

PUBLIC SERVICE AND TRUST COMMISSION

STRATEGIC PLAN

PHASE ONE IMPLEMENTATION REPORT

2009 REPORT

TABLE OF CONTENTS

INTRODUCTION 3

SUMMARY OF INITIATIVES 5

ACCESS 6

 Initiative: Americans with Disabilities 7

 Initiative: Limited English Proficiency..... 11

 Initiative: Information/Privacy..... 16

CHANGING DEMOGRAPHICS 18

 Initiative: Diversity in the Branch Workplace 19

DELIVERY OF SERVICES 21

 Initiative: Alternatives to Court Appearances..... 22

 Initiative: Case Management (Civil)..... 27

 Initiative: Complex Litigation..... 28

 Initiative: Criminal Practice 32

 Initiative: Family Support Magistrate Rules..... 34

 Initiative: Jury 35

 Committee: Problem Solving in Family Matters 42

 Initiative: Self-Represented Parties..... 46

 Initiative: Small Claims 51

 Initiative: Technology Plan..... 56

 Initiative: Uniformity of Court Procedures..... 58

COLLABORATION 61

 Initiative: Chief Court Administrator/Attorney General..... 62

 Initiative: Chief Court Administrator/Clerks and the Bar..... 64

 Initiative: Criminal Justice Information System 66

ACCOUNTABILITY..... 67

 Initiative: Civility/Decorum in the Courts 68

 Initiative: Courthouse Observation and Simulation Team..... 70

 Initiative: Court Security..... 71

 Initiative: Expectations of the Public 72

 Initiative: External Affairs Advisory Board - Speakers’ Bureau, Media Campaign for
 Public Education; Seniors and the Law 78

 Initiative: Judicial Performance Evaluation Program 82

 Initiative: Public Service Excellence (PSE)..... 86

 Initiative: Website Enhancement 88

INITIATIVES NOT ADDRESSED IN PHASE I 90

INTRODUCTION

In May of 2007, Chief Justice Rogers created the Public Service and Trust Commission and charged it with developing a plan to enhance the public's trust and confidence in the Judicial Branch by improving the services offered to the thousands of people who interact with the Branch each day. The Commission obtained and analyzed information from people who interact with the Branch and from Branch members through focus groups, public hearings and surveys. The Commission identified five major areas and developed a strategic plan with five goals and multiple strategies to address those areas.

The plan was submitted to the Chief Justice in June of 2008, who accepted the recommendations of the Public Service and Trust Commission and directed the Chief Court Administrator to develop a plan to implement the recommendations of the Commission. The Chief Court Administrator Barbara M. Quinn developed the initial implementation plan and undertook the first phase of the implementation process, addressing twenty-seven of the original thirty-six initiatives of the plan in September of 2008.

The following report on Phase I of the implementation of the strategic plan contains a summary of the results of the work undertaken by the new and existing committees and commissions in effecting the implementation of the twenty-seven initiatives. For each initiative, this report contains an overview and a listing of the recommendations of each committee and commission divided into three categories: recommendations for which implementation has already begun; recommendations that have not been reviewed or prioritized by judicial administration; and recommendations for the continuation or expansion of work begun by the Phase I committees.

The initiatives assigned to the committees and commissions were ambitious, and as the members explored their assigned areas, additional areas for examination and analysis often appeared, causing the already ambitious charge to expand. Consequently, even though the

committees and commissions worked intensely, they were not able to address fully every aspect of the Phase I initiatives. Some areas require further examination and development. The full reports, both final and interim, of the commissions, committees, and subcommittees are attached to this report.

In the first phase of implementation, not all initiatives of the implementation plan were addressed. The report also lists the initiatives that were not addressed in Phase I.

SUMMARY OF INITIATIVES

ACCESS

The Judicial Branch will provide equal access to all of its facilities, processes and information through the identification and elimination of barriers.

Initiative: Americans with Disabilities

The Americans with Disabilities Act Committee was formed in response to the implementation of the first goal of the strategic plan. It was charged with evaluating what resources currently offered by the Judicial Branch to accommodate those with differing needs; assessing accessibility to that information; and recommending more effective ways to disseminate, both online and at facilities, information to people who may need an ADA accommodation.

The Committee, which includes chair Patrick Caron, vice-chair Sandra Lugo-Gines, and member Ann-Laurie Parent, conducted five public meetings between November 2008 and April 2009, and held three informal work meetings in the same period.

The Committee evaluated what information and resources are available for people with disabilities at Branch facilities and on the Branch website; conducted three focus groups for people with disabilities and people who advocate for those with disabilities; and identified and utilized resources within the Branch, as well as Executive Branch agencies and non-profit and community groups.

The combined input from external and internal resources and the Committee's evaluation and assessment of available resources as charged in the strategic and implementation plans have driven the activities already undertaken by the Committee, and form the basis for the Committee's recommendations for action by the Branch now and in future.

Recommendations for which implementation has already begun

1. The Committee, working with the Legal Services Unit and the Information Technology Division, designed an Americans with Disabilities Act homepage for the Branch's Internet Website. The site provides a host of links, including the names, phone numbers and email addresses of dozens of trained ADA contact people in Branch facilities and offices; information about wheelchair access (see below), available auxiliary aids and services; juror accommodations; and the Committee's home page. The Committee recommends that the site be regularly assessed to ensure it is accurate and up-to-date and that links to forms requesting assistance be added.
2. The Committee evaluated and located wheelchair access at each courthouse as well as Support Enforcement Service sites, juvenile probation, law libraries, small claims sites, housing sessions, family services, and the Supreme Court, Appellate Court, and Tax Court. Those entrances were photographed and text information about the locations has

been posted on the Branch website under “Court Locations.” The Committee recommends that Court Support Services Division evaluate 13 of its sites for which no description is listed and post that information online.

3. The Committee accompanied a state Department of Public Works building inspector on informal ADA compliance check-ups of seven state-leased buildings. The Committee recommends the Branch conduct its own ADA compliance checks, annually or semi-annually, and promptly address deficiencies that impact peoples’ access to Branch facilities. The Committee further recommends that the Branch do those inspections with an advocate for people with disabilities, using the model checklist from the federal Department of Justice ADA Compliance guidelines.
4. The Committee conducted an inventory of available auxiliary aids and assistive technologies. The committee recommends that the Branch immediately purchase assistive vision technology for every clerk’s office, Court Service Center, and Information desks in courthouses and where files are kept. Recognizing the severe budgetary constraints faced by the Branch, the Committee suggests such technology could be as simple as the common and inexpensive magnifying glass. More advanced technology has been identified by the Committee; that information is included in the fuller report and appendix.
5. The Committee identified and trained 107 ADA Contact people within Court Operations, Court Support Services and External Affairs and provided ADA training with a trainer from the New England ADA Center in Boston. The locations, phone numbers and email addresses of ADA Contact people in every G.A. and J.D., as well as those in Jury Administration, Legal Services, Support Enforcement Services, and Juvenile are listed on the ADA website. The Committee recommends that Court Support Services Division list its trained ADA contact people on the Website.
6. The Committee has developed, with its Legal Services staff attorney advisor, a new Request for Accommodation form, as well as a grievance process procedure and a grievance form for the public. The Committee recommends the Branch review and approve the forms and post them on the ADA website, as well as ensure their distribution to all Branch facilities.

Recommendations for review and prioritization by Judicial Administration

1. The Branch should establish an Office for People with Disabilities that handles information, requests, complaints and grievances for both the public and its employees. The Office should include an attorney with thorough and current knowledge of the ADA as it applies to the public and labor law. The Office should include a trainer who will develop, implement and track ADA training for every Branch Judge and employee, and a coordinator charged with overseeing ADA Contact people, ADA requests and accommodations for both the public and Branch employees, and updating the Branch's existing ADA Webpage. The Office should be charged with overseeing the implementation of the ADA Committee's recommendations, and ensuring consistent and uniform handling, across the Branch, of ADA issues, and ensuring the implementation of Branch ADA policies and procedures. The Office should report annually to the Chief Court Administrator.
2. The Branch should establish an Advisory Committee that includes a representative of the Chief Court Administrator, a Judge, a staff member of each Division, a member of the Office of People with Disabilities, and members of the public with disabilities and/or their advocates. The Advisory Committee should meet biannually to review progress of the implementation of the ADA Committee's plan, as well as make recommendations on how to best accommodate people with disabilities.
3. The Branch should track every ADA complaint that it receives to monitor emerging or consistent patterns. Tracking and monitoring compliance with the ADA may also yield access to federal grant money for training on the ADA.
4. Based on the large number of responses from the participants in the three focus groups, the Committee recommends the Branch provide sensitivity training to every member of the Branch, from the Bench to the Judicial Marshal staff, using trainers with different abilities. While using in-house trainers would be cost-efficient, the Committee has identified a number of external resources, including advocates for people with disabilities, that it believes could help develop appropriate training.
5. The Branch should include information on all forms used by the public, such as jury forms, about the ADA Website and the Branch's ability to provide accommodations for people with disabilities.
6. Based on the increasing costs because of the request for and use of the vendor-provided Computer Assisted Real Time transcription (CART) service, the Branch should

investigate the feasibility and fiscal benefits of hiring, on a permanent, full-time basis, a certified CART court reporter.

7. The Committee recommends that the Branch abandon its use of text telephones (TTYs) and telecommunication devices (TDDs) in clerk's offices and other administrative office in favor of the free, national "711" telecommunications relay service for people with speech and hearing disabilities. The 711 number should be listed on every Branch form, replacing the TDD and TYY numbers.

Recommendations for the continuation or expansion of work begun by this committee

1. The Committee identified the usefulness of the Microsoft Accessibility features, which provide greater ease of computer use to people with differing abilities. The Committee recommends that the Branch's Information Technology Division investigate the availability and viability of activating those built-in Accessibility features on publicly accessible computers found in Court Service Centers and public information desks.
2. The Branch's IT Division should investigate how it can make the Branch's Webpage more accessible to external users, such as the ability by viewers to change font sizes to accommodate low-vision.
3. The Committee recommends that the ADA trained Contact people be trained annually to ensure familiarity with the ADA and that a biannual newsletter be sent to the Contact people notifying them of trends, changes in equipment, policy or rules and other ADA relevant information. The Committee also recommends that the Contact people list is reviewed annually to ensure all information is up-to-date.

Initiative: Limited English Proficiency

The Committee on Limited English Proficiency is the expansion of an existing Branch committee that was established to address the access requirements contained in Title VI of the Civil Rights Act of 1964 and other federal laws. The LEP Committee was charged with eliminating language barriers to facilities, processes and information that are faced by individuals with limited English proficiency.

Led by Atty. Faith Arkin (chair) and the Honorable Maria A. Kahn and Atty. Toni Smith-Rosario (co-chairs and advisers), the eighteen-member committee, comprising judges, interpreters, court service center personnel, marshals, and judicial information system staff, formed three subcommittees to address the various aspects of its charge: Outreach, chaired by Ms. Rhonda Stearley-Hebert; Multilingual Materials, chaired by Ms. Rena Goldwasser; and Interpreter Services, chaired by Ms. Gabrielle Winter. The committee and its subcommittees have met a total of thirteen times between November 24, 2008 and March, 2009.

The Committee and its subcommittees conducted a survey of available Branch forms and signs in languages other than English; did an extensive review of the Interpreter and Translator Services unit, including its policies, procedures, and training for staff, and usage by the public; and drafted a survey, to be distributed internally, to assess how often and in what manner language assistance services are utilized by various Branch units. Additionally, the members conducted a multi-question survey for the federal judiciary and other states about LEP services and translation in the courts.

The numbers of people with limited English proficiency who access the Branch is on the rise as Connecticut's demographics become more diverse. In 2007, the Branch provided more than 104,000 direct Spanish interpretations alone, and, on average, uses the Language Line phone interpretation service 391 times per month. These numbers will surely increase and, based on its in-depth review of the data gathered and after analyzing that information, the Committee is making the following recommendations:

Recommendations for which implementation has already begun:

1. Conduct an internal survey to assess how often and in what manner language assistance services are utilized by various units within the Judicial Branch. The survey has been drafted and piloted by the Committee.

2. Identify forms and materials that require translation services through an electronic survey of each Judicial operating unit; determine the number of 'hits' on forms and publication; ascertain which forms are most frequently filed. A phone survey was completed. The internal survey recommended above is anticipated to solicit additional information.

Recommendations for review and prioritization by judicial administration:

1. Consider the use of bar codes and possibly, the use of docket legend codes, to allow Court Operations to generate reports on the numbers and types of Judicial forms that are filed, as opposed to downloaded, printed, or distributed.
2. Consider other materials for translation, including: court calendar uniform instructions, into Spanish; translation of courtroom assignments that are posted on calendar and other days; interpreter/translation options when Support Enforcement Services cases are heard in front of Family Support Magistrates, especially in regards to the advisement of rights.
3. Survey community organizations to obtain information regarding the needs of LEP populations as it pertains to the Judicial Branch and review utilization data such as Webpage hits and forms used to determine translation priorities for the Branch Website.
4. Develop computer programs that will: include both 'Interpreter' and 'Language' indicators in the case-management systems where they currently do not exist; print 'Interpreter' and 'Language' indicators on all dockets; automatically generate an interpreter-service request from earliest identification of need; transfer pertinent data into the Interpreter and Translator Services (ITS) Scheduler system for every scheduled court appearance or interview throughout the duration of the case and until final completion.
5. Develop/include informational links on the existing Judicial Branch Webpage to direct LEP individuals to translated information and make other Webpage changes as determined by community organization survey results.
6. Develop a system for the efficient tracking and scheduling of interpreters through the use of current and future technology.
7. Record in case-management systems (CR/MV, Edison, etc.), at the earliest possible stage in a case involving an LEP individual: the need for interpreting services in a case, the language needed, and the type of proceeding and/or approximate duration of the interview requested.
8. Develop and establish specific criteria for prioritizing assignments of interpreting requests.

9. Permit the use of audio recordings of advisements of Constitutional rights in Spanish, recorded by certified Spanish-language interpreters.
10. Expand the scope of the Telephonic Bilingual Services (TBS), and rename it to allow this unit to provide telephonic and in-person interpreting outside of the courtroom (e.g., jail interviews, CSSD studies and interviews, Court Operations interviews, etc.)
11. Reassign suitable, permanent qualified (but non-certified) Spanish-language interpreters to TBS.
12. Modify, acquire and activate necessary telephonic infrastructure and equipment to maximize utilization of the Telephonic Bilingual Services.
13. Consider Spanish the priority language for translation of materials, with Portuguese as second and Polish as third priorities. Other translations should be determined based upon the utilization statistics and growth of minority communities.
14. Prioritize translation of materials based upon interpreter and translation event statistics and other data collected. Ensure that those pamphlets and brochures which have accompanying forms are translated in a coordinated manner. Additionally, a structured process should be developed for screening and prioritizing requests for translations.
15. Consider acquisition of terminology-management translation computer software (e.g. the Trados program) to ensure consistent state-wide translation of legal terminology on court forms for LEP individuals.
16. Acknowledge the issue regarding literacy levels of some LEP individuals and the need to identify assistance in understanding and reading materials, translated or not, to ensure that meaningful access to due process is provided.
17. Support the concept of Plain Language; need to analyze the concept of Plain Language as a cost-effective measure in forms translation.
18. Recommend additional resources for the Interpreter and Translator Services unit.
19. Establish Branch policies specifying the role and scope of duties and ethical requirements for interpreters in Connecticut Superior Courts.
20. Hire more bilingual staff for positions which directly serve LEP individuals.
21. Change organizational structure to: establish higher rates for services in hard-to-find languages so that the Judicial Branch can compete with other employers; certified temporary interpreters, and qualified temporary interpreters.
22. Change organizational structure to establish an Administrative Translator position for a person responsible for managing translation assignments; update the Interpreter II job

description for certified permanent interpreters to emphasize the professional, rather than clerical, services that interpreters provide to the courts.

23. Change organizational structure to establish a Master Interpreter job classification for those staff who pass the state certification with higher scores, or who hold multiple certifications (e.g., federal, American Translators Association (ATA), interpreting certification in more than one language).
24. Periodically review ITS staffing levels to ensure sufficient coverage for LEP individuals.
25. Create a mechanism to allow candidates to pay for some testing and training which may require legislation.
26. Solicit Branch employees (including judges) who have bi/multilingual abilities to participate in the Branch's outreach objectives (to utilize their skills such as through the Speakers Bureau).
27. The External Affairs Division should create or update a list of employees and judges willing to participate.
28. Expand outreach to LEP populations by the Judicial Branch Website based upon the needs identified via community organizations and establish collaborative relationships with media organizations that have targeted non-English speaking audiences.
29. Develop public service announcements based upon the needs of the LEP population.
30. Utilize monitors in public areas or lobbies that are a source of ongoing information to the public in languages common to the LEP population.
31. Support and foster the development of bi/multilingual employees by dedicating resources to train, recognize and assist these employees.
32. Train staff to routinely record interpreter and translator information into case-management systems (e.g. CR/MV, Edison, etc.)
33. Provide foreign language instruction to employees to enable them to provide basic information to LEP individuals, such as the location of the courtroom.

Recommendations for the continuation or expansion of work begun by the Phase I committee:

1. Review statistical information on civil court requests to Interpreter and Translator services. The ITS application is currently being updated to accept this data.

2. Utilize the experience of other states and the federal government to prioritize forms translations consistent with available resources. A survey was done by the Committee of those experiences.
3. Implement the Committee's procedural recommendations for Quality Consideration for Testing, Certification and Training for the qualification and certification process of interpreters.
4. Conduct Branch-wide training on civil rights, national origin discrimination, and services available to the LEP individuals. A pilot program training was conducted in 2008; program was refined. Branch-wide training has commenced with the judicial marshals; a schedule will be developed to reach all employees.

Initiative: Information/Privacy

The Committee on Judicial Information Policy (formerly the Identity Theft Committee) is an ongoing committee. Its original charge from the Public Access Task Force in 2006 was to address issues associated with identity theft, specifically the protection of personal identifying information contained in court files.

As part of the implementation of the strategic plan, the charge of this committee was expanded to encompass a broader range of access, privacy and confidentiality concerns. The Committee is charged with increasing public access to court processes and information while ensuring that the information of those who become involved in the court process is not misused, their safety is not compromised, and their privacy is respected.

Chaired by the Honorable Joseph H. Pellegrino, the twenty-seven-member committee originally created two subcommittees: a Criminal Subcommittee, chaired by the Honorable John F. Blawie and a Family Subcommittee, chaired by the Honorable F. Herbert Gruendel, to review Judicial Branch forms and rules that require the inclusion of personal identifying information. The committee and its subcommittees met a total of nine times between November 8, 2006 and February 5, 2009.

With the expanded charge, the committee will be establishing subcommittees to address the following areas: (1) drafting a comprehensive access policy for court records, (2) reviewing Branch policies on disclosability and disposal of personal identifying or otherwise confidential information and examining existing and potential structures to permit or restrict access to that information, and (3) developing training for Judges, staff, other agencies and the public on access to court records. With the expansion of electronic filing, each of these areas will need to be addressed.

Based upon the review of Branch forms and rules and the input from the National Center for State Courts, the Committee is making the following recommendations:

Recommendations for which implementation has already begun:

1. Forms have been revised based upon the review conducted. This process should continue to eliminate unnecessary personal identifying information and to permit the redaction before submission of personal identifying information, including redacted social security numbers, dates of birth or account number. (Specific information about the recommendations of the committee may be found in the report.)

2. A rule specifically directing filers not to submit personal identifying information in documents filed with the court was drafted and submitted to the Rules Committee as new Practice Book Section 4-7. It will be voted on by the Judges at the Annual Meeting in June.
3. Revisions to Practice Book Section 4-2 (b) to include a statement that the signature on a pleading means that the signer has complied with the provisions of Practice Book Section 4-7.
4. Revisions to the existing rules on sealing documents (P.B. Sec. 11-20A and P.B. Sec. 25-59A) to permit a streamlined process for removing or sealing personal identifying information that appears in court documents were drafted and submitted to the Rules Committee. These revisions will be voted on by the Judges at the Annual Meeting in June.

Recommendations for the continuation or expansion of work begun by the Phase I committees:

1. The review of information that is currently displayed on the website and the procedures for ensuring that accurate information is posted on the web site should be referred the Court Operations Quality Assurance Unit.
2. The examination of what could be added to the website to enhance access to court processes and information (i.e., providing streaming videos of court proceedings and posting decisions online), explore other ways that the Internet can be used to increase electronic access, including interactive options (creation of an online avatar to connect public with resources based on question/answer) and other web-based services should be referred to the Committee on Self-represented Parties and to the Web Board.
3. A rule should be drafted to provide for the submission in a sensitive data form of personal identifying or other confidential information that is required for adjudicative purposes. The form would not be available to the public or posted on the Internet.
4. A comprehensive policy on access to court records should be developed by the Committee on Judicial Information Policy. That policy may be modeled on the access policy drafted by the National Center for State Courts.
5. Educational materials should be developed for the public in conjunction with the Committee on Self-represented Parties regarding the public nature of materials that are filed with the courts.

CHANGING DEMOGRAPHICS

The Judicial Branch will provide a diverse and culturally competent environment that is sensitive to the values and responsive to the needs of all who interact with it.

Initiative: Diversity in the Branch Workplace

The implementation plan created the Diversity in the Branch Workplace Committee and charged it with recommending an action plan to promote and ensure diversity in the hiring and retention of Branch employees, and to ensure a culturally competent workforce.

Led by Chair Linda A. Dow, the eight-member committee, which included members from Court Operations, Information Technology, Court Support Services, Human Resources and External Affairs, met seven times from October 2008 through January 2009.

The Committee gathered an extensive amount of data, including demographics of Branch employees within Superior Court Operations Division and Court Support Services Division (CSSD); demographics of the offenders and probationers served by CSSD.; and an overview of the population served by the Support Enforcement Services unit. The Committee also collected general Connecticut community data, and examined the Branch's existing recruiting and retention efforts with respect to hiring.

As charged in the implementation plan, the Committee has recommended an action plan with specific recommendations listed below.

Recommendations for review and prioritization by Judicial Administration

1. Address issues of cultural competency through training for new and existing staff.
2. Conduct a survey of Judicial Branch staff to identify the areas employees think are in need of improvement in relation to cultural competency.
3. Develop and implement a cultural competency training curriculum; provide evaluations to each participant upon completion of training; provide pre- and post-training tests to measure levels of competency.
4. Develop a centralized, mandated training program for Affirmative Action Coordinators to ensure that the interview process is conducted in an appropriate and consistent manner at all times. Refresher courses should be offered biannually, and the rate of attendance tracked.
5. Assess Affirmative Action Coordinators on levels of competency through periodic self-assessments and/or post-training testing.
6. Develop and implement a system for Affirmative Action Coordinators to report any concerns regarding appropriateness of the interview processes as they occur. Also, a

system should be developed to ensure that any such concerns are investigated and acted upon prior to any action being taken on the recruitment in question.

7. Track the number of issues reported by Affirmative Action Coordinators.
8. Develop questions to include on the interview form that will measure the cultural competency of an applicant, or the ability for an applicant to become culturally competent.
9. Ensure all Branch staff involved in the interviewing process receive training regarding the inclusion of cultural competency as part of the hiring criteria and the importance it has as part of the required criteria for hire/promotion.
10. Update the existing "*Guidelines to Effective Interviews*" booklet to include cultural competency as a criteria for assessment of applicants.
11. Evaluate and develop methods to retain employees and provide opportunities to enhance their career mobility.
12. Evaluate the existing Mentoring Program to determine if it meets the needs of staff in providing increased access to career opportunities within the Branch.
13. Include a career mobility program as part of the Mentoring Program, to be developed by the Mentoring Committee in conjunction with Administrative Services Division Human Resources Management unit.
14. Assess existing materials and the extent of the Branch's current outreach efforts to students in high schools, business and technical schools, career academies, and colleges.
15. Assemble and maintain a pool of Judicial Branch employees who would be accessible to the Volunteer/Intern Coordinators to make presentations
16. Promote careers with the Judicial Branch by developing class materials and a speakers' bureau for Connecticut high schools, business schools, technical schools, career academies and colleges. Market the speaker's bureau, job shadow and court aide programs to high school administrators, and track the number of requests.
17. Market the Connecticut Courts Curriculum.
18. Develop a system to collect and determine distribution of Branch workforce data and data on the population served by the Branch; determine how that data can be effectively utilized to support the goal of developing and retaining a diverse and culturally competent staff.

DELIVERY OF SERVICES

The Judicial Branch will provide effective, uniform and consistent delivery of services by enhancing the management of court practices.

Initiative: Alternatives to Court Appearances

The Committee on Alternatives to Court Appearances was formed as a part of the first phase of the implementation and was charged with exploring possibilities for expanding the use of video conferencing and teleconferencing for court appearances in order to make judicial proceedings and services more accessible and to promote efficient and cost effective case management.

Chaired by the Honorable Elliot N. Solomon, the forty-member committee included judges, court personnel, a states' attorney, a public defender, an attorney general, attorneys from the private sector, support enforcement staff, a representative from the information technology division, the commissioner of the state Department of Mental Health and Addiction Services, and a representative from the Department of Correction. The committee formed five subcommittees to address specific areas of its charge, including: Technology, chaired by Mr. Scott Rosengrant; Statutes and Rules, chaired by Attorney Jennifer O. Robinson; Purposes, chaired by the Honorable Hillary B. Strackbein; Costs and Benefits, chaired by Mr. David M. Iaccarino; and a videoconferencing pilot program exploratory committee, chaired by Judge Strackbein. The committee and its subcommittees have met a total of twenty-six times between November 2008 and May 2009.

The Committee has gathered information on the technological infrastructure of Branch facilities, identified statutes and rules that impact the use of videoconferencing and teleconferencing, explored the civil, family, juvenile, criminal and appellate areas to identify where videoconferencing and teleconferencing could be effectively used, and analyzed the potential costs and benefits of video and telephone conferencing. Members of the committee also benefited from meeting with staff and observing the video courts in Newark, New Jersey.

After extensive evaluation and discussion, the Committee on Alternatives to Court Appearances has developed the following recommendations.

Recommendations for review and prioritization by judicial administration:

1. Civil Matters: Teleconferencing should be allowed, at the discretion of the court and after reasonable notice, for status and scheduling conferences; arguments, not including short calendar, where testimony is not required (including such matters for self-represented inmates); and such other matters upon which the parties may agree.

2. Civil Matters: Videoconferencing should be permitted, at the discretion of the court and after reasonable notice, for: short calendar arguments not involving the testimony of witnesses; trial testimony of any witnesses; inmate proceedings; habeas corpus proceedings alleging claims regarding conditions of confinement; and such other matters upon which parties may agree.
3. Civil Matters: Videoconferencing should not be used for pretrial conferences.
4. Criminal Matters: Teleconferencing should be allowed, at the discretion of the court and upon reasonable notice, for status and scheduling conferences.
5. Criminal Matters: Videoconferencing should be allowed, at the discretion of the court and with the consent of all parties, for second-stage extradition proceedings; and competency proceedings (C.G.S. 54-56d) in which there is no dispute that the defendant, at such time, is “incompetent but restorable.” Additionally a member of the evaluation team may testify by videoconference in support of the recommendations made by the team (videoconference equipment in the courthouse and at Connecticut Valley Hospital must be compatible). And videoconferencing should be allowed at the discretion of the court and with the consent of all parties for such other matters as to which both parties may agree.
6. Criminal Matters: Videoconferencing should be allowed without the consent of the parties for Court Support Services Division interviews of inmates in connection with pre-sentence investigations, the jail re-interview program, and level of service inventories.
7. Criminal Matters: Videoconferencing should be allowed without the consent of the parties for Sentence Review hearings.
8. Criminal Matters: A pilot program should be established for the videoconferencing of arraignments between the holding area and a courtroom in Geographical Area 14 (Hartford).
9. Criminal Matters: Transporting of inmates to court for matters when appearances before the judge is not necessary (Callbacks): In any courthouse which has videoconference facilities for private conferences between counsel and an incarcerated defendant, the following should apply: Defendants in Part A in the Hartford Judicial District shall not be transported to court unless specifically requested by the State or the defendant’s counsel and approved by the Court in its discretion. In Part A other than in the Hartford J.D., the defendant shall not be transported to court unless specifically requested by the State or defendant’s counsel. In Geographic Areas, defendant will be transported to court unless both the State and defendant’s counsel agree otherwise.

10. Juvenile Matters: Videoconferencing or teleconferencing should be allowed in Child Protection proceedings, at the discretion of the court and upon reasonable notice, for: status and scheduling conferences; the testimony of a person on whose behalf a protective order, restraining order or standing criminal restraining order has been issued and the subject matters of the proceeding involves the person against whom such order has been issued; participation by an out-of-state parent in a child protection matter under the Interstate Compact for Placement of Children; participation in a child protection case by a parent incarcerated in Connecticut whose presence in court poses a security risk, limited to certain proceedings; use of non-English language interpreter if not readily available in Connecticut; the testimony of a foster parent regarding the placement or revocation of commitment of a foster child living with such foster parent or a sibling regarding visitation with or placement of a child committed to DCF; by agreement of the parties and their attorneys, participation in discussions by treatment service providers and evaluators in case status conferences, child protection mediation and in court proceedings; and conferences with a judge of another state as required pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act.
11. Juvenile Matters: Videoconferencing should be allowed in delinquency proceedings, at the discretion of the court and upon reasonable notice, for initial detention review hearings where the detention facility is not located in the child's home juvenile district.
12. Family Matters: Teleconferencing should be allowed, at the discretion of the court and upon reasonable notice, for: status conferences not pertaining to custody and visitation issues; scheduling conferences, including issues regarding trial management orders; conferences with a judge of another state as required pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act; pretrial conferences where a party lives at such a remote distance that the court finds teleconferencing to be appropriate; and arguments that do not require the taking of evidence.
13. Family Matters: Videoconferencing should be allowed, at the discretion of the court and upon reasonable notice, for: participation by a party incarcerated at an out-of-state or federal facility; arguments that do not require the taking of evidence; the taking of testimony from an out-of-state witness; hearings on post-judgment motions as permitted by existing law; and interviews by Family Relations and Support Enforcement Officers of out-of-state and incarcerated individuals necessary for the completion of a service ordered by the court.

14. Administrative and Other Matters: Teleconferencing and/or videoconferencing should be allowed for: administrative meetings; use of non-English language interpreters working from a remote location; subject to Judicial approval, communication with juvenile detainees or incarcerated individuals; communication between inmates and state operated medical facilities regarding medical needs of an inmate while in the care and custody of Judicial Marshals; and probate proceedings at such times as the teleconference and/or videoconference equipment is available for use.
15. Administrative and Other Matters: Videoconferencing should be allowed as appropriate for training sessions with Branch personnel.
16. Administrative and Other Matters: Videoconferencing systems used in criminal matters for private conferences between counsel and incarcerated defendants may be used by counsel to communicate with inmates on Civil, Family, and Juvenile matters when equipment is available.
17. Administrative and Other Matters: Absent exigent circumstances and court approval, an inmate should not be transported to court on a day when no necessary court appearance is scheduled in his or her case.
18. Technology: Subject to fiscal constraints and prioritization within the Criminal, Civil, Juvenile and Family divisions, each Judicial District (J.D.) and Juvenile courthouse should be equipped with videoconference capability in at least one courtroom; each J.D., Geographical Area (G.A.) and Juvenile courthouse should be equipped with a videoconferencing capability for confidential communication between attorneys and incarcerated clients; each J.D. courthouse should be equipped with a portable videoconference unit.
19. Technology: Subject to fiscal constraints and prioritization, the Branch should implement a VOIP teleconferencing system that can accommodate all Branch locations; C.S.S.D. should be equipped with videoconferencing and teleconferencing capabilities in order to conduct inmate interviews (PSI's, LSI's, jail re-interview, etc.) and engage in adaptable administrative functions such as training sessions and meetings that require travel; and appropriate equipment shall be provided for continuous non-English language interpretation as needed.
20. Statutes and Rules: The Committee recommends the adoption of new rules and the revisions of existing rules and statutes to provide for the expanded use of these technologies for the purposes recommended in all practice areas. The use of teleconferencing and videoconferencing should, in most instances, be at the discretion of

the judicial authority and the rules should reference this discretion. Generally, it is contemplated that rules regarding teleconferencing and videoconferencing in a particular subject matter should be set forth separately, as described more specifically in Appendix B of this Committee's full report.

21. Statutes and Rules: The Committee recommends a rule that: (1) defines teleconferencing, (2) defines videoconferencing, (3) authorizes, in most instances, the use of videoconferencing if available where teleconferencing is permitted and (4) permits remote non-English language interpreting services, including continuous, word for word interpretation in appropriate situations.

Recommendations for the continuation or expansion of the Phase I committee:

1. A Standing Committee on Technology for Videoconferencing and Teleconferencing should be formed to continue the work of this committee. The purpose of the Standing Committee will be to monitor the implementation of these recommendations, to educate users as to the availability and use of new technologies, and to measure the outcomes of the changes as they are implemented.
2. An individual should be designated whose sole responsibility would be the management of Branch teleconference and videoconference resources. Existing and anticipated teleconference and videoconference resources are substantial and the field will change considerably in the years to come. Consequently, it is appropriate that one individual be charged with providing direction in this field.

Further study should be done into the feasibility of using videoconference technology to create and preserve the court record. Although this has been discussed in the course of this Committee's work, a full examination is beyond the scope of this analysis.

Initiative: Case Management (Civil)

The Civil Commission is an ongoing commission that was formed in 2000 by the former Chief Justice, the Honorable Francis M. McDonald, Jr. The Commission was originally charged with the review of the civil docket and the development of practices that would improve the administration of judicial services and promote the resolution of cases in a fair, timely, open and cost-effective manner. This Commission has now been charged with to examining issues associated with case management practices and procedures to ensure that they are designed to address the changing numbers, types and complexity of cases, incorporate new technology, and serve all who interact with the courts.

Chaired by the Honorable Arthur A. Hiller, the twenty-seven-member committee, which includes members from the Bench and the Bar, formed two subcommittees to address specific areas of its charge, including: Case Processing, co-chaired by the Honorable Marshall K. Berger, Jr. and Attorney Catherine Smith Nietzel, and Discovery, chaired by Attorney Charles A. DeLuca. The committee and its subcommittees have met several times, and will continue to meet, to consider the issues assigned to them

The Committee reviewed and grouped the many issues that were obtained from the focus groups conducted during the development of the strategic plan and its subcommittees are discussing issues connected with discovery, including examining enforcement of discovery rules and examining the possibility of implementing a special masters program and issue associated with case processing, including ways to make the pretrial process more effective and examining the feasibility of individual scheduling or staggered hours for motions and short calendar hearings.

The Commission is not yet at the point of making specific recommendations, but its subcommittees are developing recommendations that will be submitted to the full commission in the near future. The Commission will submit recommendations as they are completed.

Initiative: Complex Litigation

Several of the concerns raised in the focus groups conducted as part of the development of the strategic plan concerned the complex litigation program. To accelerate the review of the Complex Litigation Program and address these areas of concern, the Complex Litigation Committee was created. It was charged with the review and evaluation of the Complex Litigation Program, including the program's criteria and standards, and identifying possible areas of improvement.

Chaired by the Honorable Dennis Eveleigh, the fifteen-member committee included judges and members of the bar. The committee formed three subcommittees to address specific areas of its charge: Administrative, chaired by Attorney Richard A. Silver, Procedural, chaired by Attorney Richard Weinstein, and Standards, chaired by Attorney William Prout. The committee and its subcommittees met a total of seven times between April 25, 2008 and August 27, 2008.

Each of the subcommittees met to review current practices in their respective areas and to address the concerns expressed regarding the Complex Litigation docket (CLD), including the need for clarification and dissemination of standards for referral to the docket, the suggested input from the bar into the assignment of complex litigation judges, and the streamlining of procedures within the complex litigation docket.

As a result of the review and analysis of the information gathered by the focus groups and extensive discussions of possible improvements, the committee developed and submitted the following recommendations.

Recommendations for which implementation has already begun

1. A practice should be established which provides the Bar with input on the selection of CLD Judges; it was suggested that a representative group of the Bar meet with the Chief Court Administrator to give candid appraisals of potential for service on the CLD. (Members of the Bar met in April of this year to provide input into the selection of CLD judges.)
2. Criteria used to determine whether a case should be referred to the CLD should be elucidated more clearly. (Revisions have been made to the *Facts About the Connecticut Judicial Branch Complex Litigation Docket* (Information Sheet) to clarify the criteria.)
3. A judge's assignment to the CLD may be extended beyond three years to permit the judge

to manage cases through trial in accordance with the principles of an individual calendar method of case management. However, an interim review should be conducted after two years to evaluate each CLD judge's performance. (Some judges are permitted to continue on the docket for a period longer than 3 years, but a CLD judge's individual preferences also need to be taken into account. An interim review cannot easily be undertaken unless there are an adequate number of evaluations for a statistically meaningful review.)

4. The application process should be streamlined. The application for case referral should be filed early in the case and the form should be redrafted in order to provide a box which clearly identifies whether all parties consent to the referral. (JD-CV-39 has been revised and posted online.
5. Any objection to the referral of a case to the CLD must be filed after a specified time period following the filing of the application, rather than after the decision is rendered on the application. The present application form which allows an objection to come in after the decision of the judge shall be amended to reflect this change. (Form JD-CV-39 has been amended.)
6. Language contained in the document entitled *Facts About the Connecticut Judicial Branch Complex Litigation Docket* (Information Sheet) should be rewritten to more clearly reflect that cases are considered for placement on the CLD on the basis of their individual merit, in the exercise of sound discretion, on a non-formulaic basis.
7. In the section of the Information Sheet entitled "How Does a Case Get Referred to the Complex Litigation Docket?", the following language should be inserted immediately following the reference to the Judicial Branch website:

"The Chief Administrative Judge of the Civil Division has discretion to schedule a hearing to consider whether referral to the Complex Litigation Docket is appropriate."
8. In the section of the Information Sheet entitled "What Factors Will Be Considered in Determining Eligibility?", the language should be as follows:
 - The number of parties
 - The number of counsel
 - The amount of the claim and the nature of the relief requested
 - The anticipated length of trial
 - The complexity of the issues presented for resolution
 - The extent and complexity of pretrial proceedings, including discovery matters, motion practice, and special proceedings

- The overall need for the special oversight and management that the Complex Litigation Docket may provide
 - Whether alternative case management approaches are available in the judicial district where the case has been brought
9. In the section of the Information Sheet entitled "What Types of Cases Will Be Considered as Complex Litigation?", the following introductory sentence should be inserted: "While each case proposed for the Complex Litigation Docket will be evaluated on its individual merits, the following types of cases often have been found to be appropriate for assignment to the Complex Litigation Docket."

Recommendations for the continuation or expansion of work begun by the Phase I committees

1. The evaluation form for all Superior Court Judges should contain a check-box inquiring of counsel whether that judge should be considered for assignment to the CLD. (Referred to Judicial Performance Evaluation Committee)
2. It is recommended that the evaluation form should not contain a case caption or docket number and should be distributed with an internal and external envelope. The wording of the form should give the Bar assurance that the information is not attributable to a specific lawyer. (Referred to Judicial Performance Evaluation Committee)
3. The juror administrative processes should be reviewed in order to identify areas that are contributing to the lack of a sufficient number of jurors for a full day of jury selection, and to provide solutions. Stamford appears to be a particular problem. (Referred to Jury Committee)
4. Examine the potential for utilization of Judge Trial Referees in cases where no CLD judge is available.
5. If Judge Trial Referees were to be utilized, due to the statutory requirement that they cannot preside over civil jury trials without the written consent of all parties, a mechanism would have to be developed to provide for parties' agreement.
6. An alternative to the referral of cases to the CLD based upon the length of trial would be the transfer of the case to another judicial district by the Chief Court Administrator.
7. In order to prevent delay, the Request for Adjudication form should be modified to address the difficulties in reaching opposing counsel and obtaining the necessary information to complete the form. (This form is being revised.)
8. Procedures should be developed for the processing of this form based upon the

differentiation of the types of motions in order to provide for prompt adjudication of discovery motions.

9. To expedite the processing of these motions, different methods such as telephonic scheduling conferences should be explored.
10. System changes should be considered in order to provide the capability of readily identifying the filer of a motion/objection on the Case Detail page of the Branch's website.
11. Procedural requirements for filings should be adopted, such as the inclusion of the party number on all CLD filings to facilitate the process.
12. Efforts should be made to provide for the availability of Wi-Fi access in the courthouses. (Referred to Committee on Alternatives to Court Appearances)
13. The scheduling of CLD events should be entered into the Edison system so that this information may be available for viewing on the Branch's website.

Recommendations that were not accepted by the Chief Justice

1. A Presiding Judge should be appointed in order to provide better coordination of resources between the CLDs and the regular dockets and among the CLD judges, particularly regarding the transfer of cases between CLD areas if the assigned judge is not available for trial or hearing. (Chief Administrative Judge (CAJ) of Civil serves this function)
2. Additional CLD locations would provide synergy and flexibility to assist in the reassignment of a CLD trial that could not proceed as scheduled. (Not accepted due to significant budgetary constraints, but Branch will continue to evaluate these recommendations as available resources permit.)
3. The creation of additional CLDs in New Haven, Bridgeport and the eastern part of the State is recommended if possible, given the constraints of the available Judicial Branch courthouses in those locations. The Committee supports an expedited schedule for addressing the completion of new facilities in these locations, particularly New Haven and Bridgeport. (Not accepted due to significant budgetary constraints, but Branch will continue to evaluate these recommendations as available resources permit.)
4. Identify those Judicial Districts that may have available courtrooms and space for support staff for locating additional CLDs. (Not accepted due to significant budgetary constraints, but Branch will continue to evaluate these recommendations as available resources permit.)

Initiative: Criminal Practice

The Criminal Practice Commission, which is an ongoing commission, is an extension of the prior Ad Hoc Criminal Practice Committee. That committee was originally created to provide a forum to discuss issues related to the process of the criminal justice system in order to improve the system. One of the implementation initiatives has more specifically charged the Criminal Practice Commission with addressing a wide range of issues that were identified by the focus groups that were conducted during the development of the strategic plan.

Chaired by the Honorable Patrick L. Carroll III, the twenty-one-member commission, which includes members from the Bench and the Bar, formed five committees and a subcommittee to address specific areas of its charge, including: Discovery/Practice Book, co-chaired by the Honorable Patrick Clifford and Attorney Kevin Kane; Habeas Reform, co-chaired by the Honorable Gary D. White and Attorney M. Elizabeth Reid; Proposed Revisions to the Rules of Professional Conduct, Immigration, co-chaired by the Honorable Joette Katz and the Honorable David Gold; Professionalism/Civility, co-chaired by the Honorable James Ginocchio and Attorney Raymond Hassett; and its subcommittee on Connecticut Criminal Defense Lawyers Association (CCDLA) Submissions to the Judicial Selection Commission and the Judiciary Committee, also co-chaired by the Honorable James Ginocchio and Attorney Raymond Hassett. The commission has met four times, and will continue to meet, to consider the issues assigned to it.

The Committee reviewed and grouped the many issues that were obtained from the focus groups conducted during the development of the strategic plan and issues that arise, including the notification of Immigration and Customs Enforcement, the release of certain information by the prosecuting authority in a criminal case, including law enforcement reports, affidavits and statements and the examination of the habeas process and procedures.

The Commission is not yet at the point of making specific recommendations in all areas. It will continue to examine and evaluate the issues associated with the criminal justice system. Currently, the Commission has the following recommendations.

Recommendations for which implementation has already begun

1. The Commission has proposed revisions to Practice Book Sections 40-10 - Custody of Materials; 40-11- Disclosure by the Prosecuting Authority; 40-13 – Names of Witnesses; Prior Record of Witnesses; Statements of Witnesses; 40-14 – Information Not Subject to

Disclosure by Prosecuting Authority; and proposed a new Section 40-13A – Law Enforcement Reports, Affidavits and Statements. These revisions and the new rule, drafted by the Discovery/Practice Book Committee of the Commission, are a milestone in resolving significant and long-standing disputes between the State and defense counsel in the area of discovery. They were published in the Connecticut Law May 19, 2009 and the public hearing on these rules was held on June 1, 2009.

2. A meeting with members of the Connecticut Criminal Defense Lawyers Association (CCDLA) to discuss the Association's submissions to the Judicial Selection Commission and the Judiciary Committee regarding Judge's reappointments took place in May. This issue will continue to be discussed and information will be shared with the committee addressing judicial performance evaluation.
3. The Habeas Reform Committee is reviewing the existing procedures for habeas matters and is considering revisions to the process.

Initiative: Family Support Magistrate Rules

The Family Support Magistrate Rules Subcommittee is a new subcommittee of the Family Commission. It was charged with developing rules for the Family Support Magistrate Division, which was created by statute in 1986 in response to federal law requiring expedited hearings for the establishment, enforcement and modification of child and spousal support cases.

The eleven-member Subcommittee is co-chaired by the Honorable Lynda B. Munro, Chief Administrative Judge of Family, and the Honorable Sandra Sosnoff Baird, Chief Family Support Magistrate. The Subcommittee met twelve times between October 2008 and June 2009.

The Subcommittee conducted an extensive review of the existing Practice Book Rules to determine which of those rules should apply to Family Support Magistrate matters and identify areas where rules should be drafted. The members focused on Chapter 25 of the Practice Book, the general provisions for *Superior Court Procedure in Family Matters*, and on Chapter 13 of the Practice Book, *Discovery and Depositions*. Areas reviewed included case management, automatic orders, discovery, and expedited modifications. Relevant to the Subcommittee's work is the fact that 95 percent of litigants appearing in family support magistrate matters are self-represented and identifying and clarifying the rules that apply will enhance litigants' understanding and allow them to participate in a more meaningful way.

Recommendations for which implementation has already begun

The Family Support Magistrate Court (FSM) Rules subcommittee has completed the work it commenced last fall. It has drafted proposed rules for FSM court. The Family Commission is now reviewing the draft of those rules, and it is anticipated that the final form of these comprehensive proposed rules will be forwarded to the Rules Committee of the Superior Court over the summer.

Initiative: Jury

With nearly one in three Connecticut adults being summoned annually for jury duty, the Branch wants to ensure the best possible service for jurors to help bolster the public's trust and confidence in the court system. The Jury Committee was formed to evaluate the Branch's overall juror system, from the initial contact through the utilization of jurors for service and beyond. The Committee was charged with recommending new approaches and initiatives, after an evaluation of the existing system and comparing the practices of other states and the federal judiciary. To further the Branch's goal of ensuring uniformity in its delivery of services, the Committee was also charged with identifying the different practices used in each of the nineteen court locations that summon jurors.

The Committee of twenty-nine members was co-chaired by the Honorable Linda K. Lager and the Honorable Frank M. D'Addabbo. Four subcommittees were created: Arrival, Before Court Appearance, Selected Jurors, and Voir Dire. In all, the Committee and its subcommittees met twenty-three times between December 2008 and May 2009.

With respect to each of their areas, the subcommittees reviewed Branch practices, forms, brochures and other existing media, including the Jury Handbook and the Jury Information page on the Branch Website. A survey of the jury clerks was conducted, and the American Bar Association's 2005 report *Principles for Juries and Jury Trials* was consulted, along with the ABA's best practices recommendations.

As a result of the members' reviews and analyses of existing practices, the Committee has developed a number of recommendations.

Recommendations for review and judicial prioritization:

Before Court Appearance (BCA) Subcommittee

1. Permanent Master File - Maintain the current practice of annually creating the Master File. Study ways to improve the quality of the data received from the source list provider agencies. Study whether technology could overcome the disadvantages of a Permanent Master File.
2. Improve Juror Utilization - Implement techniques statewide based to reduce daily number of requested jurors to achieve a utilization rate of 60% based on practices of court

locations with high utilization rates, cancellation rates and scheduled trials and monitor the impact of reducing daily numbers.

3. Improve Information re Employment Issues - Expand and update information about rights of employed and unemployed jurors. Hold focus groups of former jurors to determine what information would be helpful. See also BCA Recommendation 5.
4. Jury Service - Substitute the term “jury service” for “jury duty” and ensure all forms of communication (summons, notices, publications, website, videos and oral) conform to the changed terminology. Also see BCA Recommendation 5.
5. Maintain and Update Forms, Publications, Website, Video and Orientation Materials - Create a formal mechanism (a committee, dedicated staff or a combination) to develop procedures and to review, maintain, update and recommend revisions, according to an established schedule, of forms, publications, website, video and orientation remarks and materials in order to provide accurate and timely information regarding jury service, to ensure accurate translations into languages other than English, to ensure uniform and proper use of terminology throughout the cycle of jury service and to respond to jurors’ questions. Hold focus groups of former jurors to determine what information would be helpful. See also BCA Recommendation 3, Selected Jurors Recommendation 1.
6. Refinement of Summoning Procedures - Study the legality of changing the summons calculation formula based on population within a zip code and the stability of population within a zip code. If studies prove favorable, pursue legislative changes to implement such a change in order to enhance the representativeness of the array.
7. Addressing Specific Juror Concerns About Service - Create a uniform process for jurors with specific concerns about their ability to serve, such as economic hardship or past experiences, by which those concerns can be confidentially communicated to jury administration staff before appearing and to a judge on the day of appearance. See also BCA Recommendation 5, Arrival Recommendation 1, 2.
8. Excusing Jurors Who Have Served on Exceptionally Long Trials - Continue to permit judges to exercise their discretion to excuse jurors from future service for a period greater than three years if the circumstances warrant and the juror wishes to be excused.

Arrival Subcommittee

1. Juror Orientation - Create and provide a uniform outline of points to be covered in the orientation remarks made by judges to jurors who have arrived for jury service. See also BCA Recommendation 5, 7.
2. Pre-Screening - Implement a pre-screening process to be used upon arrival or during the orientation process that identifies prospective jurors with bona fide reasons to be excused from service before they are selected for a voir dire panel. See also BCA Recommendation 7, Voir Dire Recommendation 1 and 2.
3. Facilities and Logistics - Ensure comfortable seating arrangements and quiet areas for waiting jurors. Explore providing wi-fi or internet access, with instructions as to proper use during jury service. Consider these needs in planning construction of courthouses in the future. See also Voir Dire Recommendation 6, Selected Jurors Recommendation 16.
4. Orientation Video - Create a new updated video, approximately 20 minutes long, that includes relevant points culled from the existing videos. Mandate that the video be shown in all locations. See also BCA Recommendation 5.

Voir Dire Subcommittee

1. Judicial Supervision of All Voir Dire - Require that a judge, either the assigned trial judge or a judge trial referee, preside over voir dire in civil cases in the same manner that judges presently preside over voir dire in criminal cases.
2. Pre-screening - Require that all jurors be pre-screened by a judge prior to individual questioning by counsel in order to excuse jurors who have hardships, conflicts or special difficulties hearing the case of the type on trial or who otherwise satisfy the requirements for an excusal for cause. See also BCA Recommendation VII, Arrival Recommendation 2, Voir Dire Recommendation 1, 3, 5, 6.
3. Voluntary Use of Panel Voir Dire - Allow and facilitate the use of panel voir dire on a purely voluntary basis in any case in which all the parties request it and pertinent statutory and constitutional rights are properly waived.
4. Retention and Destruction of the "Confidential Juror Questionnaire" - Adopt a specific formal and uniform policy, as recommended by the subcommittee in 4.3, regarding the retention and destruction of the statutorily required "confidential juror questionnaire." Require judges to inform prospective jurors about the use and privacy of the

questionnaires and the retention and destruction policy. See also Voir Dire Recommendation 6.4, Selected Jurors Recommendation 15.

