

**Testimony of Paul Koch  
To the Judiciary Committee  
In Opposition of the Re-Nomination of Chief Justice Chase T. Rogers**

**Public Hearing April 10, 2015**

Good afternoon, Chairman Coleman, Chairman Tong, and members of the judiciary committee, I appreciate the opportunity to express testimony on behalf of my opposition to the re-nomination of Chief Justice Chase T. Rogers.

My name is Paul Koch. I am here today in support of the Pro Se foreclosure defendants throughout the state who are too shy, at work today, English is their second language or those who cannot articulate to all of you how necessary your immediate attention is to the Judicial mishandling of foreclosures in Connecticut. We need immediate and material changes in the handling of these foreclosure cases.

I was previously the President of a mortgage banking company that was licensed/registered by the Connecticut Banking Department as well as several other states. I started my company in the 80's and was one of the largest correspondents on the East Coast when Countrywide first started securitizing loans. I originated and sold into securities, thousands of mortgages worth over a billion dollars.

While running my Mortgage Banking business I was involved in endorsing thousands of Mortgage Notes. These transferred Mortgage Notes are supposed to be the cornerstone of the foreclosure process that has plagued our State and our court system: Connecticut is allowing foreclosures of homes to families with fraudulent paperwork or in some cases no paperwork.

I have spent countless hours observing many foreclosure cases in Connecticut. In essence I have done a survey of pro se defendants. I have not found one pro se defendant that has told me the court system treated them fairly.

I have studied how Judges in other states are handling these same issues and situations. They demand the proper paperwork or they hold the attorney accountable. I have also listened to countless pro se's recitations of their experiences in our courts. The people who are in the Connecticut courts are in pain. They are sick over what they are experiencing. The common feeling that these Connecticut residents are coming away with is that our court system is not fair and the scales of Justice are tipped.

It is my humble opinion that our court system is broken and in need of all of your immediate attention. The court system is not providing the residents of this state with a feeling that they are being treated fairly in our judicial system.

I have personally observed what I would call regular "abuse of discretion" by Judges to effectuate a certain result. Some of the Judges exercise abuse of discretion in order to fill voids created by paperwork that is missing, fraudulent or invalid. That is not an impartial Judge. My experience in the mortgage industry provides me the background to have formed these educated opinions.

I have observed Banks represented by one of the large foreclosure mills, avoid producing a single document throughout the entire discovery process. That is not fair or acceptable. I observed these foreclosure mills producing fraudulent documents executed by indicted criminals. The courts have allowed these fraudulent documents to be utilized to wrongfully take homes from citizens of Connecticut. Judges have abused judicial discretion to protect the Plaintiff from having to provide the incriminating documents to the defendant.

Judge Roberts has said that the appeal process is there as a safety net for such situations. In her earlier testimony, Chief Justice Rogers stated the appeal process is for legal issues and not factual issues. If Judges are allowed to deny the discovery of the pertinent facts, you don't have an appeal. If you think that navigating state court is complicated for a pro se defendant can you imagine a pro se defendant trying to get justice through the appellate process. It is virtually impossible.

I mean no disrespect to Chief Justice Rogers through my appearance here today. However, when a team is not performing as is expected, many times a change is necessary to get back on track. Effective change usually requires change from the top on down.

I hope that my testimony can facilitate some constructive dialogue to change Connecticut's Judicial system for the better.