

H.J. NO. 227 : STATE OF CONNECTICUT
MAUREEN MONAGHAN, : JUDICIARY COMMITTEE
CLAIMANT
V. :
STATE OF CONNECTICUT, : March 25, 2021
RESPONDENT

MARCH 26, 2021 PUBLIC HEARING TESTIMONY

**I. H.J. No. 227 (COMM) RESOLUTION GRANTING THE CLAIMS
COMMISSIONER AN EXTENSION OF TIME TO DISPOSE OF THE
CLAIM OF MAUREEN MONAGHAN**

On March 26, 2021, the undersigned will speak, on behalf of the claimant, Maureen Monaghan, on March 26, 2021, at the public hearing before the Judiciary Committee with respect to H.J. No. 227. Specifically, we request that the Claims Commissioner's request for another extension of time to issue her decision be denied and that permission to file suit against the State of Connecticut in Superior Court be granted to Claimant.

A. Background:

On February 28, 2015, now more than six years ago, Claimant Maureen Monaghan and her friend, Marlowe Ioime, were attending a comedy show at the Lyman Center on the campus of Southern Connecticut State University ("SCSU"). Claimant followed the traffic in front of her into Parking Lot #12 and parked in the first available parking spot. As soon as she took a step outside of her vehicle, she immediately slipped on a large area of ice,

causing her to fall to the ground and sustain injuries, including but not limited to a broken wrist.

The respondent was negligent, in that it knew, or should have known upon reasonable inspection of the parking lot, about the presence and danger of the ice in Parking Lot #12, and it failed to take any steps to remediate the danger. As a result of its failure and negligence, the respondent is liable for the injuries caused to Ms. Monaghan.

B. Procedural History and Post-Hearing Summary:

Within one year of the date of injury, Claimant filed her notice with the Office of the Claims Commissioner that she intended to file suit against the State for the personal injuries and losses she had sustained on February 28, 2015. Said notice is dated November 18, 2015 and was sent via certified mail on November 19, 2015 to the Office of the Claims Commissioner. On November 24, 2015, the Office of the Claims Commissioner received Claimant's *Notice of Claim Against the State of Connecticut Pursuant to Conn. Gen. Stat. § 4-147*.

On June 7, 2017, a Formal Hearing took place before the Claims Commissioner regarding the merits of Claimant's allegations, particularly with respect to liability (the issues of liability and damages were bifurcated). Claimant's Post-Hearing Brief, which was due by July 10, 2017, was filed with the Office of the Claims Commissioner on July 10, 2017. Even though Connecticut General Statutes § 4-154 requires that the Claims Commissioner's decision be issued within 90 days of the hearing, at the requests of the

Office of the Claims Commissioner, the parties ultimately provided the Claims Commissioner an extension of time to December 31, 2018.

However, December 31, 2018 came and went with no decision from the Claims Commissioner. Eventually, still with no decision from the Claims Commissioner, the matter was sent to the Legislature for review. More than two years after the Claims Commissioner's decision was actually due, the matter is now before the Judiciary Committee for review.

C. Conclusion:

It has now been over six years since Claimant was injured and almost four years since the Formal Hearing took place before the Claims Commissioner took place – still, with no decision. This delay is unacceptable.


The absurdly long delay caused entirely by the purposeful inaction of the State is completely counter to any semblance of an efficient, fair, and/or responsible application of the legal process set by Connecticut General Statutes, which all claimants must follow if they suffer injuries pursuant to the negligence of the State of Connecticut. Frankly, this process has completely failed the claimant, Maureen Monaghan, and the only remedy here is to grant her permission to proceed to the next step: filing suit in Superior Court against the State of Connecticut for the personal injuries and losses she sustained on February 28, 2015, which she maintains were caused to her by the negligence of the State of Connecticut.

II. H.B. No. 6506 (RAISED) AN ACT CONCERNING THE PROCEDURES OF THE OFFICE OF THE CLAIMS COMMISSIONER.

The undersigned respectfully submits her support for H.B. No. 6506, in its entirety.

RESPECTFULLY SUBMITTED,

By: _____


COLLEEN G. CASINI, ESQ.
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Juris No: 431861