5. Reusing Excused Jurors - Adopt a uniform policy that requires jurors who are excused, following either pre-screening or voir dire questioning, to return to the jury assembly room to be available for inclusion on a panel for another case, taking into account, among other things, the time of day and the basis for the excusal. See also Voir Dire Recommendations 1, 2, 3. Re-use of jurors for another voir dire panel should enhance overall juror utilization. See BCA Recommendation 2.
6. Improving Juror's Comfort - Provide an adequate and suitable environment for jurors awaiting questioning. See also Arrival Recommendation 3. Minimize waiting time by implementing methods to expedite the process such as photocopying the confidential juror questionnaire for counsel, using pre-screening techniques, and allowing venire members to report at specified times for questioning. See also Voir Dire Recommendation 2, 3, Selected Jurors Recommendation 12.
7. Alternate Jurors - Study methods for selection and better use of alternate jurors that are more consistent with ABA Principles for Juries and Jury Trials, Principle II.G.2 and G.3. Conform the practices used in civil and criminal cases and seek appropriate legislative changes to do so. See also Selected Jurors Recommendation 13.

Selected Jurors Subcommittee

1. Post-Selection Orientation - The trial judge should provide specific orientation materials to selected jurors that address important aspects of trial service including juror conduct requirements and other key information. See also Selected Jurors Recommendation 12, 16.
2. Juror Note Taking - Permit jurors to take notes during the evidentiary stages of a trial with the trial judge providing appropriate instructions about the procedures to be used.
3. Clear Jury Instructions - Instruct jurors in plain and understandable language regarding the applicable law and the conduct of jury deliberations and make the formulation of such clear language instructions a priority for the civil and criminal jury instruction committees.
4. Copies of Instructions - Provide jurors with a copy of the jury instructions for use while the jury is being instructed, or alternatively use technology to display the instructions,

and also provide each juror with a written copy of the instructions to use during deliberations.

5. Exhibit Index - Provide an appropriately redacted index of full exhibits for use during deliberations.
6. Responding to Juror Questions and Requests for “Readback” of Testimony - Continue to follow the current practice, as set forth in relevant practice book sections, with sensitivity to concerns of fairness, completeness and accuracy of responses.
7. Innovative Trial Practices – Recommended: With agreement of counsel and the court, use juror exhibit binders/notebooks and/or expanded preliminary instructions in appropriate cases.
8. Innovative Trial Practices – Not Recommended: Do not permit the use of the following innovative trial practices – discussion of evidence during the trial of civil cases, sequential expert testimony; specific suggestions regarding the selection of a foreperson and the conduct of deliberations.
9. Juror Questions for Witnesses - Permit jurors in civil cases to submit questions to witnesses with agreement of counsel and the court, in a prescribed manner and as currently permitted by Connecticut law. Although Connecticut law also permits the practice in criminal cases, the subcommittee recommends against that practice.
10. Counseling for Jurors in Stressful Cases - Provide free appropriate counseling to jurors who report mental health challenges as a result of their jury service.
11. Jurors’ Certificates of Appreciation - Prepare a standard letter of appreciation to be sent to jurors at the conclusion of the case.
12. Efficient Use of Jurors’ Time and Communications regarding Scheduling - Manage trials in a manner that avoids wasting jurors’ time and keep jurors apprised of the trial schedule, any necessary changes to the schedule and the reasons for necessary delays. See also Selected Jurors Recommendation I, Voir Dire Recommendation VI.
13. Alternate Jurors - Conform the practices used in civil and criminal cases. See Voir Dire Recommendation 8.
14. Juror Privacy: Post-Verdict Instructions - Require judges to instruct jurors about post-service contacts from others and to explain their rights regarding speaking about their service. Consider establishing a secure juror service phone line for post-discharge complaints and issues. See also Selected Jurors Recommendation 10, Voir Dire Recommendation 4.

15. Juror Privacy: Juror Questionnaire and Personal Information - Conduct a study to determine if juror privacy may be protected in ways consistent with the ABA's Principles. See also Voir Dire Recommendation 4 for a more specific proposal regarding the confidential juror questionnaires.
16. Use of Smartphones (E-Mail, Voice Mail) - Prohibit use of smartphones and similar electronic devices in the courtroom and during trial for specific purposes (conducting research, gathering information, communicating with others about the case). Study whether the prohibition should be extended to recesses and lunch breaks. Provide explicit guidance about the use of such devices and the reasons for any restrictions the court may impose. See Selected Jurors Recommendation 1, Arrival Recommendation 3.

Recommendations for the continuation or expansion of work begun by the Phase I committees

1. The chairs recommend the creation of a small standing committee, consisting of the Jury Administrator, three judges and a chief clerk, for following purposes: to assist in implementing adopted recommendations, to supervise any future studies, surveys or focus groups, to assist in establishing educational programs, to review general instructions drafted by the standing civil and criminal jury instruction committees, to review revisions of juror publications, orientation remarks, web site information and juror video, to coordinate with other committees regarding media issues, and to recommend the creation of task forces where appropriate to address on-going jury service issues. The chairs propose that this standing committee be constituted as an internal Judicial Branch committee without public membership, but that any task force that may be created may include members of the public.
2. The chairs recommend a review of the job description and compensation for those individuals who serve as jury clerks so that the description and compensation are commensurate with the size of the location in which the clerk serves and the caseload.

Recommendations on Training:

1. Train jury staff and clerks' offices on how to interpret utilization statistics for more accurate assessment of number of jurors needed
2. Train jury staff to assess jurors' specific concerns about serving
3. Train judges to assess jurors' specific concerns about serving

4. Train judges and staff regarding appropriate pre-screening practices
5. Train judges, attorneys on how to conduct panel jury selection
6. Train judges, attorneys, staff on preservation of juror privacy and confidentiality

Recommendations on Post-Report Projects

1. Creating, maintaining and updating forms, publications, website, video and orientation materials and conforming them for consistency
2. Creating a uniform process to address jurors specific concerns about their ability to serve
3. Training programs for judges and staff on adopted recommendations
4. Creating a new jury orientation video
5. Adopting recommended appropriate practices for pre-screening jurors in civil and criminal cases
6. Exploring methods by which post-verdict counseling can be provided for jurors who served in stressful cases without cost to them
7. Establishing a secure statewide juror service line for post-discharge complaints/issues

Recommendations for: Further Study and Focus Groups or Surveys

1. Study ways to improve quality of source list data received
2. Study whether technology can overcome disadvantages of permanent master file
3. Study juror utilization practices in different locations statewide
4. Study efficiency of the size of venire panels
5. Study whether a need exists to translate sections of the website and juror publications into languages other than Spanish
6. Conduct focus groups with former jurors on what information would be helpful both in advance of service and during service
7. Study legality of changing summons calculation formula (this would be a major study and requires a legal opinion first before the demographic data is examined)
8. Study constitutional ways in which to protect juror privacy following jury selection and trial
9. Exit survey of jurors regarding improvements to the voir dire experience
10. Study restrictions as to jurors' use of personal electronic devices during jury service

Committee: Problem Solving in Family Matters

The Committee on Problem Solving in Family Matters is a new committee established in connection with the implementation of the strategic plan under the third strategy of the Delivery of Services outcome goal, which requires the Branch to increase efficiency of case management and court practices.

The Committee was charged with assessing the applicability of a problem-solving justice model to child support dockets for the Family Support Magistrate Division and to make recommendations to the Chief Court Administrator.

Chaired by the Honorable Lynda B. Munro, the twenty-three member committee formed two subcommittees to address different aspects of its charge: the Work Group on Identification, Assessment and Recommendation, and the Overlap Work Group. The Committee also formed a Funnel Work Group to consider the information uncovered by the subcommittees. In all, the Committee and its work groups met fourteen times, between January and June 2009.

The Committee and its subcommittees include members of the Branch's various divisions, as well as the Department of Correction (DOC), the Department of Children and Families, the Department of Mental Health and Addiction Services, and the State departments of Labor and Social Services. The members have collected data and identified service providers, with an emphasis on identifying and assessing the challenges of inmates who will be reentering society to meet their responsibilities as parents.

After analysis of the variety of information gathered from multiple sources, the Committee is making the following recommendations.

Recommendations for review and priority by judicial administration

1. Recommend that in every Offender Accountability Plan there be a provision for Fatherhood program participation or parenting education for inmates with IV-D child support cases;
2. Require Department of Correction (DOC) intake and assessment include self report of existence or possibility of child support obligation;
3. Recommend that the DOC Fatherhood programs (excluding the program managed by Family In Crisis) be deemed certified by the Department of Social Services for purposes associated with the Arrears Adjustment Program;

4. Recommend education of 6 certified sites regarding acceptance of program participation at facility;
5. Recommend that DOC establish participant priority schedule to increase access to certain programming for inmates with child support orders and/or IV-D child support cases;
6. Recommend that Support Enforcement Services (SES) proactively match data with DOC to allow SES initiation of communication regarding modification while incarcerated;
7. Recommend that payment coupons include docket information or other case identifying information;
8. Recommend that each person released from a facility with continued DOC monitoring identify if child support order and process to modify;
9. Develop means for DOC and SES capias cross check and process for addressing capias while incarcerated;
10. Public capias information: website or lodging location: like the Judicial Branch website;
11. Develop link with Probation to check if outstanding capias and provide information on how to resolve;
12. Develop education informational session with probation to address capias turn ins;
13. Develop written materials/handouts on capias turn in with contact information for clerk's office and marshal information;
14. Develop policy on procedure if obligor on probation;
15. Consult with SES if they wish to be point of capias turn ins and policy for instructing on procedure;
16. Recommend education and communication to DOC and other partners concerning regulations for adjustment and liquidation.
17. Enter into communications between DSS for RAP certificates and other state Section 8 funding;
18. Utilize and intern based system of identifying and collating local housing options and make available to local resources, such as court service centers of SES;
19. Recommend to explore and develop communication for referrals to DMHHS for mental health and addiction through SES intake, court service centers or other;
20. Recommend and develop means to resume benefits (SSI-federal) or state (SAGA) upon release through DOC and Social Security and DSS;
21. Recommend direct referrals to DMHHS for mental health and addiction through SES intake, court service centers;

22. Recommend to identify services available for "Food Stamp" eligible person and disseminate to SES intake and Court Service Centers;
23. Clarify terms of probation that may prohibit computer access or online job application process;
24. Recommend to link DOL and DOC;
25. Recommend Uniform Referral Form and possible Link between DOL and Court;
26. Review Memoranda of Agreements, statutes, etc. to assess the type, and the degree, of access each agency has to other agencies' information.
27. Identify obstacles each agency has to access information from other agencies.
28. Pursue additional Memoranda of Agreements that will provide agencies with access to other agencies' information.
29. Explore the possibility of an agency permitting access to its information based on a disclosure form that has been signed by an individual who agrees to follow the problem solving pathway.
30. Review existing law and ethical standards and develop a procedure or mechanism consistent therewith to make information available to the Judicial Authority for decision making where appropriate.
31. Continue to collect and analyze data of parties crossing-over to determine in which courts, and in what frequency, the overlapping of experience is likely to occur.
32. Develop a mechanism to improve the scheduling of cases by having a greater awareness of parties' cases scheduled in other courts to minimize the inconvenience to the parties and avoid competing or conflicting orders.
33. Provide scheduling information on the public internet site related to printed and write-on Family Support Magistrate matters to increase awareness, attendance, and compliance.
34. Identify and utilize local court options for evaluation services that are relevant and available.
35. Create a pilot program to formally refer parties from the Family Support Magistrate docket to existing resources. Perhaps an invitation from the Community Court in Hartford to utilize services might be helpful.
36. Continue to survey additional judicial authorities to determine the data elements that might be helpful in decision making.

Recommendation for the continuation or expansion of work begun by the Phase I committees

Extend the Committee's work by the formation of a work group to further research, implement, and assess on-going problem solving methods. Representatives from the principal agencies within the Committee would be valuable to this effort.

Initiative: Self-Represented Parties

The Committee on Self-Represented Parties was formed as a part of the first phase of the implementation and was charged with examining ways to assist self-represented parties in effectively participating in the court process by enhancing the guidance and assistance provided by the Branch to those who interact with the court without representation either by choice or by necessity.

Chaired by the Honorable Raymond R. Norko and the Honorable Elizabeth A. Bozzuto, the twenty-seven-member committee included judges, magistrates, court service center staff, attorneys from the private sector, law library staff, and attorneys from the legal aid community. The committee formed five subcommittees to address specific areas of its charge, including: Training, chaired by the Honorable Jonathan E. Silbert, Support Services, chaired by Attorney Hugh C. Macgill, Forms, chaired by the Honorable Elizabeth A. Bozzuto, Technology, chaired by the Honorable Raymond R. Norko, and Legal Services, chaired by the Honorable Henry S. Cohn. The committee and its subcommittees met a total of twenty-three times between December 5, 2008 and May 12, 2009.

The Committee gathered information on the available services, forms and self-help materials offered by the Branch and looked at ways to clarify, simplify and improve them. It also investigated various areas to assist self-represented parties, including unbundled legal services, advice days, a dedicated self-represented party docket, upgrading the technology and infrastructure of the court service centers and public information desks and developing a partnership with the legal services network in establishing a web-based system for making legal information available to self-represented parties.

After extensive evaluation and discussion, the Committee on Self-Represented Parties has developed the following recommendations.

Recommendations for which implementation has already begun

1. Rename the Quick Link on the Judicial Branch homepage from "Court Forms" to "Forms" to provide greater access to forms and allow self-represented parties to locate forms on-line with greater ease. This recommendation was referred to the Judicial Branch Web Board for consideration at the March 6, 2009 meeting, and was subsequently approved. The change to the website Quick Links has been made.

2. Create a plain language hand-out regarding the short calendar marking procedures and provide a copy to all self-represented parties when they obtain their writ, summons and complaint. A brochure regarding short calendar procedures is in the process of being developed by E-Services for distribution to Clerk's Offices and Court Service Centers.
3. Create a letter to all self-represented parties. The purpose of this letter is to provide self-represented parties with contact information for local legal aid and lawyer referral services, and to make self-represented parties aware of the court's available resources and services. Two versions of the letter were drafted; one intended for distribution through Clerk's Offices, law libraries and court service center locations, and the other to be automatically computer generated to all appearing parties and counsel of record each time an appearance is filed in a case. (drafts have been completed)
4. Create a handout for judges outlining the role of the Court Service Centers and Public Information Desks by explaining the types of services the Centers and Desks can and cannot provide. This publication has been submitted to and approved by the Judicial Branch Legal Services and External Affairs Divisions.
5. Create a poster for distribution and display in all Clerk's Office, Court Service Center, Public Information Desk and law library locations outlining the role of the Court Service Centers and Public Information Desks by explaining the types of services the Centers and Desks can and cannot provide. Both the handout and the poster will be created utilizing the web pages located at <http://www.jud.ct.gov/csc/services.htm> and <http://www.jud.ct.gov/pid/services.htm>. This publication has been submitted to and approved by the Judicial Branch Legal Services and External Affairs Divisions. The posters have been referred to the Judicial Branch Court Interpreter's Office for Spanish translation.
6. The Committee is concerned about the huge reduction in funding for Connecticut's legal aid network that took effect January 1, 2009. The Committee recommends that the Branch do everything it can to support funding for legal aid.

Recommendations for review and prioritization by Judicial Administration

1. Bundle, or organize, forms by subject matter in all clerk's office and court service center locations, as well as on the Judicial Branch website.
2. Convert the most commonly used Judicial Branch forms and publications to plain language, and expand access to these publications to include non-judicial facilities.

3. Create a letter to all self-represented parties. The purpose of this letter is to provide self-represented parties with contact information for local legal aid and lawyer referral services, and to make self-represented parties aware of the court's available resources and services. Two versions of the letter were drafted; one intended for distribution through Clerk's Offices, law libraries and court service center locations, and the other to be automatically computer generated to all appearing parties and counsel of record each time an appearance is filed in a case.
4. Create a video-taped family support magistrate advisement of rights in English and Spanish. The advisement would run in a continuous loop in a designated area in the courthouse. Meriden JD is under consideration as the pilot site.
5. Create a small number of brief (five minutes or so) "how-to" videos, accompanied by easy to follow checklists that will guide self-represented parties through some of the basic procedures involved in civil and family litigation.
6. Create a pilot program for Advice Days in a judicial district family court location to be determined where volunteer attorneys will provide legal advice to self-represented parties in court.
7. Create a pilot docket dedicated to self-represented parties to be implemented only under optimal staffing conditions. The administration of the dedicated dockets would be done in concert with Court Service Center and Family Relations staff.
8. Recommending that the Branch not pursue the implementation of dedicated clerks at the trial and appellate levels; but instead, establish a Court Service Center and/or a Public Information Desk in every court location that lacks one now.
9. Create a pilot courthouse greeter program to be implemented in one courthouse, where congestion and intake delays are particularly burdensome. The greeter (or greeters) may be veteran clerk's office staff, e.g., the chief clerk or his or her designee, or some other court employee who is very familiar with the courthouse and the court's business. This pilot program should be evaluated for its effectiveness in reducing delay, congestion and confusion not later than the end of one year's operation.
10. Create an effective marketing plan to better promote existing mediation programs so that self-represented parties are aware of available mediation options at the earliest possible stage.
11. Create, where applicable, plain language publications about new and existing mediation programs to be displayed in all Judicial District clerk's office, Court Service Center and law library locations, as well as in non-judicial facilities such as local libraries, senior centers and community centers.

12. Create a link called "Mediation Programs" to be added to the Judicial Branch Home Page under Quick Links thereby providing self-represented parties with the ability to access information about mediation programs from their home computers or from any Court Service Center or law library computer.
13. Expand the mediation services administered by the Community Mediation, Inc., formally known as Fair Haven Community Mediation Center, Hartford Area Mediation and the Dispute Settlement Center to include an increased number of Geographical Area court locations, where feasible.
14. Establish a Court Service Center and/or a Public Information Desk in every court that lacks one now. Every court, including all Judicial District and Geographical Area courthouses, and all Juvenile Court facilities new and existing, shall be equipped with a Center and/or Desk as space and resources allow. In all court locations where space is at a premium, form and/or pamphlet walls are recommended to assist self-represented parties. This recommendation is made with the support of the Chief Administrative Judge for Juvenile Matters, Christine E. Keller.
15. Make wireless access readily available in courthouses and upgrade infrastructure and equipment for all Court Service Center and Public Information Desk locations.
16. Permit the Legal Services network to access the Judicial Branch website, and in turn, the Judicial Branch shall be permitted to link to the legal services' website. This collaborative effort will assist self-represented parties in gaining access to educational tools, as well as informing parties of available services and how to best access those services.

Recommendations for the continuation or expansion of work begun by this committee

1. Apply plain language and readability principles to the Connecticut Practice Book so it is clearer and more easily understood by self-represented parties. The Subcommittee on Forms recognizes the enormous undertaking this may be, and therefore, recommends that this be a long-term goal for the Judicial Branch to pursue.
2. Continue to provide quality and ongoing training for judges and staff in delivering the highest quality of service to the public, especially in the area of dealing with self-represented parties. To that end, the Subcommittee will refer this recommendation to the committee(s) to be created under the Training goal in the Strategic Plan.
3. Form an ongoing Technology workgroup to continue the work of the legal services' web project. This project will not be completed within the life of the Committee and the success

of the web project is an important step in helping to ease the plight of the self-represented individual. The work of the Technology workgroup shall continue until the completion and implementation of the Legal Services web project.

4. The Committee on Self-represented Parties believes that the Judicial Branch should establish an ongoing collaborative relationship with Probate Court administration to discuss ways both entities can continue to improve resources and services available to self-represented parties.
5. The Committee recommends the formation of a Probate Court work group with representatives from the Judicial Branch and Probate Court administration. The work group will be charged with creating long term plans and improvements to new and existing Judicial Branch and Probate Court services.
6. Develop a very limited unbundling pilot project (in the area of family law, and in one court) with a strong evaluation component to explore both what unbundling could do for self-represented parties, courts, and lawyers, and what unintended consequences may result and need to be addressed. An ongoing unbundling work group will be formed to plan the family pilot project and push for any necessary rule changes. An in-depth discussion of the composition of the unbundling work group can be found in the final Subcommittee on Legal Services report.
7. Develop a second unbundling pilot project in the area of foreclosure law. An unbundling work group will be formed to plan a pilot project and push for any necessary rule changes. The pilot project will assist self-represented parties, on a limited basis, with filing an appearance in the foreclosure and negotiating the debt. An in-depth discussion of the composition of the unbundling work group can be found in the final Subcommittee on Legal Services report.

Initiative: Small Claims

As a result of information obtained at focus groups during the development of the strategic plan, the Bench/Bar Centralized Small Claims Committee was formed to study the small claims court and to make recommendations for its future success. The committee was charged with reviewing Practice Book Rules, recommending uniform practices throughout the state, considering legislative proposals to improve small claims process, and examining whether any changes should be made in the small claims process.

Chaired by the Honorable Clarence J. Jones, the twenty-seven member committee, comprising judges, magistrates, court personnel, members of the creditors' and consumers' bars, and legal service providers, formed three subcommittees to address the different aspects of its charge: Access & Quality of Service, chaired by the Honorable James W. Abrams, Operational Process, chaired by Attorney Maureen Finn, and Legal Issues, chaired by Attorney Joanne Faulkner. The committee and its subcommittees have met a total of twenty-three times between June 2008 and March 2009.

The committee and its subcommittees explored the challenges facing the small claims court, including the increasing number of filings, the declining economy, and the decreased availability of court personnel. It sought to balance the needs of plaintiff's attorneys with those of self-represented defendants in a system in which attorneys represent 80% of the plaintiffs, but only 4% of the defendants. The committee also sought to protect the integrity of the judicial process with changes intended to reduce the number of defendants who fail to respond to the small claims complaint.

After intensive analysis and discussion, the Committee is making the following recommendations to clarify and improve the small claims process and ensure that all disputes are resolved in a just, inexpensive and expeditious manner.

Recommendations for which implementation has already begun:

1. Practice Book revisions have been drafted and submitted to the Rules Committee of the Superior Court. These revisions represent a significant change in the way that small claims cases are initiated and processed. Court Operations staff are working with a subcommittee of the Rules Committee to address the concerns presented by these significant changes. These revised rules address various facets of the small claims process, including filing and venue issues, notice and service requirements to appearing

and non-appearing parties, verification of current address, extension of the answer date parameters, elimination of the requirement for a military affidavit in the small claims writ, expanded requirements for the inclusion of information in small claims writs and affidavits or debt (i.e., last payment and date in the writ, itemization of items in the affidavit), provision for the filing of an answer on the date of the hearing in damages, listing of allowable filings in small claims, requirements for written decisions by magistrates after a contested hearing, and changes to post-disposition remedies and filings. (Practice Book Revisions are attached to the Committee report as Appendix A.)

2. Send copy of defendant's answer to plaintiff upon receipt instead of including it with the notice of hearing.

Recommendations that have not been reviewed or prioritized by judicial administration:

1. Require the institution of the proposed 'Small Claims Judgment Checklist' for Magistrates which sets forth a tickler series of questions for Magistrates to review and verify before judgment is rendered. (Attached to the Committee report as Appendix B)
2. If service by the plaintiff is not adopted, then (a) require the plaintiff to provide the clerk with sufficient copies of the complaint for each defendant [Sec. 24-9], (b) prohibit the use of an indifferent person to serve the writ [Sec. 24-10 and 24-11], and (c) require a marshal making abode service to state an independent basis for the belief that the address is correct [Sec. 24-11 and 24-13 (b)].
3. Develop and implement a uniform stipulation form in carbon triplicate, with detailed information including the docket number, due date, amount agreed upon, and contact telephone numbers. (Attached to the Committee report as Appendix C)
4. Revise the judgment form to clarify the format and the information provided and eliminate repetition of information. (Attached to the Committee report as Appendix D)
5. The Judicial Branch should give top priority for implementation of an automated bulk e-filing system designed in a judicial format that makes data entry by judicial personnel for processing small claims cases unnecessary.
6. Begin with voluntary use of the bulk e-filing system. After twelve (12) months, require plaintiffs and attorneys who file more than 50 cases per year to use bulk e-filing.
7. Require plaintiffs to begin retaining affidavits until judgment is satisfied, the action is withdrawn, or judgment expires by operation of law.
8. Require plaintiffs to send copies of all filings to non-appearing defendants.

9. Require the small claims court to send hearing notices to non-appearing defendants.
10. The small claims office should make every effort to schedule all cases of large filers in each court on a single docket, to be heard after unrepresented party cases. Recommended scheduling order is as follows: (1) single-party unrepresented plaintiffs; (2) single-party large filers; (3) multiple-party unrepresented plaintiffs; (4) multiple-party large filers.
11. Preclude entry of default on a case for a minimum of 20 minutes after the calendar is called.
12. Eliminate hearings on amounts for weekly payments orders when the defendant admits liability and does not propose an alternative to the \$35 standard weekly payment order. Include a procedural notice to this effect on the defendant's answer form.
13. Allow ALL fees to be paid by credit card and develop pre-paid accounts for large filers against which entry fees can be credited.
14. Small claims housing cases should either (a) be returned to the housing courts or (b) separated from other cases upon filing and fast-track them for processing. If housing cases cannot be heard in a Housing Session, they should be held at least be held in the same building as the Housing Session clerk's office.
15. The receipt of three formal complaints, in a twelve-month period against a magistrate shall trigger a review process in which a reviewing party will observe a magistrate at a docket of at least ten matters. The review is to be conducted using a pre-approved checklist. However, nothing prohibits the review process from taking place in response to any single complaint.
16. Provide a user number or other mechanism so non-attorneys can participate in bulk e-filing.
17. Create a settled but not withdrawn list so these cases can be kept off the active dockets but managed to a complete disposition by withdrawal or dismissal.
18. Adopt a standard magistrate script for opening court which makes clear that the plaintiff attorneys are not magistrates and that a settlement is not required. Post the magistrate script on the internet and provide copies for litigants in court. (Attached to the Committee Report as Appendix E)
19. Adopt standards for magistrate canvass of stipulations and mandate and include reference to hospital cases. (Attached to the Committee Report as Appendix F)
20. Place information on the website in the 'Frequently Asked Questions' section on how to file a complaint, and make complaint forms available in the clerks office. Require that the

complainant receive notice of the result of the investigation. (Attached to the Committee Report as Appendix G)

21. Replace the magistrate training binders with a more extensive magistrate bench book, containing procedures, forms, scripts, authority, and case law, including substantive case law on frequent small claims issues.
22. Create easier access to links for small claims information on the judicial branch website.
23. Add a separate judicial branch website section for small claims forms.
24. Improve the small claims related information available, including the 'Frequently Asked Questions' section. Add to website, "Tips when you are sued". (Attached to the Committee Report as Appendix H)
25. Create an online tutorial on how to file a small claims case. With internet access, anyone can download the forms and complete them using the online tutorial, without leaving home and without a need to contact small claims personnel.
26. Permit the use in small claims court of family members and friends as interpreters, but require any member of the public who engages in performing interpreting services for a litigant during a court hearing to be sworn to take the Interpreter's Oath as set forth in Connecticut General Statutes Sec. 1-25.
27. Revise the Small Claims Process booklet. Add more user-friendly sections and text. Combine sections in the booklet and include more housing matters small claims information.
28. Create a Spanish version of the Small Claims Process booklet.
29. Include a fee waiver form in the small claims forms section of the judicial branch website and strengthen reference in other informational sections on the web and in the Small Claims Process booklet.
30. Revise the answer form to clarify the information requested. Include the answer form on the judicial branch website. (Attached to the Committee Report as Appendix I)
31. Prohibit financial institution executions from issuing during compliance with payments.
32. Prohibit the issuance of one type of execution (e.g., financial institution execution) at the same time that another execution (e.g., a wage execution) is in effect.
33. Revise the small claims disposition form to include plainer language.

Recommendations for the continuation or expansion of work begun by the Phase I committees:

1. A decision must be made regarding who is to bear the burden of service in small claims matters. The committee did not make a recommendation on this issue, but included statements of the supporting and opposing sides of the issue as Appendix J and Appendix K in its report.
2. Magistrate training should include instruction in regard to standards for use of the sanctioning power set forth in Practice Book Section 24-33, specifically in regard to the discretionary award of costs not to exceed \$100.00.
3. Establish a committee specifically to develop a magistrate bench book. Include members of the public on the committee.
4. Establish a judicial website specifically for magistrates that would include procedures, forms, and other information for their access only. Review the recommendation with the Legal Services unit.
5. Allow the option for small claims cases to be mediated on a pro bono basis utilizing the services of retired judges, attorneys, a mediation panel or small claims mediators. Begin with a pilot program.
6. Develop a pilot in a courthouse with two available courtrooms in which two magistrates are assigned to the same docket. In one courtroom hear only stipulations and other non-contested cases. In the other courtroom hear only contested cases requiring a trial. When the first magistrate is finished, he or she can then take any remaining contested trials.
7. Provide greater instruction to self-represented parties litigants to increase understanding and compliance with the requirements of the Act (Civil Relief Act).

Initiative: Technology Plan

One of the initiatives in the Implementation Plan was a charge to the Branch's Information Technology Division (ITD) to develop a three-year technology plan that addresses infrastructure requirements. The purpose of such a plan is to ensure that the technical infrastructure is in place to support on-going Branch operations as well as any new initiatives anticipated over the next three to five years.

Key ITD staff representing all areas of the division: applications, Internet services and database support, projects and planning, network and system services, desktop services, standards and architecture, training, administration and the Commission on Official Legal Publications (COLP), met to identify the existing and new infrastructure that needed to be included in the Plan. The group worked on describing, defining and prioritizing over 41 infrastructure projects that were identified.

After extensive analysis and discussion, the list for inclusion in the Technology Plan was reduced to 20 items (13 existing infrastructure items and seven new infrastructure items). The Plan also reflects a schedule for initiating all 20 items during the three-year period but because of the constraints of time and resources anticipates the completion of 13 of the items during the plan period with the remaining seven continuing on beyond the summer of 2012.

Recommendations for review by Judicial Administration (Prioritization is set forth in the full plan.)

1. Upgrade the network infrastructure of the Judicial Branch Data Center
2. Issue an Request for Proposal (RFP) and contract for Security Auditing Services
3. Expand the use of virtual servers to allow more efficient use of servers
4. Upgrade/replace all field switches
5. Implement a video conferencing solution in each region of the state
6. Purchase and install Enterprise Storage Area Networks (SAN) for the main data center and for the Alternate Processing Center
7. Secure the Judicial Network and Protect Judicial Information through advanced network security technology
8. Update the Identity Lifecycle Manager software that manages user IDs, passwords and access to Branch applications and data
9. Migration to "For the Record" (FTR) Version 5.2

10. Upgrade Wide Area Network connections
11. Purchase and install additional Alternate Processing Center (APC) Phase II Servers and Software for mission-critical applications
12. Upgrade Windows Server 2003 to Windows Server 2008
13. Replace the current manual user support functions with a portal that will allow self service for such things as resetting passwords and acquiring access to Branch applications.
14. Upgrade the hardware platform for mission-critical applications (for example, JASMIN, Barmaster and CRMVS)
15. Continue on-going server replacement
16. Implement wireless access statewide
17. Accelerate the "For the Record" (FTR) statewide deployment
18. Purchase and implement Automated Regression Testing tools
19. Purchase and implement tutorial development software
20. Replace the Criminal Motor Vehicle System (CRMVS) and the Centralized Infractions Bureau (CIB) System

Initiative: Uniformity of Court Procedures

The Committee on Uniformity of Court Procedures was created as part of the implementation of the strategic plan and was charged with examining practices and procedures in civil, housing, family and juvenile courts in Judicial Districts statewide to facilitate practice in multiple jurisdictions for attorneys and support staff.

Led by the co-chairs, the Honorable Douglas C. Mintz and Attorney Frederic S. Ury, the twenty-nine-member committee included judges, court operations personnel, attorneys from family and civil bars and legal support staff. The committee formed two subcommittees to address the broad areas of its charge: Civil, chaired by the Honorable Arthur A. Hiller, and Family, chaired by the Honorable Marylouise Schofield. The Civil Subcommittee formed two work groups: one on Administrative Appeals, chaired by the Honorable John J. Langenbach, and Trial Management Orders/Pretrials, chaired by the Honorable James T. Graham. The Family Subcommittee created a work group on Trial Management Orders/Pretrials. The committee, its subcommittees, work groups and focus groups have met a total of sixteen times between November 2008 and June 2009.

The Committee reviewed current practices and procedures, including short calendar notices and processes, existing standing orders on pretrials, trial management and case management, and current procedures for land use appeals. It conducted three focus groups, in New Haven, Wethersfield and Bridgeport, with members of the family and civil bars and legal staff to identify areas where a lack of uniformity impacts the Bar. The Committee has also discussed the development of mechanisms to disseminate information on uniformity of court processes and procedures to the counsel and self-represented parties.

After extensive discussion, the Committee on Uniformity of Court Procedures has developed the following recommendations.

Recommendations for which implementation has already begun:

1. A uniform special proceedings process, which will follow the procedures currently in place in New Britain, Waterbury and Hartford, should be adopted. A notice to be attached and served with the case initiation papers has been drafted.
2. A uniform Courtside Trial Management Orders should be adopted. A Courtside Trial Management Order has been drafted.

3. A uniform Jury Trial Management Order should be adopted. A Jury Trial Management Order has been drafted.
4. A uniform Land Use Appeals Standing Order should be adopted. A Land Use Appeals Standing Order has been drafted.
5. A uniform Case Management Order should be adopted for family matters. A Case Management Order has been drafted.
6. A uniform Pretrial Order should be adopted for family matters. A Pretrial Order has been drafted.
7. A uniform Trial Management Order should be adopted for family matters. A Trial Management Order has been drafted.

Recommendations that have not been reviewed or prioritized by judicial administration:

1. The Chief Administrative Judges should discuss orders and procedures to increase awareness of existing uniformity at meetings with the Presiding Judges each year.
2. A three-phase process for civil jury trials should be implemented. That process would include a pretrial conducted early in the process to discuss settlement and select trial dates; a trial management conference conducted within two weeks prior to trial focused on settlement and the basics of trial logistics; and a brief settlement conference conducted on the day of jury selection, if such a conference appears to be warranted.
3. The form for requesting a transcript (non-appeal) that is contained in the publication on **Procedures for Ordering a Court Transcript** should be developed as an official form and provided online.
4. The Notice of Appeal Transcript Order (form JD-ES-38), which is used to request a transcript for an appeal, should also be made available on-line.
5. The current publication, **Procedures for Ordering a Court Transcript** should be displayed online under the Publications link.

Recommendations for the continuation or expansion of work begun by the Phase I committees:

1. Court Operations should establish a procedure for monitoring and posting any changes to standing orders to ensure that accurate and current information is provided on the website and made available to the public at all times.

2. The judicial marshals should develop and post a policy on procedures for screening attorneys and legal support staff bringing equipment and exhibits into the courthouse on a daily basis during a trial.
3. Court operations staff should review the advisability of suggesting legislation to invest the Court with discretion in allowing fee waivers in civil causes of action.

COLLABORATION

The Judicial Branch will improve its communication and collaboration with the Executive and Legislative branches of government and their agencies, the Bar, other partners, and the public, as well as within the Branch, to better serve the needs of all who interact with it.

Initiative: Chief Court Administrator/Attorney General

This initiative was developed in response to a focus group conducted with attorneys from all departments within the Office of the Attorney General, who frequently interact with the Judicial Branch. The information from that focus group highlighted the need for the creation of a mechanism to facilitate ongoing communication between the Judicial Branch and the Office of the Attorney General.

The Chief Court Administrator, the Deputy Chief Court Administrator and Judge DiPentima met for a lunch and discussion with members of the Office of the Attorney General in November to discuss the issues that the attorneys general had encountered in their interactions with the branch. A follow-up discussion was held in December.

As a result of those two sessions, the following recommendations have been made:

Recommendations for which implementation has already begun:

1. An attorney general was appointed to the Committee on Alternatives to Court Appearances
2. Access to computers maintained in the courthouses outside or near the magistrate courts has been restored
3. Changes to the short calendar write-in process have been suggested to the clerks so that write-in will appear on the Judicial Branch website.
4. Training was developed and presented in three sessions to the assistant attorneys general in December, emphasizing information that is available online and through E-Services, including scheduling, short calendar, judicial notices and case detail information.

Recommendations for the continuation or expansion of work begun by the Phase I committees:

1. The Rules Committee and the Civil Commission should consider developing a rule that would permit the court to screen matters prior to the granting of a fee waiver to eliminate frivolous lawsuits.
2. The Committee on Alternatives to Court Appearances should look at the procedures on video conferencing and telephonic conferencing procedures in and among districts in connection with matters involving inmates.

3. The Committee on Uniformity should look at the scheduling of matters involving inmates on civil short calendars and the notice provided to the Attorney General's office. (In at least one district a "prisoner docket" is held.) A staggered docket for Monday short calendar would assist the assistant attorneys general in providing the state with adequate and timely representation in each district.

Initiative: Chief Court Administrator/Clerks and the Bar

The implementation of this initiative was undertaken by a work group that was charged with improving communication and enhancing the relationship between and among the clerks' offices, local bar associations and members of the bar as a whole. Specifically, the work group was charged with developing a program to be followed in all judicial districts for periodic meetings between judges, court staff, bar associations, members of the bar and legal support staff. The meetings will provide a forum for the discussion of local issues, providing information about new statutes, rules or policies and addressing problems as they arise.

The three-member work group, First Assistant Clerk Wendy Kergaravat, First Assistant Clerk Lorin Himmelstein, and complex litigation court officer Rose Ann Rush, met over twenty times between November 2008 and May 2009 to develop the Legal Exchange Program. Members of the work group have also worked with chief clerks in each district in preparing for their initial Legal Exchange programs.

The work group developed the concept and name for the program, created a website and email address to facilitate statewide communication, solicited input from bar groups for ideas for the initial program, developed templates for correspondence, agendas, exit surveys, and flyers for use by the clerks in organizing and conducting these meetings, contacted clerks to arrange dates and times for the meetings, and worked to launch the pilot program in Bridgeport.

Legal Exchange programs have been held in almost all judicial districts. Based upon the programs and feedback from those programs, the work group is making the following recommendations:

Recommendations for which implementation has already begun:

1. Conduct survey/focus group of Bar and legal support staff to assess needs/wants/identify problems in advance of meetings and use to set agenda.
2. A specific agenda should be created in each JD and should include topics submitted from the Bar/Legal support staff and from Judges and staff. This will help to establish a framework for discussion and to attract the Bar and legal support staff to the event. Topics on statewide programs/initiatives may be included at all locations, e.g., developments in e-filing.
3. The use of technology can be helpful at these programs. Prepare a list of aids available to the Chief Clerks when developing future programs. For example, a cordless microphone

would be helpful for the presenters and to those asking questions from the audience. Also, the use of live internet can be helpful to those presenting a new initiative.

Recommendations to be reviewed or prioritized by judicial administration:

1. These programs should be held twice a year, once in the fall after the October Practice Book and statutory changes go into effect and a spring session with dates starting in late March/early April.
2. The goal is to enhance communication and collaboration amongst the Bench, the Bar and the Clerks' Offices; however, there are additional units within the Judicial Branch that are involved in providing services which impact the relationship between the court and the Bar. Participation and input at the Legal Exchanges from these groups could prove to be meaningful. For example, the role of Family Relations would be best addressed by the head of Family Relations in any given JD.
3. Consider drafting a letter for the Chief Court Administrator to send to all judges at the beginning of the new term re-emphasizing this initiative, to encourage support and involvement of this program.

Recommendations for the continuation or expansion of work begun by the Phase I committees:

1. This committee should work closely with the Committee on Uniformity of Court Procedures. The Committee on Uniformity of Court Procedures can use the Legal Exchange, where appropriate, as a forum to disseminate information.
2. As a follow-up to the Legal Exchange Program there should be a portion of the web page on the Judicial Branch internet where "frequently asked questions and answers" can be compiled and posted. In the alternative, this type of information can be provided under the "Civil Procedures" section of the web site.
3. Consider scheduling programs based on needs/request of Bar on a specific topic(s) within civil, criminal, family, juvenile or housing to allow for detailed presentations to smaller groups.

Initiative: Criminal Justice Information System

The Criminal Justice Information System (CJIS) Governing Board was created by state statute with the passage of the 2008 criminal justice reform Public Act 08-01. The Act mandated the development and implementation of a centralized information technology system capable of providing “immediate, seamless and comprehensive sharing” of information to all state agencies, departments and boards central to the criminal justice system.

The Governing Board is representative of the collaboration among the three co-equal branches of government that will be necessary to ensure the successful development of such a comprehensive data sharing system. Deputy Chief Court Administrator Judge Patrick L. Carroll III is the Governing Board’s co-chair with Lieutenant Governor Michael Fedele, and the nineteen-member Board includes Legislative Branch representatives.

Judge Carroll served on the Governing Board’s search committee formed to recruit for the CJIS Executive Director position. The position was filled in the fall of 2008 after an extensive search.

The Branch has numerous automated criminal justice applications and its history shows its commitment to information sharing with its criminal justice partners. For more than 15 years, the Branch has shared, electronically, information with local and state police and the departments of Motor Vehicles and Correction. The Branch has taken the lead in the development of the Statewide Automated Victim Information and Notification System (SAVIN). This system, when completed, will provide crime victims with near real-time access and notification of criminal justice events from the Branch, the Division of Criminal Justice, the Department of Correction, and the Office of the Victim Advocate. The Branch has also developed real-time event interfaces from its applications to the Offender Based Tracking System, or OBTS, the cornerstone of CJIS. Branch staff from virtually all divisions have been involved in actively sharing information with the Governing Board and the member partners’ agencies. The Branch is a critically important partner in the CJIS initiative and is committed to its success. Several Branch staff are actively participating in this effort.

ACCOUNTABILITY

The Judicial Branch will ensure a judicial system where all participants can expect and experience clear, fair and consistent justice from an independent and impartial judiciary.

Initiative: Civility/Decorum in the Courts

The implementation of this initiative was undertaken by a group that was charged with enhancing the relationship between the Judicial Branch and the Standing Committee on Professionalism of the Connecticut Bar Association. Specifically, the group was charged with exploring ways to formalize the Branch's relationship with the Standing Committee on Professionalism as one means to address issues of civility and decorum.

Chief Justice Chase T. Rogers, Chief Court Administrator Barbara M. Quinn, Deputy Chief Court Administrator Patrick L. Carroll III, the Honorable Alexandra D. DiPentima, chair of the Public Service and Trust Commission, Attorney Louis R. Pepe, chair of the Standing Committee on Professionalism of the Connecticut Bar Association, and Attorney Joseph D. D'Alesio, Executive Director of Superior Court Operations met in October 2008 to discuss the issues.

This group will meet on a regular basis to continue to develop ways to enhance the level of professionalism and civility in the courts.

Recommendations for which implementation has already begun:

1. The Honorable Alexandra DiPentima and the Honorable Salvatore C. Agati, who brings the trial court perspective, have become members of the Standing Committee on Professionalism;
2. Attorney Pepe worked with the Judges to develop a program for a plenary session of the June 2009 Connecticut Judges' Institute (CJI) on imposing sanctions.
3. The group referred issues arising out of discovery disputes to the Civil Commission, whose chair, the Honorable Arthur A. Hiller, has taken implemented streamlined procedures for addressing such issues, and the order has been posted on the website.
4. Chief Justice Rogers met with the deans of the four Connecticut law schools to discuss ways to assist law schools in their efforts to teach professionalism and ways to inculcate in law students the high ideals of the legal profession, including the possibility of having Judges speak to law students on these issues. This would be an expansion of the Branch's Speaker's Bureau.
5. A notice regarding the upcoming Professionalism Symposium to be held in Hartford on November 7, 2008 was placed on the Judicial Branch website.

Recommendations for the continuation or expansion of work begun by the Phase I committees:

1. This group should continue to work closely with the Standing Committee on Professionalism of the Connecticut Bar Association, including meeting periodically to discuss appropriate programs and efforts to advance civility and decorum.
2. The Branch should continue to cooperate with the Standing Committee on Professionalism in its annual Bench/Bar Symposium on Professionalism, which provides a useful forum for addressing the civility and decorum issues.
3. Group should consider ways to increase more formal mentoring of new members of the Bar.
4. The Branch should collaborate with the Civil Commission, the Criminal Practice Commission and bar association in developing civility workshops and forums for members of the Bar and the Bench.

Initiative: Courthouse Observation and Simulation Team

In July 2008, the Courthouse Observation and Simulation Team was chartered. The formation of this team was in response to feedback gathered from more than 90 focus groups conducted during the development of the strategic plan. Feedback from participants in the focus groups identified a lack of consistency in the quality of the delivery of services from one courthouse to another. The charge of this team was to visit courthouses throughout the state as if they were members of the public and note any opportunities for improvement of service delivery and observe staff “doing things right.”

The Courthouse Observation and Simulation Team includes twenty members, who are drawn from each of the Superior Court Operations units. Between July 2008 and June 2009, members conducted approximately 50 site visits at courthouses and support enforcement offices in almost half of the state’s judicial districts. Observations of the seven remaining judicial districts will be completed by December of this year.

The team has noted areas where improvements could be made in such areas as directions to facilities and signage within facilities. In interactions with staff, the team has experienced and observed mostly friendly, professional and courteous interactions between court staff and members of the public, but it has also observed some less pleasant encounters with members of the public and staff.

All of the information that is gathered by the Courthouse Observation and Simulation Team has been presented to the executive director of Superior Court Operations, for use in improving the services provided to all who enter court facilities and interact in any way with the Judicial Branch.

Recommendations for which implementation has already begun

Regular observations of court facilities of all types should be conducted to assess the quality of service delivery, the effectiveness of service excellence training, and the need for any subject matter education for staff.

Recommendations for the continuation or expansion of work begun by the Phase I committees

The Courthouse Observation and Simulation Team should continue its observations.

Initiative: Court Security

The Committee on Court Security is newly established and a permanent committee. It was charged under the Accountability prong of the implementation plan with making recommendations to address courthouse security, focusing on issues related to the safety and well-being of all individuals within the courthouse; emergency preparedness, including planning for and responding to emergencies when they arise; and continuity of operations, including plans that should be implemented following an emergency to allow the resumption of normal operations.

The twenty-nine member committee is co-chaired by the Honorable Patrick L. Carroll III and the Honorable Gary J. White. The Committee includes Judges, members of the Bar, states attorneys, local law enforcement personnel, the Department of Corrections, executive directors each of the Judicial Branch divisions, appellate court staff, and judicial marshals. It will form subcommittees in order to address all areas of its charge, including a subcommittee to update and revise the security manual. To date, the Committee has met twice; first, in December 2008 and again in May 2009.

The Committee has reviewed the current state of security in the Judicial Branch, the Emergency Response plan, the plan for the continuity of court operations, the current Security Manual and discussed potential security issues that arise at Branch facilities.

The Committee is not yet ready to make specific recommendations. It is considering recommending periodic local security committee meetings in each district, the development of a template for fire drills, and it will be developing a courthouse security survey. As recommendations are developed, the Committee will submit them.

Initiative: Expectations of the Public

The Committee on Expectations of the Public was created as a result of the strategic plan and was charged with examining and recommending ways to define and to communicate clear and consistent information about expectations and court processes for and to all who enter Judicial Branch facilities or interact with the Branch.

Led by the co-chairs, the Honorable Robert E. Beach Jr. and the Honorable James W. Abrams, the twenty-two member committee included judges, family magistrates, attorneys and court operations personnel. The committee formed five subcommittees to examine those areas identified in the charge: criminal/motor vehicle matters, chaired by the Honorable Robin A. Pavia, housing matters, chaired by the Honorable James M. Bentivegna, juvenile matters, chaired by the Honorable Mark T. Gould, small claims matters, chaired by the Honorable James W. Abrams and support enforcement/family matters, chaired by the Honorable Kenneth L. Shluger. The committee and its subcommittees have met a total of twenty times between late November 2008 and May 2009.

For each specific area, the subcommittees reviewed the Judicial Branch website and existing Branch programs, services and publications that assist the public and identified ways to improve and expand the information that was provided to reduce the public's confusion and anxiety and enhance their understanding of the process. The subcommittees also discussed ways to provide information to the public.

As a result of the review and discussions, the committee made the following recommendations.

Recommendations for which implementation has already begun:

1. Publish tri-fold brochures in the areas of Criminal/Motor Vehicle Matters, Housing, Small Claims, and Support Enforcement that provide information on what to expect when a person goes to each of these courts, including general information (i.e., what time to get to the court, where to park, what to call a magistrate or judge, and the procedures at the metal detectors) and area-specific information (i.e., how to pay a fine, what a housing specialist does, or why it is important to remain in court until a matter is resolved.) (Drafts have been completed and approved by Legal Services.)
2. All brochures, letters and notices should be tested at several courts. The drafts, as approved by Legal Services, should be provided to court service centers, public

information desks and clerks' offices in several locations along with a brief survey to assess whether the information is helpful to the public and that the materials are clear and understandable.

3. Revise the language of the "Not Guilty" letter that is sent to people who plead "Not Guilty" in order to incorporate information on what will happen on the initial hearing date. (Draft has been completed and approved by Legal Services.)
4. Provide a "Dear Litigants" letter, containing information on what will happen in Housing Court on the day of the hearing, to be given to people when they come to court to file an appearance or on the day of the hearing. (Draft has been completed and approved by Legal Services.)
5. Implement the reading of a Greeting/Announcement at the beginning of the day by the clerk or a Judge in the Housing Court. The announcement would provide an oral overview or roadmap of what would happen during the day in the housing court, emphasizing important points, such as not leaving the court until instructed to do so by a clerk, a Judge, or a housing specialist. (Draft has been completed and approved by Legal Services.)
6. Revise the housing court notice of hearing to include language making it clear to litigants that failure to come to court can result in the entry of a judgment. (Draft has been completed and approved by Legal Services.)
7. Develop information packets in a question and answer format on specific topics in the area of juvenile law. Three publications have been drafted by the subcommittee and approved by Legal Services: Emancipation, Post-disposition Change of Guardianship, and Juvenile Delinquency and Families with Service Needs Records. Additional publications should be developed.
8. Provide bus schedule information, where applicable, in the Juvenile Court Clerks' Offices. A guide for obtaining this information has been developed for distribution. (Draft has been completed and approved by Legal Services.)
9. An information sheet entitled "What to Expect on the Day of Your Small Claims Hearing" should be sent to each litigant along with the Notice of Hearing. (Draft has been completed and approved by Legal Services.)
10. Revise the Notice of Hearing sent to litigants in small claims matters to incorporate plain language principles, emphasize important information, and update or correct court directions. (Draft has been completed and approved by Legal Services.)

11. Include questions and answers containing information on the postjudgment process and the consequences of a small claims judgment with the notice of judgment sent by the court in small claims matters. (Drafts have been completed and approved by Legal Services.)

