

# Judiciary Committee JOINT FAVORABLE REPORT

**Bill No.:** HB-5472

AN ACT CONCERNING THE CERTIFICATION OF SHORTHAND REPORTERS  
AND CONCERNING A STUDY OF VIDEO COURT APPEARANCES BY

**Title:** DEFENDANTS.

**Vote Date:** 4/4/2018

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/14/2018

**File No.:** 587

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## **SPONSORS OF BILL:**

Judiciary Committee

## **REASON FOR BILL:**

Provide for video court appearances of a defendant in the custody of the department of correction, except in the case of arraignment, certain pretrial motions, jury impanelment, trial, judgment and sentencing.

## **SUBSTITUTE LANGUAGE:**

The substitute strikes all language from the original bill and adds certification of shorthand reporters by the Dept. of Consumer Protection.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

**Judicial Branch, External Affairs Division – State of Connecticut:** The Judicial Branch opposed the bill's proposal concerning video court appearances because section 1 states "shall", and not "may", taking discretion away from the court. Section 1 also does not indicate "who would file the motion, what would occur if a party objects, and if the motion could also be filed by a victim."

The Judicial Branch also testified that not all courts have the ability to teleconference and expressed concerns with the costs involved.

The Judicial Branch asked that the references to "Court Support Services Division (CSSD)" be replaced with "Judicial Branch", as CSSD has little involvement in many of the cases that this legislation would affect.

**NATURE AND SOURCE OF SUPPORT:**

None Expressed.

**NATURE AND SOURCE OF OPPOSITION:**

**Ioannis A. Kaloidis, President-Connecticut Criminal Defense Lawyers Association:** This group opposed the portion of the bill dealing with video court appearances primarily because interactions and communications between client and attorney during court proceedings are critical for appropriate and vigorous representation. They stated that “there was simply no substitute” for in person contact in developing trust.

Concern was expressed that, while this may be deemed a cost saving measure, it would disproportionately impact low income defendants who would be less able to post bail and severely limit the defendant’s ability to see or be seen by family and friends. They state that this sort of process is dehumanizing and doesn’t benefit any of the parties.

The language stating “shall”, instead of “may”, removes the discretion of the defense counsel to exercise judgement on the importance of the defendant’s presence at the proceedings.

**Reported by: Liz Gillette**

**Date: 4/26/18**