

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SB-964

Title: AN ACT CONCERNING COURT OPERATIONS

Vote Date: 3/20/2019

Vote Action: Joint Favorable Substitute

PH Date: 4/8/2019

File No.:

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

To make various changes to the general statutes affecting both civil and criminal proceedings.

SUBSTITUTE LANGUAGE:

The substitute language makes four changes. Section 2, lines 108 through 111, adds clarification by specifying that “upon the filing of such joint petition, the original complaint for dissolution of marriage is deemed superseded by operation of law...” In section 9, line 390 through 391, deletes “or such other medium” from how a record of court proceedings may be made. In section 13, lines 516-523 add requirements for information that must be contained in an investigation for when a court orders an abridged version of an investigation for a felony involving family violence. And the substitute language adds section 17, which enables the filing of a petition to the clerk of “any superior court or any federal district court” rather than “the court where the civil action will be filed.”

RESPONSE FROM ADMINISTRATION/AGENCY (SUPPORT):

Judicial Branch:

This is the Judicial Branch’s annual “omnibus” bill. It contains changes intended to improve the efficiency and effectiveness of court operations. There are nineteen sections of proposed changes that are briefly summarized. The branch recommends adding the following after “section” in line 516: “the provision of this subsection shall not apply to an individual convicted of a family violence crime as defined in § 46b-38a.” (*This recommendation is reflected in the substitute language lines 516-23*).

Christine Rapillo, Chief Public Defender:

Section 3 allows the Division of Public Defender Services to share the cost of interest of justice appointments under section 46b-136 with the Judicial Branch. Historically, the process for allocating lapses, rescissions and deficit mitigation reductions has cost the Division of Public Defender Services over \$500,000 per year, which is outside its budget allocation. Section 3 would allay these costs through cost-sharing with the Judicial Branch. Section 5 provides a definition of "Public Defender." The Division requests the words "special public defender" at lines 175 and 176 be changed to "Division of Public Defender Services Assigned Counsel."

Natasha M. Pierre, State Victim Advocate:

Section 1 would add victim service advocates employed by the Judicial Branch among those individuals listed as mandated reporters of child abuse and neglect. Section 14 would allow victims to seek reimbursement from the Office of Victim Services victim compensation program for attendance at juvenile hearings and the Board of Pardons and Paroles hearings. Crime victims may already seek reimbursement for attendance in adult court proceedings.

NATURE AND SOURCES OF SUPPORT:

Liza Andrews, Director of Public Policy and Communications, CT Coalition Against Domestic Violence:

Section 13 would allow the court to order an abridge version of a presentence investigation report. This practice should not be allowed. The CTCADV recommends the following language, "the provisions of this subsection shall not apply to an individual convicted of a family violence crime as defined in 46 b-38a." (*This recommendation is reflected in the substitute language lines 516-23*).

Dorothy Bardling, Daniel Lynch, Sotonye Otunba-Payne, and Cathy Plavcan, Court Recording Monitors:

The only concern with this bill is that it could open the door to outsourcing transcription work to a private vendor. That would not be a good idea for the judicial process itself, or the mostly female employees who would lose their jobs as a result. Monitors ensure the accuracy of the court record; incorrectly attributing an interpretation could lead to disastrous results. In-house court reporters are necessary to prevent such mistakes. Please vote against any and all proposals to outsource transcription services. (*The substitute language, lines 190-1, eliminates the proposed language that had caused concern about privatization of transcription services, "or such other medium" from Section 9.*)

Stacey G. Sobel, Executive Director and Kate Martin, Program Director, Child Advocates of Southwest Connecticut:

Three years ago the Court Appointed Special Advocates (CASAs) bill passed unanimously. It permits all abused or neglected children in Connecticut's child protection system to be helped by volunteer Court Appointed Special Advocates (CASAs). As of today, only Stamford has implemented the law. The Child Advocates of Southwest Connecticut support the bill, but would like the following language added to ensure the implementation of CASA: "That section 46b-129c of the general statutes be amended to: (1) require the Judicial Department to establish and administer the court appointed special advocate program, and (2) ensure that said program is administered in the Bridgeport Superior Court for Juvenile Matters."

Charles DellaRocco, President, AFSMCE Local 749:

The AFSMCE Local 749 includes more than 200 court recording monitors. Although the AFSMCE Local 749 supports the bill, it is concerned that sections 5 through 9 would enable the Judicial Branch to outsource court transcription work. That would lead to the elimination of largely female employees in addition to compromising the integrity of the judicial process. *(The substitute language, lines 190-1, eliminates the proposed language that had caused concern about privatization of transcription services, “or such other medium” from Section 9.)*

Lindsay Farrell, State Director, Working Families Party of Connecticut:

The Working Families Party supports this bill, but wants to recommend against the privatization of judicial operations and specifically the privatization of the 300 court monitors working in Connecticut courts. Such action would harm families who rely on minimal economic security provided by court monitor jobs. The elimination of these jobs would most affect women, who are already vulnerable to discrimination and sexism. Finally, it would be detrimental to the proper functioning of the judicial system. *(The substitute language, lines 190-1, eliminates the proposed language that had caused concern about privatization of transcription services, “or such other medium” from Section 9.)*

Sal Luciano, President, Connecticut AFL-CIO

Although the Connecticut AFL-CIO supports this bill, it is strongly opposed to including any language that allows for privatizing court monitors. Their work product is essential to keeping our democracy functioning in a transparent and just manner. For-profit profiteers have no place in sensitive court proceedings where matters of justice, life and death are at hand. *(The substitute language, lines 190-1, eliminates the proposed language that had caused concern about privatization of transcription services, “or such other medium” from Section 9.)*

Reported by: Robert J. Anderson

April 11, 2019