Recommendations for review and prioritization by Judicial Administration

1. Make Frequently Asked Questions (FAQs) and all other publications available in multiple locations: on the Judicial Branch website, in Court Service Centers and at Public Information Desks, at clerks' offices, in courtrooms, in law libraries and in public libraries. Publications should also be made available through Legal Services, legal clinics at the University of Connecticut, Quinnipiac University and Yale University, and through the 211 information line for the state.
2. Make information available to the public in multiple formats to the greatest extent possible and provide links to all available formats.
3. Group all materials, including relevant forms, publications, and available audiovisual resources, and display them together online to make it easier for the public to locate and access these materials. Consideration should also be given to including a link to the law libraries' "Pathfinder" series.
4. Include links to outside resources, including the Department of Motor Vehicles website so the public has access to related information on such questions as license suspension and assignment of points on a license as a result of a motor vehicle matter and the Department of Social Services website so the public has access to information on paternity, for example.
5. Make Frequently Asked Questions (FAQs) and all other publications available in multiple languages based upon the recommendations from the Committee on Limited English Proficiency, which is analyzing data to determine the language needs in the state. Currently, only four subject matter areas have FAQs in Spanish: Landlord/Tenant, Jury Duty, Traffic Tickets, and Child Support. Only sixteen out of approximately 70 Branch publications online are available in Spanish, and only one is available in Chinese, one in Polish and one in Portuguese.
6. Review and update the directions to court facilities on the website to ensure that all directions provided are accurate and complete.

7. Review and revise all publications and online information to ensure that material for the public is written at a level and in a way that is understandable for the large percentage of court users, avoiding or explaining court jargon and Latin phrases used in court proceedings.
8. Review and update the Frequently Asked Questions (FAQs) on Traffic Violations.
9. Review and revise the “Not Guilty” letter for Criminal/Motor Vehicle matters to be certain that the information provided is accurate.
10. Review the notice of hearing that is sent and consider adding material to assist the public as they come into the motor vehicle court on the day of their hearing.
11. Assess the way that criminal dockets are labeled and displayed in criminal/motor vehicle courts and investigate other methods of providing the information to the public on where a case will be heard.
12. Make interpreters available on some basis for Housing Matters, for example, at a designated time and date at a courthouse.
13. Add the following key topics to the Frequently Asked Questions (FAQs) section on the Judicial Branch homepage: Domestic Violence, Family, with subheadings for Divorce, Custody, Visitation or Access, and Paternity. Specific suggestions for each topic are set out in the full committee report. In general, each topic area should include links to relevant Branch forms, publications, or audiovisual materials.
14. Convene a group of court service center staff and clerks’ office personnel to develop a list of the most frequently asked questions and answers in each of these areas. Input from the Court Operations webmaster should also be solicited to identify the questions most frequently asked on the web.
15. Add links to the existing Child Support section for the newly drafted brochure on What Happens When You Go to Family Support Magistrate Court, provide a summary of the main elements of the Advisement of Rights that is read from the bench, add a section called “What to Expect in Family Support Magistrate Court” drawing content from the draft publication, and add a link in the FAQ section on resources for self-represented litigants to the draft publication.
16. Revise the notices generated by the child support automated system (CCSES) served on the defendants at their last known address, two to three weeks before any court date, advising them of the court date, time and place to include information to help litigants better prepare for court and know what to expect from their court experience.

17. Review and revise the following publications on family matters as suggested in the full report:

- **The Do It Yourself Divorce Guide** (JDP FM 179, Rev. 5-05)
- **The Do It Yourself Divorce Guide Supplement** (JDP FM 180, Rev. 10-05)
- **The Procedures for Relief from Abuse Process** (JDP-FM 142, Rev. 8-07)
- **The Parenting Education Programs** (JDP-Fm-151, Rev. 6-07)

Recommendations for the continuation or expansion of work begun by the Phase I committees:

1. Convene a smaller group that includes representation from the Committee on Public Service Excellence to discuss and draft a “Statement of Rights and Responsibilities” for people who interact with the Judicial Branch. The statement should include information on the standards of service and performance that people can expect when interacting with the Branch and the steps to take when those standards are not met. It should also contain information regarding the standards of courtroom decorum expected from those who interact with the Branch. The Committee was not able to address this aspect of its charge in the time available, but it recognizes that such a statement is important. It should be posted online, displayed prominently in clerks’ offices, court services centers, and at public information desks.
2. Two scripts for videos providing general information on matters that would be heard in family court (short calendar hearings, uncontested dissolutions, contested dissolutions, and contempt hearings) and on matters that would be heard by the family support magistrate (paternity, support, contempt, and modification) were developed by the subcommittee on Support Enforcement/Family Matters. (Drafts are attached to the full committee report.)
3. These scripts should be referred to the Committee on Self-represented Parties, which is developing a series of videos about various areas of the law, including family law, for further development and production.
4. Consideration should be given to developing an informational video presentation on a day in Criminal/Motor Vehicle Court, following a person from the time they enter the courthouse through the metal detector through the meeting with the prosecutor and into

the courtroom. This videotape could be run at the courthouse in the Court Service Centers or Public Information Desks, provided to public access television stations for broadcast and accessible from the Judicial Branch website.

5. Improve signage at Housing Courts to provide clearer direction and information to the public, and to provide signage in multiple languages. This recommendation should be directed to the committee that will be formed to review existing signage and make recommendations for changes.
6. Develop a simplified procedure and a fillable form to permit a defendant to request that a satisfaction of judgment be entered by the court in the event that a plaintiff fails to file the satisfaction of judgment with the court.
7. Investigate the possibility of implementing a modified children's center, perhaps partnering with a college or school with an early education program.

Initiative: External Affairs Advisory Board - Speakers' Bureau, Media Campaign for Public Education; Seniors and the Law

The External Affairs Advisory Board was formed as a part of the first phase of the implementation process to oversee three of the initiatives contained in the implementation plan: the Seniors and the Law program, the Media Campaign for Public Education and the Speakers' Bureau. The charge of the board overall is to enhance the public's understanding of the role and function of the Branch. Specifically the Board was charged with enhancing the Speakers' Bureau both in terms of the groups that participate and the topics that are covered, enhancing and executing a communications campaign to better educate the residents about the judiciary, and evaluating the seniors and the law program to determine its effectiveness and utility.

Chaired by the Honorable Susan B. Handy, the four-member board decided to address the three initiatives through a comprehensive plan to educate the public, including senior citizens, members of community organizations, students and members of the general public about the role and function of the Connecticut Judicial Branch. The committee met four times between December 2008 and the end of April 2009. The task of the Advisory Board is ongoing. It will continue its efforts after the submission of its report and reconvene in the fall of 2009.

The committee conducted focus groups with judges, branch employees and educators, distributed a survey to community groups to solicit feedback on the Speakers' Bureau, and researched other states' programs.

As a result of its discussions, research, and review of input from focus groups and surveys, the Advisory Board is making the following recommendations:

Recommendation for which implementation has already begun:

1. Invite senior citizens to go to their local courthouse to observe proceedings and to meet with a judge.
2. As part of the Speakers Bureau, ask senior centers if they would like to have a judge come and address their group.
3. Publicize the availability of the Speakers Bureau to community organizations.
4. Develop a bank of resources such as statistics that are readily available for judges who are part of the Speakers Bureau.
5. Market the Speakers Bureau to the judges themselves.

6. Encourage judges to inform the Speakers Bureau whenever they speak to a community group and provide an e-mail form for them to do so.
7. Send an e-mail to all judges once a year asking them to provide External Affairs with information about the number of groups they spoke to, the topics that were addressed, where the engagement took place and their comments on how the event went.
8. Provide evaluation forms to the judges and to the community organizations each time that a judge addresses an organization.
9. Send a list of Judicial Branch publications to every public library advising them that these resources are available upon request.
10. Cultivate relationships with educational organizations, particularly those involving social studies teachers.
11. Tape a day in court with a teacher and class present. This DVD will be made available to other teachers and could be presented to them at a professional development day.
12. Have judges visit schools and talk with students about the consequences of criminal behavior.
13. Inform guidance departments about the resources available through the Judicial Branch.
14. Send out notices to judges in March of each year asking if they would be willing to speak to high school students in conjunction with Law Day. Make arrangements for judges to speak to the schools identified.
15. Contact every high school in the state and ask the school to designate a liaison who will receive educational materials about the Judicial Branch and then distribute the materials to the appropriate teachers.
16. Contact Sunday morning talk shows and radio stations about Judicial Branch-sponsored programs (like the Foreclosure Mediation Program). Explore the feasibility of developing a DVD with judges discussing how these types of programs work.
17. Incorporate into every speaking engagement a request, if approved by both the judge and the organization, to contact the local media about the event.
18. Encourage judges to let the External Affairs Division know when they are engaged in an activity that could educate the public about the courts and its programs.
19. In an era of diminishing resources for the media, provide ways to educate them about the courts, absent the day-to-day court beat reporter, such as using the website to its full potential (i.e. statistics) and providing opportunities for judges to educate the media about the courts (i.e. having judges visit media organizations to assist them in learning about the courts).

Recommendations that have not been reviewed or prioritized by judicial administration:

1. Discontinue the Seniors and the Law program, as most of the issues affecting seniors are not within the purview of the Superior Court.
2. Suggest to Judge Paul Knierim, Probate Court Administrator, that the Probate Court consider taking over the Seniors and the Law program, as the topics discussed, for the most part, more closely relate to the Probate Court.
3. Expand the Speakers Bureau to include family support magistrates and Judicial Branch employees.
4. Ensure that there are accurate Branch-wide statistics available about the number of judges and employees who speak to community organizations, and require the administrative divisions to inform the Speakers Bureau when employees speak to community groups.
5. Urge the Chief Justice and the Chief Court Administrator to continue their efforts to remind judges that speaking to the community is one of the most important ways to educate the public about what we do and who we are.
6. Recommend to the members of the Pre-Bench Orientation Committee that they inform new judges about the importance of the Speakers Bureau and in going out into the community.
7. Attend social studies teachers' conferences and consider doing a workshop.
8. Develop a program for judges to use when either teachers visit courts or judges visit schools as part of a professional development day.
9. Distribute notices in late July/early August to the designated school liaisons about resources that the Judicial Branch can provide.
10. Establish a "regional judge liaison" to work between the court and schools in a particular area.
11. Work with CT-N to get footage of the Cipriani trial and discuss with CT-N the possibility of creating a DVD with excerpts from the trial interspersed with judges talking about the process and what the students are seeing.
12. Explore with CT-N the option of a media/interactive learning project for students through the Connecticut Education Network.
13. Ask the Chief Administrative Judges if they would be willing to write a column for the Connecticut Law Tribune. Also, continue encouraging judges to take advantage of opportunities to educate the public about the courts and the judiciary through the media.

Recommendations for the continuation or expansion of work begun by the Phase I committees:

1. Complete the workbook for upper elementary students.
2. Continue co-sponsoring yearly events with judges and members of the media to educate each other about our respective roles with the assistance of the Judicial Media Committee (i.e. Law School for Journalists and Journalists School for Judges).
3. Continue monitoring of inquiries from the news media and stories about the Judicial Branch.
4. Continue marketing positive stories about the judiciary and the Judicial Branch to news organizations.
5. Continue contacting editorial boards when necessary to present the Branch's position on an issue.
6. Develop a plan to cultivate minority news organizations including predominantly non-English speaking media organizations.

Initiative: Judicial Performance Evaluation Program

The Judicial Performance Evaluation Program Committee is a newly established committee. It was charged with not only examining the Branch's existing judicial performance evaluation program, but to consider the feasibility of establishing evaluation programs for judges who preside over high volume courts, family support magistrates, judge trial referees, magistrates who preside over small claims and motor vehicle dockets, and quasi-judicial officials such as attorney trial referees, factfinders, and arbitrators.

The Honorable Alexandra D. DiPentima and the Honorable Joseph M. Shortall co-chair the thirty-nine member committee, which included members of the Bench, the Bar, the legislative branch and academia. As a result of the charge, the committee formed four subcommittees: Evaluating Judges Assigned to High Volume Court as Presiding Judges, Evaluating Judge Trial Referees, Evaluating Supreme Court Justices and Appellate Court Judges, and Improvement of the Existing System for Evaluating Trial Judges. The committee and its subcommittees met, collectively, fifteen times between December 2008 and June 2009.

The information considered by the Committee and its subcommittees was extensive. The members were given a presentation on the Branch's current evaluation program, which is administered within the Judge Support Services Unit, and, over the course of their meetings, evaluated and discussed other states' evaluation programs; the American Bar Association's (ABA) guidelines for judicial performance; a study done for the Institute for the Advancement of the American Legal System (IAALS); Branch attorney and juror questionnaires; model evaluation questionnaires; the ABA's Appellate Attorney Survey form and the Institute for the Advancement of the American Legal System's (IAALS) evaluation form; and Connecticut Statute Sec. 2-40a, regarding disclosure of performance evaluations of judges.

As a result of the Committee's research, evaluation, and analysis, the members have developed a number of recommendations on judicial performance evaluation.

Recommendations for review and prioritization by judicial administration

Subcommittee on Evaluating Supreme Court Justices and Appellate Court Judges

1. To evaluate the performance of Supreme Court Justices and Appellate Court Judges.

2. To adopt a questionnaire, as amended, (see Attachment XX in the full committee report) for evaluating the performance of Supreme Court Justices and Appellate Court Judges, and to have the questionnaire be reviewed by an expert for statistical validity.

Subcommittee on Evaluating Judge Trial Referees

1. To evaluate the performance of Judge Trial Referees similarly to Judges doing the same work.
2. To make available any and all review and recommendation information to the Chief Court Administrator for her use in recommending to the Chief Justice the appointment of a Referee to become a Judge Trial Referee.
3. To review recommendations for Judge Trial Referees on a calendar year basis in order to allow sufficient time for any necessary performance improvements.
4. To provide regular and timely review of concerns with Judge Trial Referees through meetings and discussions.

Subcommittee on Evaluating Judges Assigned to High Volume Court and as Presiding Judges

1. To expand the pool of those who evaluate judges who are assigned to high volume courts and as presiding judges to include court staff.
2. To expand the categories of judges subject to evaluation to include but not be limited to presiding judges, high volume criminal court judges in both Parts A and B, judges assigned to special proceedings, specialty court dockets, civil and family sessions, juvenile delinquency sessions and housing court, as well as family support magistrates/family support referees.
3. To develop a peer review process for judges, with the details of the process to be determined later.
4. To develop an attorney evaluation questionnaire which includes the following items and refer the questionnaire to an expert for consideration of its statistical validity:
 - Decisiveness during Proceedings
 - Courtesy of the Judge
 - Patience during Proceedings
 - Courtroom Decorum
 - Demonstrates Respect During Proceedings
 - Efficient Pace of Proceedings

- Control of Courtroom
- Impartiality of Conduct
- Consistency of Rulings
- Explanation of Rulings
- Ability to Effectively Settle Cases (For presiding judges)
- Facilitation in Development of Options for Settlements/Pleas (For presiding judges)

Please indicate the number of years you have practiced law: 1-5, 6-10, more than 10.

Subcommittee on Improving the Existing System for Evaluating Trial Judges

1. To solicit input for the evaluation system for trial judges from other constituents in the judicial process in addition to jurors and attorneys, as is presently the case.
2. To modify the present Attorney Questionnaire (Rev. 3/07) so as to provide the opportunity for a fair, proper and comprehensive evaluation of the judge.
3. To supplement the information concerning the respondent that is currently required (e.g., years of practice, type of practice, etc.) with an optional question asking whether the outcome of the trial or hearing was favorable or unfavorable to the respondent's position.
4. To modify the current Attorney Questionnaire to add the following questions:

"What, if anything, did the judge do that you found particularly commendable or admirable?"

"What, if anything, did the judge do that you found could be improved?"

Further, the Judicial Branch should use said comments in the mentoring and professional development of its judges and, in so doing, not necessarily wait until the minimum number of questionnaires required for review have been returned.

5. To refer both the Attorney Questionnaire and the Juror Questionnaire -- either in their current form or as modified with any of the recommendations that may be adopted by the Judicial Branch -- to an appropriate expert for an overall evaluation as to: (i) their adequacy for measurement of a judge's performance of his/her duties and the production of useful information for the judge's education and professional development; and (ii) the number of responses required to produce statistically reliable and meaningful data.

6. To encourage the Judicial Branch to provide for the more frequent distribution of Attorney Questionnaires and to consider the electronic distribution of and response to such questionnaires.
7. To support the concept of evaluating judges after a settlement conference or mediation, recognizing that how and whether it can be done are to be determined at a later time.
8. To encourage the Judicial Branch to engage in a joint effort with the Bar to educate the Bar more widely and effectively on the policies, practices and procedures presently in place to protect and preserve the anonymity of attorneys completing and submitting an evaluation questionnaire.
9. To use a periodic evaluation of a judge by independent observers as a supplement to the appraisals provided by the Attorney Questionnaire, Juror Questionnaire.
10. To encourage the Judicial Branch to make use of the reports of the independent evaluators to develop and provide appropriate training programs and guidelines for the professional development and education of all judges.
11. To refrain from seeking input for the evaluation program from litigants and self-represented litigants.

Recommendations for the continuation or expansion of work begun by the Phase I Committees (These recommendations come from the co-chairs of the Committee.)

1. Reestablish an advisory board on judicial performance evaluation as soon as possible.
2. In addition to the implementation of the committee recommendations accepted by the Chief Justice, the advisory board could address two of the tasks that the committee did not reach: 1) how the branch should evaluate the performance of non judicial officers, and 2) how the website can be used to inform the bar about the judicial performance evaluation program as well as the efficacy of electronic distribution and execution of evaluation questionnaires.
3. Retain an expert to examine the evaluation questionnaire for trial court judges, to examine the proposed questionnaire for appellate judges and justices and to develop a questionnaire for high volume and presiding judges.

Initiative: Public Service Excellence (PSE)

The implementation of this initiative was undertaken by a work group that was charged with advancing and fostering a service excellence culture throughout the entire Branch. Specifically, the group was charged with identifying existing service excellence efforts and programs, assessing their effectiveness and finally weaving those existing programs into a Branch-wide effort reflecting a unified philosophy and a culture committed to the principles of exceptional service.

The work group included representatives from the support enforcement unit, court operations and, chief clerks. The group met frequently between November 2008 and June 2009 to develop the phases of the public service excellence program.

The foundation of the four phase program being developed by the work group is five public service excellence principles: to be professional, to be empathetic, to address people directly with courtesy and respect, to provide fair and equal treatment, to provide and timely explanation and creative problem resolution. The first phase of the program is the Covey training, *The 7 Habits of Highly Effective People*, which promotes personal and interpersonal effectiveness. The remaining three phases will build from the Covey training.

Almost all managers and supervisors have now gone through the first phase – *The 7 Habits of Highly Successful People* (Covey). The second phase, **Applying the 7 Habits in the Workplace**, is in development. This phase will take advantage of supervisors and managers as agents for change in transforming the work environment. The remaining phases will include Public Service Excellence training for Supervisors, **Public Service Excellence: Leading by Example**, stressing the responsibility and accountability of supervisors for the staff whom they supervise, and division specific Public Service Excellence programs that will promote the principles of public service excellence.

Recommendations for which implementation has already begun

1. Provide the Covey training, *The 7 Habits of Highly Successful People*, to all supervisors and managers.
2. Develop a second phase of training, **Applying the 7 Habits in the Workplace** for supervisors and managers.

Recommendations for the continuation or expansion of work begun by the Phase I committees:

1. Develop Public Service Excellence training for Supervisors, **Public Service Excellence: Leading by Example**, stressing the responsibility and accountability of supervisors for the staff whom they supervise.
2. Develop division specific Public Service Excellence training for all branch staff in every division.

Initiative: Website Enhancement

Many of the activities that are part of the strategic plan involve the Judicial Branch website. The Judicial Branch Web Board, which is comprised of representatives from each administrative division of the Branch and a representative from Legal Services, was charged with reviewing the content of the website, ensuring adequate site navigation, and enhancing the website to allow users to conduct business on-line.

Chaired by Attorney Melissa A. Farley, the twelve-member Web Board established a subcommittee to review the site design and navigation issues and to recommend improvements. The Web Board and its subcommittee met a total of seven times between October 2008 and April 2009.

The Web Board conducted informal surveys of web users, looked at ways in which the website can feature its self-help areas more clearly, make court forms easily accessible, improve performance of on-line court tasks and offer more guidance to those not familiar with the website or court procedures in general. In addition, the committee reviewed information currently available on the Judicial Branch website, the ability to conduct web-based transactions, and website accessibility.

After extensive review and discussion, the Judicial Branch Web Board has recommended the following:

Recommendations for which implementation has already begun:

1. Appellate System case look-up section - Development is underway for a web inquiry application that will make it possible for the public to look up current information about cases on appeal. The goal is to provide information similar to that currently available for civil and family trial court matters, including case status.
2. Information in different languages – A number of sections of the website have already been translated into Spanish and efforts are underway to translate additional sections.
3. Foreclosure notices – The Bench/Bar Foreclosure Committee has recommended that the Judicial Branch provide committees of sale and judges with the option of advertising foreclosures on its website to save homeowners the cost of this advertising. An application is currently being developed and should be available in the fall of 2009.
4. Jury postponements – Efforts are underway to allow jurors to postpone their jury service by way of the Judicial Branch’s website.

Recommendations for the continuation or expansion of work begun by Phase I committees

1. Attorney Disciplinary Records - This section of the website will be expanded to include attorneys' past disciplinary histories as well as discipline that has been imposed in the form of written court opinions or Statewide Grievance Committee decisions.
2. Court forms - New interactive forms will also be created in conjunction with Legal Services and the Court Service Centers that will assist individuals with completing court forms. The appearance form, one of the most commonly used forms in the court system, is the first form around which the application is being built.
3. Information about the Court Support Services Division - The Web Board will include information on the website about the Court Support Services Division and the programs it administers.
4. Self-help in the areas of juvenile, family and probation - The Web Board, with the assistance of the Court Support Services Division, will post information about adult, juvenile and family services in its frequently asked questions section.
5. Streaming videos - The number of streaming videos to explain various court processes will be expanded.
6. E-filing - The capability to conduct transactions by enhancing existing applications such as Civil E-Filing will be expanded.
7. Appellate System - Supreme Court briefs filed electronically will become available online through a cooperative endeavor between the Connecticut Judicial Branch and the Connecticut Bar Association (CBA). The long-term plan is to make the briefs available on the Judicial Branch's website.
8. Navigation - Where navigation links are repeated, the Web Board will provide a method for the user to skip these repetitive links.
9. Plain language - The Web Board will make the changes suggested by Court Service Center staff to change the text in the Self-Help sections of the website for plain language and readability compliance.
10. Site design and navigation - The Web Board will continue to look for ways to feature its Self-Help areas more clearly, make forms easily accessible, improve performance of on-line court tasks and offer more guidance to those not familiar with the website or court business in general.

INITIATIVES NOT ADDRESSED IN PHASE I

ACCESS

Facilities (Administration)
Intellectual/Psychiatric Disabilities
Physical Access (Signs)
Utilization of Facilities

COLLABORATION

Chief Court Administrator/Information Sharing

ACCOUNTABILITY

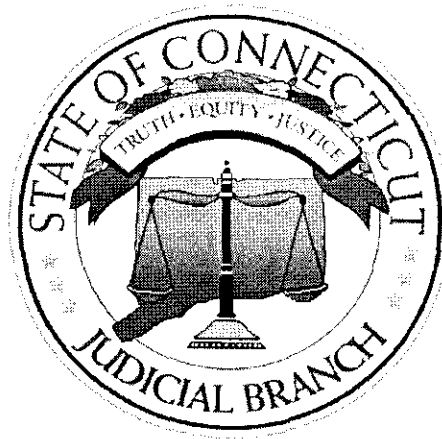
Assignments/Allocation (Judges)
Career Paths
Judges' New Assignment Assessment/Orientation

ALL GOALS

Training

ACCESS

The Judicial Branch will provide equal access to all of its facilities, processes and information through the identification and elimination of barriers.



PUBLIC SERVICE AND TRUST COMMISSION
AMERICAN WITH DISABILITIES ACT COMMITTEE
FINAL REPORT
APRIL 2009

Patrick Caron, Chair
Sandra Lugo Gines, Vice-Chair
Laurie Parent, Member
Heather Collins, Support Staff
Steve Pelletier, Legal Staff

TABLE OF CONTENTS

Introduction	4
Executive Summary	6
Strategy 1	8
<i>Activity 1</i>	8
Results of Activity 1.....	8
Recommendations of Activity 1.....	8
<i>Activity 2</i>	9
Recommendations of Activity 2.....	9
<i>Activity 3</i>	9
Results of Activity 3.....	10
Recommendations of Activity 3.....	10
<i>Activity 4</i>	11
Results of Activity 4.....	11
Recommendations of Activity 4.....	12
<i>Activity 5</i>	12
Results of Activity 5.....	12
Recommendations of Activity 5.....	13
<i>Activity 6</i>	14
Results of Activity 6.....	14
Recommendations of Activity 6.....	15
<i>Activity 7</i>	15
Results of Activity 7.....	15
Recommendations of Activity 7.....	15
Strategy 2	16
<i>Activity 1</i>	16
Results of Activity 1.....	16
Recommendations of Activity 1.....	16
<i>Activity 2</i>	17
Results of Activity 2.....	17
Recommendations of Activity 2.....	17
<i>Activity 3</i>	17
Results of Activity 3.....	18
Recommendations of Activity 3.....	19
<i>Activity 4</i>	20
Results of Activity 4.....	20
Recommendations of Activity 4.....	20
Strategy 3	21
<i>Activity 1</i>	21
Results of Activity 1.....	21
Recommendations of Activity 1.....	22

Exhibits	25
Exhibit 1 – Wheelchair Access	25
Exhibit 2 – Department of Justice “ADA Compliance Checklist”	36
Exhibit 3 - DPW Lease Compliance Review Form	51
Exhibit 4 – ADA Equipment Inventory	53
Exhibit 5 – TDD Payphone Inventory	54
Exhibit 6 – Focus Group Email Invitation	56
Exhibit 7 - Focus Group Letter Invitation (Template)	57
Exhibit 8 – ADA Focus Groups Results	58
Exhibit 9 – ADA Website Launch & Focus Group Results Notification Email.....	67
Exhibit 10 – New England ADA Center Training Handout	69
Exhibit 11 – ADA Court Contact List	104
Exhibit 12 – ADA Staff Survey	107
Exhibit 13 – CT Judicial Branch ADA Website	108
Exhibit 14 – Website Quick Links.....	109
Exhibit 15 – ADA Website: Overview Page.....	109
Exhibit 16 – ADA Website: Auxiliary Aids and Services Page	110
Exhibit 17 – ADA Website: Directions Page with Wheelchair Access	110
Exhibit 18 - ADA Notice Poster JDP-ES-221	111
Exhibit 19 – Juror Accommodation Electronic Form	112
Exhibit 20 - Email Notification of ADA Link Launch.....	113
Exhibit 21 - Commission on the Deaf and Hearing Impaired Website.....	115
Exhibit 22 - ADA Training CSSD Sign In Sheet	116
Exhibit 23 - ADA Online Tutorial (DEMO)	122
Exhibit 24 – ADA Accommodation Request Procedure (DRAFT)	123
Exhibit 25 - Accommodation Request Form (DRAFT)	125
Exhibit 26 - ADA Grievance / Complaint Procedure (DRAFT)	127
Exhibit 27- ADA Grievance / Complaint Form (DRAFT).....	130

INTRODUCTION

The Americans with Disabilities Act Committee was formed in response to the implementation of the first goal of the strategic plan: the Branch will identify and eliminate barriers to ensure that all of its facilities, processes and programs are equally accessible.

The ADA Committee was more specifically charged with evaluating what resources currently exist at Branch facilities to accommodate those with differing needs; assessing accessibility to that information; and recommending more effective ways to disseminate, both online and at facilities, information to people who may need an ADA accommodation.

The Committee, which includes chair Patrick Caron, vice-chair Sandra Lugo-Gines, and member Ann-Laurie Parent, conducted five public meetings between November 2008 and April 2009, and held three informal work meetings in the same period.

The Committee evaluated what information is available for people with disabilities on the Branch's website and at Branch facilities and determined very early on in the process that there was a serious dearth of information to turn to. But to get a better understanding of what people with disabilities feel the Branch needs to ensure accessibility the Committee, as charged in the implementation plan, turned to the community and conducted three focus groups attended by people with disabilities and people who advocate for those with disabilities.

The information gleaned from the focus groups has proved invaluable. In the course of evaluating the focus group responses and based on its own examination of existing Branch policies and procedures surrounding the ADA and ADA issues, the Committee also identified external resources. Specifically, the Committee met with representatives from the Oak Hill School for the Blind and New England Assistive Technology Center, the state Department of Public Works, the Board of Education and Services for the Blind, and the Office of Protection and Advocacy for Persons with Disabilities. The Committee also sought the advice and expertise of the Branch's Information Technology Division.

The combined input from external and internal resources and the Committee's evaluation and assessment of available resources as charged in the strategic and implementation plans have driven the activities undertaken by the Committee thus far, and form the basis for the Committee's recommendations for action by the Branch now and in future.

EXECUTIVE SUMMARY

The Committee has developed recommendations for action and consideration by the Branch. They are summarized below and detailed more thoroughly in the report.

- An Office for People with Disabilities should be established to centralize all ADA services and trainings. The office should serve the public and Branch staff.
- The Branch should create an Advisory Committee that includes people with disabilities; the Advisory Committee should report to the Chief Court Administrator.
- The Branch should investigate the feasibility of hiring, on a permanent, full-time basis, a Computer Assisted Read Time court reporter to meet a growing demand for this service.
- ADA compliance checks of Branch-leased and owned properties should be completed annually and identified deficiencies addressed when feasible.
- The Branch should ensure its ADA website is current, with particular attention to ensuring the list of ADA Contact people and their information is accurate.
- The ADA Contact people should be kept current on the latest Branch ADA trends, innovations and policies through a biannual newsletter.
- The Court Support Services Division should post information on the Branch website about wheelchair access to 13 facilities not yet updated, and the names and contact information for its 36 trained ADA Contact people.
- The Branch should immediately provide assistive vision devices (i.e., magnifying glasses) for all court clerk's offices, Court Service Centers and information desks, law libraries, and every facility where the public accesses Branch information.

- The Branch should modify all forms to include the free, 711 telecommunication relay service phone number as the universal phone access line for people with speech and hearing disabilities, and train all staff on how to use 711.
- All Branch forms that are distributed to the public should be modified to include information on obtaining accommodations for people with disabilities.
- The Committee's newly developed Request for Accommodation forms and grievance process forms should be approved as quickly as possible, posted on the ADA website, and distributed to all Branch facilities.
- The Branch's Information Technology Division should investigate the feasibility of enabling existing Microsoft Accessibility software on computers used by public in Branch facilities. Further, the IT Division should implement accessibility features on the Branch website, allowing remote users of the site to change font size, color contrasts and more.
- The Branch, with assistance from this Committee, should identify and utilize trainers with disabilities to conduct sensitivity training for all Judges and staff.

STRATEGY 1***Evaluate the resources currently available in each facility to accommodate those with special needs.******Activity 1***

The Committee conducted an evaluation of courthouses to determine the availability of wheelchair access and the locations of wheelchair access, (see Exhibit 1, p. 25) and photographed the appropriate entrances and signs.

Results of Activity 1

- Following the evaluation, the descriptions and photographs were posted on the Branch website. Specifically, descriptions are available for: 15 Judicial District Courthouses; 14 Juvenile Courts; 20 Geographical Area courts; 12 Support Enforcement Services sites; 7 Court Support Services Adult Probation sites; 24 Family Services sites; 6 Housing Session sites; 13 Juvenile Probation sites; 15 Law Libraries sites; 16 Small Claims sites, and the Supreme Court, Appellate Court, and Tax Court.

Recommendations of Activity 1

- Thirteen Court Support Services Division Adult Probation sites listed on the Branch website have no wheelchair access description. The Committee recommends that CSSD evaluate the remaining 13 sites and post directions, photos and information about wheelchair access.

Activity 2

In the spirit of collaboration, the Committee met with managers of the state Department of Public Work (DPW) accompanied a DPW inspector on site visits to 7 state facilities, including a juvenile courthouse and a CSSD Adult Probation office. The DPW inspector shared with the Committee the U.S. Department of Justice guide used to assess compliance with the ADA requirements (see Exhibit 2, p.36), as well as the DPW form (see Exhibit 3, p.51) used to determine compliance. As a result of the site tour, the Committee was also introduced to Gretchen Knauff, Assistant Director of the Office of Protection and Advocacy for Persons with Disabilities. Ms. Knauff has longtime experience in advocating for people with differing abilities and agreed to accompany the Committee or Branch staff on informal inspections of Branch facilities to evaluate compliance with ADA standards.

Recommendations of Activity 2

- The Branch should conduct its own annual or bi-annual inspections of its properties to ensure compliance with the ADA and promptly address any deficiencies that impact peoples' access to Branch facilities. To the extent possible, the Branch should do those inspections with an interested advocate for people with disabilities. A model checklist on ADA compliance is available from the U.S. Department of Justice.

Activity 3

The Committee conducted an inventory of the Branch's available auxiliary aids and assistive technologies. (see Exhibit 4, p.53)

Results of Activity 3

- The Committee found that as of April 1, 2009, the Branch has 15 pocket talkers available at 14 locations and 5 frequency modulator kits at 5 locations. Additionally, 4 courthouses have infra-red capability and systems, and 2 law libraries each have a reading machine. The Committee found that the Branch does not currently possess any assistive visual devices for people with low-vision.
- The Committee identified a local non-profit agency, The New England Assistive Technology (NEAT) Resource & Education Center at Oak Hill, which is part of the Connecticut Institute for the Blind. The NEAT Center provides a variety of services, classes and equipment to people with disabilities, their advocates, the public, other non-profit and public entities, and corporations. The Committee toured the NEAT Center and met with Vice President Bruce Stovall. The NEAT Center can be a good local resource for the Branch, providing assessments of workplaces and facilities, and training for employees, including Information Technology staff.

Recommendations of Activity 3

- The Committee recommends that the Branch purchase assistive vision technology for every Clerk's office, where files are kept, and in Court Information Centers to assist those with low vision. These devices can be as simple as an inexpensive magnifying glass. There is more current technology available, including lightweight, handheld magnifiers that are more powerful than a magnifying glass and allow the user to adjust the magnification.

- The Committee recommends that the Branch's Information Technology Division investigate the availability and viability of enabling the built-in Accessibility features found in the Microsoft Office Suite of products on publicly-accessible computers in Court Service Centers. This assistive technology is capable of changing font size, reading aloud, etc., and would benefit people with a variety of different abilities. The Accessibility feature can be activated and deactivated when the user is done.

Activity 4

The Committee inventoried the number of text telephones (TTY) and telecommunication devices (TDDs) currently owned by the Branch. (see Exhibit 5, p.54)

Results of Activity 4

- The Branch currently has four TDD machines available at: the Supreme Court building, Hartford Community Court, Rockville Juvenile Court, Rockville Superior Court on Brooklyn Street, and in the Jury Assembly Room of Rockville Superior Court (G.A. 19). Additionally, the following courthouses have public phones with TDD units: Fairfield Judicial District, Bridgeport Superior Court (G.A. 2), Danbury Superior Court, Danbury Juvenile Matters Court, Derby Superior Court, Hartford Superior Court (G.A. 14), Hartford Family Court, Hartford Juvenile Detention and Court, New Britain Superior Court, Stamford Superior Court (two units), Waterbury Judicial District, Waterbury Superior Court, Waterford Juvenile Court, Willimantic Superior Court, and Willimantic Juvenile Court. Branch administrative offices also have the devices, in the Fiscal Administration office and Human Resources.

Recommendations of Activity 4

- The Branch should ensure that those Clerks and court staff who have access to TDD machines are properly trained on their use.
- The Branch should encourage the use of the free, national Telecommunications Relay Service, accessible to people with hearing or speech disabilities by dialing “711.” The Federal Communications Commission requires all phone companies to provide free 711 service. The service works by allowing the caller with a TDD/TYY machine to contact an operator, who will then place a voice call. The operators, called communications assistants, serve as the “voice link,” by speaking aloud the text of the calling party to the receiving party, and then typing back the speaking party’s words to the caller. This service is available in all 50 states, the District of Columbia, Puerto Rico, and the U.S. territories.
- The Branch should provide information or training to all staff about receiving 711 calls, so that the caller isn’t disconnected. Such training will ensure that members of the public are treated fairly and with respect by a professional staff.

Activity 5

As charged, the Committee determined that it would need to conduct focus groups of people with disabilities and their advocates to determine how the Branch can most efficiently and professionally address the needs of people with diverse physical and intellectual disabilities.

Results of Activity 5

- The Committee identified 24 groups and individuals — including members of non-profit and government entities — who advocate for people with disabilities — and

sent e-mail and hard copy letters inviting them to attend one of three focus groups.

(see [Exhibit 6, p. 56](#) and [Exhibit 7, p.57](#))

- The three focus groups were held in December 2008 at Branch facilities in East Hartford and Wethersfield. In addition to those who were specifically invited by the Committee, notices of the meetings' locations and times were posted on the Branch Webpage. The Committee structured the focus groups to solicit information on what barriers exist within the Branch; what impacts those barriers have on people with disabilities; and how those barriers can be removed or remedied. The Committee also asked each of the focus groups for input on what training the Branch should develop so that its members serve people with fairness and respect. The results of the focus groups sessions were posted on the Branch's Webpage (see [Exhibit 8, p.58](#)), and every invited participant was sent a letter telling them that the results were publicly available. (see [Exhibit 9, p.67](#))

Recommendations of Activity 5

- The recommendations gathered at the focus groups will help the Branch develop appropriate training for Judges and Branch staff. The training should include, when viable, the use of trainers who have different abilities, including those from local/state entities, agencies, and/or companies.
- It was strongly recommended that an Advisory Committee that includes people with disabilities and their advocates be established to help ensure the Branch's commitment to eliminating barriers to access is being met. In addition to those advocates, the Branch should include managers and staff from the Chief Court Administrator's office, Court Operations, and the Information Technology Division.

Activity 6

As per the charge, the Committee identified ADA Contact People and trained them to assist the public with requests under the Americans with Disabilities Act.

Results of Activity 6

- The Committee identified: 69 Superior Court Operations ADA Contact People in the Judicial Districts, Geographical Areas, Housing Court, Juvenile Court, Legal Services, and Support Enforcement Services; 36 ADA Contact People in the Court Support Services Division; and 2 ADA Contact People in the External Affairs Division.
- The Committee provided training on the Americans with Disabilities Act to all of the aforementioned ADA Contact People with Kathy Gips, Director of Training for the New England ADA Center in Boston. The training covered everything from the structure of the ADA, to the newly expanded definitions of the Act, to types of adaptive equipment for people with disabilities, and some examples of how to respectfully and sensitively assist a person with a disability who requests help. (see Exhibit 10, p.65)
- The Committee posted the names, phone numbers, and e-mail addresses of the public Contact People on the Branch Website, to ensure ease of access to our facilities and to provide, as efficiently as possible, assistance to people with disabilities. (see Exhibit 11, p.104)

Recommendations of Activity 6

Activity 7

Surveyed the Branch's ADA identified Contact People to ensure they are aware of what services and assistance the Branch offers to people with disabilities, including the existence of the new Americans with Disabilities Act pages and links on the Branch homepage, and to determine what auxiliary aids are most requested. (see Exhibit 12, p.107)

Results of Activity 7

- The ADA Contact people responded and offered observations about their facilities, the usage and request frequency for auxiliary aids, and identified other people—non-Contact people—who have access to and knowledge of the auxiliary aids. The list of the non-Contact people will be kept on file for reference, in the event the Contact person is unavailable to assist the public.

Recommendations of Activity 7

- The Branch should ensure that its Contact people are updated on new developments to the Web page and purchases of new auxiliary aids to assist the public. A quarterly newsletter should be created to ensure staff is kept current on ADA issues and to help them build a uniform knowledge base. The Branch should also ensure that the publicly available list of Contact people, which is currently posted on the Branch Website, is kept current by reviewing phone numbers and email addresses for those people at least twice a year.

STRATEGY 2

Explore more effective methods for disseminating information both to staff and to the public about available accommodations both online and at facilities.

Activity 1

The Committee determined that it would need advice from people with disabilities and their advocates to determine how the Branch can better make information available about the accommodation process and the rights of people with disabilities.

Results of Activity 1

- The Committee conducted three focus groups and asked the participants—more than two dozen in all—what type of information would be most helpful and how that information should be disseminated. The Committee then evaluated the focus group participants' concerns and recommendations in approaching the design of a new Internet Branch ADA Webpage. ([see Exhibit 13, p.108](#))

Recommendations of Activity 1

- The Committee believes the Branch should continue to reevaluate the information that has been posted on the new ADA Webpage to ensure its accuracy. Based on the focus group participants' responses, the Committee also believes the Branch should implement Accessibility features on all of its Webpages, such as the ability by remote users to change font sizes, change color contrasts, and provide written descriptions of images, to accommodate people with low-vision.

Activity 2

The Committee reviewed the Branch internet website for ease of use, quantity and quality of information regarding the ADA.

Results of Activity 2

- The Committee identified a lack of available information about the Branch's commitment to providing accommodations to people with disabilities and the ADA in general.

Recommendations of Activity 2

- Based on the comments of the focus group participants and its own evaluation of ADA information available on the Branch Website, the Committee determined that updating the Branch's publicly available ADA information was a priority. The Committee recommends the Branch continue to update the ADA Webpage as necessary and appropriate to ensure the most accurate and current information is maintained. That can be done by the Committee in conjunction with the Branch's Informational Technology Division, in addition to seeking input from people with disabilities and their advocates.

Activity 3

The Committee considered the focus group participants' concerns and translated those concerns into the development of a new Branch Webpage dedicated exclusively to the Americans with Disabilities Act. The page launched on February 16, 2009, and is directly available from the Branch homepage via the "Quick Link" listing, Americans with Disabilities Act. (see Exhibit 14, p.109)

Results of Activity 3

- The Committee created the content for a new Branch Internet Webpage dedicated to the Americans with Disabilities Act. The ADA homepage, which is highlighted on the Branch homepage, has 7 links: To an overview about the ADA (see Exhibit 15, p.109) including links to the external U.S. Department of Justice page with statutory information about the Act and the Branch's Strategic Plan; to a complete list of 69 previously identified and trained ADA Contact People in Judicial Districts, Geographical Areas, Juvenile and Housing courts, Support Enforcement Services offices including administration, Legal Services, External Affairs, and Jury Administration (see Exhibit 11, p.104); to a description of the currently available auxiliary aids and services available to people with disabilities (see Exhibit 16, p.110), and instructions on how to request an accommodation; to the Branch's complete list of directions to and wheelchair access for Connecticut Courts and Branch facilities (see Exhibit 17, p.110); to the official legal notice of the Branch's non-discrimination policy and compliance with the ADA (see Exhibit 18, p.111); to a juror accommodation form for jurors with disabilities (see Exhibit 19, p.112); and to the ADA Committee's Branch Internet homepage.
- The Committee notified, via e-mail, the invited focus group attendees of the launch of the Branch's new ADA Webpage. (see Exhibit 20, p.113) As a result of that notification, the Branch's ADA link is now highlighted on the homepage of the state Commission on the Deaf and Hearing Impaired, with links to the site. (see Exhibit 21, p.115)

Recommendations of Activity 3

- The Committee recommends that the Court Support Services Division post links to its 36 trained ADA Contact People, so that people with disabilities who may need CSSD assistance or who have a legal obligation to report to CSSD may be accommodated in a professional and respectful manner. (see Exhibit 22, p.116)
- Although a Juror Request for Accommodation form currently exists and is posted on the ADA Website, the Committee has asked its Legal Services attorney to develop a new, formal Request For Accommodation form that can be used Branch-wide along with a uniform ADA Accommodation request Procedure. (see Exhibit 24, p.123 and see Exhibit 25, p. 125) Focus group participants indicated that they feel frustrated when a request is passed along; such a form would provide a way for the Branch to track how requests are handled and provide a “paper trail” for the requestor. The Request for Accommodation form would also give the Branch the ability to determine what requests are most frequently made, thereby giving the Branch the ability to most efficiently allocate its limited resources. In addition, the ADA Grievance Procedure has been revised and a Grievance Complaint Form has been created. (see Exhibit 26, p.127 and Exhibit 27, p.130)
- The Branch should continue its outreach efforts to connect with people with disabilities and their advocates with regard to the dissemination of information about the Branch’s commitment to ensuring equal access for all. The State of Connecticut.

Activity 4

The Committee reviewed with its assigned Legal Services attorney the existing complaint resolution process for ADA violation allegations.

Results of Activity 4

- The Branch's Legal Services unit has reviewed the existing complaint resolution process for clarity and consistency and is (as of April 2009) updating the information to ensure it is current.

Recommendations of Activity 4

- The complaint resolution process should be tracked by the Branch to ensure that such complaints are monitored and timely resolved in compliance with state and federal statutes. When the review of the complaint resolution process is complete, the Branch should post the appropriate procedures, with links to forms or documents if necessary, on the ADA Webpage.
- The Branch should track the nature of the ADA complaints it receives to monitor emerging or consistent patterns. Such monitoring will assist the Branch in maintaining its commitment to equal access for all, upholding the integrity of the judicial system, and ensuring that all people are treated fairly and respectfully.

STRATEGY 3

Develop Branch-wide staff training on the Americans with Disabilities Act, its implementation, and the Branch's commitment to removing barriers to access for people with disabilities.

Activity 1

Survey people with disabilities about their experiences accessing Branch programs, processes and facilities.

Results of Activity 1

- The Committee conducted three focus groups, in December 2008, consisting of people with disabilities and their advocates, as well as others who work with people with disabilities. The Committee invited 24 representatives, and publicly-posted notices of each of the focus groups which were held at Branch facilities in East Hartford and Wethersfield.
- The focus group attendees identified numerous ways in which the Branch can and should accommodate people with disabilities. The No. 1 recommendation was to have an identified, trained contact person at each Branch location to assist those who need an accommodation under the ADA.
- The Committee identified: 69 Superior Court Operations ADA Contact People in the Judicial Districts, Geographical Areas, Housing Court, Juvenile Court, Legal Services, and Support Enforcement Services; 36 ADA Contact People in the Court Support Services Division; and 2 ADA Contact People in the External Affairs Division.

- The Committee provided training on the Americans with Disabilities Act to all of the identified ADA Contact People, with Kathy Gieps of the New England ADA Center in Boston. The training covered everything from the structure of the ADA, to the newly expanded definitions of the Act, to types of adaptive equipment for people with disabilities, and some examples of how to respectfully and sensitively assist a person with a disability who requests help.
- The Committee posted the names, phone numbers, and e-mail addresses of the public Contact People on the Branch Website, to ensure ease of access to our facilities and to provide, as efficiently as possible, assistance to people with disabilities.

Recommendations of Activity 1

- The focus group attendees recommended and the Committee concurs that the Branch, when economically feasible, should establish an office that oversees all aspects of compliance with the Americans with Disabilities Act. The focus group attendees expressed frustration with what some identified as a lack of ultimate accountability within the Branch. The attendees suggested that the Branch employ a person or persons who oversees: accommodation requests and ensures that they are being handled uniformly, promptly, fairly and respectfully by Branch staff; complaints to ensure they are handled timely and consistently; and ensures that Branch staff are trained on ADA accommodations and the different needs of people with disabilities. The focus group members said, and the Committee concurs, that a centralized ADA office would ensure uniformity throughout the Branch on how requests for accommodations are handled; ensure that grievance proceedings are

handled uniformly and timely; and develop and oversee ADA training for all Judges and Branch staff.

- The Branch should review its training modules on ADA policies and procedures and ensure that they are current with existing statutes.
- The Branch should customize trainings based on the areas of interaction with the public. The focus group attendees recommended, and the Committee concurs, that the Branch provide training that is specific to Judges, Court Clerks, Judicial Marshals, and immediate “front-line” people at courthouses and Branch facilities.
- The Branch should utilize when possible its in-house trainers to provide training for Judges and Branch staff on sensitivity to people with differing abilities. The focus group attendees said the Branch should provide training on sensitivity and awareness to people with disabilities, including etiquette training. The focus groups particularly said the Branch should train its staff on how to respectfully assist people with mental illness; low-vision or blindness; different speech abilities; deafness or limited hearing; and people who use mobility aids such as walkers, wheelchairs, and assistance animals.
- The focus groups suggested and the Committee concurs that the Branch should use trainers with a variety of abilities to provide training to Branch staff. The Committee has identified statewide resources including the Board of Education and Services for the Blind, the State Commission on the Deaf and Hearing Impaired, the New England Adaptive Technology Resource and Education Center (Oak Hill School for the Blind), and the Office for Protection and Advocacy for Persons with Disabilities.

- The Branch should make mandatory sensitivity training for all new Branch staff as part of the intake training, "Focusing on Justice."
- The Branch should make mandatory annual sensitivity and cultural awareness training to its staff through the creation of an online training module presented via the Branch Intranet Website for employees. The training should be updated annually. (see Exhibit 23, p. 122)
- The Branch should provide sensitivity training to its staff of 773 Judicial Marshals. The Marshals should also be trained on respectfully and sensitively overseeing defendants in the Branch lock-ups who may be mentally ill or have physical disabilities.

EXHIBITS

Exhibit 1 – Wheelchair Access

WHEELCHAIR ACCESS INFORMATION

<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
Ansonia-Milford	Derby	106 Elizabeth Street	GA Court	Front Door
Ansonia-Milford	Milford	1 Darina Place	Adult Probation	Front Door
Ansonia-Milford	Milford	14 West River Street	GA/JD	Wheelchair access at the Milford courthouse is located at the rear of the building. By car enter the parking lot from the right side of the building and continue to the rear of the building where we have public handicap parking. The handicap ramp is located a short distance from these parking spots. At the entrance is an intercom which is used to summons a marshal to grant access into the facility. Click here to see a photo of the parking and entrance.
Danbury	Danbury	146 White Street	GA/JD Court	Front Door

<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
Danbury	Danbury	319 Main Street	Adult Probation	Front Door
Danbury	Danbury	71 Main Street	Juvenile Court & Support Enf	Wheelchair access at the Danbury Juvenile Matters courthouse is located at the left side of the building. At the entrance is an intercom which is used to summons a marshal to grant access into the facility. Click here to see a photo of the parking and entrance.
Fairfield	Bridgeport	1 Lafayette Circle	Adult Probation/Sup Enf.	Front Door
Fairfield	Bridgeport	1061 Main Street	JD Courthouse	Wheelchair access at the Fairfield JD courthouse is located at the rear of the building. Handicap citizen parking is located on Fairfield Ave which is near the rear of the courthouse. The handicap ramp is accessed from the public sidewalk located a short distance from these parking spots. At the entrance is an intercom which is used to summons a marshal to grant access into the facility. Click here to see a photo of the parking and entrance.

