
3 custody of an animal is at issue, including, but not limited to, a
4 proceeding concerning cruelty to animals under section 53-247 of the
5 general statutes, the court may order, or counsel for any party may
6 request, that a separate advocate be assigned to represent the interests
7 of the animal, in which case the court shall appoint an advocate to
8 serve on a voluntary basis from a list provided by the Commissioner of
9 Agriculture.

10 (b) The advocate shall perform an independent investigation of the
11 case and may present at any hearing information pertinent to the
12 court's determination of the best interests of the animal. The advocate
13 shall be subject to cross-examination upon the request of counsel for
14 any party. The advocate shall not be required to be an attorney-at-law
15 but shall be knowledgeable about the needs and protection of animals

16 and relevant court procedures. In performing an investigation under
17 this section, the advocate shall consider any prior arrangements made
18 for the animal, including, but not limited to, the existence of a trust to
19 provide for the care of the animal created under section 45a-489a of the
20 general statutes, a restraining order issued under section 46b-15 of the
21 general statutes that contains a provision to protect the animal, or a
22 protective order issued under section 46b-38c of the general statutes
23 that contains a provision to protect the animal.

24 (c) The Commissioner of Agriculture shall maintain a list of persons
25 with expertise in animal welfare or legal advocacy to serve on a
26 voluntary basis as advocates under this section. Such list may include,
27 but need not be limited to, veterinarians, students and faculty of law
28 schools, attorneys and law firms.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	New section

Statement of Purpose:

To establish a process for appointing an advocate to investigate and advocate for the welfare or custody of an animal that is the subject of a civil or criminal court proceeding.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]