

Judiciary Committee
Connecticut General Assembly
Re: Raised HB No. 6505 (An Act Concerning Court Operations)

Honorable Members of the Judiciary Committee:

I am a partner at Needle | Cuda, a boutique divorce and family law firm located in Westport. I practice exclusively in the area of family law and divorce, and have since 2008. I practiced in other areas of law prior to that, although I starting representing children pro bono from the very outset of my career as a lawyer.

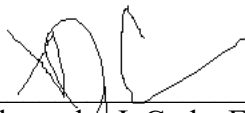
I am the current Vice Chair of the Family Law Section of the Connecticut Bar Association, where I am also a member of the Executive Committee and various other committees of the Family Law Section, including the Legislative Committee. Among other community and bar involvement, I am a past co-chair of the Family Law Committee and past Board Member of the Fairfield County Bar Association.

I write in my capacity as a Connecticut family lawyer to oppose any legislation which permits the amendment of statutes to allow for the removal of testimony concerning family law matters and rely instead on the use of affidavits. The current raised bill proposes such changes, which if implemented pose a significant risk to diminish access to justice by the people of the State of Connecticut.

There have been some (temporary) changes which were already implemented out of necessity on an emergency basis during the pandemic and which allowed for the use of affidavits in place of processes that would have usually involved an actual appearance in Court before a judge. There has been little choice but to utilize such processes during the height of the pandemic, or our clients would have been deprived of any recourse to certain Court functions. It would appear that with this raised Court Operations bill, we now face the long term/permanent institutionalization of more affidavit-based practice, even in a post-pandemic Court landscape.

Please consider how such a change would deprive the public of the access to justice and protections that can only occur in a Court setting, with a judge looking people in the face as individuals, rather than just by reviewing paper. The potential consequences of such changes include taking away the time-honored right of cross-examination to obtain the truth, diminishing the importance and ability of Court review, and leaving unprotected those individuals being bullied or abused. Self-represented litigants are particularly at risk for being deprived of the benefits of meaningful Court review. To remove actual, meaningful consideration of a case by a judge and replace it with administrative paperwork poses a crisis of Constitutional dimensions.

Thank you very much for your consideration of this written testimony, and for your work on behalf of the people of the State of Connecticut.



Alexander J. Cuda, Esq.
Needle | Cuda
830 Post Road East, Suite 301
Westport, CT 06880
203-557-9500
alex@needlecuda.com