<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
Fairfield	Bridgeport	172 Golden Hill	GA Court	Wheelchair access at the Bridgeport GA 2 courthouse is located at the left side of the building. The entrance is manned by a Marshal during normal visiting hours. Click here to see a photo of the parking and entrance.
Fairfield	Bridgeport	60 Housatonic Ave	Brdgpt Juv, Detention & Juv Prob	Front Door
Hartford	East Hartford	287 Main Street	Grievance Comm. & SE Admin	Front Door
Hartford	East Hartford	99 East River Dr.	JIS	Front Door
Hartford	Enfield	111 Phoenix Avenue	GA Court	Front Door
Hartford	Hartford	101 Lafayette	GA Court	Front Door

<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
Hartford	Hartford	231 Capitol Avenue	Appellate/OCCA/Supreme	Wheelchair access at the Supreme Court is located at the rear of the building. Access to handicap citizen parking is located in the staff parking lot which is accessed through the staff entrance on Oak Street. At the staff parking lot entrance gate is an intercom that can be used to request access to the handicap parking. The handicap building entrance is located next to these parking spots. At the building entrance is an intercom which is used to summons security personnel who grant access into the facility. Click here to see a photo of the parking and entrance.
Hartford	Hartford	309 Wawarme Ave.	Adult Probation	Front Door
Hartford	Hartford	61 Woodland Street	Marshals & Court Operations	Rear Main Entrance

<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
Hartford	Hartford	75 Elm Street	Appellate Court	Wheelchair access at the Appellate Court is located at the right side of the building. Handicap parking is available on a first come first served basis next to the entrance. At the building entrance is an intercom which is used to summons security personnel who grant access into the facility. Click here to see a photo of the parking and entrance.
Hartford	Hartford	765 Asylum Ave	Marshal Commission & Adult Probation	Front Door
Hartford	Hartford	80 Washington St.	Community Court & Small Claims	Front Door
Hartford	Hartford	90 / 100 Washington St.	Administration & Courthouse	Front Door
Hartford	Hartford	920 Broad Street	Juvenile/Detention	Front Door

<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
Hartford	Hartford	95 Washington St.	JD Court	Wheelchair access at the Hartford JD courthouse is located at the right side of the building. A handicap parking space is available on a first come first served basis just in front of the staff entrance near this entrance. At the entrance is an intercom which is used to summons a marshal to grant access into the facility. Click here to see a photo of the parking and entrance.
Hartford	Hartford	999 Asylum Avenue	Support Enforcement	Front Door
Litchfield	Litchfield	15 West Street	JD Court	The wheelchair access is through a door on the left side of the building. Use the buzzer to ring the clerk's office. The Clerk's Office staff dispatches a marshal, who admits the person and makes sure that they pass security. Click here to see a photo of the parking spot and entrance.
Hartford	Manchester	410 Center Street	GA Court	Front Door

<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
Hartford	Manchester	587 E. Middle Tpke.	Adult Probation	Front Door
Hartford	Rocky Hill	97 Hammer Mill Rd.	Warehouse	Front Door
Hartford	Wethersfield	225 Spring Street	CIB/Jury/Court Op Tech/Vic Services	Front Door
Hartford	Wethersfield	936 Silas Deane Hwy.	CSSD Admin.	Front Door
Litchfield	Bantam	80 Doyle Road	GA Court, CSSD	Front Door
Litchfield	Litchfield	Route 202	Family/Support Enforce.	Front Door
Litchfield	Torrington	410 Winsted Road	Juvenile Matters Court	Front Door
Middletown	Middletown	1 Court Street	GA/JD/CSSD	Front Door
Middletown	Middletown	230 Main St. Ext.	Juvenile Matters Court	Front Door
Middletown	Middletown	484 Main Street	Adult Probation/SEU	Front Door
New Britain	Bristol	131 North Main St.	GA Courthouse	Front Door
New Britain	Bristol	225 North Main St.	Adult Probation	Front Door
New Britain	New Britain	20 Franklin Square	JD/GA/PD/SA	Front Door

<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
New Haven	Meriden	165 Miller Street	GA/JD Court	Front Door
New Haven	Meriden	533 South Broad Street	Alternative Training Center	Front Door
New Haven	Meriden	54 W. Main Street	GA/JD Court	Front Door
New Haven	New Haven	121 Elm Street	GA Court	Wheelchair access at the New Haven GA 23 courthouse is located at the left side of the building. Handicap parking spaces are provided by the city on Church Street on a first come first served basis. At the entrance is an intercom which is used to summons a marshal to grant access into the facility. Click here to see a photo of the parking and entrance.
New Haven	New Haven	235 Church Street	JD Court	Front Door
New Haven	New Haven	239 Whalley Avenue	Juvenile/Detention	Front Door
New Haven	New Haven	414 Chapel Street	Support Enforcement	Front Door
New Haven	New Haven	867 State Street	Adult Probation	Front Door
New London	New London	112 Broad Street	GA Court/CSSD	Main Entrance located on right side of building

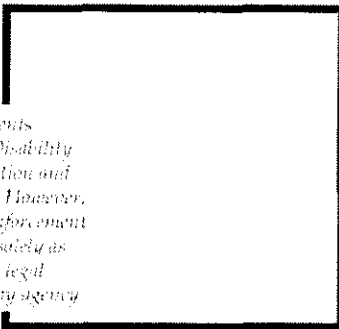
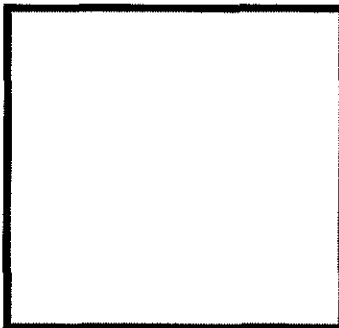
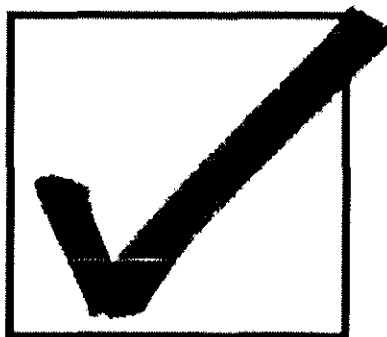
<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
New London	New London	153 Williams Street	Adult Probation	Front Door
New London	New London	70 Huntington	JD Court	Front Door
New London	Norwich	1 Courthouse Square	JD/GA Court	Front Door
New London	Norwich	100 Broadway	Adult Probation	Front Door
New London	Norwich	97-105 Main Street	Support Enforcement & Family Services	Front Door
New London	Waterford	978 Hartford Tpke	Juvenile Matters	Front Door
Stamford	Norwalk	11 Commerce Street	Juvenile/Family	Front Door
Stamford	Norwalk	17 Belden Avenue	GA Court/Family	Front Door
Stamford	Norwalk	717 West Avenue	Adult Probation	Front Door
Stamford	Stamford	123 Hoyt Street	GA/JD Court /CSSD/Juv/SE	Front Door
Tolland	Rockville	20 Park Street	GA Court	Front Door
Tolland	Rockville	25 School Street	Juvenile Court	Entrance located on left side of building
Tolland	Rockville	26 Park Street	SEU	Front Door
Tolland	Rockville	428 Hartford Tpke	Family Service	Front Door

<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
Tolland	Rockville	69 Brooklyn Street	JD Court	Front Door
Waterbury	Waterbury	11 Scoville Street	Adult Probation / SEU	Front Door
Waterbury	Waterbury	300 Grand Street	JD Court	Front Door
Waterbury	Waterbury	400 Grand Street	GA/CSSD	Front Door
Waterbury	Waterbury	7 Kendrick Ave	Juveile Matters & Juv Prob	Wheelchair access for the Waterbury Juvenile Matters Court is located at the left side of the building. At the entrance is an intercom which is used to summons a marshal to grant access into the facility. Click here to see a photo of the parking and entrance.
Waterbury	Waterbury	83 Prospect Street	Juvenile Matters	Front Door
Windham	Danielson	120 School Street	GA Court	Front Door
Windham	Danielson	183 Main Street	Adult Probation	Front Door

<u>Judicial District</u>	<u>Location</u>	<u>Address</u>	<u>Office</u>	<u>Wheelchair Access</u>
Windham	Putnam	155 Church Street	JD Court	Wheelchair access at the Putnam courthouse is located on the right side of the building. To reach this entrance by car enter the parking lot from the left side of the building and continue all the way around the building until you have reached 4 handicap parking spots located on the right side of the building. A handicap lift is available 40 feet from these parking spots. At the lift entrance is an intercom which is used to summons a marshal to grant access into the lift and into the facility.
Windham	Putnam	265/263 Kennedy Dr	CSSD -Family Svcs./SE	Front Door
Windham	Willimantic	108 Valley Street	JD Court/SEU	Front Door
Windham	Willimantic	81 Columbia Avenue	Juvenile Matters	Front Door
Windham	Willimantic	Tylor Square, Main St	Adult Probation	Front Door

Exhibit 2 – Department of Justice “ADA Compliance Checklist”

Checklist for Existing Facilities version 2.1



To obtain additional copies of this checklist, contact your Disability and Business Technical Assistance Center. To be automatically connected to your regional center, call 1-800-949-4ADA. This checklist may be copied as many times as desired by the Disability and Business Technical Assistance Centers for distribution to small businesses but may not be reproduced in whole or in part and sold by any other entity without written permission of Adaptive Environments, the author.

copyright © 1995
Adaptive Environments Center, Inc.
Barrier Free Environments, Inc.

Barrier Free Environments, Inc. and Adaptive Environments Center, Inc. are authorized by the National Institute on Disability and Rehabilitation Research (NIDRR) to develop information and materials on the Americans with Disabilities Act (ADA). However, you should be aware that NIDRR is not responsible for enforcement of the ADA. The information presented here is intended solely as informal guidance, and is neither a determination of your legal rights or responsibilities under the Act, nor binding on any agency with enforcement responsibility under the ADA.

**The Americans with Disabilities Act
Checklist for Readily Achievable Barrier Removal**
August 1995

Checklist for Existing Facilities version 2.1

Introduction

Title III of the Americans with Disabilities Act requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from our country's businesses and services, and to afford our businesses and services the opportunity to benefit from the patronage of all Americans.

The regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable—in other words, easily accomplished and able to be carried out without much difficulty or expense. Public accommodations that must meet the barrier removal requirement include a broad range of establishments (both for-profit and nonprofit)—such as hotels, restaurants, theaters, museums, retail stores, private schools, banks, doctors' offices, and other places that serve the public. People who own, lease, lease out, or operate places of public accommodation in existing buildings are responsible for complying with the barrier removal requirement.

The removal of barriers can often be achieved by making simple changes to the physical environment. However, the regulations do not define exactly how much effort and expense are required for a facility to meet its obligation. This judgment must be made on a case-by-case basis, taking into consideration such factors as the size, type, and overall financial resources of the facility, and the nature and cost of the access improvements needed. These factors are described in more detail in the ADA regulations issued by the Department of Justice.

The process of determining what changes are readily achievable is not a one-time effort; access should be re-evaluated annually. Barrier removal that might be difficult to carry out now may be readily achievable later. Tax incentives are available to help absorb costs over several years.

Purpose of This Checklist

This checklist will help you identify accessibility problems and solutions in existing facilities in order to meet your obligations under the ADA.

The goal of the survey process is to plan how to make an existing facility more usable for people with disabilities. The Department of Justice (DOJ) recommends the development of an Implementation Plan, specifying what improvements you will make to remove barriers and when each solution will be carried out: "...Such a plan...could serve as evidence of a good faith effort to comply...."

Technical Requirements

This checklist details some of the requirements found in the ADA Standards for Accessible Design (Standards). The ADA Accessibility Guidelines (ADAAG), when adopted by DOJ, became the Standards. The Standards are part of the Department of Justice Title III Regulations, 28 CFR Part 36 (*Nondiscrimination on the basis of disability... Final Rule*). Section 36.304 of this regulation, which covers barrier removal, should be reviewed before this survey is conducted.

However, keep in mind that full compliance with the Standards is required only for new construction and alterations. The requirements are presented here as a guide to help you determine what may be readily achievable barrier removal for existing facilities. The Standards should be followed for all barrier removal unless doing so is not readily achievable. If complying with the Standards is not readily achievable, you may undertake a modification that does not fully comply, as long as it poses no health or safety risk.

In addition to the technical specifications, each item has a scoping provision, which can be found under Section 4.1 in the Standards. This section clarifies when access is required and what the exceptions may be.

Each state has its own regulations regarding accessibility. To ensure compliance with all codes, know your state and local codes and use the more stringent technical requirement for every modification you make; that is, the requirement that provides greater access for individuals with disabilities. The barrier removal requirement for existing facilities is new under the ADA and supersedes less stringent local or state codes.

What This Checklist is Not

This checklist does not cover all of the requirements of the Standards; therefore, it is **not** for facilities undergoing new construction or alterations. In addition, it does not attempt to illustrate all possible barriers or propose all possible barrier removal solutions. The Standards should be consulted for guidance in situations not covered here.

The Title III regulation covers more than barrier removal, but this checklist does **not** cover Title III's requirements for nondiscriminatory policies and practices and for the provision of auxiliary communication aids and services. The communication features covered are those that are **structural** in nature.

Priorities

This checklist is based on the four priorities recommended by the Title III regulations for planning readily achievable barrier removal projects:

- Priority 1. Accessible approach and entrance
- Priority 2. Access to goods and services
- Priority 3. Access to rest rooms
- Priority 4. Any other measures necessary

Note that the references to ADAAG throughout the checklist refer to the Standards for Accessible Design.

How to Use This Checklist

✓ **Get Organized:** Establish a time frame for completing the survey. Determine how many copies of the checklist you will need to survey the whole facility. Decide who will conduct the survey. It is strongly recommended that you invite two or three additional people, including people with various disabilities and accessibility expertise, to assist in identifying barriers, developing solutions for removing these barriers, and setting priorities for implementing improvements.

✓ **Obtain Floor Plans:** It is very helpful to have the building floor plans with you while you survey. If plans are not available, use graph paper to sketch the layout of all interior and exterior spaces used by your organization. Make notes on the sketch or plan while you are surveying.

✓ **Conduct the Survey:** Bring copies of this checklist, a clipboard, a pencil or pen, and a flexible steel

tape measure. With three people surveying, one person numbers key items on the floor plan to match with the field notes, taken by a second person, while the third takes measurements. **Be sure to record all dimensions!** As a reminder, questions that require a dimension to be measured and recorded are marked with the ruler symbol. Think about each space from the perspective of people with physical, hearing, visual, and cognitive disabilities, noting areas that need improvement.

✓ **Summarize Barriers and Solutions:** List barriers found and ideas for their removal. Consider the solutions listed beside each question, and add your own ideas. Consult with building contractors and equipment suppliers to estimate the costs for making the proposed modifications.

✓ **Make Decisions and Set Priorities:** Review the summary with decision makers and advisors. Decide which solutions will best eliminate barriers at a reasonable cost. Prioritize the items you decide upon and make a timeline for carrying them out. Where the removal of barriers is not readily achievable, you must consider whether there are **alternative methods** for providing access that are readily achievable.

✓ **Maintain Documentation:** Keep your survey, notes, summary, record of work completed, and plans for alternative methods on file.

✓ **Make Changes:** Implement changes as planned. Always refer directly to the Standards and your state and local codes for complete technical requirements before making any access improvement. References to the applicable sections of the Standards are listed at the beginning of each group of questions. If you need help understanding the federal, state, or local requirements, contact your Disability and Business Technical Assistance Center.

✓ **Follow Up:** Review your Implementation Plan each year to re-evaluate whether more improvements have become readily achievable.

To obtain a copy of the Title III regulations and the Standards or other technical information, call the U.S. Dept. of Justice ADA Information Line at (800) 514-0301 Voice, (202) 514-0381 TDD, or (800) 514-0383 TDD. For questions about ADAAG, contact the Architectural and Transportation Barriers Compliance Board at (800) LSA-ABLE.

QUESTIONS

POSSIBLE SOLUTIONS

Priority

1 Accessible Approach/Entrance

People with disabilities should be able to arrive on the site, approach the building, and enter as freely as everyone else. At least one route of travel should be safe and accessible for everyone, including people with disabilities.

Route of Travel (ADAAG 4.3, 4.4, 4.5, 4.7)

Is there a route of travel that does not require the use of stairs?

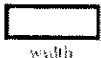
Yes No

- Add a ramp if the route of travel is interrupted by stairs.
- Add an alternative route on level ground.

Is the route of travel stable, firm and slip-resistant?

- Repair uneven paving.
- Fill small bumps and breaks with beveled patches.
- Replace gravel with hard top.

MINI Is the route at least 36 inches wide?



- Change or move landscaping, furnishings, or other features that narrow the route of travel.
- Widen route.

MINI Can all objects protruding into the circulation paths be detected by a person with a visual disability using a cane?



- Move or remove protruding objects.
- Add a cane-detectable base that extends to the ground.
- Place a cane-detectable object on the ground underneath as a warning barrier.

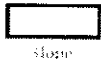
In order to be detected using a cane, an object must be within 27 inches of the ground. Objects hanging or mounted overhead must be higher than 80 inches to provide clear head room. It is not necessary to remove objects that protrude less than 4 inches from the wall.

Do curbs on the route have curb cuts at drives, parking, and drop-offs?

- Install curb cut.
- Add small ramp up to curb.

Ramps (ADAAG 4.8)

MINI Are the slopes of ramps no greater than 1:12?



Slope is given as a ratio of the height to the length. 1:12 means for every 12 inches along the base of the ramp, the height increases one inch. For a 1:12 maximum slope, at least one foot of ramp length is needed for each inch of height.

- Lengthen ramp to decrease slope.
- Relocate ramp.
- If available space is limited, reconfigure ramp to include switchbacks.

4 Checklist for Existing Facilities version 2.1 - revised August 1995. Adaptive Environments Center, Inc. for the National Institute on Disability and Rehabilitation Research. For technical assistance, call 1-800-949-4ADA (voice/TDD).

QUESTIONS **POSSIBLE SOLUTIONS**

	Yes	No	
Ramps, continued Do all ramps longer than 6 feet have railings on both sides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Add railings.
Are railings sturdy, and between 34 and 38 inches high?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Adjust height of railing if not between 30 and 38 inches. <input type="checkbox"/> Secure handrails in fixtures.
Is the width between railings or curbs at least 36 inches?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Relocate the railings. <input type="checkbox"/> Widen the ramp.
Are ramps non-slip?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Add non-slip surface material.
Is there a 5-foot-long level landing at every 30-foot horizontal length of ramp, at the top and bottom of ramps and at switchbacks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Remodel or relocate ramp.
Does the ramp rise no more than 30 inches between landings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Remodel or relocate ramp.

Parking and Drop-Off Areas (ADAAG 4.6) Are an adequate number of accessible parking spaces available (8 feet wide for car plus 5-foot access aisle)? For guidance in determining the appropriate number to designate, the table below gives the ADAAG requirements for new construction and alterations (for lots with more than 100 spaces, refer to ADAAG):													
<table border="0" style="margin-left: 20px;"> <thead> <tr> <th style="text-align: left;">Total spaces</th> <th style="text-align: left;">Accessible</th> </tr> </thead> <tbody> <tr> <td>1 to 25</td> <td>1 space</td> </tr> <tr> <td>26 to 50</td> <td>2 spaces</td> </tr> <tr> <td>51 to 75</td> <td>3 spaces</td> </tr> <tr> <td>76 to 100</td> <td>4 spaces</td> </tr> </tbody> </table>	Total spaces	Accessible	1 to 25	1 space	26 to 50	2 spaces	51 to 75	3 spaces	76 to 100	4 spaces	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Reconfigure a reasonable number of spaces by repainting stripes.
Total spaces	Accessible												
1 to 25	1 space												
26 to 50	2 spaces												
51 to 75	3 spaces												
76 to 100	4 spaces												
Are 8-foot-wide spaces, with minimum 8-foot-wide access aisles, and 98 inches of vertical clearance, available for lift-equipped vans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Reconfigure to provide van-accessible space(s).										
At least one of every 8 accessible spaces must be van-accessible (with a minimum of one van-accessible space in all cases).													

Checklist for Existing Facilities version 2.1 -- revised August 1995. Adaptive Environments Center, Inc. for the National Institute on Disability and Rehabilitation Research. For technical assistance, call 1-800-949-4ADA (voice/TDD)

QUESTIONS **POSSIBLE SOLUTIONS**

	Yes	No	
Parking and Drop-Off Areas, continued			
Are the access aisles part of the accessible route to the accessible entrance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Add curb ramps. <input type="checkbox"/> Reconstruct sidewalk.
Are the accessible spaces closest to the accessible entrance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Reconfigure spaces.
Are accessible spaces marked with the International Symbol of Accessibility? Are there signs reading "Van Accessible" at van spaces?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Add signs, placed so that they are not obstructed by cars.
Is there an enforcement procedure to ensure that accessible parking is used only by those who need it?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Implement a policy to check periodically for violators and report them to the proper authorities.

Entrance (ADAAG 4.13, 4.14, 4.5)			
If there are stairs at the main entrance, is there also a ramp or lift, or is there an alternative accessible entrance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> If it is not possible to make the main entrance accessible, create a dignified alternate accessible entrance. If parking is provided, make sure there is accessible parking near all accessible entrances.
Do not use a service entrance as the accessible entrance unless there is no other option.			
Do all inaccessible entrances have signs indicating the location of the nearest accessible entrance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Install signs before inaccessible entrances so that people do not have to retrace the approach.
Can the alternate accessible entrance be used independently?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Eliminate as much as possible the need for assistance--to answer a doorbell, to operate a lift, or to put down a temporary ramp, for example.
ENTRY Does the entrance door have at least 32 inches clear opening (for a double door, at least one 32-inch leaf)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Widen the door to 32 inches clear. <input type="checkbox"/> If technically infeasible, widen to 31-3/8 inches minimum. <input type="checkbox"/> Install offset (swing-clear) hinges.
ENTRY Is there at least 18 inches of clear wall space on the pull side of the door, next to the handle?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Remove or relocate furnishings, partitions, or other obstructions. <input type="checkbox"/> Move door. <input type="checkbox"/> Add power-assisted or automatic door opener.

6 Checklist for Existing Facilities version 2.1 (revised August 1995) Adaptive Environments Center, Inc. for the National Institute on Disability and Rehabilitation Research. For technical assistance, call 1-800-949-4ADA (voice/TDD).

QUESTIONS **POSSIBLE SOLUTIONS**

	Yes	No	
<p>Entrance, continued</p> <p>ENTRY Is the threshold edge 1/4-inch high or less, or if beveled edge, no more than 3/4-inch high?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><input type="checkbox"/> If there is a single step with a rise of 6 inches or less, add a short ramp.</p> <p><input type="checkbox"/> If there is a threshold greater than 3/4-inch high, remove it or modify it to be a ramp.</p>
<p>ENTRY If provided, are carpeting or mats a maximum of 1/2-inch high?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><input type="checkbox"/> Replace or remove mats.</p>
<p>Are edges securely installed to minimize tripping hazards?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><input type="checkbox"/> Secure carpeting or mats at edges.</p>
<p>ENTRY Is the door handle no higher than 48 inches and operable with a closed fist?</p> <p>The "closed fist" test for handles and controls: Try opening the door or operating the control using only one hand, held in a fist. If you can do it, so can a person who has limited use of his or her hands.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><input type="checkbox"/> Lower handle.</p> <p><input type="checkbox"/> Replace inaccessible knob with a lever or loop handle.</p> <p><input type="checkbox"/> Retrofit with an add-on lever extension.</p>
<p>ENTRY Can doors be opened without too much force (exterior doors reserved; maximum is 5 lbf for interior doors)?</p> <p>You can use an inexpensive force meter or a fish scale to measure the force required to open a door. Attach the hook end to the doorknob or handle. Pull on the ring end until the door opens, and read off the amount of force required. If you do not have a force meter or a fish scale, you will need to judge subjectively whether the door is easy enough to open.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><input type="checkbox"/> Adjust the door closers and oil the hinges.</p> <p><input type="checkbox"/> Install power-assisted or automatic door openers.</p> <p><input type="checkbox"/> Install lighter doors.</p>
<p>ENTRY If the door has a closer, does it take at least 3 seconds to close?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<p><input type="checkbox"/> Adjust door closer.</p>

QUESTIONS

POSSIBLE SOLUTIONS

Priority

2 Access to Goods and Services

Ideally, the layout of the building should allow people with disabilities to obtain materials or services without assistance.

Yes No

Horizontal Circulation (ADAAG 4.3)

Does the accessible entrance provide direct access to the main floor, lobby, or elevator?

- Add ramps or lifts.
- Make another entrance accessible.

Are all public spaces on an accessible route of travel?

- Provide access to all public spaces along an accessible route of travel.

WIPED Is the accessible route to all public spaces at least 36 inches wide?

width

- Move furnishings such as tables, chairs, display racks, vending machines, and counters to make more room.

WIPED Is there a 5-foot circle or a T-shaped space for a person using a wheelchair to reverse direction?

width

- Rearrange furnishings, displays, and equipment.

Doors (ADAAG 4.13)

WIPED Do doors into public spaces have at least a 32-inch clear opening?

clear opening

- Install offset (swing-clear) hinges.
- Widen doors.

WIPED On the pull side of doors, next to the handle, is there at least 18 inches of clear wall space so that a person using a wheelchair or crutches can get near to open the door?

clear space

- Reverse the door swing if it is safe to do so.
- Move or remove obstructing partitions.

WIPED Can doors be opened without too much force (5 lbf maximum for interior doors)?

force

- Adjust or replace closers.
- Install lighter doors.
- Install power-assisted or automatic door openers.

WIPED Are door handles 48 inches high or less and operable with a closed fist?

height

- Lower handles.
- Replace inaccessible knobs or latches with lever or loop handles.
- Retrofit with add-on levers.
- Install power-assisted or automatic door openers.

WIPED Are all threshold edges 1/4-inch high or less, or if beveled edge, no more than 3/4-inch high?

height

- If there is a threshold greater than 3/4-inch high, remove it or modify it to be a ramp.
- If between 1/4- and 3/4-inch high, add bevels to both sides.

8 Checklist for Existing Facilities version 2.1 / revised August 1995. Adaptive Environments Center, Inc. for the National Institute on Disability and Rehabilitation Research. For technical assistance, call 1-800-949-4ADA (voice/TDD)

QUESTIONS		POSSIBLE SOLUTIONS
<p>Rooms and Spaces (ADAAG 4.2, 4.4, 4.5)</p> <p>Are all aisles and pathways to materials and services at least 36 inches wide?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><input type="checkbox"/> width</p>		<p><input type="checkbox"/> Rearrange furnishings and fixtures to clear aisles.</p>
<p>Is there a 5-foot circle or T-shaped space for turning a wheelchair completely?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><input type="checkbox"/> width</p>		<p><input type="checkbox"/> Rearrange furnishings to clear more room.</p>
<p>Is carpeting low-pile, tightly woven, and securely attached along edges?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>		<p><input type="checkbox"/> Secure edges on all sides.</p> <p><input type="checkbox"/> Replace carpeting.</p>
<p>In circulation paths through public areas, are all obstacles cane-detectable (located within 27 inches of the floor or higher than 80 inches, or protruding less than 4 inches from the wall)?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><input type="checkbox"/> height/ <input type="checkbox"/> protrusion</p>		<p><input type="checkbox"/> Remove obstacles.</p> <p><input type="checkbox"/> Install furnishings, planters, or other cane-detectable barriers underneath.</p>
<p>Emergency Egress (ADAAG 4.28)</p> <p>If emergency systems are provided, do they have both flashing lights and audible signals?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>		<p><input type="checkbox"/> Install visible and audible alarms.</p> <p><input type="checkbox"/> Provide portable devices.</p>
<p>Signage for Goods and Services (ADAAG 4.30)</p> <p>Different requirements apply to different types of signs.</p>		
<p>If provided, do signs and room numbers designating permanent rooms and spaces where goods and services are provided comply with the appropriate requirements for such signage?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>		<p><input type="checkbox"/> Provide signs that have raised letters, Grade II Braille, and that meet all other requirements for permanent room or space signage. (See ADAAG 4.1.3(16) and 4.30.)</p>
<p>• Signs mounted with centerline 60 inches from floor.</p> <p>Y <input type="checkbox"/> N <input type="checkbox"/> <input type="checkbox"/> height</p>		
<p>• Mounted on wall adjacent to latch side of door, or as close as possible.</p> <p><input type="checkbox"/> <input type="checkbox"/></p>		
<p>• Raised characters, sized between 5/8 and 2 inches high, with high contrast (for room numbers, rest rooms, exits).</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> character height</p>		
<p>• Brailled text of the same information.</p> <p><input type="checkbox"/> <input type="checkbox"/></p>		
<p>• If pictogram is used, it must be accompanied by raised characters and braille.</p> <p><input type="checkbox"/> <input type="checkbox"/></p>		

Checklist for Existing Facilities version 2.1 - revised August 1995. Adaptive Environments Center, Inc. for the National Institute on Disability and Rehabilitation Research. For technical assistance, call 1-800-943-4ADA (voice/TDD).

QUESTIONS **POSSIBLE SOLUTIONS**

Directional and Informational Signage

The following questions apply to directional and informational signs that fall under Priority 2.

Yes No

PRIORITY 2

If mounted above 80 inches, do they have letters at least 3 inches high, with high contrast, and non-glare finish?


 letter height

Review requirements and replace signs as needed, meeting the requirements for character size, contrast, and finish.

Do directional and informational signs comply with legibility requirements? (Building directories or temporary signs need not comply.)

Review requirements and replace signs as needed.

Controls (ADAAG 4.27)

PRIORITY 2

Are all controls that are available for use by the public (including electrical, mechanical, cabinet, game, and self-service controls) located at an accessible height?


 height

Relocate controls.

Reach ranges: The maximum height for a side reach is 54 inches; for a forward reach, 48 inches. The minimum reachable height is 15 inches for a front approach and 9 inches for a side approach.

Are they operable with a closed fist?

Replace controls.

Seats, Tables, and Counters (ADAAG 4.2, 4.32, 7.2)

PRIORITY 2

Are the aisles between fixed seating (other than assembly area seating) at least 36 inches wide?


 width

Rearrange chairs or tables to provide 36-inch aisles.

Are the spaces for wheelchair seating distributed throughout?

Rearrange tables to allow room for wheelchairs in seating areas throughout the area.
 Remove some fixed seating.

PRIORITY 2


Are the tops of tables or counters between 28 and 34 inches high?


 height

Lower part or all of high surface.
 Provide auxiliary table or counter.




PRIORITY 2

Are knee spaces at accessible tables at least 27 inches high, 30 inches wide, and 19 inches deep?




 height,
 width,
 depth

Replace or raise tables.

10 Checklist for Existing Facilities version 2.1 (revised August 1995, Adaptive Environments Center, Inc. for the National Institute on Disability and Rehabilitation Research. For technical assistance, call 1-800-949-4ADA (voice/TDD).

QUESTIONS	POSSIBLE SOLUTIONS
<p>Seats, Tables, and Counters, continued</p> <p>SEATING At each type of cashier counter, is there a portion of the main counter that is no more than 36 inches high?</p> <p style="text-align: center;">Yes No <input type="checkbox"/> <input type="checkbox"/> </p>	<ul style="list-style-type: none"> <input type="checkbox"/> Provide a lower auxiliary counter or folding shelf. <input type="checkbox"/> Arrange the counter and surrounding furnishings to create a space to hand items back and forth.
<p>SEATING Is there a portion of food-ordering counters that is no more than 36 inches high, or is there space at the side for passing items to customers who have difficulty reaching over a high counter?</p> <p style="text-align: center;">Yes No <input type="checkbox"/> <input type="checkbox"/> </p>	<ul style="list-style-type: none"> <input type="checkbox"/> Lower section of counter. <input type="checkbox"/> Arrange the counter and surrounding furnishings to create a space to pass items.
<p>Vertical Circulation (ADAAG 4.1.3(5), 4.3)</p> <p>Are there ramps, lifts, or elevators to all public levels?</p> <p style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/></p> <p>On each level, if there are stairs between the entrance and/or elevator and essential public areas, is there an accessible alternate route?</p> <p style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/></p>	<ul style="list-style-type: none"> <input type="checkbox"/> Install ramps or lifts. <input type="checkbox"/> Modify a service elevator. <input type="checkbox"/> Relocate goods or services to an accessible area. <input type="checkbox"/> Post clear signs directing people along an accessible route to ramps, lifts, or elevators.
<p>Stairs (ADAAG 4.9)</p> <p>The following questions apply to stairs connecting levels <i>not</i> serviced by an elevator, ramp, or lift.</p> <p>Do treads have a non-slip surface?</p> <p style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/></p> <p>Do stairs have continuous rails on both sides, with extensions beyond the top and bottom stairs?</p> <p style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/></p>	<ul style="list-style-type: none"> <input type="checkbox"/> Add non-slip surface to treads. <input type="checkbox"/> Add or replace handrails if possible within existing floor plan.
<p>Elevators (ADAAG 4.10)</p> <p>Are there both visible and verbal or audible door opening/closing and floor indicators (one tone -- up, two tones -- down)?</p> <p style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/></p> <p>SEATING Are the call buttons in the hallway no higher than 42 inches?</p> <p style="text-align: center;">Yes No <input type="checkbox"/> <input type="checkbox"/> </p> <p>Do the controls inside the cab have raised and braille lettering?</p> <p style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/></p>	<ul style="list-style-type: none"> <input type="checkbox"/> Install visible and verbal or audible signals. <input type="checkbox"/> Lower call buttons. <input type="checkbox"/> Provide a permanently attached reach stick. <input type="checkbox"/> Install raised lettering and braille next to buttons.

QUESTIONS **POSSIBLE SOLUTIONS**

	Yes	No	
Elevators, continued			
Is there a sign on both door jambs at every floor identifying the floor in raised and braille letters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Install tactile signs to identify floor numbers, at a height of 60 inches from floor.
If an emergency intercom is provided, is it usable without voice communication?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Modify communication system.
Is the emergency intercom identified by braille and raised letters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Add tactile identification.
Lifts (ADAAG 4.2, 4.11)			
Can the lift be used without assistance? If not, is a call button provided?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> At each stopping level, post clear instructions for use of the lift. <input type="checkbox"/> Provide a call button.
 Is there at least 30 by 48 inches of clear space for a person in a wheelchair to approach to reach the controls and use the lift?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rearrange furnishings and equipment to clear more space.
 Are controls between 15 and 48 inches high (up to 54 inches if a side approach is possible)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Move controls.

Priority

3 Usability of Rest Rooms

When rest rooms are open to the public, they should be accessible to people with disabilities.

Getting to the Rest Rooms (ADAAG 4.1)			
If rest rooms are available to the public, is at least one rest room (either one for each sex, or unisex) fully accessible?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Reconfigure rest room. <input type="checkbox"/> Combine rest rooms to create one unisex accessible rest room.
Are there signs at inaccessible rest rooms that give directions to accessible ones?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Install accessible signs.
Doorways and Passages (ADAAG 4.2, 4.13, 4.30)			
Is there tactile signage identifying rest rooms?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Add accessible signage, placed to the side of the door, 60 inches to centerline (not on the door itself).
Mount signs on the wall, on the latch side of the door, complying with the requirements for permanent signage. Avoid using ambiguous symbols in place of text to identify rest rooms.			

QUESTIONS **POSSIBLE SOLUTIONS**

Doorways and Passages, continued

Are pictograms or symbols used to identify rest rooms, and, if used, are raised characters and braille included below them?

Yes No

If symbols are used, add supplementary verbal signage with raised characters and braille below pictogram symbol.

PROB Is the doorway at least 32 inches clear?


 clear width

Install offset (swing-clear) hinges.
 Widen the doorway.

PROB Are doors equipped with accessible handles (operable with a closed fist), 48 inches high or less?


 height

Lower handles.
 Replace knobs or latches with lever or loop handles.
 Add lever extensions.
 Install power-assisted or automatic door openers.

PROB Can doors be opened easily (5 lbf maximum force)?


 force

Adjust or replace closers.
 Install lighter doors.
 Install power-assisted or automatic door openers.

PROB Does the entry configuration provide adequate maneuvering space for a person using a wheelchair?


 clear width

Rearrange furnishings such as chairs and trash cans.
 Remove inner door if there is a vestibule with two doors.
 Move or remove obstructing partitions.

A person in a wheelchair needs 36 inches of clear width for forward movement, and a 5-foot diameter or T-shaped clear space to make turns. A minimum distance of 48 inches clear of the door swing is needed between the two doors of an entry vestibule.

PROB Is there a 36-inch-wide path to all fixtures?


 width

Remove obstructions.

Stalls (ADAAG 4.17)

Is the stall door operable with a closed fist, inside and out?

Replace inaccessible knobs with lever or loop handles.
 Add lever extensions.

PROB Is there a wheelchair-accessible stall that has an area of at least 5 feet by 5 feet, clear of the door swing, OR is there a stall that is less accessible but that provides greater access than a typical stall (either 36 by 69 inches or 48 by 69 inches)?


 length/
 width

Move or remove partitions.
 Reverse the door swing if it is safe to do so.

QUESTIONS

POSSIBLE SOLUTIONS

Stalls, continued

In the accessible stall, are there grab bars behind and on the side wall nearest to the toilet?

Yes No

Add grab bars.

MIN Is the toilet seat 17 to 19 inches high?

height

Add raised seat.

Lavatories (ADAAG 4.19, 4.24)

Does one lavatory have a 30-inch-wide by 48-inch-deep clear space in front?

clear space

- Rearrange furnishings.
- Replace lavatory.
- Remove or alter cabinetry to provide space underneath.
- Make sure hot pipes are covered.
- Move a partition or wall.

A maximum of 19 inches of the required depth may be under the lavatory.

MIN Is the lavatory rim no higher than 34 inches?

height

Adjust or replace lavatory.

MIN Is there at least 29 inches from the floor to the bottom of the lavatory apron (excluding pipes)?

height

Adjust or replace lavatory.

Can the faucet be operated with one closed fist?

Replace with paddle handles.

Are soap and other dispensers and hand dryers within reach ranges (see page 7) and usable with one closed fist?

- Lower dispensers.
- Replace with or provide additional accessible dispensers.

MIN Is the mirror mounted with the bottom edge of the reflecting surface 40 inches high or lower?

height

- Lower or tilt down the mirror.
- Add a larger mirror anywhere in the room.

Priority

4 Additional Access

Note that this priority is for items not required for basic access in the first three priorities.

When amenities such as drinking fountains and public telephones are provided, they should also be accessible to people with disabilities.

Drinking Fountains (ADAAG 4.15)

MIN Is there at least one fountain with clear floor space of at least 30 by 48 inches in front?

clear space

Clear more room by rearranging or removing furnishings.

QUESTIONS **POSSIBLE SOLUTIONS**

	Yes	No	
Drinking Fountains, continued			
Is there one fountain with its spout no higher than 36 inches from the ground, and another with a standard height spout (or a single "hi-lo" fountain)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Provide cup dispensers for fountains with spouts that are too high. <input type="checkbox"/> Provide accessible cooler.
Are controls mounted on the front or on the side near the front edge, and operable with one closed fist?	<input type="checkbox"/>	<input type="checkbox"/>	
Is each water fountain cane-detectable (located within 27 inches of the floor or protruding into the circulation space less than 4 inches from the wall)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Replace the controls. <input type="checkbox"/> Place a planter or other cane-detectable barrier on each side at floor level.
	<input type="checkbox"/>	<input type="checkbox"/>	
<hr/>			
Telephones (ADAAG 4.31)			
If pay or public use phones are provided, is there clear floor space of at least 30 by 48 inches in front of at least one?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Move furnishings. <input type="checkbox"/> Replace booth with open station.
Is the highest operable part of the phone no higher than 48 inches (up to 54 inches if a side approach is possible)?	<input type="checkbox"/>	<input type="checkbox"/>	
Does the phone protrude no more than 4 inches into the circulation space?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Lower telephone. <input type="checkbox"/> Place a cane-detectable barrier on each side at floor level.
Does the phone have push-button controls?	<input type="checkbox"/>	<input type="checkbox"/>	
Is the phone hearing-aid compatible?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Contact phone company to install push-buttons. <input type="checkbox"/> Have phone replaced with a hearing-aid compatible one.
Is the phone adapted with volume control?	<input type="checkbox"/>	<input type="checkbox"/>	
Is the phone with volume control identified with appropriate signage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Have volume control added. <input type="checkbox"/> Add signage.
If there are four or more public phones in the building, is one of the phones equipped with a text telephone (TT or TDD)?	<input type="checkbox"/>	<input type="checkbox"/>	
Is the location of the text telephone identified by accessible signage bearing the International TDD Symbol?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Install a text telephone. <input type="checkbox"/> Have a portable TT available. <input type="checkbox"/> Provide a shelf and outlet next to phone. <input type="checkbox"/> Add signage.

Checklist for Existing Facilities version 2.1 © revised August 1995, Adaptive Environments Center, Inc. for the National Institute on Disability and Rehabilitation Research. For technical assistance, call 1-800-949-4ADA (voice/TDD).

Exhibit 3 - DPW Lease Compliance Review Form

LEASE COMPLIANCE REVIEW
REV. 8/08

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC WORKS

AGENCY:		DATE:	
LOCATION:		TOWN:	
LESSOR:	TERM OF LEASE:	FROM:	TO:

OPTION (S):

FUNCTION OF AGENCY:

NUMBER OF PERSONNEL:

AGENCY CONTACT PERSON:

GENERAL CONDITIONS OF PREMISES
MEETS REQUIREMENTS

	ITEM	YES	NO	EXPLAIN
HANDICAPPED ACCESSIBILITY	REST ROOMS			
	PARKING			
	WALKS			
	RAMPS			
	ENTRANCES			
	ELEVATORS			
	HANDRAILS			
OTHER ITEMS	DRINKING FOUNTAINS			
	SAFETY (INCLUDING FIRE SAFETY, SPRINKLER SYSTEMS, FIRE EXTINGUISHERS, STANDPIPES, smoke control, manual, fire doors)			
	Floor Load Capacity			
	Floors			
	Exits and Access			
	Windows			
	LANDSCAPING			
	CEILING			
	PAINTING			
	LIGHTING, FIXTURES, SWITCHES			
	HEATING AND AIR CONDITIONING			
	VENTILATION			
	ELECTRICAL			
	TELEPHONE EQUIPMENT			
PUBLIC TELEPHONES				

ELEVATORS, PASSENGER AND FREIGHT (REF. CODE COMPLIANCE, ENTRANCE, CALL BUTTONS, SAFETY SYSTEM, SPEED CERTIFICATION)			
SECURITY			
EXIT AND EMERGENCY LIGHTING			
COMPUTER ROOM: SPECIAL REQUIREMENT, E.G. ELECTRICAL SECURITY, SOUND PROOFING TEMPERATURE, ETC.			
DOORS: INTERIOR AND EXTERIOR			
FLOOR COVERINGS: CERAMIC TILE, VINYL ASBESTOS TILE, CARPET			
BLINDS			
DRAPERIES			
DRINKING FOUNTAINS			
REST ROOMS AND EQUIPMENTS (SOAP DISPENSERS, ETC.)			
ROOF			
PLUMBING			

COMPLIANCE WITH TERMS AND CONDITIONS OF LEASE

LIST ALL ITEMS NOT BEING COMPLIED WITH BY LESSOR OR LESSEE

SIGNED (Compliance Officer)

Exhibit 4 – ADA Equipment Inventory

LOCATION	EQUIPMENT	QUANTITY
Hartford – GA 14	FM Kit	1
New Haven JD	FM Kit	1
Norwalk – GA 20	FM Kit	1
Windham JD at Putnam	FM Kit	1
Waterbury JD	FM Kit	1
Fairfield Law Library	Reading Machine	1
New Haven JD Law Library	Reading Machine	1
Ansonia-Milford	Pocket Talker	1
Danbury	Pocket Talker	1
Enfield – GA 11	Pocket Talker	1
Fairfield JD	Pocket Talker	1
Hartford – GA 14	Pocket Talker	1
Hartford JD (90 Washington St.)	Pocket Talker	1
Litchfield JD	Pocket Talker	1
Manchester – GA 12	Pocket Talker	1
Meriden – GA 7	Pocket Talker	1
Middlesex JD	Pocket Talker	1
New Britain JD	Pocket Talker	1
New Haven GA 23	Pocket Talker	1
New Haven JD	Pocket Talker	1
New Haven Juvenile	Pocket Talker	1
New London JD	Pocket Talker	1
Norwalk – GA 20	Pocket Talker	1
Stamford-Norwalk JD	Pocket Talker	1
Tolland JD	Pocket Talker	1
Waterbury JD	Pocket Talker	1
Windham JD	Pocket Talker	1
Jury Administration	Pocket Talker	1
Danielson	Infrared System	1 courtroom
Stamford	Infrared System	22 courtrooms (2 do not work)
Waterbury	Infrared System	10 courtrooms
Hartford JD (90 Washington St)	Infrared System	10 courtrooms

Exhibit 5 – TDD Payphone Inventory

Location Name	Street Address	City	Location
Bridgeport Superior Court, JD	1061 Main St.	Bridgeport	2nd Floor Public Hall with TDD
Bridgeport Superior Court, GA 2	172 Golden Hill St.	Bridgeport	3rd Floor Public Hall with TDD
Danbury Superior Court	146 White St	Danbury	1st Floor Public Lobby with TDD
Danbury Juvenile Matters Court	71 Main St	Danbury	1st Floor Public Hall with TDD
Derby Superior Court	106 Elizabeth St	Derby	2nd fl Lobby with TDD
Hartford Superior Court, GA 14	101 Lafayette St	Hartford	1st Floor Foyer with TDD
Hartford Supreme Court	231 Capitol Ave	Hartford	1st Floor with TDD
Hartford Community Court	80 Washington St	Hartford	2nd Floor with TDD
Hartford Superior Court, Family	90 Washington St	Hartford	1st FI with TDD
Hartford Juvenile Det & Court	920 Broad St	Hartford	1st Floor Public Lobby of Juv Court with TDD
Litchfield Superior Court	15 West St	Litchfield	1st Floor Hallway Near Rear Exit Door with TDD
New Britain Superior Court	20 Franklin Sq.	New Britain	1st Floor Public Hall - TDD
Rockville Superior Court, GA 19	20 Park St	Rockville	3rd Floor Jury Assembly Room with TDD
Rockville Juvenile Court	25 School St	Rockville	Public Lobby with TDD
Rockville Superior Court, JD	69 Brooklyn St	Rockville	Public Lobby with TDD
Stamford Superior Court	123 Hoyt St	Stamford	2nd Floor Public Hall with TDD
Stamford Superior Court	123 Hoyt St	Stamford	1st Floor Public Hall with TDD

Location Name	Street Address	City	Location
Waterbury Superior Court, JD	300 Grand St	Waterbury	1st Floor Public Hall with TDD
Waterbury Superior Court, GA 4	400 Grand St	Waterbury	1st Floor Public Hall with TDD
Waterford Juvenile Court	978 Harford Tnpk	Waterford	1st Floor Public Lobby with TDD
Willimantic Superior Court	108 Valley St	Willimantic	1st Floor Public Lobby with TDD
Willimantic Juvenile Court	81 Columbia Ave	Willimantic	1st Floor Public Lobby with TDD

Exhibit 6 – Focus Group Email Invitation

From: Collins, Heather
Sent: Wednesday, November 26, 2008 12:59 PM
To: Alfonso DeLuca; Bill Mancini; Brian Sigman; Bruce Stovall; Candace Low; Cathy Ferry; Ed Peltier; Edward Preneta; Eileen Healy; Gary Waterhouse; James McGaughey; Janet Vantassel; John DiBlase; Julia Evans Starr; Kate Mattias; Linda Wallace; Lisa Caron; Marc Galluci; Stacie Mawson; Stan Kosloski; Thom Condon; Tony LaCava
Cc: LugoGines, Sandra; Caron, Patrick
Subject: Invitation to Connecticut Judicial Branch ADA Focus Group

Attachments: ADA Focus Group Invitation on Letterhead.doc
November 26, 2008

Dear Sir or Madam,

In an effort to make the Connecticut Judicial Branch accessible to people of all abilities, and in response to our recently completed Strategic Plan, the Branch's Public Service and Trust Commission has formed a Committee on the Americans with Disabilities Act.

We would like to extend an invitation to you to participate in a focus group in the Greater Hartford area in December.

Although you will receive the attached invitation letter by regular mail, we are also issuing this e-mail invitation because the timeframe is relatively tight.

If you plan to attend, please respond by e-mail at your earliest convenience, as we would like to limit to about a dozen the number of participants in each focus group. It would also be helpful if you could give a chosen first date, second date, and third date.

If you need a specific accommodation—for parking or an assistive listening device, for example—please indicate what you need so that we can make arrangements.

We thank you in advance for your consideration, and look forward to seeing you at a December focus group.

Sincerely,

Heather Collins,
Support Staff to the Americans with Disabilities Committee

Heather Nam Collins
Administrative Assistant
Court Operations Executive Director's Office
80 Washington St., Hartford CT 06106
(860) 706-5315
(860) 706-5089 (Fax)

Exhibit 7 - Focus Group Letter Invitation (Template)



**JUDICIAL BRANCH
COURT OPERATIONS DIVISION
90 Washington Street
Hartford, CT 06106
Fax: (860) 706-5089**

Executive Director's Office: (860) 706-5310
Web Page: www.jud.ct.gov

November 24, 2008

Name
Job Title
Address
City, State, Zip Code

[Salutation].

The Judicial Branch is interested in addressing more efficiently the needs of people with diverse physical and intellectual needs and of the elderly, who may encounter difficulties in accessing Judicial Branch facilities, processes, and information.

To best serve this diverse community, we need the input of people like you, who work either individually or with an organization dedicated to advocating for Connecticut residents with differing abilities. Your participation in a focus group will be invaluable in helping the Judicial Branch to ensure access for all, as we work to improve access through new technologies and develop and implement staff training on the Americans with Disabilities Act.

The focus groups will address how to best improve access for people with physical, intellectual, or psychiatric disabilities. You may choose to attend one or all focus groups, depending on your expertise and your concerns. The focus groups will take place on:

December 2, 2008
1:00pm – 3:00pm, at 99 East River Drive, Room 707, East Hartford

December 11, 2008
10:00am – 12:00pm, at 225 Spring Street, Room 4B, Wethersfield

December 18, 2008
10:00am – 12:00pm, at 225 Spring Street, Room 204, Wethersfield

Please, email your group preference(s) to Sandra.LugoGines@jud.ct.gov and include the name of every person attending.

If you require a particular accommodation, please include that request in your response and we will make the necessary arrangements.

Thank you in advance for helping the Judicial Branch, as we strive to improve our delivery of services to every Connecticut resident, ensuring that all people are provided equal and fair treatment.

