



PA 18-75—sSB 215
Judiciary Committee

AN ACT CONCERNING COURT OPERATIONS

SUMMARY: This act makes a number of unrelated changes in court procedures and operations. It:

1. prohibits state, municipal public works, and quasi-public agency contractors from discriminating on the basis of veteran status in performing the contract (§ 2);
2. requires a parent requesting certain orders from the court to file specified accompanying documents to demonstrate an existing legal relationship with the child (§ 4);
3. requires the court, after entering a decree to dissolve a marriage, to rule on any motion filed by one of the former spouses to have his or her birth or former name restored without a hearing (§ 5);
4. eliminates a requirement that the chief family support magistrate submit an annual report to the chief court administrator (§ 6);
5. makes a technical change concerning disposal of infractions (§ 9);
6. adds to the documents that the Commission on Official Legal Publications may publish electronically (§§ 10 & 11);
7. expands the circumstances under which a posted bail bond must be automatically terminated and released to include when the defendant is granted admission to a diversionary program for young people charged with certain motor vehicle or alcohol-related offenses (§ 14);
8. extends to victims of aggravated sexual assault of a minor protections that existing law gives to certain sexual assault and other victims regarding the confidentiality of their names and other personal information (§§ 15 & 16);
9. eliminates a requirement that the Department of Rehabilitation Services (DORS) provide a qualified interpreter to a juror who is deaf or hard of hearing, at the juror's or the court's request, for court proceedings and jury deliberations (in practice, the judicial branch gets interpreters through vendors, not through DORS) (§ 17);
10. extends by six months, to July 1, 2019, the date by which the chief court administrator must report to the Judiciary Committee on the pilot program that provides indigent individuals with access to legal counsel in proceedings on applications for civil restraining orders (§ 18);
11. allows individuals applying for or receiving Medicaid benefits to apply for a non-adversarial divorce if they meet certain other eligibility requirements (§ 19);
12. specifies that the victim advocate, upon request, must be provided with a copy of any police report in the state's attorney's possession, rather than in

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- the possession of the chief state's attorney's office (§ 20);
- 13. eliminates obsolete references to the judicial branch executive and assistant executive secretary (§§ 1, 3, 7, 8, 11, 12 & 13); and
- 14. makes minor, technical, and conforming changes throughout.

EFFECTIVE DATE: Upon passage, except the provisions:

1. prohibiting contractor discrimination based on veteran status (§ 2), allowing for a name change without a hearing (§ 5), making a technical change concerning infractions (§ 9), and specifying which police reports the victim's advocate may access (§ 20) are effective July 1, 2018 and
2. requiring certain parents to file accompanying documents (§ 4), providing protections to victims of aggravated sexual assault of a minor (§§ 15 & 16), eliminating the requirement that DORS provide interpreters for certain jurors (§ 17), and expanding eligibility for non-adversarial divorce are effective October 1, 2018.

§ 2 — DISCRIMINATION ON THE BASIS OF VETERAN STATUS

The act generally requires state agency, municipal public works, and quasi-public agency project contracts to require the contractors to (1) agree that, in performing the contracts, they will not unlawfully discriminate or permit discrimination on the grounds of veteran status and (2) agree to take affirmative action to ensure that applicants with job-related qualifications are employed and that employees are treated without regard to their status as a veteran. Under existing law, these provisions already apply to various other protected classes (e.g., on the basis of race, age, or disability).

§ 4 — ACCOMPANYING DOCUMENTS FOR CERTAIN COURT ORDERS

When parents of a minor child live separately, prior law permitted a party to apply to the court seeking orders for custody, care, education, visitation, or support for the child. The act clarifies that only a parent may file such an application with the court. It also requires the requesting parent to file certain accompanying documents with the court no later than the first date that the matter appears on the docket.

Under the act, "accompanying documents" are those that establish an existing legal relationship between the parents and the child for whom the parent seeks the order. These documents include:

1. a copy of a birth certificate naming the applicant and respondent as the parents;
2. a copy of a properly executed paternity acknowledgment;
3. a court order or decree naming the legally responsible parents, including adoptive parents;
4. a gestational agreement;
5. documents showing that the minor was born while the parents were married; or
6. other sufficient evidence within the court's discretion.

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§§ 10 & 11 — COMMISSION ON OFFICIAL LEGAL PUBLICATIONS

The act permits the Commission on Official Legal Publications to publish appellate court decisions in electronic, instead of bound, volumes. The commission must also publish the opinions in the Connecticut Law Journal, as required under existing law.

The act allows the commission to publish, maintain, and distribute all archived official legal publications electronically as the sole format. Prior law allowed the commission to do so for all official legal “protections” and all but the most recent 100 volumes of the Connecticut Reports.

§§ 15 & 16 — NAMES AND ADDRESSES OF CERTAIN SEXUAL ASSAULT VICTIMS

The act extends to victims of aggravated sexual assault of a minor protections that existing law gives to certain sexual assault and other victims regarding their names and other personal information.

It prohibits requiring such a victim to divulge his or her address or phone number during a trial or pretrial evidentiary hearing arising from the alleged crime if the judge finds the (1) information is not material, (2) victim’s identity is satisfactorily established, and (3) victim’s current address will be given to the defense in the same way it is in cases involving other offenses.

Also, under the act, such a victim’s name and address, and other identifying information as the court determines, is confidential and may not be disclosed without a court order, except (1) the information must be available to the accused in the same manner and time as such information is available to individuals accused of other criminal offenses and (2) if a protective order is issued, the victim’s name and address, in addition to the information in and concerning the protective order, must be entered in the protective order registry.