Respectfully,

Sandra Lugo Gines
ADA Division Coordinator
Superior Court Operations

"Valuing Our Employees, Community and the People We Serve"

Exhibit 8 – ADA Focus Groups Results

ADA Focus Group 1 – December 2, 2008

BARRIERS	BARRIERS	IMPACTS	SUGGESTIONS
<p>Need to eliminate physical barriers to processes, facilities and information</p>	<ul style="list-style-type: none"> • Physical barrier – unconfident mobility skills combined with poor orientation • Certain physical compliance, example, wheelchair ramps • Physical disability – total blindness – how can this be accommodated for persons other than employees? • Physical barrier – (no/little usable vision) inability to read/see necessary documents or exhibits • Physical disability – if persons with blindness must travel one or more times to Judicial Branch locations, can you assist with directions • Physical barrier – lack of usable vision – getting into Judicial Branch locations 	<ul style="list-style-type: none"> • Public unsure of where they are going – could lead to reluctance to take part • Building entrance does not guarantee complete access • Inability to participate – documents, files, etc. not available to all; cost; thorough directions 	<ul style="list-style-type: none"> • Train marshals to assist staff (when necessary) as escorts for I.v or blind individuals = BESB/help could • Reassess buildings/facilities • Using modern technologies to make programs, facilities and information (in-person and online) accessible • BESB has techies that can advise
<p>Need to train and educate judges and staff on the ADA</p>	<ul style="list-style-type: none"> • Attitudes of staff • No advisement of disability rights by court • Ignorance (a) staff, (b) public/users • Stereotyping (a) staff, (b) public/users • Complacency staff • Direct discrimination staff/judges • ADA coaches – not allowing ADA coaches to help disabled • Permission by the judicial top individual 	<ul style="list-style-type: none"> • Feeling disrespected • Not aware of rights = due process • Frustration, faulty judgment • Impact (negative) on your mental health affects family members • Ineffective communication between court and person with disability • No "buy-in" by staff at all levels • Poor treatment 	<ul style="list-style-type: none"> • Provide sensitivity training to CJ and down • ADA compliance and implementation training • Identify disability at earliest point • Training judges on ADA • Allow ADA coaches to provide meaningful communication • Non-discrimination policy • Training staff • Training GALs non-

ADA Focus Group 1 – December 2, 2008

BARRIERS		IMPACTS	SUGGESTIONS
	<ul style="list-style-type: none"> • No ADA training of court staff • Sensitivity training of court staff and judges • GAL training with regard to ADA • Denial of appointment of GAL's or attorneys for disabled party • Communication psychiatric • Verbal abusive behavior by judges – don't consider your hidden disability • Rights of children of special needs families - association 	<p>discrimination; frustration; faulty judgement</p> <ul style="list-style-type: none"> • Lack of respect by judges/court staff – feeling of misunderstanding • No meaningful rights • Feeling rushed and not understood = no full participation • Disrespect; inability to participate; fear • Not being treated equally (children/families) 	<p>discrimination policy</p> <ul style="list-style-type: none"> • Modify and integrate settings • Sensitivity training, more open courts – cameras in court rooms • Recognition of accountability/creation of policy
<p>Need to improve compliance with ADA</p>	<ul style="list-style-type: none"> • Not compliant with Title II • No definition of liability • No ADA coordinator at courthouse • No notification written • Integrated settings for hearings • Effective communications non-existent in courts • No written grievance procedure • Title I compliance (some) • Requirement court contractors, lawyers – Title II and Title III • Barriers to child custody – denial of rights due to disability 	<ul style="list-style-type: none"> • No rights available • Staff unaware of accommodations that must be provided • Persons with disabilities not fully informed because no ADA coordinators • (Insufficient) notification • Lack of communication • Unsure where to turn to file grievance • No rights available • Denial of rights due to disability 	<ul style="list-style-type: none"> • Recognition of compliance • Training, follow policy, creation of policy • Create or designate ADA coordinators • Create standardized postings • Modify your process in courtrooms – modify with regards to disables interest • Modify your process in courtrooms – modify with regards to disables interest • Post/create grievance procedures • Recognition of compliance • Recognition of compliance • Recognition of party a an equal party

ADA Focus Group 1 – December 2, 2008

ISSUES	IMPACTS	SUGGESTIONS
<p>Need to improve effective communication about ADA rights</p>	<ul style="list-style-type: none"> • Substance abuse issues of litigants covered under ADA • Assistant Attorney General's involvement in magistrate matters 	

- Training Recommendations were fulfilled under the Suggestions section

ADA Focus Group 2– December 11, 2008

BARRIERS	IMPACTS	SUGGESTIONS
<p>Fundamental need to make the Judicial Branch open and understanding</p> <ul style="list-style-type: none"> • Metal detectors can frighten people, particularly those with mental illness • Stigma based on perceptions and stereotyping • Lack of understanding of mental illness by Public Defenders and judges and all court staff • Attitudinal barriers • Believe people with mental disease are dangerous • Assumptions by the hearing population (about the deaf and HOH) • Sensitivity awareness, knowledge of issues, uniformity of accommodation training needed for all: Judges, lawyers, marshals, front-line staff • No "passive" learning for deaf population • Cultural differences • Lengthy delays causes waiting, and some cannot cope 	<ul style="list-style-type: none"> • No one wants to participate • Difficulty understanding and functioning and participating • People feeling excluded and isolated • High stress • Giving up: unwillingness and/or inability to participate • Giving up rights • Violation of rights • Vulnerable population is (re)victimised by judicial process • Lumping people together, and making assumptions • Cyclical/snowball effect 	<p>NOTE: THIS CHECK LIST OF THE FOLLOWING SUGGESTIONS ARE UNIVERSAL AND APPLICABLE TO ALL OF THE BARRIERS AFFECTING IMPACTS THAT THEY DEFINE</p> <ul style="list-style-type: none"> • Create a "tool box" for accommodation • Training to understand the Judicial Branch is not the expert in accommodation • Ask the individual FIRST what they DO or DONT need • Provide resources when requested • ADA coordinator for the Branch • Training of Judicial Branch staff to help them understand that ADA requirements are the law, and not "special treatment" • Find out at the start of the dialogue what accommodations may be necessary, to prevent delays • Allow a third person—a non-party to the action—to attend proceedings to support the participant Make it easier to request assistance
<p>Communication improvement</p> <ul style="list-style-type: none"> • Communication and access compromised • Language differences 	<ul style="list-style-type: none"> • Impedes justice • Court doesn't get the full story 	<ul style="list-style-type: none"> • Assess what the Judicial Branch is doing right: i.e., Mental Health Probation Officers—so that they don't

ADA Focus Group 2– December 11, 2008

ISSUES	SYMPTOMS	IMPACTS	SUGGESTIONS
Lack of adequate support systems	<ul style="list-style-type: none"> • Difficulty in ability to cognitively process information 	<ul style="list-style-type: none"> • Impedes justice • Court doesn't get the full 	<ul style="list-style-type: none"> • have to reinvent the wheel • Create a team of ADA-knowledgeable people at every site who know how to provide appropriate services • Designate ADA "point persons" and make it known to the public • Develop a common understanding of day-to-day needs • ADA Coordinators should be empowered to act autonomously • ADA advocates similar to Victim Advocates • Regularly monitor ADA compliance from the top down: From behaviors to facilities • Ensure Civil Court also adheres to ADA laws and regulations • Understanding, through training, that aids used by persons with disabilities—whether it's a cane, a service animal, etc.—that those aids are an extension of that individual • Create an ADA Advisory Board to the Branch

ADA Focus Group 2– December 11, 2008

	BARRIERS	IMPACTS	SUGGESTIONS
	<ul style="list-style-type: none"> • Comprehension ability • Lack of one-on-one support • Difficulty in understanding judicial process • Ability to prepare participant • Process can be overwhelming and confusing • Accommodation of support members • Lengthy delays in waiting, can't cope 	<ul style="list-style-type: none"> • story • inaccurate story or version of events 	

Training Recommendations from the Focus Group.

1. Front-line people: Understanding differences regarding individuals with hearing impairments (i.e., hearing aids don't necessarily mean someone can hear)
2. Stigma training (etiquette/politeness)
3. Training on the range of abilities
4. Recognize issues but don't make assumptions
5. Don't generalize or try to apply a "one-size-fits-all" solution
6. Listen to the individual making the request; they are the expert about what they need.
7. Staff needs to be more helpful, more polite, and provide better customer service. "Curb the bad attitude," and provide more information about what to expect in court
8. Provide training about all different kinds of abilities
9. Train on consistency, from courthouse to courthouse, facility to facility, process to process
10. Train staff to be more helpful at the door and the clerks' offices
11. Recognize when assistance is actually needed
12. Soften the paramilitary approach of the marshals
13. Train staff to their specific role within the Branch (i.e. marshals at the door offering appropriate assistance, clerks' offices offering accommodations (such as larger-font copies)
14. Include trainers with differing abilities
15. Orientation video for new staff regarding the ADA and keep the orientation current and interesting
16. Annual training for all
17. Create an Advisory Board to the Branch comprised of people of differing abilities
18. Tap in to existing community resources for assistance and guidance

ADA Focus Group 3 – December 18, 2008

	BARRIERS	IMPACTS	SUGGESTIONS
Need to improve physical access and information about access	<ul style="list-style-type: none"> • Lack of handicapped parking at New Britain courthouse • Need to have advance notice that there is a long walk to court rooms; some people cannot easily walk • No automatic doors: How do I get in? I feel unwelcome • Signage lacks distance to courtrooms and conference rooms • Too few parking spaces at Tolland Courthouse • Lack of or unclear areas of handicapped parking • Inaccessibility at courthouses: handicap signage telling distance of parking to entrances 	<ul style="list-style-type: none"> • Discourages participation • People miss out • Triggers depression and feelings of exclusion • Heightens anxiety • Deprives people of the right to participate • Frustration • Impairs self-esteem • Fatigue—emotional • Fatigue—physical from lip reading • Unfairly penalizes people for tardiness that's beyond control • Negative outcomes on cases • Barriers to Branch employment: transportation 	<ul style="list-style-type: none"> • Centralized assistance—a central office where a person with a disability can go or get help from • Need for one-on-one advocates • Add e-mail to ways of accommodation request (currently faxable or mailable form), plus PDF forms that can be filled in online • Offer ADA services UP FRONT by telling consumers, jurors, parties, etc what Branch has available in accommodations, either through emails, mailings, on the website • Communicate to the public what services are available by providing on signs at Branch facilities • Make website fully accessible for deaf and HOH with sound, also, easier to physically navigate, and larger font for vision impaired
Staff training needed on ADA laws and rights, cultural competency, and attitudes of Branch employees	<ul style="list-style-type: none"> • No knowledge of ADA law or the rights of the disabled • Court clerk had to be shown Judicial's website to prove responsibility for Branch to 	<ul style="list-style-type: none"> • Discourages participation • People miss out • Triggers depression and feelings of exclusion • Heightens anxiety 	<ul style="list-style-type: none"> • Train judges and staff on sensitivity, ADA, etiquette, do's and don't, personal space issues. Make it annual and include disabled and

ADA Focus Group 3 – December 18, 2008

BARRIERS	IMPACTS	SUGGESTIONS
<p>request/provide interpreter</p> <ul style="list-style-type: none"> • Lack of knowledge by staff about needs of people with disabilities, i.e., different types of disabilities and the different needs • Denial of accommodations • Sensitivity of marshals: "Marshal spoke only to personal assistant, and not me. I felt unwelcome" • Communication needs are challenging to get met • Cultural competence of staff • No understanding of behaviors often associated with disabilities, i.e. "agitation" of someone with TBI • Employees not understanding people with disabilities • Stress can cause agitated reaction by some consumers • ABI consumers in need of advocates at court • Train staff to assist people with disabilities in emergencies or evacuations • Jury duty: "Once they know I have a speech problem, they disqualify because of my speech" 	<ul style="list-style-type: none"> • Deprives people of the right to participate • Frustration • Impairs self-esteem • Fatigue—emotional • Fatigue—physical from lip reading • Unfairly penalizes people for tardiness that's beyond control • Negative outcomes on cases • Barriers to Branch employment: transportation • Frustration • Safety can be compromised • Lack of accountability • Lack of redress for grievances • Message not conveyed • Rights can be compromised if interpretation isn't accurate • Delays occur because of lack of certified legal interpreters 	<p>non-disabled presenters.</p> <ul style="list-style-type: none"> • The Branch should employ a centralized ADA coordinator • Have appropriate/adequate numbers of ADA staff, such as coordinators • Use people with and without disabilities as trainers, to provide perspective from personal experience • Each courthouse needs an ADA coordinator who can act as a liaison • Improve signage—it should be more specific as to distances between elevators and courtrooms or entrances and courtrooms • More handicap parking • Post ADA and non-discrimination policies • Have a focus group of interpreters to get their perspective on what the Branch needs

ADA Focus Group 3 – December 18, 2008

	BARRIERS	IMPACTS	SUGGESTIONS
Need a Process for Accommodations to meet the needs of consumers	<ul style="list-style-type: none"> Some consumers do not remember dates Flexibility in scheduling when interpreters are needed No one wants to take responsibility: Passing the buck is common People may not be able to be in court between 8 a.m. and 5 p.m. because of personal issues Transportation: Time limited in many areas—Dial-A-Ride, ADA Paratransport, etc. No provisions for people with chemical sensitivity if person wants to serve on jury Need resources to help with completing forms Provide forms in various ways—through regular mail, via e-mail, online, etc. 	<ul style="list-style-type: none"> Legal ramifications for poor or missed communication can be severe: FTA, VOP, contempt, etc. Delays in process Backs up the judicial process Inconvenience for individual, for court, etc. Continuity and familiarity with cases because of rotating judges Court doesn't recognize needs of person with disability as an employer, specifically as someone who employees a PCA 	
Need to change policies	<ul style="list-style-type: none"> No definition of a parent with a disability in statutes Parents with disabilities discriminated against in Family Courts 	<ul style="list-style-type: none"> Discrimination against disabled person Rights of minors compromised when disabled parents or guardians are not accommodated or understood 	

- Training recommendations were fulfilled under the Suggestions section.

Exhibit 9 – ADA Website Launch & Focus Group Results Notification Email

From: Collins, Heather

Sent: Wednesday, February 18, 2009 12:05 PM

To: Alfonse DeLucia; Bill Mancini; Brian Sigman; Bruce Stovall; Candace Low; Cathy Ferry; Ed Peltier; Edward Preneta; Eileen Healy; Gary Waterhouse; James McGaughey; Janet Vantassel; John DiBiase; Julia Evans Starr; Kate Mattias; Linda Wallace; Lisa Caron; Marc Galluci; Stacie Mawson; Stan Kosloski; Thom Condon; Tony LaCava; adacoalition@sbcglobal.net; Sigman, Brian; magallucci@aol.com; COA

Cc: LugoGines, Sandra; Caron, Patrick; Parent, Ann-Laurie

Subject: Letter to Focus Group Invitees noting ADA Link Launch

State of Connecticut Judicial Branch
Superior Court Operations
90 Washington Street
Hartford, Connecticut 06106

18 February, 2009

Good morning,

Last autumn, you were invited to attend one of three focus groups conducted by the Judicial Branch's Americans with Disabilities Act Committee.

The purpose of the focus groups was to determine how the Branch could more efficiently address the needs of people with diverse physical and intellectual abilities.

The results of the focus groups — which drew about two dozen people — indicated a number of areas in which the Branch could expect to improve its services to the public. One of those areas that participants said the Branch could improve was the way in which information is provided to the public about the ADA.

The ADA Committee is pleased to inform you that as of February 17, 2009, the Judicial Branch launched from its Internet homepage a direct link to specific ADA information, including ADA contact people at dozens of Branch facilities. The site, [CT Judicial Branch - Americans With Disabilities Act](#), is found by clicking on "ADA" under the "Quick Links" section of the Branch homepage, [Connecticut Judicial Branch - jud.ct.gov](#).

The ADA page also has links to this Committee's homepage, [CT Judicial Branch Americans with Disabilities Committee \(ADA\)](#), and to a juror accommodation form for jurors who may need assistance.

We hope you take the time to look at the ADA links, including the Committee's homepage, which has among other things the Focus Group results. The page is a work in progress, and will be updated as new information warrants, so please check back often.

We hope you find the site informative and easier to navigate than previous Branch efforts.

Have a good day,

Sincerely,
The Americans with Disabilities Act Committee


Patrick Caron, Chair
Sandra Lugo-Gines, Vice-Chair
Ann-Laurie Parent, Member

Exhibit 10 – New England ADA Center Training Handout

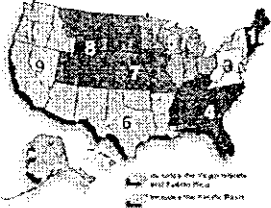
1

**ADA Requirements for State Government
What You Need to Know**
November 6, 2008

Kathy Gips
New England ADA Center
800-949-4232 voice/tty
www.NewEnglandADA.org
kgips@NewEnglandADA.org



Ten ADA Centers
Funded by the National Institute on Disability and Rehabilitation Research

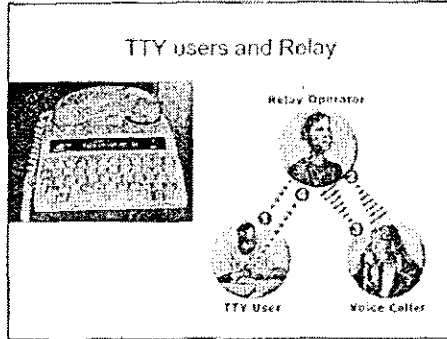


1-800-949-4232

Structure of the ADA

Title I: Employment
Title II: State and Local Governments
Title III: Private Entities Operating Public Accommodations or Commercial Facilities
Title IV: Telecommunications

2





Structure of the ADA

- Title I: Employment
- Title II: State and Local Governments
- Title III: Private Entities Operating Public Accommodations or Commercial Facilities
- Title IV: Telecommunications
- Title V: Miscellaneous

Section 504 of the Rehabilitation Act

- Applies to organizations/agencies that receive federal funds
- Nondiscrimination requirements same as ADA Title II

Definition of Disability

An individual who

- has
- has a record or history of
- or
- is regarded as having

a physical or mental impairment that substantially limits a major life activity

Definition of Disability

An individual who has a physical or mental impairment that substantially limits a major life activity

**Major Life Activities
Examples**

- Seeing
- Hearing
- Speaking
- Walking
- Breathing
- Caring for oneself
- Lifting
- Sleeping
- Working
- Concentrating

Is the limitation on the major life activity "substantial"?

Compare to average person

Evaluate

- Severity
- Permanent or long term impact or expected impact
- Duration or expected duration

Scenario

Jack has cerebral palsy
It takes him about two hours to walk a mile
He is able to walk with no pain

Does he have a disability under the ADA?

5

Scenario

Tom is diagnosed with depression

As a result of the depression he is only able to sleep four hours a night

Does he have a disability under the ADA?

Definition of Disability

An individual who

has a record of

a physical or mental impairment that substantially limits a major life activity

Scenario

Vinh had cancer eight years ago. He had surgery and chemotherapy. For a year he was ill, had difficulty going up and down stairs and walking more than a few yards at a time. He was unable to work.

Vinh has been cancer and symptom free for six years.

Does he have a disability as defined under the ADA

Definition of Disability
 An individual who

 is regarded as having

 a physical or mental impairment that substantially limits a major life activity

Scenario
 Bridget has facial scars from a fire that occurred when she was young. As a result of the scars many employers have refused to hire her because of concerns about other employee's and clients' reactions.

 Has she been "regarded" as disabled?

Definition of Disability
 An individual who
 - has
 - has a record or history of
 or
 is regarded as having
 a physical or mental impairment that substantially limits a major life activity

Exclusions to ADA definition of disability

- Transvestism
- Exhibitionism
- Compulsive gambling
- Pedophilia
- Pyromania
- Kleptomania
- Current illegal use of drugs

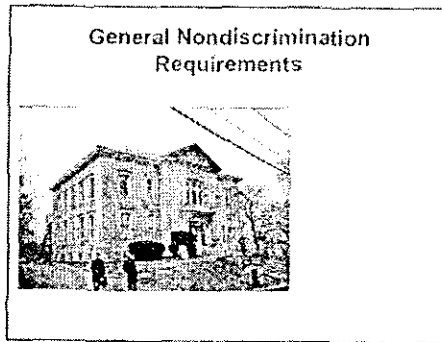
You receive a letter from a man who believes he's been discriminated against because of his disability.

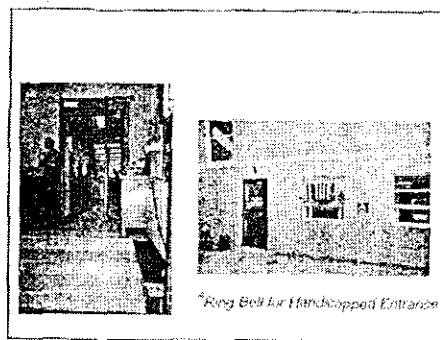
You

1. Call the man immediately
2. Give the letter to your supervisor
3. Give the letter to the ADA coordinator
4. Other

**Title II
Administrative Requirements**

1. Designate a responsible employee
2. Provide public notice
3. Adopt a grievance procedure
4. Carry out a Self-Evaluation
5. Develop a Transition Plan





CT-L Agency is in a building with many steps at the main entrance. Security screening is at this entrance. The accessible entrance (no steps) is at the rear of the building and is not convenient for staff to get to. There's an intercom and video camera at the accessible entrance.

A woman rings the intercom and asks to use the accessible entrance. Staff see her through the video cam and she does not have an obvious mobility disability (no wheelchair, cane, walker, crutch or other device).

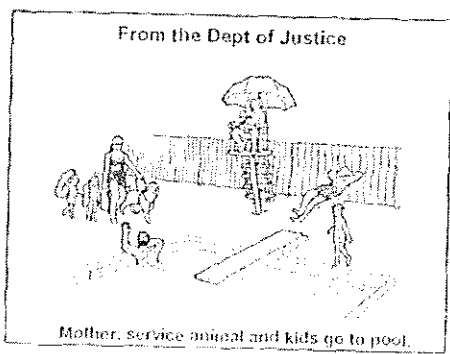
What can staff ask at this point?

General Nondiscrimination Requirements


- Ensure an equal opportunity to participate
- Provide the same benefits for people with disabilities as are provided to others

General Nondiscrimination Requirements


When necessary to ensure equal opportunity "reasonable modifications" must be made to policies, practices, procedures



Service Animals
Usually dogs, but not always



Service Animals
Usually dogs, but not always



General Nondiscrimination Requirements

A man sends an email to CT Judicial Branch stating that he has multiple chemical sensitivity and must be in a building that has used only unscented cleaning products in the past week and where no one is wearing perfume, cologne and other scents.

What is CT Judicial Branch's obligation?

General Nondiscrimination Requirements
Can you ask for documentation of a disability when someone makes a request for something based on their disability?

General Nondiscrimination Requirements
Department of Justice ADA Title II Technical Assistance Manual
II-3.5300 Unnecessary inquiries.
A public entity may not make unnecessary inquiries into the existence of a disability.

A man calls the Office of Victim Services and requests a sign language interpreter for his mother who is deaf and will be meeting with a Victim Services Advocate .
You
1. Give the information to your supervisor
2. Give the information to the ADA Coordinator
3. Tell them your department doesn't provide sign language interpreters
4. Other

ADA Title II - Communication

Ensure that communication with people with disabilities is as effective as communication with others

Effective Communication

People who are

- blind or visually impaired
- are deaf or hard of hearing
- or
- have a speech disability

Communication with People Who Have Hearing Disabilities

- Ask people how they prefer to communicate
- To get person's attention wave your hand or touch arm
- Look directly at the person, speak clearly, slowly, expressively

- Use normal tone of voice
- Don't cover your mouth, eat, chew gum, turn away
- Try written notes or computer (if person competent with English)

Auxiliary Aids and Services

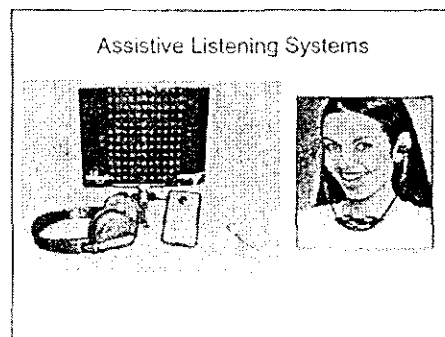
Provide "auxiliary aids and services" if necessary to ensure effective communication

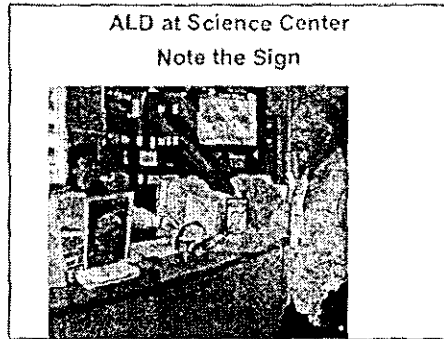
Give "primary consideration" to individual's preference

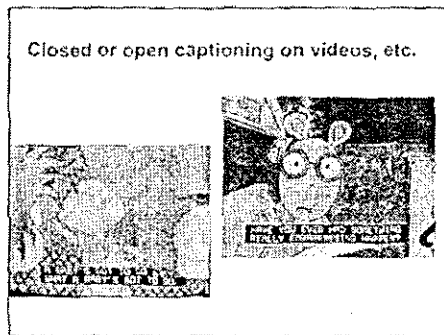
- Hearing Auxiliary Aids and Services**
- Assistive Listening Systems
 - Open and Closed Captioning on Videos
 - Computer-aided Real-time Transcription Services (CART)
 - TTYs
 - Written Notes
 - Qualified Interpreters

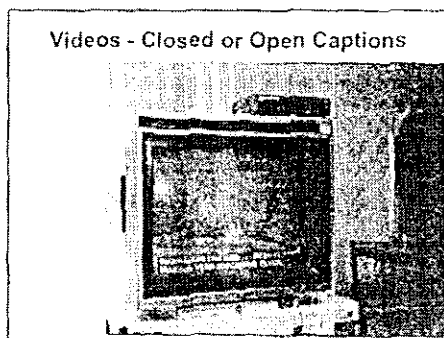


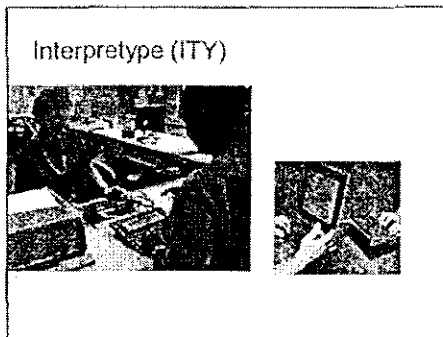


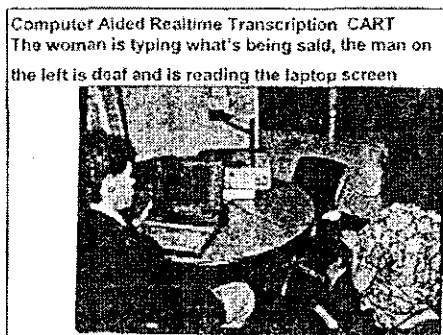


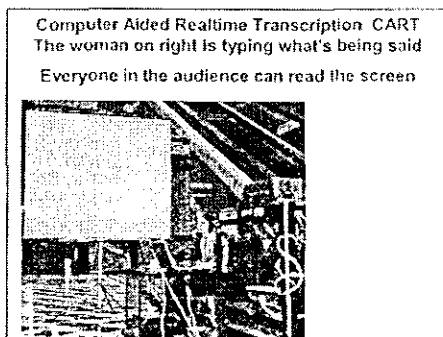






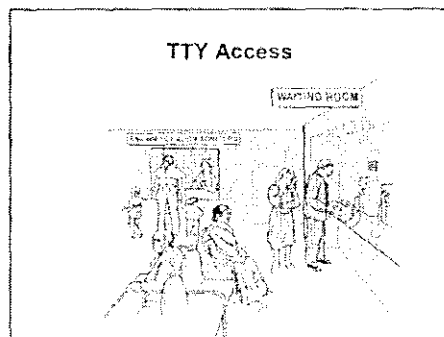












TTY Communication


- If silence when pick up the phone it may be a TTY call
- Type "Hello, Judicial Branch. GA"
GA means Go Ahead
- Don't need to use punctuation

TTY Communication

- Abbreviation is fine U = you, tht = that
- Don't worry about spelling
- When you are finished type "GA to SK" SK means Stop Key
- When conversation is complete both parties type SKSK

**Emergency Telephone Service
(911, Hospitals)**

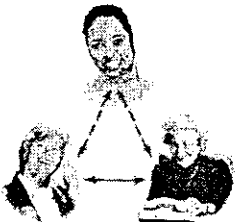
- Must provide "direct access" to people who rely on TTYs or computer modems for communication

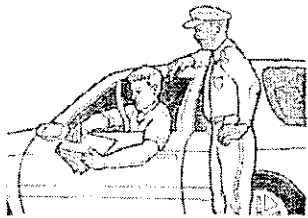


Relay Service
Calls between TTY user and voice user
aided by Communications Assistant (CA)

711

National
relay number

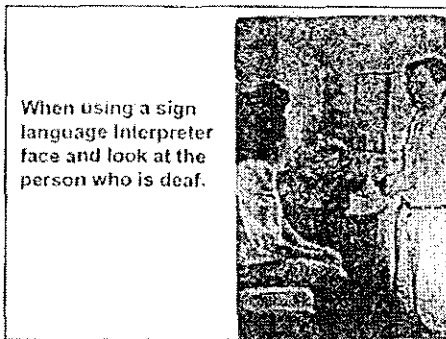




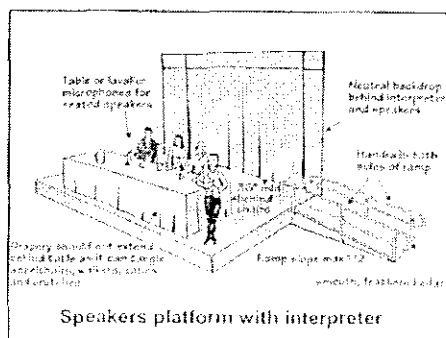
A police officer and a deaf man communicate
using a writing pad and pen

The police are told that a man who is deaf witnessed a "road rage" accident and want to interview the deaf man. The man's daughter hears and is fluent in sign language. ADA regulations suggest a family member is the most appropriate person to provide sign language interpretation language in this situation.

True or False?







Communication with People Who Have Visual Disabilities

- Identify yourself
- Speak facing the person
- Offer to read information such as bulletin boards, describe who's where, etc.
- When leaving let person know
- Don't pet or distract guide dog

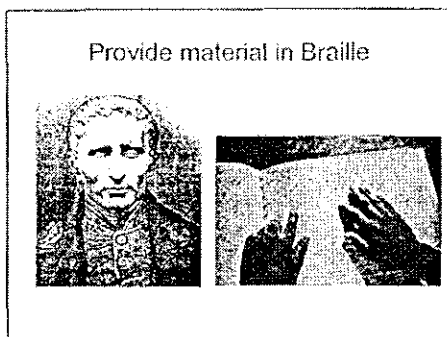
A person who is blind calls and requests that a form be provided in Braille.

You

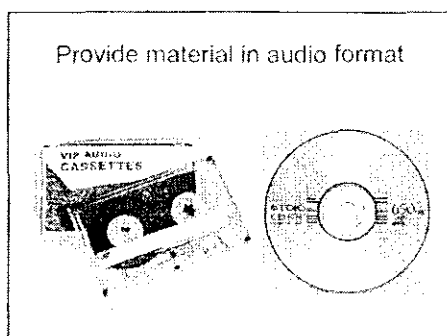
1. Make arrangements for the form to be Brailled (where??)
2. Give the letter to your supervisor
3. Give the letter to the ADA coordinator
4. Other

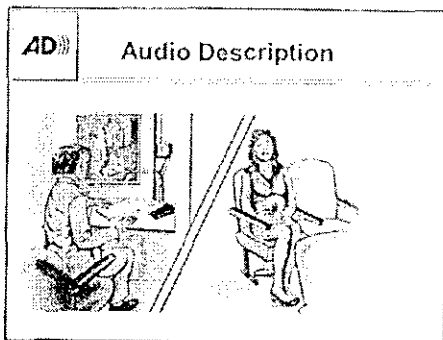
Vision Auxiliary Aids and Services

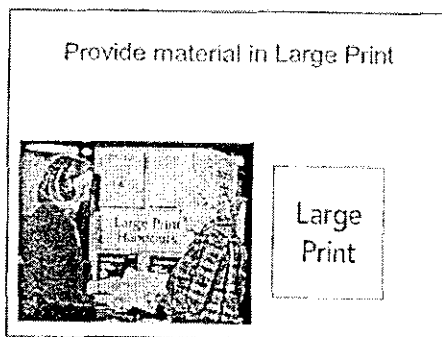
- Braille
- Email the file
- Computer disks
- Qualified Readers
- Audio Recordings
- Large Print

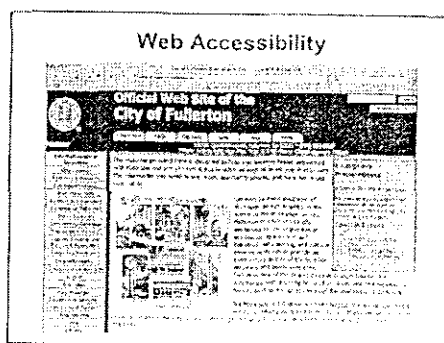












Web Accessibility

Department of Justice Publication

"Accessibility of State and Local
Government Websites
to People with Disabilities"

www.acda.gov

**Communication with People Who Have
Speech Disabilities**

- Give your full attention
- Don't interrupt or finish sentences
- Ask to repeat (once)
- Repeat back what you think the person is saying and ask him to confirm your understanding
- Ask person to write or type info

- If you still don't understand - Ask the person if there's someone around who understands his speech
- If you still don't understand be honest
- Don't raise your voice or simplify your speech

Speech Auxiliary Aids and Services

- TTYs
- Computers
- Written Notes

When providing an auxiliary aid or service, the Branch is required to provide what the person wants no matter how much it costs.

True or False?

Undue Burden


IF the auxiliary aid or service is necessary to ensure equally effective communication

Provide unless it would be an undue financial and administrative burden

Undue Burden
Undue burden means "significant difficulty or expense"

Communicating effectively with people who have mental illness
Ideas?

ADA Title II Local Govts "Existing" Facilities




Existing Facilities
Built before ADA went into effect
January 26, 1992

Ensure that each program, service and activity, when viewed in its entirety, is accessible to people with disabilities

Existing Facilities

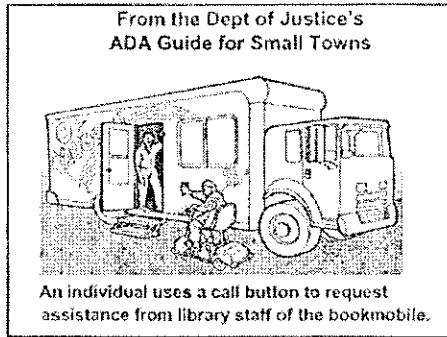
A courthouse in Massachusetts was built at the turn of the century. On the second floor is the jury pool room, chief probation officer, chief probation department. There is no elevator.

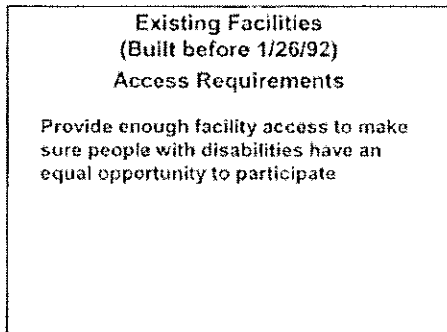


Does the ADA require an elevator (or lift) be installed?

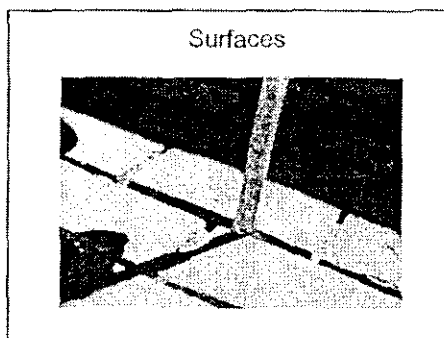
Program Access Methods

- Reassignment to accessible building
- Home visits
- Assignment of aides
- Make structural changes

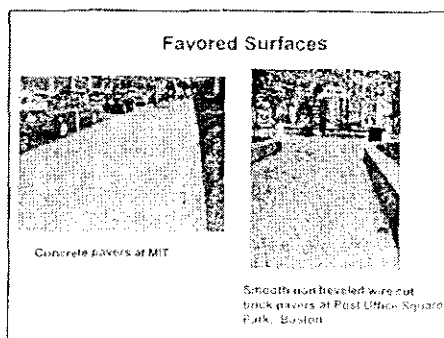




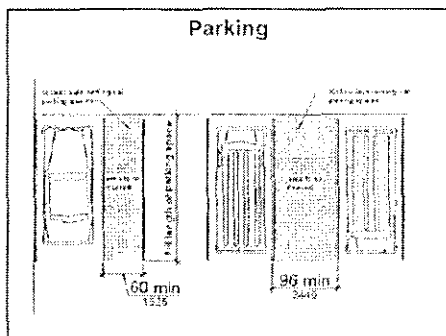


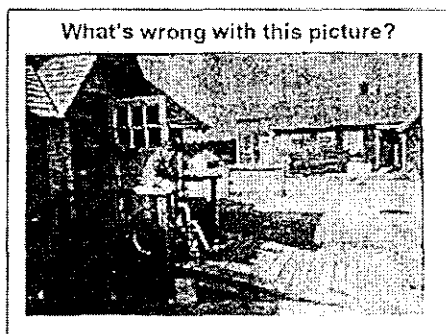


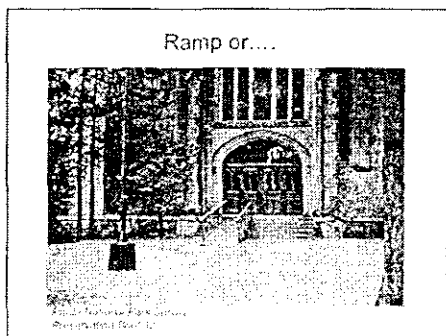


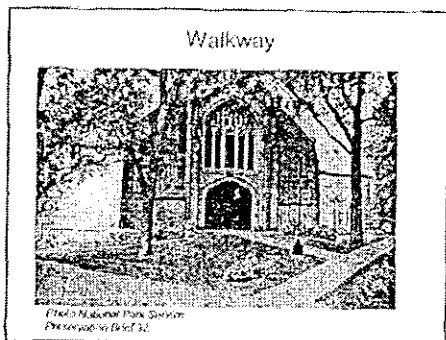


30

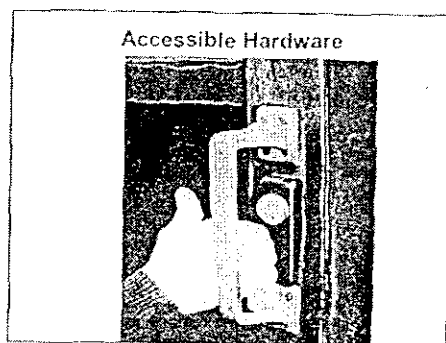


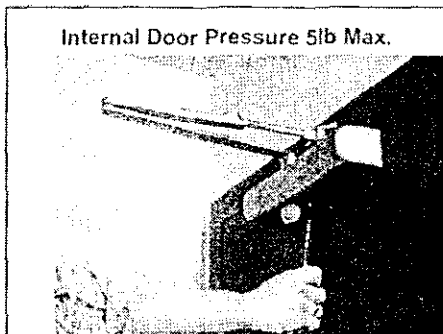


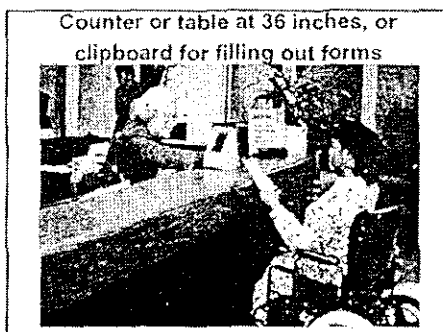


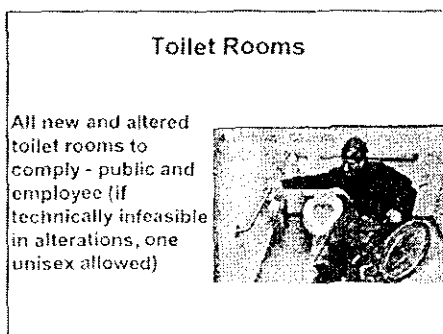















**Restrooms
6 or more stalls**

Ambulatory stall has grab bars on both sides

Stall 36 inches wide with out-swinging door




Braille, Contrasting Colors, Raised Characters



RESTROOM

Protruding Objects



Protruding Objects

Protruding Objects

Fire extinguisher in wall alcove gets it out of the way but still visible - good color contrast




Photo: ADA.gov

Protruding Objects




Photo: ADA.gov

Protruding Objects

Permanent planters protect from walking into the stairs


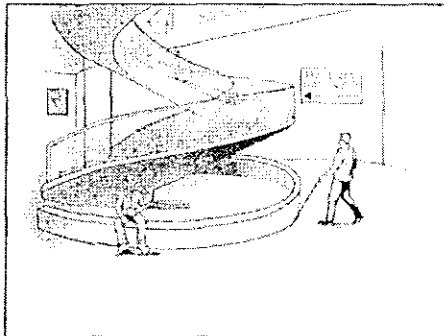


Photo: ADA.gov



End of Slides
Questions/Discussion

Exhibit 11 – ADA Court Contact List

ADA Court Contact People				
	Location	Name	Phone #	E-mail address
Ansonia-Milford Danbury	Ansonia-Milford Judicial District	Linda Kautzner	(203) 677-6293	Linda.Kautzner@jud.ct.gov
	Danbury Judicial District Geographical Area No. 3 at Danbury Juvenile Matters at Danbury Danbury Support Enforcement Services	Therese Servas	(203) 207-6536	Therese.Servas@jud.ct.gov
		Louis Pece	(203) 207-6637	Louis.Pece@jud.ct.gov
		Antoinette Beal	(203) 797-4407	Antoinette.Beal@jud.ct.gov
		Walter Biesadecki	(203) 731-2940 Ext. 318	Walter.Biesadecki@jud.ct.gov
Ryan Keating	(203) 731-2940 Ext. 324	Ryan.Keating@jud.ct.gov		
Fairfield	Fairfield Judicial District Geographical Area No. 2 at Bridgeport Fairfield Support Enforcement Services	Jason Lovato	(203) 679-6627	Jason.Lovato@jud.ct.gov
		Marcelia Young	(203) 679-6666	Marcelia.Young@jud.ct.gov
		Maritza Morales-Higgins	(203) 679-6599 Ext. 3042	Maritza.Morales-Higgins@jud.ct.gov
		Jeffrey Mubarek	(203) 676-3670	Jeffrey.Mubarek@jud.ct.gov
Hartford	Geographical Area No. 12 at Manchester	Antonio D'Ardeco	(860) 647-1051	Antonio.D'Ardeco@jud.ct.gov
	Geographical Area No. 13 at Hartford	Maria Reed-Cook	(860) 741-3727	Maria.Reed-Cook@jud.ct.gov
	Geographical Area No. 14 at Hartford	Lana Himmelstein	(860) 586-1639	Lana.Himmelstein@jud.ct.gov
	Hartford Judicial District at 96 Washington Street	Adam Bulewicz	(860) 548-2700 ext. 3705	Adam.Bulewicz@jud.ct.gov
		Matthew Goetz	(860) 548-2700 Ext. 3710	Matthew.Goetz@jud.ct.gov
	Hartford Judicial District - Housing Session Hartford Support Enforcement Services Juvenile Matters at Hartford	Nicholas Viasos	(860) 708-5100 Ext. 4059	Nicholas.viasos@jud.ct.gov
		William Pitt	(860) 786-7820	William.Pitt@jud.ct.gov
Litchfield	Litchfield Judicial District Geographical Area No. 18 at Danbury Juvenile Matters at Torrington	Jennifer Alayna	(860) 590-4598	Jennifer.Alayna@jud.ct.gov
		Joseph Long	(860) 244-7500	Joseph.Long@jud.ct.gov
		Eric H. Groody	(860) 597-3942	Eric.Groody@jud.ct.gov
Middlesex	Geographical Area No. 9 at Middletown Juvenile Matters at Middletown Middlesex Judicial District	Craig Malone	(860) 597-1569	Craig.Malone@jud.ct.gov
		Nicholee Marciano	(860) 488-0201	Nicholee.Marciano@jud.ct.gov
	Middletown Support Enforcement Services	Jonathan Field	(860) 343-6401	Jonathan.Field@jud.ct.gov
		Kristen Nichols	(860) 344-2986	Kristen.Nichols@jud.ct.gov
New Britain	Geographical Area No. 10 at New Britain Geographical Area No. 17 at Bristol Juvenile Matters at New Britain	Jonathan Field	(860) 343-6401	Jonathan.Field@jud.ct.gov
		Betsy Rossac	(860) 344-2357	Betsy.Rossac@jud.ct.gov
		Joseph Silva	(860) 344-2357	Joseph.Silva@jud.ct.gov
		Brandi Yanavich	(860) 515-8050	Brandi.Yanavich@jud.ct.gov
		Laura Leigh	(860) 582-8111	Laura.Leigh@jud.ct.gov
Lana Johnson	(860) 515-8171	Lana.Johnson@jud.ct.gov		

	Location	Name	Phone #	E-mail address
	<i>New Britain Judicial District</i>	Elizabeth (Ella) Mirmina	(860) 515-5192	Elizabeth.Mirmina@jud.ct.gov
	<i>New Britain Support Enforcement Services</i>	Diane Harvey JoAnn Merrow	(860) 515-5300 Ext. 5310 (860) 515-5300 Ext. 5313	JoAnn.Merrow@jud.ct.gov Diane.Harvey@jud.ct.gov
New Haven	<i>Geographical Area No. 23 at New Haven New Haven Judicial District - Housing Session Juvenile Matters at New Haven New Haven Judicial District</i>	Mary DeLuca Cynthia Teixeira Glenda Taylor Alice Bruno Louis Fagnani Gina Kilian Maureen Hille	(203) 773-6703 (203) 789-6504 (203) 786-0337 (203) 503-6813 203-503-6803 (203) 503-6800 Ext. 3113 (203) 238-6666	Mary.Deluca@jud.ct.gov Cynthia.Teixeira@jud.ct.gov Glenda.Taylor@jud.ct.gov Alice.Bruno@jud.ct.gov Louis.Fagnani@jud.ct.gov Gina.Kilian@jud.ct.gov Maureen.Hille@jud.ct.gov
	<i>New Haven Judicial District at Menden</i>	Maureen Hille	(203) 238-6666	Maureen.Hille@jud.ct.gov
	<i>New Haven Support Enforcement Services</i>	Elsa Lopez	(203) 789-7485 Ext. 3052	Elsa.Lopez@jud.ct.gov
New London	<i>Geographical Area No. 10 at New London Geographical Area No. 21 at Norwich Juvenile Matters at Waterford New London Judicial District</i>	Linda Worobey Cara Parkinson Mary Falvey Jeffrey Feldman Kimberly McGee	(860) 443-8343 (860) 889-7335 (860) 440-5801 (860) 443-5363 (860) 443-5363 Ext. 4005	Linda.Worobey@jud.ct.gov Cara.Parkinson@jud.ct.gov Mary.Falvey@jud.ct.gov Jeffrey.Feldman@jud.ct.gov Kimberly.McGee@jud.ct.gov
	<i>New London Judicial District at Norwich Norwich Support Enforcement Services</i>	David Gage Thomas Daniels	(860) 887-3515 (860) 886-2694	David.Gage@jud.ct.gov Thomas.Daniels@jud.ct.gov
Stamford-Norwalk	<i>Stamford/Norwalk Judicial District AND Geographical Area No. 1 at Stamford Geographical Area No. 20 at Norwalk</i>	Patti Rothermel-Dore Cynthia Dillon Charles Kim	(203) 965-5301 (203) 849-3581 (203) 849-3580 Ext. 4002	Patti.Rothermel-Dore@jud.ct.gov Cynthia.Dillon@jud.ct.gov Charles.Kim@jud.ct.gov
	<i>Stamford Support Enforcement Services</i>	Bryan Hocter	(203) 965-5730	Bryan.Hocter@jud.ct.gov
Statewide	<i>External Affairs</i>	Stephen Ment James Senich	(860) 757-2270 (860) 757-2270	Stephen.Ment@jud.ct.gov James.Senich@jud.ct.gov
	<i>Jury Administration</i>	Adam Easley	(860) 263-2710 Ext. 3014	Adam.Easley@jud.ct.gov
	<i>Legal Services</i>	Irene Mikol	(860) 263-2710 x 3022	Irene.Mikol@jud.ct.gov
	<i>Office of Victim Services</i>	Steven Pelletier	(860) 706-5120	Steven.Pelletier@jud.ct.gov
	<i>Support Enforcement Services Administration</i>	Brenda Jordan Betsy Rosser	(860) 263-2760 Ext. 3138 (860) 569-6316	Brenda.Jordan@jud.ct.gov Betsy.Rosser@jud.ct.gov

	Location	Name	Phone #	E-mail address
	Support Enforcement Services - Central Processing Unit	Carol May	(203) 789-6505 Ext. 328	Carol.May@jud.ct.gov
	Support Enforcement Services- Child Support Call Center	Barbara Lung	(860) 228-5437	Barbara.Lung@jud.ct.gov
Tolland	Geographical Area No. 19 at Rockville	Roy Smith	860-870-3201	Roy.Smith@jud.ct.gov
	Juvenile Matters at Rockville	Jonathan Garow	(860) 872-7143 x307	Jonathan.Garow@jud.ct.gov
	Rockville Support Enforcement Services	Barbara Lung	(860) 896-2400	Barbara.Lung@jud.ct.gov
	Tolland Judicial District at Rockville	Kathleen Chase	(860) 896-4920	Kathleen.Chase@jud.ct.gov
Waterbury	Geographical Area No. 4 at Waterbury	Kristin Daigneault	(203) 236-8105	Kristin.Daigneault@jud.ct.gov
	Waterbury Support Enforcement Services	Marilyn McDonald	(203) 236-8101	Marilyn.McDonald@jud.ct.gov
	Waterbury Judicial District	Karen Archambault	(203) 596-4185	Karen.Archambault@jud.ct.gov
	Waterbury Juvenile Court	Philip H. Groth	(203) 591-3307	Philip.Groth@jud.ct.gov
		William Hoey	(203) 591-2327	William.Hoey@jud.ct.gov
Windham	Geographical Area No. 11 at Danielson	Gina Mancini-Pickett	(860) 779-8480	Gina.Pickett@jud.ct.gov
	Juvenile Matters at Willimantic	Carmen Eldridge	(860) 456-5707	Carmen.Eldridge@jud.ct.gov
	Putnam Support Enforcement Services	Kimberly Briere	(860) 963-2580	Kimberly.Briere@jud.ct.gov
	Windham Judicial District at Putnam	Francis Orszulak	(860) 928-7749	Francis.Orszulak@jud.ct.gov
	Windham Judicial District at Willimantic	Francis Orszulak	(860) 423-8491	Francis.Orszulak@jud.ct.gov

Exhibit 12 – ADA Staff Survey



ADA Equipment Assessment Survey

Please take a moment to help us improve our ADA services. When you're done, please fax back to Sandra Lugo Gines at 860-706-5089.

1) What type of ADA equipment is currently available at your location?

- Pocket Talkers
- FM Kits
- Infrared
- Louder-R-Electronic Ear
- Other _____

2) How often is the equipment used?

- Monthly
- Weekly
- Daily
- Other _____

3) Is the quantity sufficient to meet the demand at your location?

- Yes
- No
- Maybe
- Explain _____

4) Is there a specific piece of equipment or service more often requested? Yes or No (circle one)

If so, which one?

- Pocket Talkers
- FM Kits
- Sign Language Interpreters
- CART (Real-Time Transcription)
- Other _____

5) Have you ever been unable to fulfill an ADA request due to lack of equipment or service availability?

- Yes, explain _____
- No

6) Is there someone else in your office with access to the equipment in the event you are not there?

- Yes: identify who _____
- No

7) Are you familiar with the ADA pages on our Judicial Branch websites?

- Internet (for the public - www.jud.ct.gov)
- Intranet (for staff - http://zeus/)
- Both
- No

8) Do you know who to contact if you need assistance in handling an accommodation for the public?

- Yes
- No

Additional Comments or Suggestions

About You

Name _____ Phone _____

Office _____

Address _____

City, State, ZIP _____

Code _____

Thank you for your participation!

Exhibit 13 – CT Judicial Branch ADA Website

CT Judicial Branch - Americans With Disabilities Act - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Search Favorites

Address http://www.jud.ct.gov/ADA/default.htm Go McAfee SiteAdvisor Links

State of Connecticut
Judicial Branch

Attorneys
Case Look-up
Courts
Directories
Educational Resources
E-Services
Español
FAQ's
Juror Information
Online Media Resource Center
Opinions
Opportunities
Self-Help
Home

Americans with Disabilities (ADA)
Providing Accommodations to People with Disabilities

American with Disabilities Act (ADA) and the Branch

 [ADA Contact People](#)

Auxiliary Aids and Services

 [Directions and Wheelchair Access Information](#)

Quick Links

[ADA Notice \(PDF\)](#)

[Americans with Disabilities Committee \(ADA\)](#)

[Juror Accommodation Form](#)

Start | Inbox - Microsof... | Final Report Mat... | CT Judicial Bra... | Internet | 3:39 PM

Exhibit 14 – Website Quick Links

Quick Links

- [ADA Notice \(PDF\)](#)
- [Americans with Disabilities Committee \(ADA\)](#)
- [Juror Accommodation Form](#)


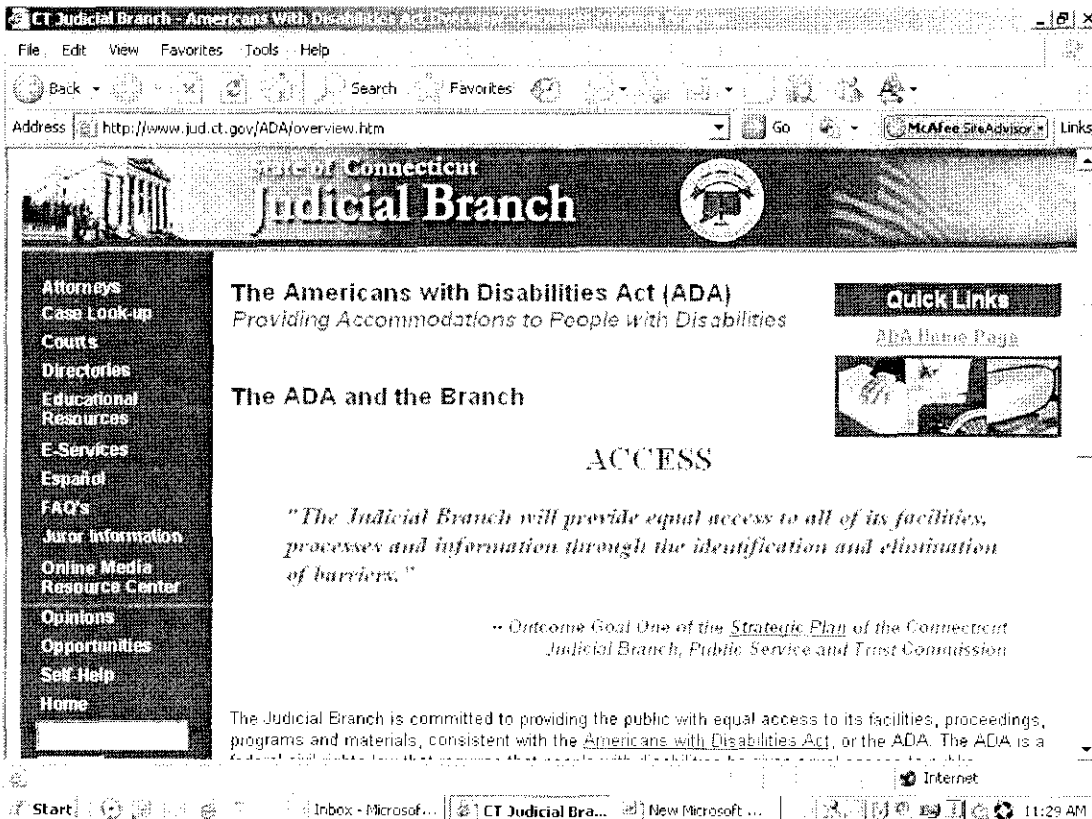


Exhibit 15 – ADA Website: Overview Page



CT Judicial Branch – Americans With Disabilities Act

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites

Address <http://www.jud.ct.gov/ADA/overview.htm> Go McAfee SiteAdvisor Links


State of Connecticut Judicial Branch

Attorneys
Case Look-up
Courts
Directories
Educational Resources
E-Services
Español
FAQ's
Juror Information
Online Media Resource Center

The Americans with Disabilities Act (ADA)
Providing Accommodations to People with Disabilities

Quick Links
[ADA Home Page](#)

The ADA and the Branch



ACCESS

"The Judicial Branch will provide equal access to all of its facilities, processes and information through the identification and elimination of barriers."

-- Outcome Goal One of the Strategic Plan of the Connecticut Judicial Branch, Public Service and Trust Commission

The Judicial Branch is committed to providing the public with equal access to its facilities, proceedings, programs and materials, consistent with the Americans with Disabilities Act, or the ADA. The ADA is a federal civil rights law that requires that people with disabilities have equal access to public...

Start | Inboxes - Microsoft... | CT Judicial Bra... | New Microsoft... | 11:29 AM

Exhibit 16 – ADA Website: Auxiliary Aids and Services Page

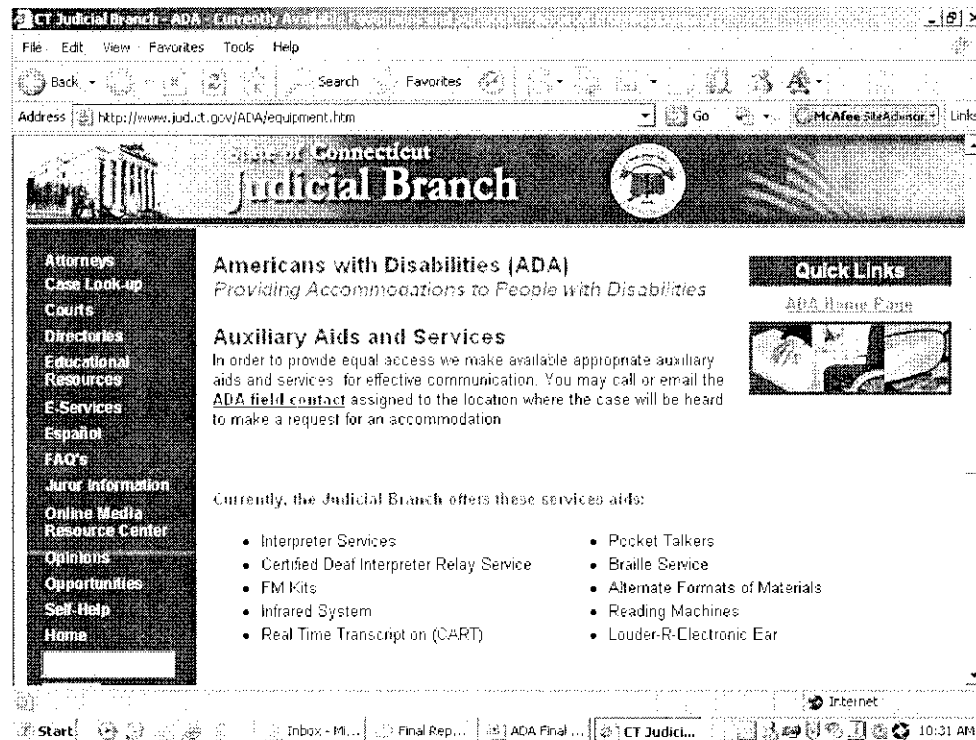


Exhibit 17 – ADA Website: Directions Page with Wheelchair Access

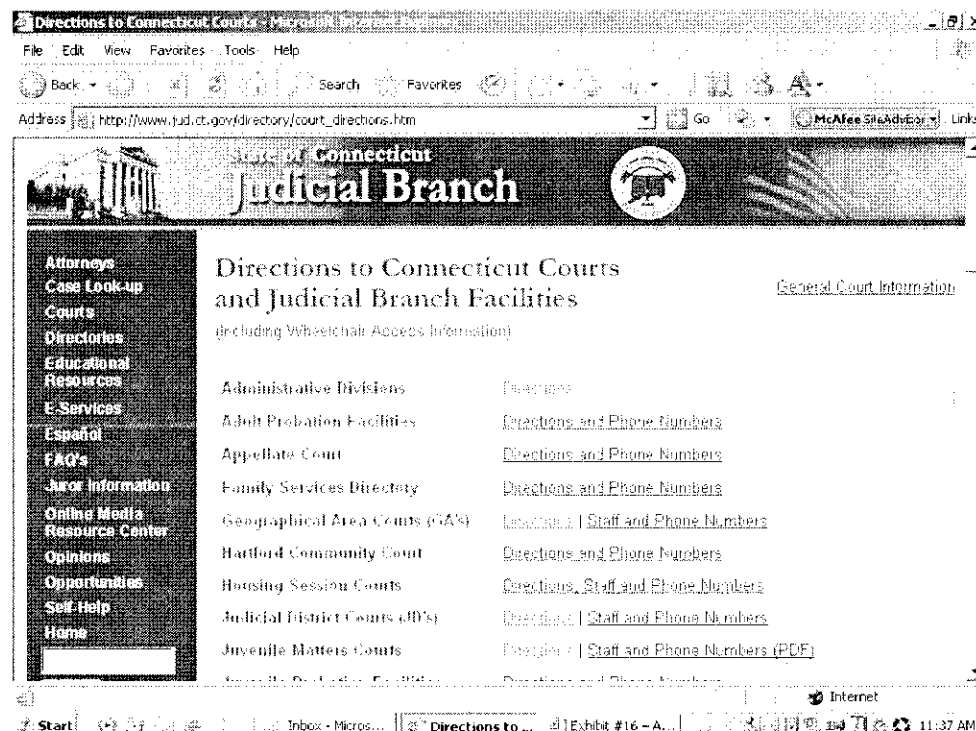
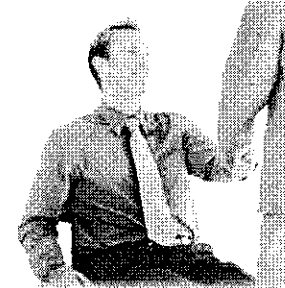
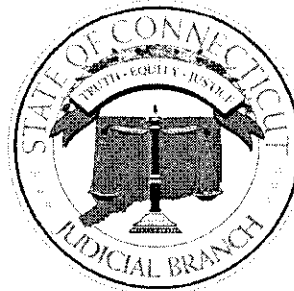


Exhibit 18 - ADA Notice Poster JDP-ES-221

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT



In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the Judicial Branch will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Judicial Branch does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA).

Effective Communication: The Judicial Branch will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in its programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Judicial Branch will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy all its programs, services, and activities. For example, individuals with service animals are welcomed in our facilities, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity, should contact the Clerk's office as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Judicial Branch to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the Judicial Branch is not accessible to persons with disabilities should be directed to the Human Resources Management Unit by calling (860) 706-5288 or by sending an e-mail to EEC.Manager@jud.ct.gov.

The Judicial Branch will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

JDP ES 221 New 6/07

Exhibit 19 – Juror Accommodation Electronic Form

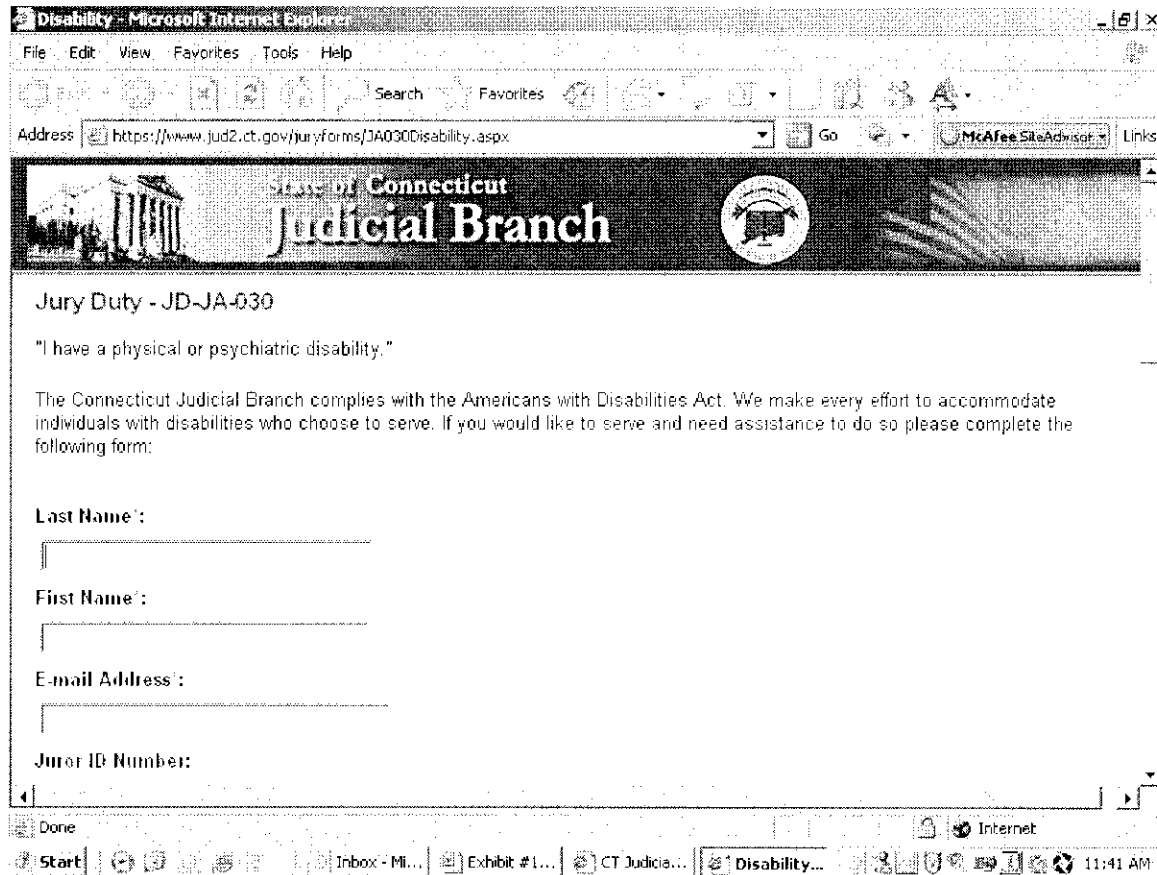


Exhibit 20 - Email Notification of ADA Link Launch

From: Collins, Heather
Sent: Wednesday, February 18, 2009 12:05 PM
To: Alfonse DeLucia; Bill Mancini; Brian Sigman; Bruce Stovall; Candace Low; Cathy Ferry; Ed Peltier; Edward Preneta; Eileen Healy; Gary Waterhouse; James McGaughey; Janet Vantassel; John DiBiase; Julia Evans Starr; Kate Mattias; Linda Wallace; Lisa Caron; Marc Gallucci; Stacie Mawson; Stan Kosloski; Thom Condon; Tony LaCava; adacoalition@sbcglobal.net; Sigman, Brian; magallucci@aol.com; COA
Cc: LugoGines, Sandra; Caron, Patrick; Parent, Ann-Laurie
Subject: Letter to Focus Group Invitees noting ADA Link Launch

State of Connecticut Judicial Branch
Superior Court Operations
90 Washington Street
Hartford, Connecticut 06106

18 February, 2009

Good morning,

Last autumn, you were invited to attend one of three focus groups conducted by the Judicial Branch's Americans with Disabilities Act Committee.

The purpose of the focus groups was to determine how the Branch could more efficiently address the needs of people with diverse physical and intellectual abilities.

The results of the focus groups — which drew about two dozen people — indicated a number of areas in which the Branch could expect to improve its services to the public. One of those areas that participants said the Branch could improve was the way in which information is provided to the public about the ADA.

The ADA Committee is pleased to inform you that as of February 17, 2009, the Judicial Branch launched from its Internet homepage a direct link to specific ADA information, including ADA contact people at dozens of Branch facilities. The site, [CT Judicial Branch - Americans With Disabilities Act](#), is found by clicking on "ADA" under the "Quick Links" section of the Branch homepage, [Connecticut Judicial Branch - jud.ct.gov](#).

The ADA page also has links to this Committee's homepage, [CT Judicial Branch Americans with Disabilities Committee \(ADA\)](#), and to a juror accommodation form for jurors who may need assistance.

We hope you take the time to look at the ADA links, including the Committee's homepage, which has among other things the Focus Group results. The page is a work in progress, and will be updated as new information warrants, so please check back often.

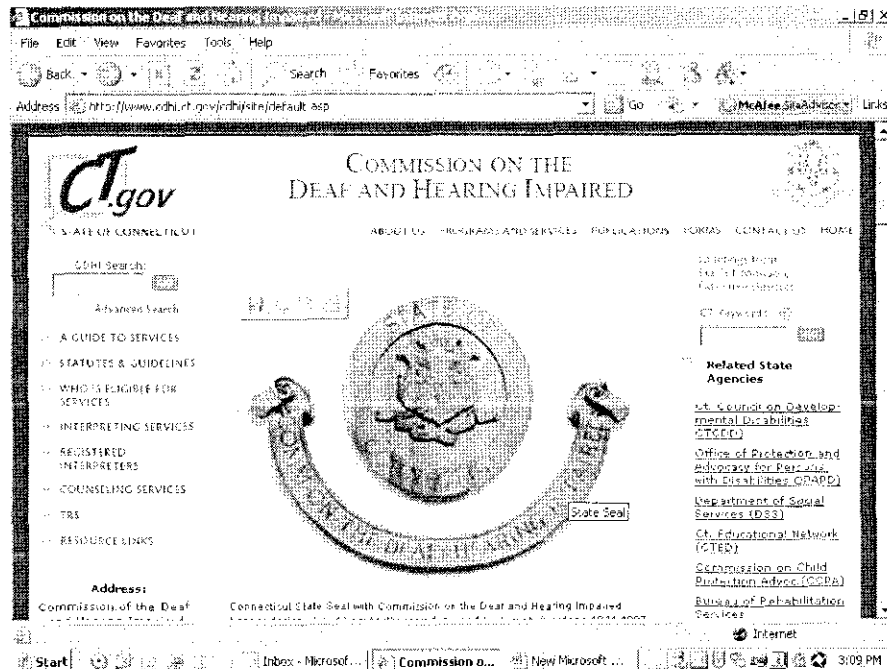
We hope you find the site informative and easier to navigate than previous Branch efforts.

Have a good day,

Sincerely,
The Americans with Disabilities Act Committee

Patrick Caron, Chair
Sandra Lugo-Gines, Vice-Chair
Ann-Laurie Parent, Member

Exhibit 21 - Commission on the Deaf and Hearing Impaired Website



From the website:

"The Judicial Branch's American with Disabilities Committee launched from its internet homepage a direct link to specific ADA information, including ADA contact people at dozens of Branch facilities. The site, [CT Judicial Branch - Americans With Disabilities Act](#), is found by clicking on "ADA" under the "Quick Links" section of the Branch homepage, [Connecticut Judicial Branch - jud.ct.gov](#)."

Exhibit 22 - ADA Training CSSD Sign In Sheet



Sign-in Sheet

ADA Training

Thursday, Jan 8, 2009

Attendees

- 1 Agyemang, Cynthia (Court Support Services Division) _____
- 2 Amanli, Michael (Court Support Services Division) Michael Amanli
- 3 ~~Bath, Lisa~~ ^{Bettencourt, Steven} (Court Support Services Division) SEN. BETTENCOURT
- 4 Bekanich, Joseph (Court Support Services Division) _____
- 5 Berglund, Ricky (Court Support Services Division) Ricky H. Berglund
- 6 Blanchard, Keith (Court Support Services Division) Keith Blanchard
- 7 Brennan, Amy (Court Support Services Division) _____
- 8 Brennan, Maura (Court Support Services Division) Brian McLaughlin for MB
- 9 Callahan, Patrick (Court Support Services Division) _____
- 10 Cannon, Andrew (Court Support Services Division) _____
- 11 Carnevale, Janet (Court Support Services Division) _____
- 12 Carney, Emily (Court Support Services Division) Emily Carney
- 13 Cellino, Susan (Court Support Services Division) Susan Cellino
- 14 Collins, Heather (Executive Director's Office) Heather Collins

Attendees

15 Conway, Edward (Court Support Services Division)

16 Coughlin, Thomas (Court Support Services Division)

17 Coyne, Robert (Court Support Services Division)

18 Cristiano, Robert (Court Support Services Division)

19 Cummings-Teixeira, Phyllia (Court Support Services Division)

20 Derrick, Deborah (Court Support Services Division)

21 Dupointe, Lois (Court Support Services Division)

22 Eaddy, Karen (Court Support Services Division)

23 Esposito-Daigle, Janet (Court Support Services Division)

24 Federici, Michael (Court Support Services Division)

25 Frigon, Roger (Court Support Services Division)

26 Gage, Kimball (Court Support Services Division)

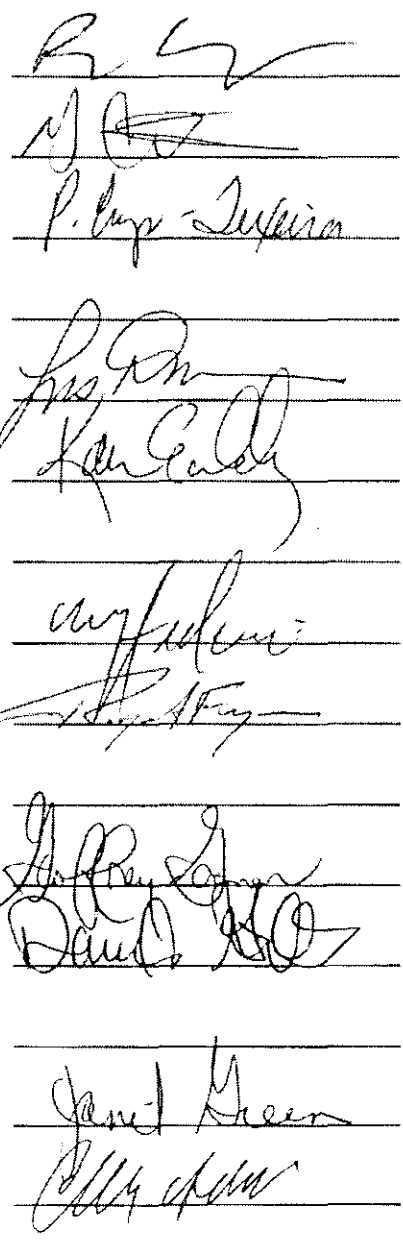
27 Gagnon, Geoffrey (Court Support Services Division)

28 Giller, David (Court Support Services Division)

29 Gould, Maureen (Court Support Services Division)

30 Green, Janet (Court Support Services Division)

31 Hadad, Christopher (Court Support Services Division)

Handwritten signatures of attendees corresponding to the list on the left. The signatures are written in black ink on a white background with horizontal lines. Some signatures are clearly legible, such as 'P. Cummings-Teixeira', 'Janet Green', and 'David Giller'. Others are more stylized and difficult to read.

Attendees

- 32 Hartfield, Tyrell (Court Support Services Division) _____

- 33 Huhtanen, Kathleen (Court Support Services Division) _____

- 34 Ibsen, Adele (Court Support Services Division) Retired

- 35 Irons, Mark (Court Support Services Division) _____

- 36 Kalat, Michael (Court Support Services Division) _____

- 37 Kulig, Tom (Court Support Services Division) Tom Kly

- 38 Kupstis, Denise (Court Support Services Division) Denise Kupstis

- 39 Kutno, Karen (Court Support Services Division) _____

- 40 Kuziak, Suzanne (Court Support Services Division) _____

- 41 Laats, Janice (Court Support Services Division) _____

- 42 Lanier, Tammy (Court Support Services Division) Tam Lanier

- 43 Lesser, Jill (Court Support Services Division) _____

- 44 Ljungquist, Carol (Court Operations) Carol Ljungquist

- 45 Martineau, Dan (Court Support Services Division) Dan Martineau

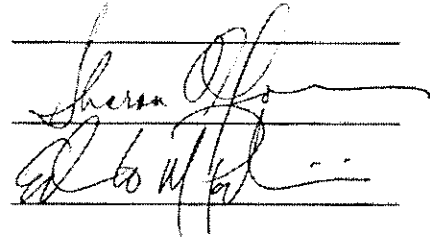
- 46 Martinelli, Carla (Court Support Services Division) _____

- 47 McCormack, Nancy (Court Support Services Division) Nancy McCormack

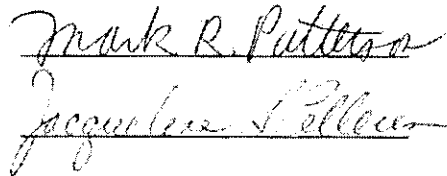
- 48 Mosley, Maurice (Court Support Services Division) _____

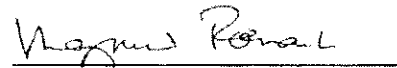
Attendees

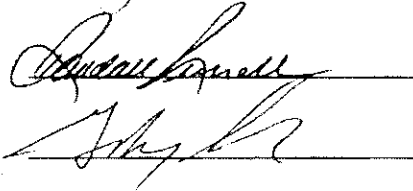
- 49 Nash, Joseph (Court Support Services Division)
- 50 Ofori, Sharon (Court Support Services Division)
- 51 Palmieri, Eduardo (Court Support Services Division)
- 52 Pape, Kevin (Court Support Services Division)
- 53 Parsons, Alison (Court Support Services Division)
- 54 Patterson, Mark (Court Support Services Division)
- 55 Pellerin, Jacqui (Court Operations)
- 56 Pidipchak, Desiree (Court Support Services Division)
- 57 Propst, Sharon (Court Support Services Division)
- 58 Ramos, Noel (Court Support Services Division)
- 59 Rodrigues, Lorraine (Court Support Services Division)
- 60 Romanik, Margaret (Court Support Services Division)
- 61 Russell, Randy (Court Support Services Division)
- 62 Scales, Geoffrey (Court Support Services Division)
- 63 Thompkins, James (Court Support Services Division)
- 64 Thompson, Tanique (Court Support Services Division)
- 65 Tolles, Donald (Court Support Services Division)

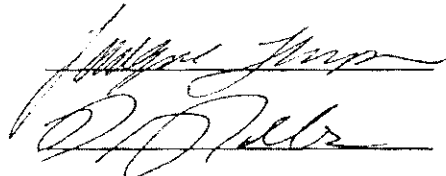






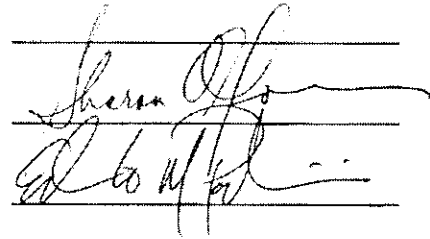




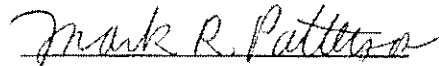


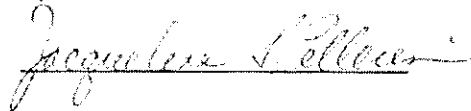
Attendees

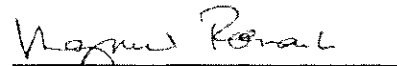
- 49 Nash, Joseph (Court Support Services Division)
- 50 Ofori, Sharon (Court Support Services Division)
- 51 Palmieri, Eduardo (Court Support Services Division)
- 52 Pape, Kevin (Court Support Services Division)
- 53 Parsons, Alison (Court Support Services Division)
- 54 Patterson, Mark (Court Support Services Division)
- 55 Pellerin, Jacqui (Court Operations)
- 56 Pidlipchak, Desiree (Court Support Services Division)
- 57 Propst, Sharon (Court Support Services Division)
- 58 Ramos, Noel (Court Support Services Division)
- 59 Rodrigues, Lorraine (Court Support Services Division)
- 60 Romanik, Margaret (Court Support Services Division)
- 61 Russell, Randy (Court Support Services Division)
- 62 Scales, Geoffrey (Court Support Services Division)
- 63 Thompkins, James (Court Support Services Division)
- 64 Thompson, Tanique (Court Support Services Division)
- 65 Tolles, Donald (Court Support Services Division)



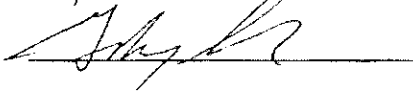


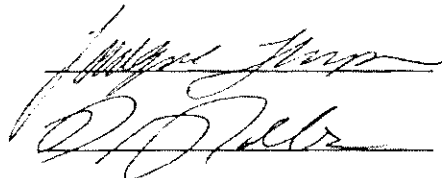






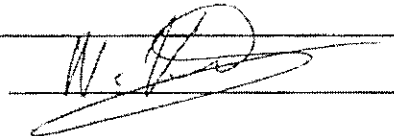




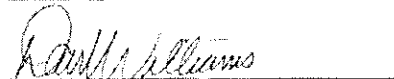


Attendees

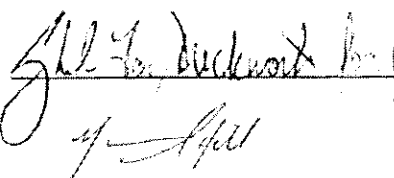
66 Vlastos, Nicholas (Court Operations)



67 Wilensky, William (Court Support Services Division)



68 Williams, David (Court Support Services Division)



69 Wittstein, Mollie (Court Support Services Division)

70 Zamary, George (Court Support Services Division)

Maurice Hill

George Zamary
4 April

72 Baraka, Sandra
(CCSSD)

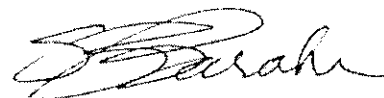


Exhibit 23 - ADA Online Tutorial (DEMO)

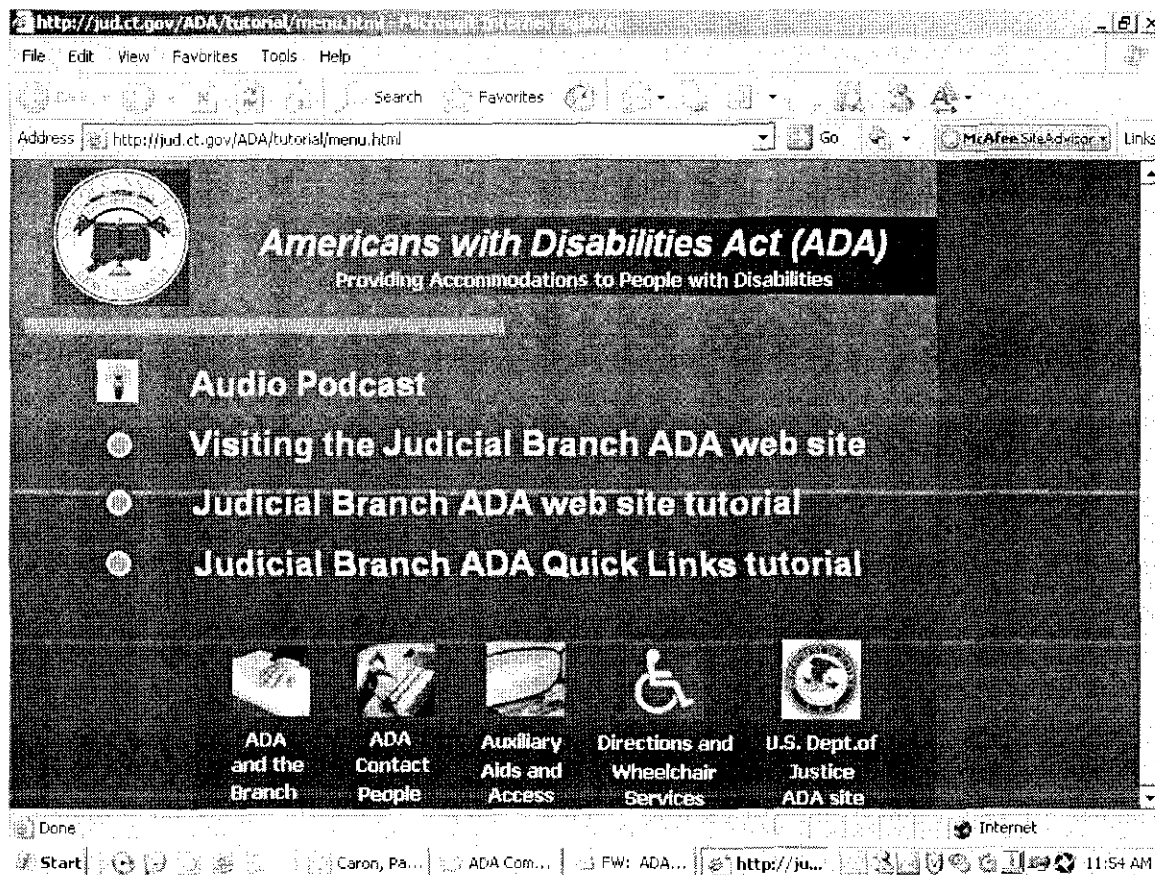


Exhibit 24 – ADA Accommodation Request Procedure (DRAFT)**PROCEDURE TO REQUEST AN ACCOMMODATION UNDER
THE AMERICANS WITH DISABILITIES ACT**

The Connecticut Judicial Branch is committed to ensuring that persons with disabilities have equal and full access to the Connecticut judicial system. Access to the judicial system can mean physical access to enter or move about the Branch's buildings or the ability to participate fully in our programs and services. Any person, who has a physical or mental impairment that limits one or more major life activity, has a record of such impairment or is regarded as having such impairment may request an accommodation.

1. A request for an accommodation can be made at any time. It is best, however, to make the request as far in advance as possible in order to allow time to review your request and to make arrangements for the accommodation, if needed. You should give a minimum of five (5) days notice, if possible. In emergency situations, the five-day requirement can be waived, but you should make your request as soon as you know that you may need an accommodation.
2. A request can be made in any court clerk's office, in a court service center located in most courthouses, over the telephone, by email or on the internet by accessing the Americans with Disabilities Act quick link on the Judicial Branch webpage. There is also a contact person at each facility that can assist individuals with disabilities by answering specific questions about access to services and by processing requests for accommodations. The list of contact people and their email addresses can also be found on the webpage.
3. Although you can request an accommodation in any written form or orally, it is preferred that the request be made by completing a Request For Accommodation By Persons With Disabilities form. The form can be obtained at the above locations and on the webpage. Upon request, the form can be available in an alternative format, such as in Braille or large print. If you need help filling out the form, ask the local contact person, the clerk or any other court personnel to help you. You may wish to attach other documents to the form, such as a doctor's letter.
4. The accommodation request must include the full name, address and contact information of the person making the request. If known, the request should state the date of the proceeding, the docket number and whether it is a civil or criminal matter. The request should state the nature of the disability that makes an accommodation necessary and include a suggestion as to what would be a reasonable accommodation for the disability.
5. The accommodation requested may be for specific equipment and services, such as assistive listening devices, sign language interpreters or printed material in alternate formats. A full

list of available aids and services can be obtained at the above locations and on the webpage.

6. Most requests for accommodation do not require proof to confirm the existence of a disability. In some cases, however, it is necessary to provide additional information in order to determine whether or not the person requesting the accommodation is a "qualified" person with a disability under the ADA or what accommodation is the most appropriate. The Judicial Branch is committed to preserving confidentiality in every request for an accommodation. Information provided will be discussed only as necessary to decide if an accommodation is needed and the appropriate type of accommodation.
7. Many requests for accommodation can be granted immediately by the person to whom the request is made. Other requests involve further consideration, sometimes by an ADA Division Director. You will be notified of the decision concerning your request as soon as possible. If an accommodation is appropriate, an effort is made to provide the accommodation that is suggested. If another accommodation will be equally effective in providing equal and full access to the Connecticut judicial system, the alternate accommodation may be offered.
8. Although the Judicial Branch is committed to ensuring that persons with disabilities have equal and full access to the Connecticut judicial system, some requests for an accommodation may be denied. The ADA does not require that an accommodation be provided to someone who is not a "qualified" individual with a disability. In addition, the ADA does not require actions that would cause a "fundamental alteration of a program or service" or would present an "undue financial or administrative burden."
9. If the request for accommodation is denied, or if you do not agree with the accommodation offered, you can file a grievance / complaint of the decision. The grievance must be filed no later than ten (10) days after the act or decision that forms the basis of the complaint. Information about the grievance process and grievance forms can be obtained at the above locations and on the Judicial Branch webpage.

Exhibit 25 - Accommodation Request Form (DRAFT)



State of Connecticut Judicial Branch
**REQUEST FOR ACCOMMODATION
BY PERSONS WITH DISABILITIES**

INSTRUCTIONS: Complete all sections of this form. Forward the completed form to the Americans With Disabilities Act contact person at the court location where the case will be heard. Additional documents may be attached, as necessary.

JD-

NAME OF PERSON REQUESTING ACCOMMODATION: _____

ADDRESS (city) _____ (state) _____ (zip) _____

TELEPHONE: _____ EMAIL (optional) _____

DATE(S) ACCOMMODATION IS NEEDED: _____

PERSON IS: Juror Defendant Plaintiff Witness Other (Specify) _____

TYPE OF PROCEEDING: Criminal Civil Other (Specify) _____

CASE NAME OR DOCKET NUMBER (IF KNOWN):

LOCATION WHERE ACCOMMODATION IS NEEDED:
Address: _____

I. DESCRIBE THE NATURE OF THE DISABILITY THAT MAKES AN ACCOMMODATION NECESSARY:

II. DESCRIBE HOW THE DISABILITY AFFECTS A MAJOR LIFE ACTIVITY:

III. SUGGEST THE REASONABLE ACCOMMODATION THAT IS NECESSARY:



State of Connecticut Judicial Branch
**REQUEST FOR ACCOMMODATION
BY PERSONS WITH DISABILITIES**

IV. SPECIAL REQUESTS OR ADDITIONAL COMMENTS:

SIGNATURE

Dated: _____

- The request for accommodation is **GRANTED**.
- The request for accommodation is **GRANTED WITH THE FOLLOWING ALTERNATE ACCOMMODATION**

- The request for accommodation is **DENIED** because:
 - the applicant is not a qualified individual with a disability
 - the requested modification would cause a fundamental alteration of a program or service
 - the requested modification would present an undue financial or administrative burden
 - other (specify)
- The applicant has been informed of the option to file a grievance / complaint.
- The applicant has been informed of the option to pursue other state or federal agency relief.

Americans with Disabilities Act
Division Coordinator Or Designee

Dated _____

Exhibit 26 - ADA Grievance / Complaint Procedure (DRAFT)**GRIEVANCE / COMPLAINT PROCEDURE UNDER THE
AMERICANS WITH DISABILITIES ACT**

This process is established to meet the requirements of the Americans With Disabilities Act (ADA) to address complaints concerning the services, programs and activities of the Judicial Branch. Any person who believes that he/she has been discriminated against, or that a reasonable accommodation has not been provided to him/her that would permit the person to fully participate in, or receive the benefits of, the services, programs or activities of the Judicial Branch, may file a complaint under this process.

1. The complaint must be in writing, must be signed by the complainant and must be filed with the Affirmative Action and Employment Discrimination Program Coordinator no later than ten (10) days after the act or decision that forms the basis of the complaint. Alternative means of filing a complaint, such as a personal interview or a tape recording of the complaint, will be made available for a person with a disability upon request.
2. Each complaint must be dated and must contain the full name and address of the person filing the complaint. The complaint must contain a description of the alleged discriminatory act or decision, including relevant dates and locations, if applicable. All documents that relate to the complaint or the names and contact information of witnesses must also be submitted with the complaint. The complaint should also state the desired remedy or solution requested.
3. The complaint shall be submitted to: Laurie Parent, Affirmative Action and Employment Discrimination Program Coordinator, 90 Washington Street, Hartford, Connecticut, 06106, (860)-706-5288; TDD (860) 706-5080.
4. The Affirmative Action and Employment Discrimination Program Coordinator shall initially conduct an investigation of the complaint, which shall include speaking with the person who filed the complaint. Within fifteen (15) business days after the filing of the complaint, the Affirmative Action and Employment Discrimination Program Coordinator shall review the information obtained with the person who filed the complaint to discuss the preliminary findings of the investigation.
5. After the investigation, if the Affirmative Action and Employment Discrimination Program Coordinator concludes that there is insufficient information on which to base the complaint, the Affirmative Action and Employment Discrimination Program Coordinator shall dismiss the complaint within ninety (90) calendar days from the date

of filing of the complaint. Any person adversely affected by the dismissal of a complaint retains the right to pursue a further review of the complaint, as provided below, or to pursue other legal remedies.

6. If, after the investigation of the complaint, the Affirmative Action and Employment Discrimination Program Coordinator determines that there is reason to believe that a discriminatory act may have occurred, the Affirmative Action and Employment Discrimination Program Coordinator shall promptly attempt to resolve the complaint.
7. At the conclusion of the complaint resolution process, which should occur no later than ninety (90) calendar days from the date of filing of the complaint, the Affirmative Action and Employment Discrimination Program Coordinator shall issue a report to the complainant and to the Director of XXXX, which will include findings of fact, a conclusion regarding the validity of the claim and the resolution, or attempted resolution, of the matter.
8. If the complaint has not been resolved to the satisfaction of the person who filed the complaint, or if the complaint was dismissed by the Affirmative Action and Employment Discrimination Program Coordinator, the Coordinator shall advise the complainant of the federal and state agencies available should the person wish to pursue the matter further. The person who filed the complaint may also request that the decision of the Affirmative Action and Employment Discrimination Program Coordinator be reviewed by the Director of XXXX or his or her designee.
9. Within thirty (30) days after receipt of the complaint for review, the Director of XXXX, or his or her designee, shall review the complaint, the supporting material and the report issued by the Affirmative Action and Employment Discrimination Program Coordinator. The Director of XXX, or the designee, shall respond in writing and, where appropriate, in a format accessible to the complainant, with the final resolution of the complaint.
10. The Judicial Branch is committed to preserving confidentiality. Information provided as part of a complaint filed under this process will be discussed only as necessary to conduct a complete investigation. The complaint and any material gathered as a result of the complaint will be retained no longer than three (3) years from the date of the final resolution of the complaint unless the complainant pursues the matter with other federal

or state agencies. Every effort will be made to comply with the time limits contained herein. Complex investigations or the absence of witnesses may cause necessary delay.

Exhibit 27- ADA Grievance / Complaint Form (DRAFT)

STATEMENT OF GRIEVANCE / COMPLAINT FILED UNDER THE AMERICANS WITH DISABILITIES ACT

File this form with the Affirmative Action and Employment Discrimination Program Coordinator no later than ten (10) days after the act complained of. Attach additional documents if necessary.

NAME OF PERSON FILING COMPLAINT: _____

ADDRESS: (city) _____ (state) _____ (zip) _____

TELEPHONE: _____ EMAIL: (optional) _____

DESCRIPTION OF ALLEGED DISCRIMINATORY ACT OR DECISION: (include dates, locations, names and contact information of witnesses – use additional page(s), if necessary)

DESIRED REMEDY OR SOLUTION REQUESTED: _____

Signature of Complainant _____ Dated _____

The complaint is dismissed.

The following resolution is offered and the matter is concluded: _____

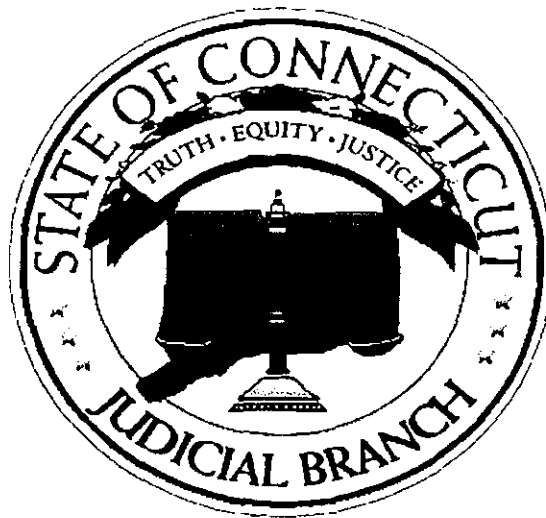
- The above resolution has been offered but the matter is not concluded
- Further review by the Director of XXXX is requested.

_____ Dated _____
Affirmative Action and Employment
Discrimination Program Coordinator

_____ Dated _____
Director of XXXX

This page left intentionally blank

COMMITTEE ON LIMITED ENGLISH PROFICIENCY (LEP)



INTERIM REPORT

COMMITTEE ON LIMITED ENGLISH PROFICIENCY (LEP)

Chaired by: Hon. Maria Araujo Kahn
Attorney Toni Smith-Rosario
Attorney Faith P. Arkin

Interim Report

Attachment A

Outreach Subcommittee Report

Attachment B

Multi Lingual Material Subcommittee Report

Attachment C

Interpreter & Translator Services Unit Report

Attachment D

Universal Signs

Attachment E

Publications & Forms Translated into Other
Languages

Attachment F

Other States & Federal Government Survey

Attachment G

Language Statistics

Attachment H

Publications Translated into Languages Other
than Spanish

Attachment I

Court Service Center Phone Survey Results

LEP COMMITTEE

Interim Report

5-28-09

The Committee on Limited English Proficiency (LEP) is chaired by Hon. Maria Araujo Kahn, Attorney Toni Smith-Rosario, and Attorney Faith P. Arkin. There are 14 members who represent various operations within the Judicial Branch. Below are the names of the current members and the offices that they represent:

Ms. Alejandra Donath - Interpreter and Translator Services Unit
Ms. Jennifer Ensign - Information Technology Division
Ms. Karen M. Franchi – Court Services Center
Ms. Rena Goldwasser – Court Support Services Division
Ms. Diane Hatfield – Judicial Marshal Services
Ms. Cynthia Hernandez – Clerk’s Office
Attorney Daniel B. Horwitch – Legal Services
Ms. Hilda Nieves – Court Support Services Division
Mr. Michaelangelo Palmieri – Juvenile Probation, Court Support Services Division
Ms. Holly Scalzo – Clerk’s Office
Ms. Rhonda Stearley-Hebert – External Affairs Division
Ms. Shirley Turnbull – Human Resource Management*
Ms. Deborah Tvaronaitis – Support Enforcement
Ms. Gabrielle Winter – Interpreter and Translator Services Unit
Staff Support: Rick Dunion and Karen Chorney

*There was one change in membership since the original appointment of the members. Laurie Parent was appointed to the committee and later withdrew due to other commitments; Shirley Turnbull replaced Laurie.

The charge of the Committee is to eliminate barriers to facilities, processes and information that are faced by individuals with limited English proficiency. As of May 15, 2009, the full committee met four times; a fifth meeting is scheduled for June 5, 2009.

At its first meeting, the committee created three subcommittees: Outreach Subcommittee, Multilingual Materials Subcommittee and Interpreter Services Subcommittee. Each subcommittee met three times and produced a report on its work. These reports include background and supporting information for many of the recommendations. (See Attachments A, B, and C for Reports of the Subcommittees)

The **Outreach Subcommittee** (Chairperson: Rhonda Stearley-Hebert; Members: Jennifer Ensign, Diane Hatfield, and Hilda Nieves) was charged with addressing issues faced by LEP individuals in accessing facilities and information. It focused on:

- assessing the current availability within the Branch of signs, publications and web pages in languages other than English,* and

- considering the development of public service announcements on language-specific stations (i.e., Spanish language stations).

*Based upon the charge set forth in the Implementation Plan, this subcommittee did not conduct a local review of signs in facilities since another committee (which is charged with enhancing physical access to facilities and courthouses) will be assuming this task. However, the subcommittee encouraged that the following recommendation be considered: *“Use and display multilingual signs in languages commonly spoken by the LEP population; i.e., Spanish, Portuguese, Polish, French, Haitian, Creole and Chinese Mandarin.”* Included are examples of universal signs (See Attachment D).

The subcommittee recommended the utilization of “I Speak” cards, which have been made available to various offices and are included in the branchwide training on LEP. “I Speak” posters have also been distributed to various offices and locations throughout the Branch.

Additionally, the subcommittee reviewed the list of Judicial Branch publications currently translated in other languages (See Attachment E) and *recommends that the Branch continue its efforts to translate forms and publications commonly spoken by the LEP population and continue implementing the priority lists for translation of sections of the Judicial Branch website.* To accomplish this will require additional resources and a process for prioritizing the translation of documents/forms. Additional recommendations of this subcommittee are set forth later in this document.

The **Multilingual Materials Subcommittee** (Chairperson: Rena Goldwasser; Members: Alejandra Donath, Karen Franchi, Daniel Horwitch, Holly Scalzo, and Deborah Tvaronaitis) was also charged with addressing issues faced by LEP individuals in accessing facilities and information. This subcommittee focused on:

- considering the expansion of available multilingual material to include court/calendar information, forms and handouts;
- making recommendations as to the languages that are most needed statewide based upon demographics and anecdotal information and consider prioritizing the translation of materials based upon the most frequently used or requested materials; and
- analyzing the feasibility of providing forms in multiple languages by looking at the experiences of other states and the federal government in providing and using multilingual forms.

This subcommittee reviewed information that was gathered from other states and the federal government on providing translation and LEP services in the courts. (See Attachment F) The subcommittee also reviewed information provided by the Interpreter and Translator Services Unit which included a comprehensive report on the most frequently requested language by judicial district. As noted, Spanish is the most frequently requested language (87%), followed by Portuguese (4%), Polish (2%) and Chinese/Mandarin (1%). (See Attachment G) The procedures for requesting interpreter and language services were also reviewed. Based on this finding, this

subcommittee recommended that the Branch focus its resources on the top three most requested languages.

The subcommittee reviewed the forms and other Judicial publications that have been translated into languages other than Spanish. (See Attachment H) Additionally, the Court Service Center Unit provided detailed information on the most frequently requested forms and materials, items that have already been translated into Spanish, and other Judicial forms and materials distributed by category and court site. The internal survey process used by the Court Support Services Division (CSSD) to identify policies and forms was reviewed. Information was gathered as to each internal unit (e.g., probation, family) and translation needs were prioritized by frequency of use and identification of the most requested languages at CSSD offices. The results of this internal survey identified Spanish as the primary language identified by all offices. The subcommittee also identified the need for a “translation” plan for court business areas having the greatest frequency of interpreter and translator events. They were: 1) Criminal, 2) Motor Vehicle, 3) Delinquency, 4) Civil, 5) Support Enforcement, and 6) Housing.

It was recommended that the identification of forms and materials that require translation services be accomplished through either an electronic survey (which is being addressed by the current draft survey) and through court personnel identifying the most frequently filed forms. Also proposed is a statistical review of the forms and official publications downloaded from the Internet; the concern is that the download statistics do not necessarily adequately reflect the actual needs of the LEP population. The subcommittee recommended that Spanish be considered the priority language for the translation of forms, with Portuguese and Polish as the second and third priority languages. Examples of materials to be considered for translation include the court calendars and courtroom assignments that are posted in the courthouses. The subcommittee recognized the need for additional resources in the Interpreter and Translator Services Unit. The current staffing levels cannot meet the mandates and needs of the LEP population.

Additional recommendations of this subcommittee are set forth later in this document.

The **Interpreter Services Subcommittee** (Chairperson: Gabrielle Winter; Members: Cynthia Hernandez, Michaelangelo Palmieri and Shirley Turnbull) was charged with addressing issues associated with obtaining adequate interpretive services. This subcommittee focused on the following:

- analyzing the demand for specific types of interpreters (i.e., languages spoken and ASL (American Sign Language) interpreters);
- assessing the numbers and location of interpreters;
- evaluating the current policies and procedures for assigning interpreters and for obtaining interpretive services in all areas - civil, family, housing, criminal, family relations, support enforcement;
- developing and implementing a system for the efficient tracking and scheduling of interpreters statewide;

- analyzing the current and future hiring needs for the Branch for interpreters;
- examining the current procedures for accessing interpretive services, consider standardization of those procedures statewide and consider ways of providing this information to staff and members of the public; and,
- valuating the current use and possible expansion of the language line.

This subcommittee was presented with a preliminary self-assessment of the operations of the Interpreter and Translator Services (ITS) unit, which addressed each of the above enunciated issues. It also included initial recommendations for improvement. The self-assessment provides a comprehensive overview of the ITS unit, an analysis of the specific types and quality of interpreters, details of the procedures for accessing interpreter and translator services, details of the number and location of interpreters, an evaluation of the current policies for assigning interpreters, and hiring needs. ITS provides interpreter and translator services in cases where life, liberty, children, or housing are involved. Interpreters are provided in criminal matters, housing, support enforcement and family matters. It is not possible to provide interpreters in other civil matters based upon the current demands and staffing levels. In 2007, there were 44,615 interpreter requests for both “on-the-record” and “off-the-record” events. There were over 160 translation requests during 2007. The numbers continue to grow. There are continuous challenges in providing interpreters (see page 26 of Subcommittee Report).

Additionally, as set forth in the Preliminary Report of the Interpreter and Translator Services Unit (See Attachment C), there is no member of the ITS staff dedicated to translation work. Some of the certified interpreters work as translators, but not all qualified interpreters can produce quality translations. There are some different skill sets and experience needed to do translation. Legal translation and transcription are very specialized, detailed and time-consuming which require qualified personnel. Dedicating at least one interpreter to translation management, automating the entry of translation requests, and purchasing appropriate terminology-management software may be cost-effective. These are included in the recommendations set forth below.

The subcommittee accepted the report and endorsed the recommendations. See Attachment C and the recommendations below.

The subcommittee recognized that it was essential to obtain feedback from all Judicial Branch employees as to their experience with LEP individuals at work and their knowledge of the Interpreter and Translator Services Unit. A survey was drafted with input from the entire LEP committee. The survey was piloted; however, due to constructive feedback from the pilot test group (a clerk’s office in Middletown), the survey requires further revision before it is distributed to all employees. Once the survey is completed, it will be sent electronically to all employees who have e-mail accounts and via paper to those employees, such as the judicial marshals, who do not have individual e-mail addresses. This is a larger undertaking than was initially contemplated.

The LEP Committee recognizes that there are increasing demands for services to LEP individuals in the Connecticut courts and that improvements to operations and increases in the number of interpreters are essential to meet the needs of LEP individuals. Included within the recommendations below are recommendations regarding the recruiting and hiring of qualified interpreters. Details of the recommendations pertaining to hiring and recruitment are included in Attachment C pages 37- 40. The number one recommendation is to provide additional resources to the Interpreter and Translator Services Unit. However, the LEP Committee is very aware of the fiscal situation and recognizes that implementation of this recommendation is not possible at this time. We recommend that as soon as the fiscal situation improves, this recommendation be implemented.

Initially, 39 preliminary recommendations were collated from the subcommittee's progress reports. The committee members discussed and organized the recommendations into categories. At the end of this process, six categories were created: Data Collection, Information Technology, Operational (which has 3 subsets – Interpreter Services; Telephonic Bilingual Services and Translation Services), Employment Administration, Public Education/Outreach, and Staff Training. The recommendations, approximately 40, were prioritized within each category, duplicative recommendations were removed, and additional recommendations were added.

Below are the recommendations set forth by category. The categories are not in priority order. Many of the recommendations require either budgetary or operational approval prior to implementation. Therefore, those recommendations could not be directly initiated by the LEP Committee. To the extent the LEP Committee has taken action on a particular recommendation, the status of the action is indicated below:

DATA COLLECTION

Recommendation #1. Conduct an internal survey to assess how often and in what manner language assistance services are utilized by various units within the Judicial Branch.

Status: In progress. The survey was drafted and piloted during the week of May 5-12, 2009. Based upon the feedback of the pilot, the survey requires additional revision before being distributed electronically to all employees who have e-mail accounts and via paper to those employees without e-mail accounts (e.g., Judicial Marshals).

Recommendation #2. Identify forms and materials that require translation services through an electronic survey of each Judicial operating unit, determine the statistical "hits" on forms and publications, and ascertain which forms are most frequently filed.

Status: A phone survey was completed. See Attachment I for priority list. The survey referenced in Recommendation #1 above is anticipated to solicit additional information.

- Consider the use of bar codes and, possibly, the use of docket legend codes, to allow Court Operations to generate reports on the numbers and types of Judicial forms that are filed (as opposed to just downloaded or printed or distributed).

- Consider other materials for translation: (a) court calendar uniform instructions into Spanish; (b) translation of courtroom assignments that are posted in courthouses on calendar and other days; (c) consider interpreter/translation options when SES cases are heard in front of family support magistrates, especially in regards to the advisement of rights.

Recommendation #3. Review statistical information on civil court requests to Interpreter and Translator Services.

Status: The ITS application is currently being updated to accept data on civil court requests.

Recommendation #4. Survey community organizations to obtain information regarding the needs of LEP populations as it pertains to the Judicial Branch and review utilization data such as webpage hits and forms used to determine translation priorities for the Judicial Branch website (noting that data represents entire population and is not limited to LEP populations).

Status: LEP Committee will take further action.

Recommendation #5. Utilize the experience of other states and the federal government to prioritize forms translations consistent with available resources.

Status: Survey completed. See Attachment F for results.

INFORMATION TECHNOLOGY

Recommendation #1. Develop computer programs that will:

- Include both “Interpreter” and “Language” indicators in the case-management systems where they currently do not exist (juvenile systems already possess an “Interpreter” indicator).
- Print “Interpreter” and “Language” indicators on all dockets.
- Automatically generate an interpreter-service request from earliest identification of need.
- Automatically generate a translation request.
- Transfer pertinent data into the ITS Scheduler system, for every scheduled court appearance or interview throughout the duration of a case, until final disposition.

Status: Implementation requires the services and support of other units.

Recommendation #2. Develop/include information links on the existing Judicial Branch webpage to direct LEP individuals to translated information and make other webpage changes as determined by community organization survey results.

Status: Implementation requires the services of the IT Division as well as the assessment of the survey results.

Recommendation #3. Develop a system for the efficient tracking and scheduling of interpreters through the use of current and future technology.

Status: Implementation requires the services and support of other units.

OPERATIONAL

(Subsets – Interpreter Services; Telephonic Bilingual Services and Translation Services)

Interpreter Services

Recommendation #1. Record in case-management systems (e.g., CR/MVS, Edison, etc.), at the earliest possible stage in a case involving LEP individuals, the following:

- The need for interpreting services in a case,
- The language needed,
- The type of proceeding and/or approximate duration of the interview requested.

Status: Implementation requires the services and support of other units.

Recommendation #2. Implement a system for the efficient tracking and scheduling of interpreters through the use of current and future technology.

Status: Implementation requires the services and support of other units.

Recommendation #3. Develop and establish specific criteria for prioritizing assignments of interpreting requests.

Status: Pending the approval of Judicial Administration.

Recommendation #4. Permit the use of audio recordings of the advisements of constitutional rights in Spanish, as recorded by certified Spanish-language interpreters.

Status: Pending the approval of Judicial Administration.

Recommendation #5. Implement the procedural recommendations in Figures 4 and 5 of the Preliminary Report to the LEP Committee (Quality Considerations for Testing, Certification, and Training) regarding the qualification and certification processes.

Status: Pending the approval of Judicial Administration.

Telephonic Bilingual Services

Recommendation #1. Expand the scope of Telephonic Bilingual Services (TBS), and rename it, to allow this unit to provide telephonic and in-person interpreting outside of the courtroom (e.g., jail interviews, CSSD studies and interviews, Court Operations interviews, etc.).

Status: Pending the approval of Judicial Administration.

Recommendation #2. Re-assign suitable permanent qualified (but non-certified) Spanish-language interpreters to TBS.

Status: Pending the approval of Judicial Administration.

Recommendation #3. Modify, acquire, and activate necessary telephonic infrastructure and equipment to maximize utilization of the Telephonic Bilingual Services.

Status: Pending the approval of Judicial Administration.

Translation Services

Recommendation #1. Consider Spanish the priority language for translation of materials, with possibly Portuguese and Polish as the second and third priorities. The availability of resources and cost benefits to perform other language translations should be determined based upon the utilization statistics and growth of minority communities.

Status: Pending the approval of Judicial Administration.

Recommendation #2. Prioritize translation of materials based upon interpreter and translation event statistics and other data collected. Ensure that those pamphlets and brochures which have accompanying forms are translated in a coordinated manner. Additionally, a structured process should be developed for screening and prioritizing requests for translations.

Status: A priority list existed prior to the formation of the LEP committee; the committee is of the opinion that additional information on priorities needs to be obtained. (Survey referenced above will solicit additional feedback.) LEP Committee will develop priority list after completion and review of survey results.

Recommendation #3. Consider acquisition of terminology-management translation computer software (e.g., the Trados program) to ensure consistent state-wide translation of legal terminology on court forms for LEP individuals.

Status: Pending approval of Judicial Administration.

Recommendation #4. Acknowledge the issue regarding literacy levels of some LEP individuals and the need to identify assistance in understanding and reading materials, translated or not, to ensure that meaningful access to due process is provided.

Status: To be considered by LEP Committee once priorities regarding translation of materials is established.

Recommendation #5. Support the concept of “Plain Language”; however, need to analyze the concept of “Plain Language” as a cost-effective measure in forms translation.

Status: Pending approval of Judicial Administration.

EMPLOYMENT ADMINISTRATION

Recommendation #1. Recommend additional resources for the Interpreter and Translator Services Unit as outlined in Figure 11 of the Preliminary Report to the LEP Committee. (See Attachment C)

Status: The committee recognizes the financial crisis that currently exists; however, to eliminate barriers to information will require additional interpreters and translators.

Recommendation #2. Establish Branch policies specifying the role and scope of duties and ethical requirements for interpreters in Connecticut Superior Courts.

Status: Pending approval of Judicial Administration.

Recommendation #3. Hire more bilingual staff for positions which directly serve LEP individuals.

Status: Once survey results are assessed, LEP Committee may identify areas where the need for bilingual staff may be more critical and will recommend that appropriate measures to recruit bilingual staff be incorporated.

Recommendation #4. Change organizational structure to:

- a) Establish higher rates for:
 - Services in hard-to-find languages so that the Judicial Branch can compete with other employers (i.e., court systems in adjoining states);
 - Certified temporary interpreters; and
 - Qualified temporary interpreters.
- b) Establish an “Administrative Translator” position for a person responsible for managing translation assignments.
- c) Update the “Interpreter II” job description for certified permanent interpreters to emphasize the professional (rather than clerical) services interpreters provide to the courts.
- d) Establish a “Master Interpreter” job classification for those staff who pass the state certification with higher scores, or who hold multiple certifications (e.g., federal, ATA, interpreting certification in more than one language).

Status: Pending approval of Judicial Administration.

Recommendation #5. Periodically review ITS staffing levels to ensure sufficient coverage for LEP individuals.

Status: Pending approval of Judicial Administration.

Recommendation #6. Create a mechanism to allow candidates to pay for some testing and training which may require legislation.

Status: Pending approval of Judicial Administration.

PUBLIC EDUCATION/OUTREACH

Recommendation #1. Solicit Branch employees (including judges) who have bi/multilingual abilities to participate in the Branch's outreach objectives (to utilize their skills such as through the Speakers Bureau).

Status: Although this presently occurs on an individual basis, the LEP Committee recommends that the External Affairs Division create or update a list of employees and judges willing to participate.

Recommendation #2. Expand outreach to LEP populations by the Judicial Branch website based upon the needs identified via community organizations and establish collaborative relationships with media organizations that have targeted non-English speaking audiences.

Status: LEP Committee will develop an outreach plan pending the results of community organization survey.

Recommendation #3. Develop public service announcements based upon the needs of the LEP population.

Status: Pending approval of Judicial Administration.

Recommendation #4. Utilize monitors in public areas or lobbies that are a source of ongoing information to the public in languages common to the LEP population.

Status: Pending approval of Judicial Administration.

STAFF TRAINING

Recommendation #1. Conduct branchwide training on civil rights, national origin discrimination, and services available to LEP individuals.

Status: Pilot training program conducted in the summer of 2008; program was refined. Branchwide training has commenced with the judicial marshals; a schedule will be developed to reach all employees.

Recommendation #2. Support and foster the development of bi/multilingual employees by dedicating resources to train, recognize, and assist these employees.

Status: Pending approval of Judicial Administration.

Recommendation #3. Train staff to routinely record interpreter and translator information into case-management systems (e.g., CR/MVS, Edison, etc.).

Status: Pending approval of computer changes which require additional resources.

Recommendation #4. Provide foreign language instruction to employees to enable them to provide basic information to LEP individuals, such as the location of the courtroom.

Status: Pending approval of Judicial Administration.

Language Assistance Plan

The LEP Committee will be working on the development of a Language Assistance Plan based upon recommendations that are approved and information that is obtained from the employee survey and data collection.

Conclusion

A significant number of the recommendations cannot be achieved without additional resources for the Interpreter and Translator Services Unit. Other recommendations require the resources of other units, such as IT, to make computer programming changes. Regular monitoring mechanisms should be implemented to obtain feedback from the LEP population and others to ensure that progress continues and that we meet the needs of the LEP population.

ATTACHMENT A

OUTREACH SUBCOMMITTEE REPORT

LIMITED ENGLISH PROFICIENCY SUBCOMMITTEE 1A REPORT

Members: Rhonda Stearley-Hebert (Chair), Hilda Nieves, Jennifer Ensign,
Diane Hatfield

Subcommittee Task: Assess the current availability of signs, publications &
webpage's in languages other than English.

Consider providing public service announcements on language
specific stations. i.e. Spanish language station.

Subcommittee 1A acknowledges that a local review of signs is being conducted by the
committee charged with "Enhancing Physical Access" to facilities & court houses, and
while the subcommittee strongly believes this area must be addressed, it did not take
any specific action beyond encouraging the following recommendations be taken under
advisement;

Recommendations: Use and display multilingual signs in languages commonly spoken
by the LEP population. i.e., Spanish, Portuguese, Polish, French, Haitian, Creole and
Chinese Mandarin.

Utilize Universal Signs (see attached 1)

Utilize "I Specific Cards" (Language I D Cards) (see attached 2)

Court Survey (see attached 3)

Subcommittee Task: Availability to publications in Spanish and other languages.

Recommendations: Presently a list of Judicial Publications exists in languages other
than English. As such, the subcommittee recommends branch continue its efforts to
translate forms and publications to languages commonly spoken by the LEP population,
i.e. Spanish, Portuguese, French, Haitian Creole and Chinese Mandarin. (See attached
4)

Continue efforts to notify divisions about the existence of new or revised language
specific forms and publications.

Develop a multilingual Judicial Branch Guide. (see attached 5a,b,c,d)

Continue implementing priority lists for translation of sections of the Judicial Branch
website into languages commonly spoken by the LEP population. Currently, a Judicial
Branch Publication site exists in Spanish, as does a "Priority list" for translation of
branch other branch sites into Spanish. (see attached 6a,b,c;7a,b,c;8, 9a,b)

Utilize monitors in public areas or lobbies that are a source of on going information to the public in languages common to the LEP population, or those requiring assistance with signage or are of limited reading capability.

Partner with the news media to develop public service announcements, beginning with Spanish. These announcements will provide basic and useful information about the courts, listing provided Rhonda Stearley-Hebert

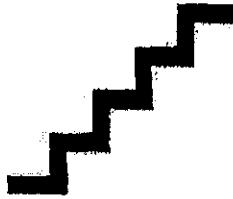
The Judicial Branch should develop an outreach program of Judges /Branch employees to begin an exchange with increasingly diverse media and community organizations, so that they may obtain news about the Branch and communicate it to their readers/viewers.

The Branch should consider ways to provide employees with ways to learn basic skills in other languages. Cost may be a factor with this recommendation, i.e. Basic Spanish Survival course

The Branch should develop educational and informational videos in languages common to the LEP population.

Develop regular monitoring mechanisms and means by which to obtain feed back from LEP population and others to ensure progress continues. i.e. customer satisfaction or user survey

Universal Signs – No specific language needed



for Courtroom 2

1163

Attachment 2

United States
Census 2000
 U.S. Department of Commerce
 Bureau of the Census
LANGUAGE IDENTIFICATION FLASHCARD

املا هذا المربع اذا كنت تقرأ أو تتحدث العربية.

Arabic

Մարդու՞մ ենք նշում՞ կատարե՞ք այս քարտիկու՞մ, եթե խոսու՞մ կամ կարդա՞մ եք հայերեն:

Armenian

যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।

Bengali

សូមញាតិភូមិសាស្ត្រ: ចំណុចនេះ ប្រើប្រាស់បាន តែ ។

Cambodian

Matka i kabhon komu un taitai pat un sang i Chamorro.

Chamorro

如果您具有中文閱讀和會話能力，請在本空格內標上X記號。

Chinese

Make kazyè sa a si ou li oswa ou pale kreyòl ayisyen.

Creole

Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.

Croatian (Serbo-Croatian)

Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.

Czech

Kruis dit vakje aan als u Nederlands kunt lezen of spreken.

Dutch

Mark this box if you read or speak English.

English

اگر خواندن و نوشتن فارسی برهستین، این مربع را علامت بگذارید.

Farsi

D-3309

<input type="checkbox"/> Cocher ici si vous lisez ou parlez le français.	French
<input type="checkbox"/> Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	German
<input type="checkbox"/> Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	Greek
<input type="checkbox"/> अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस गोले पर चिह्न लगाएँ।	Hindi
<input type="checkbox"/> Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	Hmong
<input type="checkbox"/> Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	Hungarian
<input type="checkbox"/> Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	Ilocano
<input type="checkbox"/> Marchi questa casella se legge o parla italiano.	Italian
<input type="checkbox"/> 日本語を読んだり、話せる場合はここに印を付けてください。	Japanese
<input type="checkbox"/> 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	Korean
<input type="checkbox"/> ໃຫ້ໝາຍໃສ່ເຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	Laotian
<input type="checkbox"/> Zaznacz tę kratkę jeżeli czyta Pan/Pani lub mówi po polsku.	Polish
<input type="checkbox"/> Assinale este quadrado se voce lê ou fala Português.	Portuguese

<input type="checkbox"/> Însemnați această căsuță dacă citiți sau vorbiți Românește.	Romanian
<input type="checkbox"/> Поставьте этот квадратик, если вы читаете или говорите по-русски.	Russian
<input type="checkbox"/> Maka pe fa'ailoga le pusa lea pe afai e te faitau pe tusitusi i le gagana Samoa.	Samoan
<input type="checkbox"/> Обележите овај квадратик уколико читате или говорите српски језик.	Serbian (Serbo-Croatian)
<input type="checkbox"/> Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	Slovak
<input type="checkbox"/> Marque esta casilla si lee o habla español.	Spanish
<input type="checkbox"/> Markahan ang kahon na ito kung ikaw ay nagsasalita o nagbabasa ng Tagalog.	Tagalog
<input type="checkbox"/> ภาษานี้ใช้สำหรับผู้ที่พูดภาษาไทย.	Thai
<input type="checkbox"/> Faka'ilonga'i 'ae puha ko'eni kapau 'oku te lau pe lea 'ae lea fakatonga.	Tongan
<input type="checkbox"/> Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	Ukrainian
<input type="checkbox"/> اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانہ میں نشان لگائیں.	Urdu
<input type="checkbox"/> Xin đánh dấu vào ô này nếu quý biết đọc và nói được Việt Ngữ.	Vietnamese
<input type="checkbox"/> צייכנט דעם קעסטל אויב איר שרייבט אדער לינט אידיש.	Yiddish

at home 3
172

Ansonia

Two signs in Spanish at the front entrance of the Milford courthouse. They paraphrase the Weapons and Contraband policy, as well as the Search policy set forth by the State of Connecticut. We do not use any documentation containing alternate languages.

Bridgeport

G.A. 2 All signs are English

JD - Front MD entrance: One Spanish sign advising patrons they will walk through a metal detector, if activated a further search will be conducted and if any unlawful items will result in an arrest and confiscation of the item. (State Sign)

Danbury

Hartford

Lafayette Square – Front MD entrance: Spanish sign indicating to patrons to walk through the MD (state sign)

Juvenile: All signs are English

Appellate Court - Office of Victim Services (OVS) Forms (Spanish). Large metal sign for all persons that enter and exit this building (Spanish) explains about metal detector, search, weapons etc.

Broad Street, Juvenile has the following: 1. Notice of Rights, English and Spanish, 2. Notice of Right to file a complaint, English and Spanish, 3. Direction on entering the building and the Metal Detector, English and Spanish. 4. D.O.C. Discharge Resource Card, English and Spanish, 5. Sign on wall outside Control Room regarding need for Interpreter Services, English and Spanish.

At GA13, there are no signs in any other language than English, and as to forms/documents, that I use for the Marshals services there all in English.

101 Lafayette - The signs at the metal detector re in English and Spanish example warning of metal detector, no firearms, no glass bottles, and no smoking signs, in both English and Spanish. The Public Defenders Office has signs in Spanish and Family Relations has signs in Spanish. Those are the only signs and the only language is Spanish.

80 & 90 Washington – Spanish

95 Washington - I have checked and there are no signs in Spanish. The key card doors, the emergency doors, the rest rooms locations, clerk's office, Mediation center are all in English.

Manchester - There is only one sign that is posted and that is in Spanish. I have attached a photo of both English and Spanish versions.

GA#18 Bantam and Litchfield Superior Court

Spanish

Middletown – No

New Britain

Few bi-lingual (Spanish) posters. A couple are in the clerk's office. None of these were put up by JMS...I do not know who put them up. We (Marshals) do not use any forms or documents that are bi-lingual.

GA 17 - no

New Haven

Notice of Rights Form JD-CR-5 11-2000 English / Spanish

Policy and Procedure 208-03 Arrests and Detention of Foreign Nationals

Only Appendix B / Statements to Arrested or Detained Foreign Nationals

Statement 1 & Statement 2

Spanish / Chinese / Portuguese /Farsi / French/ Russian/ German/ Italian/ Japanese/ Korean/

Polish/ Vietnamese/ English

Superior Court (GA 23), 121 Elm Street, New Haven

Courthouse Signage in Public Areas (Spanish)

- Metal Detector / Front Foyer – Notice of Rights
- States Attorney's Office / 1st Floor – Project Safe Poster
- Information Desk / 1st Floor – Notice for Victim's Advocate Assistance
- Courtrooms A, B, C / 1st Floor - Rules of Court
- Courtroom B hallway / 1st Floor – Sign-In for Family Relations

- Probation Office / 2nd Floor – Notice of Rights
- Housing Clerk Office / 2nd Floor – Notice for Interpreter Assistance
- Courtrooms D, E, F / 3rd Floor – Rules of Court

New London - no

Stamford

Tolland

The only actual sign I have is the sign at the front door stating that any persons entering the building will be subject to passing thru the metal detector and clearing security. The sign is in Spanish and English. There are posters in Public Defender, Clerks, Family, and States Attorney's offices in Spanish but they are not actual signs, they are more like a poster.

Waterbury

Windham

We have the following signs posted in both English and Spanish:

"All persons entering this building are subject to a search ..."

Persons with pacemakers should notify Marshals.

Many of the civil forms are in both English / Spanish (all housing forms)

Some Criminal forms are in Spanish / English. Marshal forms are English only. We have requested Spanish but have not received any. D.O.C. discharge packets are in both English and Spanish.

JUDICIAL PUBLICATIONS – IN LANGUAGES OTHER THAN ENGLISH

Family Publications:

- A Child Needs Emotional and Financial Support of Both Parents, *JDP-ES-211* (Spanish Version)
- Parenting Education Programs, *JDP-FM-151* – (Spanish Version)

General Information:

- Connecticut's Courts, *JDP-ES-201* (Chinese Version)
- Interpreter and Translator Services, *JPD-ES-212* (Spanish Version, Portuguese Version)
- Kid's Coloring Book, *JDP-ES-189* (Spanish Version)
- Middletown Court Guide, *JDP-ES-210* (Spanish Version)

Housing Publications:

- Landlord's Guide to Summary Process (Eviction), *JDP-HM-14* (Spanish Version)
- Tenant's Guide to Summary Process (Eviction), *JDP-HM-15* (Spanish Version)
- Rights and Responsibilities of Landlords and Tenants in Connecticut, *JDP-HM-31* (Spanish Version)

Jury Publications:

- Jury Duty in Connecticut, What Every Juror Should Know, *JDP-JA-25S* (Spanish Version) and *JDP-JA-25P* (Polish Version)

Victim Services Publications:

- Compensation for Crime Victims, *JDP-VS-10* (Spanish Version)
- Notification Programs to the Victim, *JDP-VS-11* (Spanish Version)
- Rights of Crime Victims in Connecticut, *JDP-VS-15* (Spanish Version)
- Victim Advocate's Brochure- Victim Services, *JDP-VS-14* (Spanish Version)

- Services For Families Of Homicide Victims, *JDP-VS-0075* (Spanish Version)
- Victim Rights / Crisis Services Hotline, *JD-VS-0025* (Spanish Version)
- Eligibility Requirements for Victim Compensation *JD-VS-60815S* (Spanish Version)

Adult Probation:

- Conditions of Probation, *AP-1103* (Spanish Version)
- Adult Probation Handbook, Key to Your Success, *JD-AP-1365* (Spanish Version)
- Travel Permit, *JD-AP-18* (Spanish Version)
- Notice for Restitution, *JD-AP-62* (Spanish Version)

Others:

- Protective Order, *JD-CR-0585* (Spanish Version)
- Notice of Placement In Pretrial Alcohol Education System, *JD-CR-079* (Spanish Version)
- Instructions to Complete Dissolution Agreement Form, *JD-JM-106A* (Spanish Version)
- Specific Steps, *JD-JM-1065* (Spanish Version)
- Middletown Court Guide, *JDP-ES-21051* (Spanish Version)
- Middletown Court Guide, *JDP-ES-21052* (Spanish Directory)

57A

Case #	_____
Name	_____
Probation Office	_____
Address/Number	_____

PROBATIONER HANDBOOK

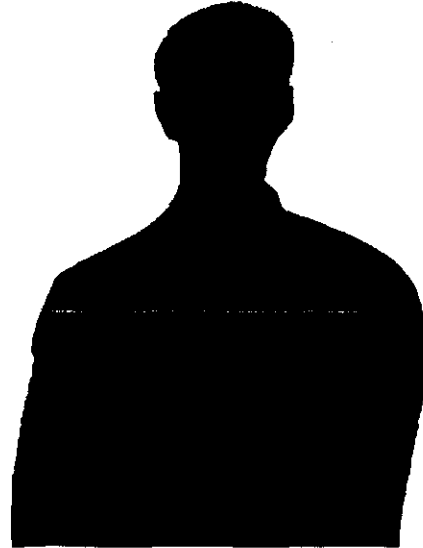
Key to Your Success



State of Connecticut Judicial Branch
Court Support Service Division

Why Should I Read This Book?

Probation is a time you can use to learn how to make good choices. It is your chance to remain in the community with conditions instead of going to jail. You will be assigned a Probation Officer who will help you. If you follow all of the court's conditions and your Probation Officer's conditions, you will successfully complete your probation. However, if you choose not to follow the conditions of your probation you may be arrested for a violation of probation and possibly go to jail.



Adult Probation would like to see you successfully complete your probation and end your involvement with the criminal justice system. This handbook was created to help you do this. Many people do well on probation and never find themselves in legal trouble again. When this happens, everyone benefits, including you. If you think of your probation period as an opportunity, rather than a punishment, you will have more success.

You should ask questions, so you can completely understand what you need to do. This handbook will answer some commonly asked questions and explain some probation conditions. If you have difficulty understanding the handbook, please ask your Probation Officer to read or explain the handbook to you.

COMMON QUESTIONS ABOUT PROBATION

What are the rules for reporting to my Probation Officer?

- You must report on the day and time your Probation Officer tells you to.
- If you have an emergency or illness that prevents you from keeping your appointment, call and speak directly to your Probation Officer or Office Supervisor and get a new appointment.

What should I bring to my appointment with my Probation Officer?

- Photo ID (Driver License or State ID card).
- Proof of where you live (utility bill, business mail, etc.).
- Proof of employment (pay stub, note from employer).
- Proof of changes, if any, to your name, address, phone, etc.
- Proof of any completed treatment, community service, restitution and charity contributions.

What should I not bring to my appointment with my Probation Officer?

You will pass through a metal detector and be searched, so you should not bring the following:

- Weapons or anything that can be used as a weapon.
- Recording devices.
- Camera cell phones (All regular cell phones must be turned off).

Why is it important that I participate in treatment?

Your Probation Officer may refer you to a treatment program. There are many different types of treatment. These programs will help you improve your situation—they are not a punishment. However, failure to cooperate with treatment may result in a violation of probation.

You may not want to go to treatment. This is normal. Programs require your time and effort. The most important first step for you is to attend. Once there, if you look at treatment as an opportunity, you will get the most out of it—give yourself the best chance for success.

Why do I have to sign a release of information?

It is necessary for you to sign the release of information so that your Probation Officer can find out if you attended and completed the program.

How can I get information about services in the community?

You can call INFOLINE at 2-1-1. INFOLINE is a way you can get help by telephone or on the internet at www.infoline.org.

The hearing impaired can also reach the INFOLINE by TDD.

- INFOLINE can provide you with information on the following: housing, financial needs, health insurance, substance abuse and mental health treatment, social services, benefits, suicide prevention, and help in a crisis.
- The caseworkers can speak different languages.
- INFOLINE is toll-free from anywhere in Connecticut and available 24 hours a day and 365 days a year.

Do I have to pay for my treatment services?

You may have to pay for your treatment. However, you may be eligible for services through private or state funding, free services or services that are offered at a reduced cost.

What do I do if I am arrested?

If you are arrested, charged with any offense, or have any police contact, contact your Probation Officer, no later than 48 hours of it happening. You may do this in person or by telephone.

Can I go out of state?

You may not travel or move out of state without permission from your Probation Officer.

Can I carry a firearm?

- No probationer may possess any firearms if on probation for a felony or a misdemeanor crime of illegal possession of drugs, domestic violence involving the use or threatened use of physical force or convicted for having a deadly weapon.
- Probationers convicted of certain misdemeanors, as listed in your standard Conditions of Probation, may not possess any firearms.
- If you are subject to a Protective and/or Restraining Order or other court orders not to possess any weapons, you are expected not to own, possess or purchase any weapons or items that could be used as a weapon.

COMMON QUESTIONS ABOUT PROBATION

What is Violation of Probation?

- When you do not follow the conditions of your probation it is a violation of probation.
- If you do not follow any of your conditions or you get arrested, your Probation Officer may bring your case back to court.
- There will be a court hearing and if a violation is proved, you may be sentenced to jail.



What if I have a “No Contact” order?

You must not have or attempt to have any contact with the person or place. If that person tries to contact you, do not agree to make contact. Tell your Probation Officer immediately.

What does it mean when my case is supervised as administrative?

Administrative is a non-reporting status under Adult Probation. At intake you will review and sign a letter, which explains your responsibility to contact the Adult Probation Administrative Monitoring Unit to report changes, e.g. change of address, a new telephone number, etc. and report any arrest. You must contact a Probation Officer at the Unit and get permission before moving out of state, as well as get permission to travel out of state. The letter will also explain where to mail your proof of completion for any programs, proof of community service hours completed, *(continued pg. 5)*

What does it mean when my case is supervised as administrative? *(continued from pg. 4)*

restitution payments and other required items. If you are notified by letter or telephone to give a urine sample, you are expected to follow the instructions. If you fail to follow any of your conditions your case can be returned to court as a violation.

I was just released from prison, what is the first thing I should do?

Your probation begins the day you are released from prison and you are expected to immediately contact Adult Probation.

Do I have to give a DNA sample?

If you are notified by letter to give a DNA sample, follow all of the instructions in the letter about who to contact for an appointment and where to go for the appointment. You will need to bring two forms of identification to the appointment. If you refuse to give a DNA sample, it is a Class A Misdemeanor.

Where do I send my restitution payments?

You will be given a form with instructions about your restitution and what is required. You must pay with a bank check or money order, mailed to: CSSD Restitution Unit, 936 Silas Deane Hwy., Wethersfield, CT 06109. You must include your printed name, date of birth, and social security number with your payment.

Who do I pay my court fines and fees to?

You will make your court payments directly to the Clerk's Office at the court.

Can I vote?

Yes, but first you must be registered in the town where you live and if you were locked up you may have to restore your voting rights. If you have any questions, contact the Connecticut Secretary of State Elections Office: (860) 509-6100, Toll Free (800) 540-3764, TDD (860) 509-6191.

What are my rights as a probationer?

You have the right to be treated in a respectful and professional manner that is free of any form of harassment, bias or discrimination because of your race, age, religion, gender, sexual orientation, place of birth, disability and political views.

COMMON QUESTIONS ABOUT PROBATION

What do I do if I feel my rights have been violated?

- First, talk to your Officer and try to resolve your problems with your Officer.
- If you feel that you can't work out your problems with your Probation Officer, ask to speak to your officer's supervisor.
- If you still cannot work out the problem you can call the Human Resource Manager at 1-866-627-1583 to make an oral complaint. Or you can request a grievance form from the office supervisor and send it to the CSSD Manager of Human Resources, 936 Silas Deane Hwy., 3rd Floor, Wethersfield, CT 06109.
- Filing a complaint will not be held against you.
- Filing a complaint does not excuse you from having to follow court orders.

TIPS FOR SUCCESS

- Review and understand all of your conditions of probation. Ask questions.
- Think before you act. When you make good decisions you can enjoy life more and feel better about yourself.
- Surround yourself with law abiding people who really want to see you do well, such as friends, family, co-workers, and formal support groups.
- Take ownership of your probation by becoming an active participant.
- Be open to the guidance from your Probation Officer. Remember your Probation Officer is here to help you.
- The responsibility for making changes in your life is yours. The future is in your hands. You can do it!

CSSD PROBATION OFFICE DIRECTORY

Eastern Region

Danielson Adult Supervision

Chief Probation Officer/ Office Supervisor

183 Main St.
Danielson, CT 06239
(860) 774-5735
(860) 774-6277 *fax*

Willimantic Adult Supervision (DNA Testing Site)

109 Valley St.
Willimantic, CT 06226
(860) 423-6318
(860) 423-1906 *fax*

Ashford, Brooklyn, Canterbury, Chaplin, Eastford, Hampton,
Killingly, Plainfield, Pomfret, Putnam, Scotland, Sterling, Thompson,
Windham, and Woodstock

New London Adult Supervision

Chief Probation Officer/Office Supervisor (DNA Testing Site)

153 Williams St.
New London, CT 06320
(860) 442-9426
(860) 443-6751 *fax*

East Lyme, Groton, Ledyard, Lyme New London, N. Stonington,
Old Lyme, Stonington, and Waterford

Norwich Adult Supervision

Chief Probation Officer/Office Supervisor

100 Broadway
Norwich, CT 06360
(860) 889-8351
(860) 887-2599 *fax*

Bozrah, Colchester, Franklin, Griswold, Lebanon, Lisbon, Montville,
Norwich, Preston, Salem, Sprague, and Voluntown

Manchester Adult Supervision

Chief Probation Officer/ Office Supervisor

587 E. Middle Turnpike
Manchester, CT 06040
(860) 649-1650
(860) 646-6252 *fax*

Rockville Adult Supervision

(Satellite of Manchester)
20 Park St.
Rockville, CT 06066
(860) 649-1650

Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Tolland,
Mansfield, Somers, Stafford, Union, Vernon, and Willington

CSSD PROBATION OFFICE DIRECTORY

Southwest Region

Bridgeport Adult Supervision

Chief Probation Officer/Office Supervisor

(DNA Testing Site)

One Lafayette Circle, 2nd Floor

Bridgeport, CT 06604

(203) 576-3600

(203) 576-3695 *fax*

Bridgeport, Easton, Fairfield, Monroe, Stratford, and Trumbull

Norwalk Adult Supervision

Chief Probation Officer/Office Supervisor

717 West Ave.

Norwalk, CT 06851

(203) 866-5025

(203) 838-8145 *fax*

Norwalk, New Canaan, Weston, Westport, and Wilton

Stamford Adult Supervision

Chief Probation Officer/Office Supervisor

123 Hoyt St.

Stamford, CT 06905

(203) 965-5302

(203) 965-5343 *fax*

Darien, Greenwich, and Stamford

South Central Region

New Haven Adult Supervision

Chief Probation Officer/Office Supervisor

(DNA Testing Site)

867 State St.

New Haven, CT 06510

(203) 789-7876

(203) 789-7136 *fax*

New Haven, Bethany, Branford, E. Haven, Guilford, Madison, N. Bradford, and Woodbridge

CSSD PROBATION OFFICE DIRECTORY

South Central Region *(continued)*

Middletown Adult Supervision

Chief Probation Officer/Office Supervisor

484 Main St.

Middletown, CT 06457

(860) 344-2998

(860) 344-2703 *fax*

Chester, Clinton, Cromwell, Deep River, Durham, E. Haddam, E. Hampton, Essex, Haddam, Killingworth, Middlefield, Middletown, Old Saybrook, Portland, Westbrook, Cheshire, Hamden, Meriden, North Haven, and Wallingford

Northwest Region

Waterbury Adult Supervision

Chief Probation Officer/Office Supervisor

(DNA Testing Site)

11 Scovill St.

Waterbury, CT 06702

(203) 596-4195

(203) 596-4201 *fax*

Middlebury, Naugatuck, Prospect, Southbury, Waterbury, Watertown, Wolcott, and Woodbury

Danbury Adult Supervision

Chief Probation Officer/Office Supervisor

319 Main St.

Danbury, CT 06810

(203) 797-4414

(203) 731-2835 *fax*

Bethel, Brookfield, Danbury, New Fairfield, Newtown, Redding, Ridgefield, and Sherman

CSSD PROBATION OFFICE DIRECTORY

Northwest Region *(continued)*

Bantam Adult Supervision

Chief Probation Officer/Office Supervisor

80 Doyle Rd.

Bantam, CT 06750

(860) 567-4646

(860) 567-4669 *fax*

Torrington, Litchfield, Barkhamsted, Bethlehem, Bridgewater, Canaan, Colebrook, Cornwall, Goshen, Hartland, Harwinton, Kent, Morris, New Hartford, New Milford, Norfolk, N. Canaan, Roxbury, Salisbury, Sharon, Thomaston, Warren, Washington, and Winchester (Winsted)

Milford Adult Supervision

Chief Probation Officer/Office Supervisor

1 Darina Place

Milford, CT 06460

(203) 877-1253

(203) 876-2580 *fax*

Milford, W. Haven, Ansonia, Beacon Falls, Derby, Orange, Oxford, Seymour, and Shelton

North Central Region

Hartford Adult Supervision

Chief Probation Officer/Office Supervisor

(DNA Testing Site)

309 Wawarme Ave.

Hartford, CT 06114

(860) 241-2300

(860) 566-7443 *fax*

Enfield Adult Supervision

(Satellite of Hartford)

111 Phoenix Ave.

Enfield, CT 06082

(860) 241-2300

Hartford, Avon, Bloomfield, Canton, Farmington, W. Hartford, E. Granby, E. Windsor, Enfield, Granby, Simsbury, Suffield, Windsor, and Windsor Locks

CSSD PROBATION OFFICE DIRECTORY

North Central Region *(continued)*

New Britain Adult Supervision

Chief Probation Officer/Office Supervisor

20 Franklin Sq.

New Britain, CT 06051

(860) 515-5035

(860) 515-5060 *fax*

Berlin, New Britain, Newington, Rocky Hill, and Wethersfield

Bristol Adult Supervision

Chief Probation Officer/Office Supervisor

225 N. Main St.

Bristol, CT 06010

(860) 584-0073

(860) 583-9260 *fax*

Bristol, Burlington, Plainville, Plymouth, and Southington

Adult Probation Administrative Monitoring Unit

765 Asylum Ave.

Hartford, CT 06105

(860) 548-2008

(866) 814-6292 toll free

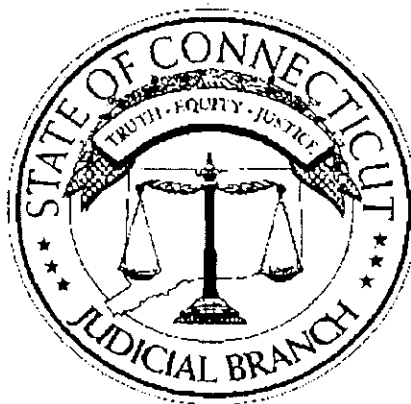
(860) 548-2012 *fax*

**Get Information about
Services in the Community**

**Call: INFOLINE at 2-1-1
1-800-203-1234**

Go Online: www.infoline.org

**State of Connecticut Judicial Branch
Court Support Service Division**



JDP-AP-136
Rev. 3/08

www.jud.ct.gov

Attachment SB
Spanish version

Caso n° _____
Nombre _____
Agente de Probatoria _____
Dirección/Teléfono _____

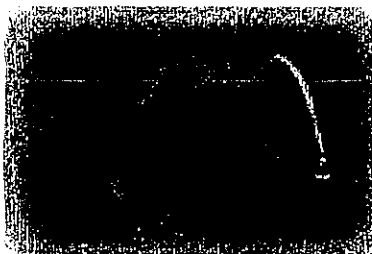
**MANUAL para PERSONAS
en RÉGIMEN de
PROBATORIA**

La Llave de su Éxito



Rama Judicial del Estado de Connecticut
División de Servicios de Apoyo al Tribunal

El período de Probatoria es una etapa que usted puede utilizar para aprender a tomar decisiones acertadas. Es una oportunidad de permanecer en la comunidad, con algunas condiciones, en vez de ir a la cárcel. Le será asignado un Agente de Probatoria el cual le servirá de ayuda. Si cumple con todas las condiciones del tribunal y de su Agente, entonces habrá completado con éxito su período de Probatoria. Sin embargo, en caso de incumplir las condiciones de su Probatoria podría ser arrestado por haber quebrantado las normas de la misma y hasta incluso ir a la cárcel.



Lo que pretende la Oficina de Probatoria para Adultos es que usted complete satisfactoriamente su período de Probatoria y de esta manera deje de estar involucrado en el sistema judicial. Este manual ha sido diseñado para ayudarle a conseguir este objetivo. A muchas personas les va bien durante el período de Probatoria y nunca vuelven a tener un tropiezo con la ley; cuando esto sucede, todo el mundo se beneficia, incluido usted mismo. Usted tendrá más éxito durante su período de Probatoria si lo contempla como una oportunidad y no como un castigo.

Debe formular todas las preguntas que crea necesarias para poder entender lo que tiene que hacer. En este manual encontrará respuestas a algunas de las preguntas más frecuentes y también una explicación sobre algunas de las condiciones de Probatoria. Sírvase pedirle a su Agente de Probatoria que le explique o le lea el manual en caso de que tenga dificultad para entender su contenido.

Preguntas más frecuentes sobre Probatoria

¿Qué normas tengo que seguir para presentarme a mi Agente de Probatoria?

- Debe presentarse a su Agente de Probatoria en la fecha y hora indicadas.
- En caso de que no pueda asistir a su cita por motivo de enfermedad o emergencia, llame directamente a su Agente de Probatoria o al Supervisor de la Oficina y haga una nueva cita.

¿Qué documentos debo traer a la cita con mi Agente de Probatoria?

- Identificación con fotografía (licencia de conducir o carnet estatal de identidad).
- Comprobante de residencia (factura de servicios públicos, correspondencia comercial, etc.).
- Comprobante de empleo (hoja de pago, justificante de su patrón, etc.).
- Comprobantes de cualquier cambio de dirección, nombre, teléfono, etc...-si los hubiera habido-, para mostrárselos a su Agente de Probatoria.
- Comprobantes de cualquier tratamiento finalizado, servicios comunitarios, indemnización económica y donaciones para obras de caridad.

¿Qué cosas no debo llevar a la cita con mi Agente de Probatoria?

Usted pasará a través de un detector de metales y será registrado, por tanto no deberá llevar lo siguiente:

- Armas o cualquier cosa que pueda ser utilizada como un arma.
- Aparatos de grabación.
- Teléfonos celulares con cámara incorporada (los otros teléfonos celulares deberán ser apagados).

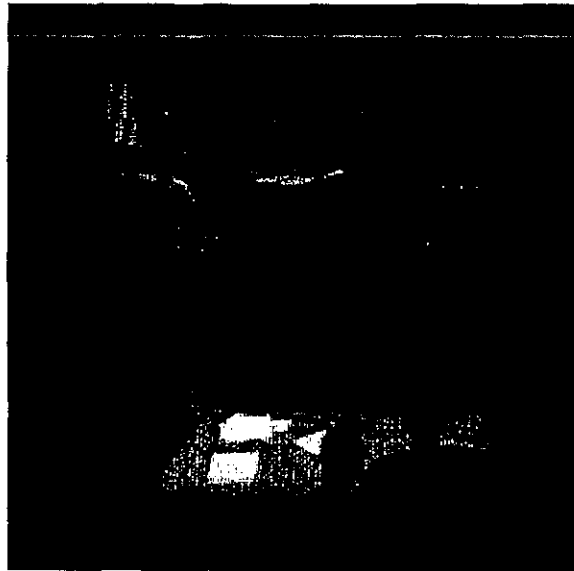
¿Por qué es importante que reciba un tratamiento?

Existen diferentes tipos de tratamientos y es posible que su Agente de Probatoria le remita a un programa donde tenga que recibir un tratamiento. Estos programas le ayudarán a mejorar su situación -no son un castigo-. Sin embargo, la falta de cooperación con dicho programa puede suponer el quebrantamiento de las normas de Probatoria. (continuación p. 3)

Preguntas más frecuentes sobre Probatoria

¿Qué constituye el quebrantamiento de las normas de Probatoria?

- Incumplir las condiciones de Probatoria constituye el quebrantamiento de las normas de Probatoria.
- Es posible que su Agente de Probatoria decida devolver su caso al tribunal si usted ha incumplido algunas de las condiciones o lo han vuelto a arrestar.
- Se celebrará una audiencia en el tribunal para determinar si usted ha infringido las normas de Probatoria, y si ese es el caso, podría ir a la cárcel.



¿Puedo salir del estado?

No puede viajar fuera del estado o mudarse sin la previa autorización de su Agente de Probatoria.

¿Puedo portar armas de fuego?

- Ningún individuo que esté en Probatoria deberá poseer un arma de fuego si ha sido condenado por un delito mayor o un delito menor por posesión ilegal de drogas, violencia doméstica con uso de amenazas o fuerza física, o condenado por posesión de un arma mortal.

(continuación p. 5)

¿Puedo portar armas de fuego?

- Los individuos que estén en Probatoria y hayan sido condenados de ciertos delitos menores, no pueden poseer armas de fuego como así se indica en las condiciones habituales de su Probatoria.
- En caso de estar vigente una orden de protección o de restricción o algún otro mandamiento judicial en su contra, no deberá tener en propiedad, poseer o comprar, armas de fuego o cualquier otro objeto que pudiera ser utilizado como un arma.

¿Qué ocurre si me han impuesto una orden de “no contacto”?

Usted no debe intentar ponerse en contacto con la víctima ni tampoco ir al domicilio o lugar de trabajo de la misma. Si la víctima trata de ponerse en contacto con usted, dígaselo inmediatamente a su Agente de Probatoria.

¿Qué quiere decir que mi caso está siendo supervisado por una compañía privada?

Una compañía privada subcontratada por la oficina de Probatoria para Adultos supervisará su cumplimiento de las condiciones de Probatoria si se considera apropiado. Durante la entrevista de admisión tendrá ocasión de repasar y firmar una carta en la que se indica a quién deberá llamar en caso de que haya algún cambio (domicilio, teléfono, lugar de empleo), un nuevo arresto, o para pedir permiso para viajar fuera del estado. En la carta también le indicarán donde tiene que enviar por correo los comprobantes de los programas que haya finalizado (las horas completadas de servicios a la comunidad, los pagos por indemnización, o algún otro documento que sea necesario). Si se le comunica por medio de una carta o por teléfono que tiene que entregar una muestra de orina, siga las instrucciones que le indiquen.

¿Qué es lo primero que tengo que hacer una vez haya sido puesto/a en libertad?

Deberá ponerse inmediatamente en contacto con su Agente de Probatoria ya que su período de Probatoria comienza el mismo día que sale de la cárcel.

Preguntas más frecuentes sobre Probatoria

¿Tengo que entregar una muestra de ADN (en inglés, DNA)?

Si se le comunica por carta que debe entregar una muestra de ADN, siga todas las instrucciones para ponerse en contacto con la persona a la cual debe pedir una cita y también para saber adónde debe acudir. Cuando vaya a la cita, deberá llevar consigo dos tipos diferentes de identificación. El negarse a dar una muestra de ADN está tipificado como un delito menor clasificado A, lo cual puede constituir un quebrantamiento de las normas de Probatoria.

¿Adónde envío los pagos de la indemnización?

Se le entregará un formulario en donde se indicará lo que tiene que hacer con respecto a la indemnización. Los pagos deberán realizarse por medio de un cheque bancario o un giro postal (en inglés, **money order**) y ser enviados a la siguiente dirección: **CSSD Restitution Unit, 936 Silas Deane Hwy., Wethersfield, CT 06109**. En el pago, deberá incluir impresos su nombre, fecha de nacimiento y número del seguro social.

¿A quién debo pagar las cuotas y las multas impuestas por el tribunal?

Todos los pagos han de ser depositados directamente en la secretaría del tribunal.

¿Puedo votar?

Sí, pero primero tiene que estar registrado en la localidad donde resida. Tenga en cuenta que si estuvo encarcelado es posible que tenga que restablecer su derecho al voto. Si tiene alguna pregunta, póngase en contacto con la oficina del Secretario de Estado de Connecticut (en inglés, **Connecticut Secretary of State's Office**) llamando por teléfono a los números 860-509-6100, 800-540-3764 (llamada gratuita), o al 860-509-6191 (para audio impedidos).

¿Qué derechos me corresponden como persona en régimen de Probatoria?

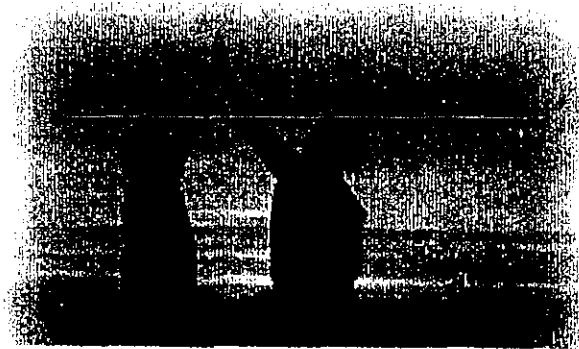
Usted tiene derecho a ser tratado en una manera respetuosa y profesional, libre de acosos, discriminación o imparcialidad debido a su raza, edad, religión, sexo, orientación sexual, lugar de nacimiento, discapacidad o tendencia política.

¿Qué hago si considero que mis derechos han sido vulnerados?

- En primer lugar, hable con su Agente y trate de resolver el problema con él.
- Si cree que no va a poder resolver sus problemas hablando con su Agente de Probatoria, diga que quiere hablar con el supervisor de su Agente.
- Si aun así, no ha podido resolver su problema, puede llamar al director de Recursos Humanos (en inglés, **Human Resources Manager**) y presentar una queja verbal o puede solicitarle a la oficina del supervisor un Formulario de Agravio (en inglés, **Grievance Form**) y enviarlo a **CSSD Manager of Human Resources, 936 Silas Deane Hwy., 3rd Floor, Wethersfield, CT 06109. 1-866-627-1583 (llamada gratuita).**
- Su Probatoria no se verá afectada por el hecho de haber presentado una queja.
- Presentar una queja no le exonera de sus responsabilidades con el tribunal.

Consejos para alcanzar el éxito

- Comprenda y repase todas las condiciones de su período de Probatoria.
- Piense antes de actuar. Tranquilícese y anticipese a las consecuencias.
- Rodéese de personas que cumplen con la ley y que de verdad quieren que le vayan bien las cosas, como amigos, familia, compañeros de trabajo o grupos de apoyo oficiales.
- Tome el control de su Probatoria y conviértase en un participante activo.
- Muéstrese abierto a los consejos de su Agente de Probatoria.
- La responsabilidad de hacer cambios en su vida es sólo suya.



**Directorio de Oficinas de Probatoria CSSD —
CSSD PROBATION OFFICE DIRECTORY**

Zona Este

Danielson, Supervisión de Adultos

Primer Agente de Probatoria/Director

183 Main St.
Danielson, CT 06239
(860) 774-5735
(860) 774-6277 *fax*

**Willimantic, Supervisión de
Adultos (Oficina de muestras
de ADN)**

109 Valley St.
Willimantic, CT 06226
(860) 423-6318
(860) 423-1906 *fax*

Ashford, Brooklyn, Canterbury, Chaplin, Eastford, Hampton,
Killingly, Plainfield, Pomfret, Putnam, Scotland, Sterling, Thompson,
Windham, and Woodstock

New London, Supervisión de Adultos

Primer Agente de Probatoria/Director

(Oficina de muestras de ADN)

153 Williams St.
New London, CT 06320
(860) 442-9426
(860) 443-6751 *fax*

East Lyme, Groton, Ledyard, Lyme New London, N. Stonington,
Old Lyme, Stonington, and Waterford

Norwich, Supervisión de Adultos

Primer Agente de Probatoria/Director

100 Broadway
Norwich, CT 06360
(860) 889-8351
(860) 887-2599 *fax*

Bozrah, Colchester, Franklin, Griswold, Lebanon, Lisbon, Montville,
Norwich, Preston, Salem, Sprague, and Voluntown

Manchester, Supervisión de Adultos

Primer Agente de Probatoria/Director

587 E. Middle Turnpike
Manchester, CT 06040
(860) 649-1650
(860) 646-6252 *fax*

**Rockville, Supervisión de
Adultos (Oficina de muestras
de ADN)**

20 Park St.
Rockville, CT 06066
(860) 649-1650

Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Tolland,
Mansfield, Somers, Stafford, Union, Vernon, and Willington

Zona Suroeste

Bridgeport, Supervisión de Adultos
Primer Agente de Probatoria/Director
(Oficina de muestras de ADN)

1127 Main St.
Bridgeport, CT 06604
(203) 579-6241
(203) 579-6070 *fax*
Bridgeport, Easton, Fairfield, Monroe, Stratford, and Trumbull

Norwalk, Supervisión de Adultos
Primer Agente de Probatoria/Director

717 West Ave.
Norwalk, CT 06851
(203) 866-5025
(203) 838-8145 *fax*
Norwalk, New Canaan, Weston, Westport, and Wilton

Stamford, Supervisión de Adultos
Primer Agente de Probatoria/Director

123 Hoyt St.
Stamford, CT 06905
(203) 965-5302
(203) 965-5343 *fax*
Darien, Greenwich, and Stamford

Zona Centro Sur

New Haven, Supervisión de Adultos
Primer Agente de Probatoria/Director
(Oficina de muestras de ADN)

867 State St.
New Haven, CT 06510
(203) 789-7876
(203) 789-7136 *fax*
New Haven, Bethany, Branford, E. Haven, Guilford, Madison,
N. Bradford, and Woodbridge

Middletown, Supervisión de Adultos
Primer Agente de Probatoria/Director

484 Main St.
Middletown, CT 06457
(860) 344-2998
(860) 344-2703 *fax*
Chester, Clinton, Cromwell, Deep River, Durham, E. Haddam,
E. Hampton, Essex, Haddam, Killingworth, Middlefield,
Middletown, Old Saybrook, Portland, and Westbrook. Meriden,
Cheshire, Hamden, Meriden, North Haven, and Wallingford

**Directorio de Oficinas de Probatoria CSSD —
CSSD PROBATION OFFICE DIRECTORY**

(continuación)

Zona Noroeste

Waterbury, Supervisión de Adultos

Primer Agente de Probatoria/Director

(Oficina de muestras de ADN)

11 Scovill St.

Waterbury, CT 06702

(203) 596-4195

(203) 596-4201 *fax*

Middlebury, Naugatuck, Prospect, Southbury, Waterbury,
Watertown, Wolcott, and Woodbury

Danbury, Supervisión de Adultos

Primer Agente de Probatoria/Director

319 Main St.

Danbury, CT 06810

(203) 797-4414

(203) 731-2835 *fax*

Bethel, Brookfield, Danbury, New Fairfield, Newtown, Redding,
Ridgefield, and Sherman

Bantam, Supervisión de Adultos

Primer Agente de Probatoria/Director

80 Doyle Rd.

Bantam, CT 06750

(860) 567-4646

(860) 567-4669 *fax*

Torrington, Litchfield, Barkhamsted, Bethlehem, Bridgewater,
Canaan, Colebrook, Cornwall, Goshen, Hartland, Harwinton,
Kent, Morris, New Hartford, New Milford, Norfolk, N. Canaan,
Roxbury, Salisbury, Sharon, Thomaston, Warren, Washington, and
Winchester (Winsted)

Milford, Supervisión de Adultos

Primer Agente de Probatoria/Director

1 Darina Place

Milford, CT 06460

(203) 877-1253

(203) 876-2580 *fax*

Milford, W. Haven, Ansonia, Beacon Falls, Derby, Orange, Oxford,
Seymour, and Shelton

Zona Centro Norte

Hartford, Supervisión de Adultos

Primer Agente de Probatoria/Director

(Oficina de muestras de ADN)

309 Wawarme Ave.
Hartford, CT 06114
(860) 241-2300
(860) 566-7443 *fax*

**Enfield, Supervisión de
Adultos (Oficina
satélite de Hartford)**

111 Phoenix Ave.
Enfield, CT 06082
(860) 241-2300

Hartford, Avon, Bloomfield, Canton, Farmington, W. Hartford,
E. Granby, E. Windsor, Enfield, Granby, Simsbury, Suffield,
Windsor, and Windsor Locks

New Britain, Supervisión de Adultos

Primer Agente de Probatoria/Director

20 Franklin Sq.
New Britain, CT 06051
(860) 515-5035
(860) 515-5060 *fax*

Berlin, New Britain, Newington, Rocky Hill, and Wethersfield

Bristol, Supervisión de Adultos

Primer Agente de Probatoria/Director

225 N. Main St.
Bristol, CT 06010
(860) 584-0073
(860) 583-9260 *fax*

Bristol, Burlington, Plainville, Plymouth, and Southington

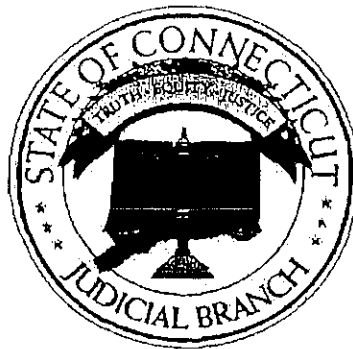
ANOTACIONES

**Reciba información sobre
Servicios en la comunidad**

**Llame a INFOLINE al número
2-1-1 1-800-203-1234**

Entre en la red: www.infoline.org

**Rama Judicial del Estado de Connecticut
División de Servicios de Apoyo al Tribunal**



JDP-AP-136S
08/2005

www.jud.state.ct.us

¿Puedo terminar mi régimen probatorio antes de lo previsto?

Es posible. Si usted ha sido condenado el 1º de octubre de 2008 o después de esa fecha, la ley estatal establece que se van a revisar ciertas condenas de régimen probatorio para ver si se deben terminar prematuramente. La ley dice que la revisión automática no se aplica a los **delitos graves Clase B ni a los delitos sexuales**. Su agente de régimen probatorio le va a decir si su caso se puede revisar al amparo de esta ley.

Recuerde que aunque su caso será *revisado* automáticamente, esto no significa que automáticamente terminará temprano. El agente de régimen probatorio enviará al tribunal un informe sobre el progreso alcanzado en el que se recomienda la terminación o continuación de su régimen probatorio. Solamente el juez puede decidir la terminación de su régimen probatorio.

En los casos de régimen probatorio por delitos menores de más de un año de duración, se le mandará al juez un informe acerca del progreso obtenido al cumplirse el año.

En los casos de régimen probatorio por delitos graves de más de dos años de duración, se le mandará al juez un informe acerca del progreso obtenido al cumplirse los dos años.

Al hacer una recomendación acerca de la terminación prematura de su régimen probatorio, el agente de régimen probatorio debe considerar cómo fue su comportamiento en varios aspectos:

- en cumplir las condiciones del régimen probatorio;
- en asistir y participar en cualquier programa de tratamiento;
- en demostrar mejoría en cuestiones que le llevaron a meterse en problemas en ocasiones anteriores.

El régimen probatorio no consiste solamente en hacerlo a usted responsable por su comportamiento, sino también trata de ayudarle a terminar satisfactoriamente su involucración con el sistema judicial penal.

52
Pg 1

BIENVENIDOS AL TRIBUNAL DE 1ª INSTANCIA EN 1 COURT STREET

DIRECTORIO

En este folleto se incluye información valiosa para asistir en su visita al tribunal. Si tiene alguna sugerencia, favor de depositarla en los buzones de sugerencias localizados en la Secretaría o la Biblioteca Jurídica, ambas emplazadas en el 2º piso.

Los cuartos de baño y las fuentes de agua están localizados en todos los pisos desde el 1º hasta el 6º. Los teléfonos públicos y las salas de conferencias públicas están situados en la mayoría de los pisos del tribunal. Los horarios diarios están disponibles en el Mostrador de Información al Público (Public Information Desk) y en el Centro de Servicios del Tribunal (Court Service Center) ubicados en el vestíbulo y también en todas las Secretarías.

Planta Baja:
Comisionado de Fianzas

Primer Piso:
Protección de Menores
Centro de Servicios del Tribunal
Salas de lo Penal y Civil
Secretaría de lo Penal
Especialista en casos de Violencia
Mostrador de información
Salas de conferencias públicas
Fiscalía
Intercesor de las Víctimas

Segundo Piso:
Secretaría de lo Civil
Secretaría de casos de Vivienda
Biblioteca Jurídica
Abogados Públicos
Alguacil
Secretaría de Reclamos Menores
Cafetería

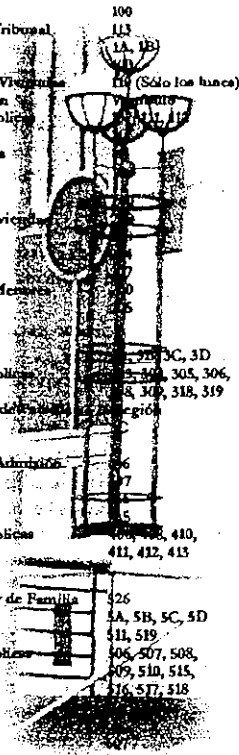
Tercer Piso:
Salas de lo Penal y Civil
Salas de conferencias públicas

Lista de Juicios de casos de Violencia

Cuarto Piso:
Probatoria para Adultos-Admisión
Sala de lo Penal y Civil
Servicios a la Familia
Sala de Audiencias
Salas de conferencias públicas

Quinto Piso:
Gestión de casos Civiles y de Familia
Salas de lo Penal y Civil
Salas de Audiencias
Salas de conferencias públicas

Sexto Piso:
Sala de Audiencia
Secretaría de Jueces
Secretaría de Jurados
Salas de conferencias públicas



AUDIENCIAS

- Protección de Menores
- Manutención de Menores
- Civiles
- Penales
- Familia
- Viviendas
- Vehículos de Motor
- Reclamos Menores
- Multas de Tránsito

Este es un ESPACIO LIBRE DE HUMOS

Horario del tribunal: de 9:00 a.m. a 5:00 a.m., de lunes a viernes, excepto días feriados. Se permite al público el acceso al vestíbulo a partir de las 8:30 a.m. El tribunal está habilitado para el acceso con silla de ruedas. En caso de que el tribunal tuviera que cerrar a causa de las condiciones meteorológicas, dicho cierre sería anunciado por las emisoras de radio WMRD-AM 1150, WLIS-AM 1420 o WTCAM 1080.

CÓMO LLEGAR AL TRIBUNAL DE PRIMERA INSTANCIA DE MIDDLETOWN, 1 Court Street.

Desde New Haven y localidades del Suroeste: Tome la autopista I-91 Norte hasta la salida 22 (Route 9-Middletown). Siga en la Ruta 9 hasta la salida 14 (DeKoven Drive). Doble a la derecha en DeKoven Drive. Tome la segunda izquierda en dirección a Court Street. El tribunal está ubicado en la esquina. El estacionamiento público se encuentra en la segunda entrada a la izquierda. Las dos primeras horas de estacionamiento son gratis.

Desde Hartford y localidades del Norte: Tome la autopista I-91 Sur hasta la salida 22 (Route 9-Middletown). Siga en la Ruta 9 hasta la salida 14 (DeKoven Drive). Doble a la derecha en DeKoven Drive. Tome la 2ª calle a la izquierda en dirección a Court Street. El tribunal está ubicado en la esquina. El estacionamiento público se encuentra en la segunda entrada a la izquierda. Las dos primeras horas de estacionamiento son gratis.

Desde Saybrook y localidades del Sureste: Tome la Ruta 9 Norte hasta la salida 15 (Route 66 West). Doble en la 1ª calle a la izquierda que es DeKoven Drive. Doble en la 1ª derecha en dirección a Court Street. El tribunal está ubicado en la esquina. El estacionamiento público se encuentra en la segunda entrada a la izquierda. Las dos primeras horas de estacionamiento son gratis.

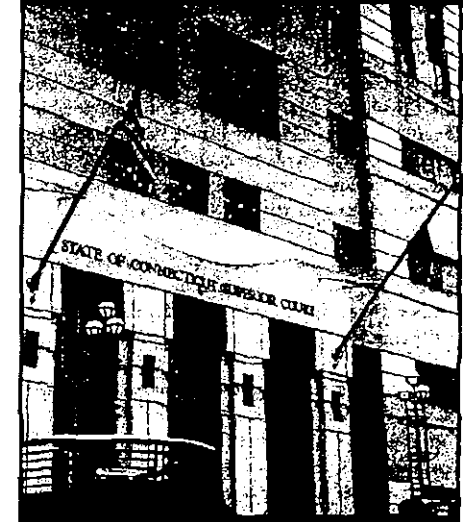
Desde Durham: Tome la Ruta 17 Norte hacia Main Street, Middletown. Vaya hacia el norte en Main Street hasta que llegue al tercer semáforo. Doble a la derecha en Court Street. El estacionamiento público se encuentra a la derecha. Las dos primeras horas de estacionamiento son gratis. El tribunal se encuentra ubicado a la derecha nada más pasar el estacionamiento.

Desde Portland-East Hampton: Tome la Ruta 66 Oeste sobre el Arrigoni Bridge hacia Main Street, Middletown. Siga hasta el sexto semáforo. Doble a la izquierda en Court Street. El estacionamiento público está situado a la derecha. Las dos primeras horas de estacionamiento son gratis. El tribunal se encuentra ubicado a la derecha nada más pasar el estacionamiento.

Desde Middlefield: Tome la Ruta 66 Este hacia Main Street, Middletown. Doble a la derecha en Main Street. Tome la primera derecha sobre Court Street. El estacionamiento público está situado a la derecha. Las dos primeras horas son gratis. El tribunal se encuentra ubicado a la derecha nada más pasar el estacionamiento.

JDP-ES-210S (1 of 2) New 4 - 07

GUÍA DEL TRIBUNAL DE PRIMERA INSTANCIA DE MIDDLETOWN



One Court Street
Middletown, CT 06457

CENTRO DE SERVICIOS
DEL TRIBUNAL
DE LUNES A VIERNES
De 8:30 A.M. a 3:30 P.M.

HORARIO DE SECRETARÍA
DE LUNES A VIERNES
De 9:00 A.M. a 5:00 P.M.

www.jud.ct.gov

PREGUNTAS MAS FRECUENTES

P. Necesito un abogado, ¿dónde puedo conseguir uno?

R. Si lo han arrestado y no puede contratar un abogado, puede solicitar los servicios de un abogado público en la Oficina No. 204. En caso de no reunir los requisitos, llame a *Lawyer Referral Services of the Hartford County Bar Association* (Servicios de Remisión de Abogados del Colegio de Abogados del Condado de Hartford) al 860-525-6052, o consulte las Páginas Amarillas. Si tiene personas a su cargo y sus ingresos son bajos, o tiene problemas legales de vivienda, es posible que tenga derecho a recibir ayuda de *Statewide Legal Services* (Servicios Jurídicos Estatales). Llame al 800-344-0380 (inglés y español), lunes y miércoles de 9 a.m. a 3 p.m.; martes, jueves y viernes de 9 a.m. a 4 p.m.

Si lo han arrestado y comparece ante el tribunal sin que se haya asignado un abogado de oficio en su causa y tampoco tiene un abogado particular, favor de dirigirse a la Oficina No. 114 para hablar con uno de los fiscales.

P. Quiero iniciar una demanda. ¿Adónde debo dirigirme?

R. En la Secretaría de lo Penal, Oficina No. 200, localizada en el segundo piso, están a su disposición los formularios e información necesaria sobre las costas que se aplican al entablar una demanda. El personal del tribunal no está autorizado para ayudarle a redactar la demanda. La Biblioteca Jurídica, en la Oficina No. 208, tiene libros de formularios y copias del reglamento del tribunal. Además, el Centro de Servicios del Tribunal situado en el vestíbulo puede brindarle asistencia para llenar formularios tales como órdenes de restricción temporales, declaraciones financieras juradas, divorcios sin abogado, modificaciones de órdenes de manutención de menores y tutela, acciones legales de procedimientos sumarios de desahucio y también le proporcionarán servicios de fedatario así como información de las listas de casos y el calendario judicial.

P. ¿Dónde se encuentra la fotocopidora?

R. La fotocopidora se encuentra en la Biblioteca Jurídica, Oficina No. 208. Cada copia cuesta 10 centavos.

P. ¿Cómo puedo reabrir un caso de una multa de tránsito caducada?

R. Tendrá que pagar una tarifa de 60 dólares en la Secretaría de lo Penal, Oficina No. 100, para reabrir un caso que esté cerrado. En la secretaría le darán una fecha para comparecer en el tribunal e instrucciones para restablecer su licencia de conducir. En caso de que su licencia hubiese sido suspendida por el Departamento de Vehículos de Motor, tendría que pagarle a éste la cantidad de 125 dólares para restablecerla.

P. ¿Cómo debo pagar las multas y las costas procesales?

R. Deberá dirigirse a la secretaría antes de la fecha de vencimiento o en ese mismo día y pagar las multas y las costas procesales en efectivo, giro postal (en inglés *money order*) o cheque personal pagadero a "Clerks, Superior Court", o también con una tarjeta de crédito MasterCard o Visa. Los cheques personales deberán llevar impresos su nombre y domicilio actual. Los cheques no podrán exceder los 800 dólares.

P. ¿Cómo puedo obtener Manutención de Menores?

R. El Estado puede ayudarle a obtener una orden de manutención o hacer cumplir una orden que ya esté en vigor. Póngase en contacto con el Departamento de Servicios Sociales (*Department of Social Services*) cercano a su domicilio. El número de teléfono del Departamento de Servicios Sociales de Middletown es el 704-3100. También puede consultar con un abogado u obtener por su cuenta la manutención de menores. La Biblioteca Jurídica, en la Oficina No. 208, dispone de formularios e información que pueden servirle de ayuda en determinadas situaciones.

P. ¿Cómo puedo obtener una copia de una transcripción judicial certificada?

R. Las solicitudes han de hacerse por escrito y ser enviadas a Court Reporters' Office, One Court Street, Middletown, CT 06457 o por fax al 860-343-6355. Todas las solicitudes deberán incluir la fecha del procedimiento, el nombre del juez, su nombre, dirección y teléfono. El tribunal se pondrá en contacto con usted cuando éste reciba la solicitud.

PREGUNTAS MAS FRECUENTES

P. Quiero sacar a alguien de la cárcel pagando la fianza. ¿Qué debería hacer?

R. Después que se haya fijado la fianza, usted tendrá las siguientes opciones:

- Podrá pagar una fianza en efectivo; de esta manera tendrá que pagar en la Secretaría de lo Penal, Oficina No. 100, la cantidad exacta de la fianza en efectivo.
- Usted podrá contratar a un fiador profesional quien le cobrará un porcentaje del total de la fianza.
- De acuerdo con el artículo 38-9 del Código Civil y Penal de Connecticut, usted podrá pagar la fianza en la Secretaría de lo Penal (Oficina No. 100), por medio de un bono hipotecario utilizando el valor neto de la propiedad que tenga en posesión para garantizar la comparecencia del acusado ante el tribunal.
- En un caso civil o de familia, la fianza podrá ser depositada en efectivo en la Secretaría de lo Civil en la Oficina No. 200.

P. ¿Qué debo hacer para que me devuelvan el dinero de la fianza?

R. Si la fianza fue depositada en un caso penal o de vehículos de motor, la Secretaría de lo Penal le podrá devolver la fianza si el caso ha llegado a una resolución, si el acusado va a participar en un programa de desvío o si el juez ordena liberar la fianza. Sin embargo, el dinero depositado con un fiador no es reembolsable por la Secretaría de lo Penal. La Secretaría de lo Civil sólo puede devolver una fianza si así lo ha determinado un Juez o Magistrado. Para que el secretario/a le pueda devolver el dinero de la fianza tendrá que mostrar el recibo original de la misma. En caso de que su recibo original se haya extraviado, tendrá que completar una Declaración Jurada de Lost Bond Receipt (Recibo Extraviado de la Fianza), cuyo formulario podrá encontrar en las Secretarías de lo Civil y Penal, previa presentación de una identificación válida con fotografía.

P. ¿Cómo puedo obtener una copia de la sentencia de divorcio?

R. Las peticiones pueden ser presentadas personalmente en la Secretaría de lo Civil, Oficina No. 200, o solicitadas por correo. Envíe las solicitudes por escrito a: Civil Clerk, Superior Court, One Court Street, Middletown, CT 06457 e incluya el número de la demanda, los nombres de las dos partes, el año en que se radicó la demanda y la fecha de la sentencia. También deberá incluir un cheque de 25 dólares, si desea una copia certificada (15 dólares por una copia sin certificar), pagadero a Clerk, Superior Court junto con un sobre con su remite y con el sello.

P. ¿Adónde puedo acudir para obtener una orden de alejamiento y así prevenir la violencia doméstica?

R. A la Secretaría de lo Civil, Oficina No. 200. El Centro de Servicios del Tribunal, situado en el vestíbulo, puede brindarle asistencia para llenar los formularios de las órdenes temporales de alejamiento.

P. ¿Puedo hablar con un juez sobre mi caso?

R. El Código de Ética le prohíbe a los jueces hablar sobre los casos con aquellas personas que quieran entablar una demanda o que estén implicadas en un caso civil o penal. Los jueces solo escucharán sus comentarios durante la celebración de una audiencia.

P. ¿El Tribunal dispone de un fedatario?

R. Sí. Pregunte en el Centro de Servicios del Tribunal situado en el vestíbulo. El personal de la Secretaría está autorizado para hacer que usted preste juramento cuando se trate de documentos jurídicos o solicitudes de exoneración de las costas procesales.

P. ¿Dónde puedo encontrar un alguacil estatal para que entregue mis documentos?

R. En la Secretaría de lo Civil, Oficina No. 200, puede obtener una lista de los alguaciles estatales.

Se dispone de tarjeta
de Directorio Telefónico
JDP-ES-210S2 New 4 - 07

2 Sid
D.

WELCOME TO SUPERIOR COURT, ONE COURT STREET

This brochure includes helpful tips to facilitate your court visit. If you have any suggestions, please leave them in the suggestion boxes located at the Clerk's Office or Law Library, both on the second floor.

COURT CASES heard here

- Child Protection
- Child Support
- Civil
- Criminal
- Family
- Housing
- Motor Vehicle
- Small Claims
- Traffic Ticket

This is a SMOKE FREE FACILITY

Courthouse Hours: 9:00 a.m. to 5:00 p.m., Monday through Friday, except on legal holidays, with entry into the lobby allowed at 8:30 a.m. The courthouse is wheelchair accessible. Storm and weather cancellations are broadcast on WMRD-AM 1150, WLIS-AM 1420, or WTIC-AM 1080.

BUILDING DIRECTORY

There are restrooms and drinking fountains located on floors 1 through 6. Pay telephones and public conference rooms are located on most floors of the courthouse. Daily schedules are available at the Public Information Desk and Court Service Center in the lobby and at each Clerk's Office.

Ground Floor:	
Bail Commission	G08
First Floor:	
Child Protection	100
Court Service Center	113
Courtrooms	118, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199
Criminal Clerk	200
Housing Specialist	200
Information Desk	200
Public*	200
State's Attorney	200
Victim Advocate	200
Second Floor:	
Civil Clerk	200
Housing Clerk	200
Law Library	200
Public Defender	200
Marshal	200
Small Claims Clerk	200
Snack Bar	200
Third Floor:	
Courtrooms	300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399
Public*	300, 309, 312, 319
Regional Family Trial Division	300
Fourth Floor:	
Adult Probation Intake	416
Courtroom	407
Family Services	416
Hearing Room	415
Public*	406, 409, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499
Fifth Floor:	
Civil/Family Caseload	526
Courtrooms	511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599
Hearing Rooms	511, 512
Public*	506, 507, 509, 510, 515, 516, 517, 518
Sixth Floor:	
Hearing Room	609
Judges' Secretary	607
Jury Clerk	607
Public*	607

* Conference Rooms

DIRECTIONS TO SUPERIOR COURT 1 COURT STREET, MIDDLETOWN

From New Haven and Points Southwest: Take I-91 North to Exit 22 (Route 9 - Middletown). Continue on Route 9 to Exit 14 (DeKoven Drive). Turn right onto DeKoven Drive. Take the second left onto Court Street. The courthouse is on the corner. Public parking garage is the second driveway on the left. The first two hours are free.

From Hartford and Points North: Take I-91 South to Exit 22 (Route 9 - Middletown). Take Exit 14 (DeKoven Drive). Turn right onto DeKoven Drive. Take the second left onto Court Street. The courthouse is on the corner. Public parking garage is the second driveway on the left. The first two hours are free.

From Saybrook and Points Southeast: Take Route 9 North to Exit 15 (Route 66 West). Take the first left onto DeKoven Drive. Take the next right onto Court Street. The courthouse is on the corner. Public parking garage is the second driveway on the left. The first two hours are free.

From Durham: Take Route 17 North to Main Street, Middletown. Go north on Main Street to the third traffic light. Turn right onto Court Street. Public parking garage is on the right. The first two hours are free. Court-house is on the right just beyond the parking garage.

From Portland-East Hampton: Take Route 66 West over the Arrigoni Bridge to Main Street, Middletown. Continue to the sixth traffic light. Turn left onto Court Street. Public parking garage is on the right. The first two hours are free. Court-house is on the right just beyond the parking garage.

From Middlefield: Take Route 66 East to Main Street, Middletown. Turn right onto Main Street. Take the first left onto Court Street. Public parking garage is on the right. The first two hours are free. Court-house is on the right just beyond the parking garage.

MIDDLETOWN SUPERIOR COURT GUIDE



One Court Street
Middletown, CT 06457

COURT SERVICE CENTER
MONDAY-FRIDAY
8:30 A.M. - 3:30 P.M.

CLERK'S OFFICE HOURS
MONDAY-FRIDAY
9:00 A.M. - 5:00 P.M.

www.jud.ct.gov

FREQUENTLY ASKED QUESTIONS

Q. I need a lawyer. Where can I get one?

A. If you were arrested and cannot afford an attorney, you may apply for a public defender in Room 204. If you do not qualify, call the Lawyer Referral Service of the Hartford County Bar Association at 860-525-6052, or check the Yellow Pages. If you have low income and have a family or housing legal problem, you may qualify for help from Statewide Legal Services. Call 860-344-0380 (English and Spanish), Monday-Wednesday, 9 a.m.-3 p.m.; Tuesday, Thursday, Friday 9 a.m.-4 p.m.

If you have been arrested, and on your court date you do not have an attorney, AND the public defender has not been appointed to represent you, please speak to the State's Attorney, in Room 114.

Q. I want to start a lawsuit. Where do I go?

A. The Civil Clerk's Office, Room 200, on the second floor can provide you with any available court forms and information about the fees to file lawsuits in this court. The staff cannot help you write your lawsuit. The Law Library, Room 208, has form books and copies of the court rules. In addition, the Court Service Center located in the lobby can assist you with completing forms for temporary restraining orders, financial affidavits, pro se divorces, custody and support modifications, and summary process/eviction actions and can provide notary services and court calendar and docket information.

Q. How do I reopen an old traffic ticket?

A. You must pay a \$60 fee to reopen a closed court case at the Criminal Clerk's Office, Room 100. The clerk will give you a court date and instructions on how to get your driver's license restored. If your driver's license was suspended by the Department of Motor Vehicles, you also may have to pay \$125 to DMV to restore your license.

Q. How may I pay fines and fees?

A. Pay fines and fees at the Clerk's Office on or before the due date by cash, money order or personal check, payable to "Clerk, Superior Court" or by MasterCard or Visa. Personal checks must be pre-printed with your current name and address. Valid picture ID is required. Checks cannot exceed \$800.

Q. How can I get child support?

A. The state can help you get a child support order or enforce an existing order. Contact the Department of Social Services closest to where you live. The Middletown DSS office may be reached at 704-3100. You may also consult an attorney or pursue child support on your own. The Law Library, Room 208, has information and court forms that may help you in some situations.

Q. Where is the public copier?

A. Photocopies can be made for \$0.10 in the Law Library, Room 208.

Q. I want to bail someone out of jail. What do I do?

A. After the court sets the amount of the bond, you have these options:

- You may post a cash bond; which means you must pay the exact amount of the bond in cash to the Criminal Clerk's Office (Room 100).
- You may hire a bail bondsperson who will charge you a fee based on the total amount of the bond required.
- You may, in accordance with Connecticut Practice Book Section 38-9, post a real estate bond, in the Criminal Clerk's Office (Room 100), using the equity in property you own to guarantee the appearance of the defendant in court.
- In a civil or family case, you may post a cash bond with the Civil Clerk's Office in Room 200.

Q. How do I get my bond money back?

A. If a cash appearance bond is posted for a criminal or motor vehicle matter, the Criminal Clerk's Office can return your money upon final disposition of the case; upon the defendant entering a diversionary program; or upon the Court ordering the cash bond released. However, money paid to a bail bondsperson, is not refundable through the Clerk's Office. The Civil Clerk's Office can only return an appearance bond if ordered to do so by the Judge or Magistrate. The clerk will need the original receipt for the money you posted in order to return the bond money to you. If your original receipt is lost, you must fill out an Affidavit of Lost Bond Receipt (form is available at the Civil and Criminal Clerk's Offices) and you must present a valid photo ID.

Q. How do I get a copy of my divorce decree?

A. Requests can be made in person at the Civil Clerk's Office, Room 200, or through the mail. Send written requests to: Civil Clerk, Superior Court, One Court Street, Middletown, CT 06457. Include the docket number of your case, the names of both the parties, the year the case was filed and the date of judgment. Please include a check for \$25 for a certified copy (\$15 for a regular copy), made payable to "Clerk, Superior Court," and a stamped, self-addressed envelope.

Q. Where do I go for a restraining order to prevent family violence?

A. The Civil Clerk's Office, Room 200. The Court Service Center located in the lobby can assist you with completing forms for temporary restraining orders.

Q. I want to talk to a judge about my case. Who is available?

A. The Code of Ethics prohibits a judge from speaking to you about any pending criminal or civil case or any lawsuit you wish to bring. Judges will listen to your comments on a case only at a scheduled hearing.

DIRECTORY

SUPERIOR COURT, ONE COURT STREET

(unless otherwise noted)

All telephone numbers are in area code (860)

ADULT PROBATION (Intake)	343-6460
ADULT PROBATION (Supervision)	
484 Main Street	344-2998
BAIL COMMISSION	343-6500
CASEFLOW (Civil and Family)	343-6320
(Criminal)	343-6533
CHILD PROTECTION	343-6456
CHILD SUPPORT ENFORCEMENT	
484 Main Street, 3rd Floor	344-2957
CLERK'S OFFICE	343-6400
(Civil, Family, Housing)	Fax 343-6423
CLERK'S OFFICE	343-6445
(Criminal and Motor Vehicle)	
COURT REPORTER	343-6515
COURT SERVICE CENTER	343-6499
FAMILY SERVICES	343-6460
HOUSING SPECIALIST	343-6400
Hartford Office	566-8550
JUDGES' SECRETARY	343-6570
JUROR INFORMATION	1-800-842-8175
(No Toll Charge)	
JURY CLERK	343-6590

Q. Is there a notary public in the building?

A. Yes. Inquire at the Court Service Center in the lobby. Also, the staff at the Clerk's Office can take your oath on a fee waiver application or other court document.

Q. Where do I find a state marshal to serve my papers?

A. Obtain a list of state marshals from the Civil Clerk's Office, Room 200.

Q. How can I get a copy of a certified court transcript?

A. Requests are to be made in writing and either sent to the Court Reporters' Office at 1 Court Street, Middletown, CT 06457, or faxed to 860-343-6355. All requests must include the date of the proceeding, the name of the judge, your name, address and telephone number. Upon receipt of said request, you will be contacted.

LAW LIBRARY	343-6560
PUBLIC DEFENDER	343-6480
REGIONAL FAMILY TRIAL DOCKET	343-6330
JUDICIAL MARSHAL	343-6550
SMALL CLAIMS CLERK	343-6477
LUNCH/COFFEE SHOP	794-2933
STATE'S ATTORNEY-GA/Part B	343-6300
STATE'S ATTORNEY-JD/Part A	343-6425
TDD (HEARING IMPAIRED)	343-6490
2nd floor near elevator	343-9905
VICTIM ADVOCATE	343-6425

OTHER IMPORTANT TELEPHONE NUMBERS

CHILD SUPPORT ENFORCEMENT	
SES - 484 Main Street	344-2957
Applications	704-3126
Payment Information	1-888-233-7223
Child Support Call Center	1-800-228-5437
DEPARTMENT OF MOTOR VEHICLES	
(closed on Mondays)	
General Information	263-5700
License Suspension	263-5720
DEPARTMENT OF SOCIAL SERVICES	
117 Main Street Extension, Middletown	
General Information	704-3100
Toll Free	1-800-842-1508
JUVENILE COURT	344-2986
230 Main Street Extension	Fax 344-2085
PROBATE COURT	347-7424
94 Court Street, Middletown	
SOCIAL SECURITY ADMINISTRATION	347-8562
425 Main Street, Middletown	
STATEWIDE LEGAL SERVICES	344-0380
TOWN CLERK (City of Middletown)	344-3459
245 DeKoven Drive, Middletown	
WORKERS' COMPENSATION	344-7453
90 Court Street, Middletown	

Priority List for Translation of sections of the Judicial Branch web site into Spanish

- 1) Jury Duty - completed
- 2) Traffic - completed
- 3) Landlord/Tenant - completed
- 4) Child Support enforcement - in progress
- 5) Court service centers
- 6) Directions
- 7) Victim Services
- 8) Small Claims
- 9) Common legal terms
- 10) Foreclosure mediation program



State of Connecticut Judicial Branch



- Attorneys
- Case Look-up
- Courts
- Directories
- Educational Resources
- E-Services
- Español
- FAQ's
- Juror Information
- Online Media Resource Center
- Opinions
- Opportunities
- Self-Help
- Home

SEARCH

Publicaciones en español

- Folletos acerca de la atención a las víctimas
- Folletos acerca de cuestiones de la vivienda
- Folletos acerca de Libertad condicional
- Folletos acerca de la familia
- Guías de tribunales
- Libro para colorear
- Operaciones de los Tribunales de Primera Instancia
- Publicaciones para jurados

Formularios en español

Publications in English



Folletos acerca de la atención a las víctimas

- JDP-VS-7S Atención a los familiares de las víctimas de homicidio (Services For Families of Homicide Victims)
- JDP-VS-10S Compensación para las víctimas del delito (Compensation For Crime Victims)
- JDP-VS-11S Programas de notificación a la víctima (Notification Programs to the Victim)
- JDP-VS-14S Defensores de los servicios de atención a las víctimas (Victim Advocate's Brochure - Victim Services)
- JDP-VS-15S Derechos de las víctimas del delito en connecticut (Rights of Crime Victims in Connecticut)

Folletos acerca de cuestiones de la vivienda

- JD-HM-14S Guía del arrendadores en materia procedimientos sumarios (desalojo) (A Landlord's Guide to Summary Process (Eviction))
- JD-HM-15S Guía del arrendatario en materia de procemientos sumarios (desalojo) (A Tenant's Guide to Summary Process (Eviction))
- JD-HM-31S Derechos y responsabilidades de los arrendadores y los arrendatarios en Connecticut (Rights and Responsibilities of Landlords and Tenants in Connecticut)

Folletos acerca de Libertad condicional

- JDP-AP-136S Manual para Personas en Régimen de Probatoria (Probationer Handbook, Key to Your Success)

60

Folletos acerca de la familia

- JDP-ES-211S Los Niños Necesitan... El Apoyo Afectivo y Financiero de Ambos Padres
(A Child Needs Emotional and Financial Support of Both Parents)
(Se recomienda imprimir en papel de 8.5x14 pulgadas. Printing on 8.5x14 inch paper recommended.)
- JDP-FM-151S Programas educativos para los padres.
(Parenting Education Programs)
(Se recomienda imprimir en papel de 8.5x14 pulgadas. Printing on 8.5x14 inch paper recommended.)

Guías de tribunales

- JDP-ES-210S1 Guía del Tribunal de Primera Instancia de Middletown
(Middletown Court Guide)
(Se recomienda imprimir en papel de 8.5x14 pulgadas. Printing on 8.5x14 inch paper recommended.)
- JDP-ES-210S2 Guía del Tribunal de Primera Instancia de Middletown, Directorio Telefónico
(Middletown Court Guide, Phone Directory)

Libro para colorear

- JDP-ES-189S Libro para colorear
(Coloring Book)

Operaciones de los Tribunales de Primera Instancia

- JDP-ES-212S Servicios de Interpretación y Traducción
(Interpreter and Translator Services)
(Se recomienda imprimir en papel de 8.5x14 pulgadas. Printing on 8.5x14 inch paper recommended.)

Publicaciones para jurados

- JDP-JA-25S El deber de prestarse como jurado en Connecticut: Lo que todo miembro del jurado debe saber
(Jury Duty in Connecticut - What Every Juror Should Know)

[Inicio de la página](#)

[Attorneys](#) | [Case Look-up](#) | [Courts](#) | [Directories](#) | [Educational Resources](#) | [E-Services](#) | [Español](#) | [FAQ's](#) | [Juror Information](#) | [Media](#) | [Opinions](#) | [Opportunities](#) | [Self-Help](#) | [Home](#)

[Common Legal Words](#) | [Contact Us](#) | [Site Map](#) | [Website Policies and Disclaimers](#)

Copyright © 2008, State of Connecticut Judicial Branch

Other State's Websites – language translation

1. The majority of states have *some* translation which mainly includes forms and publications. Other areas translated are Self-Help sections and Frequently Asked Questions.
 - a. 20 states – could not find any translation
 - b. 5 states – offer links to free on-the-fly translation sites: Google Translation and Yahoo Babel Fish. Each of these states includes a disclaimer that they have no control over the content and do not guarantee the accuracy of translated text. It is provided simply to facilitate access to information. (Maine, Kentucky, Illinois, Rhode Island, Vermont)
2. **Indiana – Workplace Spanish Training for Judicial System**
 - a. Partnered with community college to develop a Spanish curriculum for court employees – 24 hours of classroom instruction
 - b. Textbook has *basic* information needed by court employees to effectively communicate information to Spanish-speaking individuals.
 - c. CD-rom included to assist in maintaining skills learned in class
 - d. Topics: greetings, introductions, dates and times, numbers, phone reception phrases, eliciting personal info, providing directions, explaining courtroom procedures, referencing court documents
 - e. Free for court personnel who deal with public. For others (attorneys, community organizations, etc.) there is a fee
3. **Maryland – Posters**
 - a. English and Spanish – online order form so schools, government agencies, community organizations, etc. can order specific posters and choose from 3 sizes
4. **Ohio, Wisconsin – “I Speak” card (language ID card)**
 - a. Tool to identify the language of individuals who do not speak English
5. **Minnesota**
 - a. Courthouse sign translated into most frequently used languages that states: *“You may have the right to a court-appointed interpreter in a court case. Please ask someone at the court information desk.”*
 - b. Directional signs in courthouse – translated
 - c. Spanish hotline
 - d. Bilingual staff roster
 - e. Class given by Dept. of Human Services – “Dispelling the Myths: Deaf and Hard of Hearing Trends” – for staff that deals with public
6. **Nebraska, Indiana, Utah, New Jersey – Online Glossary of Legal Terms and Courthouse Signs**

State	Translation
Alabama	No
Alaska	No
Arizona	No
Arkansas	No
California	Legal Help, Small Claims, Seniors, Family, Protection from Abuse, Traffic, Landlord/Tenant, Victim Assistance, Forms. Additional languages have info available in PDF.
Delaware	Family Court FAQs, Arraignments
Florida	No
Georgia	Spanish video for Divorcing Parents
Hawaii	Video for Jurors
Idaho	No
Illinois	Link at bottom of page to translate to Dutch, French, German, Greek, Italian, Portuguese, Russian, Spanish
Indiana	Video "The Initial Hearing", Indiana Criminal Code Excerpts, Glossary of Legal Terms, Self-Service Legal Center, Forms
Iowa	No
Kansas	Forms, Publications, Domestic Violence Protection, Interactive video "Parent Ally Program"
Kentucky	Google Translation of site (with disclaimer)
Louisiana	No
Maine	Google Translation of site (with disclaimer)
Maryland	Publications, Community Posters, Family Law section, Forms
Massachusetts	Mediation info, Forms, Publications
Michigan	Publications
Minnesota	Forms, Publications, Videos- Defendant's Rights, Conciliation Court Hearing
Mississippi	No
Missouri	Forms
Montana	No
Nebraska	Forms, Publications, Glossary of Legal Terms and Courthouse Signs
Nevada	No
NH	No
NJ	Forms, Publications (Español link on home pg goes to Spanish Forms)
NM	No
NY	Language links on bottom of page go to a page that explains what is available in that language. (Russian, Chinese, Spanish, French, Korean)
NC	Forms, Welcome from Chief Justice
ND	No
Ohio	Language Identification Guide
OK	No
Oregon	Español link from home page goes to pg w/links to items in Spanish, Forms, Foreign Language Legal Assistance, Publications
Pennsylvania	No
Rhode Island	Translation link to Babel Fish, Forms, Publications
SC	No
SD	No
Tenn	Forms, Publications
Texas	No
Utah	Forms, Publications, Legal Term Glossary, Divorce section
Vermont	Link to Babel Fish Translation
Virginia	I-CAN Interactive Forms in Spanish
Washington	Forms, Publications
West Virginia	No
Wisconsin	Forms, I-Speak Card (for language ID)
Wyoming	No

Connecticut website translation:

1. Publications
2. Forms
3. Landlord/Tenant FAQs
4. Traffic Violation FAQs
5. Jury Duty FAQs
6. Support Enforcement FAQs
7. Jury Duty – Answer Summons

Scheduled to be translated and posted online:

1. Directions to Courts
2. Court Service Centers
3. Public Information Desks
4. Victim Services FAQs
5. Small Claims FAQs

Attachment 8

Judicial Website Top Pages and Downloads
 (Static side - excludes case look-ups and e-services) – **Statistics**
March 2008

* = Available in Spanish also

Top 20 Pages	Top Downloaded Publications	Top Downloaded Forms
1. Home page	1. Practice Book	1. Civil Summons CV001
2. Case Look-up	2. FM180 - Divorce Guide Supplement	2. Small Claims Writ & Notice of Suit CV040
3. Job Postings	3. Judicial Directory	3. Financial Affidavit FM006
4. Superior Court	4. HM31* - Rights & Responsibilities of Landlords and Tenants*	4. Divorce Complaint FM159
5. Connecticut Courts	5. FM179 - Divorce Guide	5. Appearance Form CL012
6. Housing Case Look-up	6. Child Support Guidelines	6. Affidavit Concerning Children FM164
7. Jury Duty FAQs*	7. Jury Handbook	7. Fax Filing Cover CL073
8. Court Information	8. CV045 - Small Claims Process	8. Motion for Modification FM174
9. Advance Release Opinions	9. HM014 - Landlord Guide to Eviction*	9. App for Relief from Abuse FM137
10. Law Libraries	10. Bar Exam Application Form 1E	10. Pretrial Memo ES047
11. Directories	11. Infractions Booklet	11. Withdrawal Form CV041
12. Child Support FAQs	12. HM015 - Tenant's Guide to Eviction*	12. Motion for Continuance CV021
13. Attorneys	13. EEO Policy	13. Case Management Agreement FM163
14. Small Claims FAQs	14. Code of Evidence	14. Custody/Visitation App FM161
15. Juvenile Matters Map	15. Marshals List	15. Petition for Emancipation JM090
16. Supreme Court Home	16. Appellate Court Assignments	16. Notice of Automatic Court Orders FM158
17. Probate Court	17. Appellate Court Docket	17. Summons Family Action FM003
18. Opportunities	18. Supreme Court Docket	18. Order to Withhold Income from Child Support FM001
19. Legal Terms	19. Kids Coloring Book	19. Wage Execution CV003
20. Landlord/Tenant FAQs*	20. Supreme Court Assignments	
	21. Probate Guide to Decedent's Estate	
	22. CR137P - Guide to Criminal Court	
	23. Bar Exam Law School Stats	
	24. ES201 - Connecticut's Courts	
	25. Probate Court and You	
	26. Judicial Biennial	
	27. Grievance Public Hearing Schedule	
	28. Bar Exam MBE Stats	
	29. Inclement Weather Policy	
	30. Probate - Conservators Booklet	
	31. Bar Exam Form 5	
	32. Caruso/Bridgeport Slip Opinion	
	33. CR284/284CR130	
	34. Law Library Bibliography	
	35. Appellate Court Handbook	

**ADULT SERVICES
BAIL AND PROBATION FORMS**

POLICY #	POLICY NAME	FORM #	FORM NAME
4.1	Bail Intake & Assessment	Attach D CSSD Attach F	Authorization to Release Information Notice of Next Scheduled Court Date
4.2	Post-Conviction IAR	CSSD Attach I CSSD Attach J CSSD Attach P CSSD Attach Q CSSD Attach R CSSD Attach S CSSD Attach T	Victim Letter Authorization for Release of Info Random Urinalysis Referral Form Administrative Supervision Unit Letter (2 pages) Administrative Monitoring – Victim No Contact Letter Administrative Monitoring – Parent/Guardian Letter Certificate of Discharge
4.3	Community Partnerships	N/A	N/A
4.4	Case File	N/A	N/A
4.5	CMIS Case Notes	N/A	N/A
4.6	Diversions Program Procedures	Attach B (JD-CR-44) Attach C (JD-CR-118) Attach D (JD-CR-81) Attach E (JD-CR-10) Attach F (JD-CR-126) Attach G (JD-CR-91) Attach H (JD-AP-48) Attach J (JD-CR-79)	Pre-Trial Alcohol Education System – App, Order, Disposition Pre-Trial Drug Education Program App, Order, Disposition Suspnsn of Prosecution/Order of Comm Svc App, Order, Rept Notice of App for Accelerated Pretrial Rehabilitation Pre-Trial School Violence Prevention Pgm, App, Order, Disp. Examination for Alcohol or Drug Dependence-Motion & Order Affidavit of Indigency Criminal Notice of Placement in Pre-Trial Alcohol Education System
4.7	Jail Re-Interview Process	N/A	N/A
4.8	Pre-Trial Supervision	N/A	N/A
4.9	Intrastate Transfers	N/A	N/A
4.10	Interstate Compact	Attach A (JD-AP-18)	Out of State Travel Agreement
4.11	Supervision Services	CSSD G	Community Services Completion Report
4.12	Restitution	CSSD Attach C Attach F (JD-AP-62) CSSD Attach G	Victim Letter Notice of Restitution Payment Procedure Split-Sentence Victim Letter
4.13	Urinalysis	N/A	N/A
4.14	Electronic Monitoring	CSSD Attach A CSSD Attach C CSSD Attach D	Fee Collection Rules Fee Collection Guideline Electronic Monitoring Agreement
4.15	Supervised File 17	N/A	N/A
4.16	Supervision of Drug/Alcohol Depn Cases	N/A	N/A
4.17	Modifications and Terminations	N/A	N/A

POLICY #	POLICY NAME	FORM #	FORM NAME
4.18	Sex Offender Supervision	Attach B Attach D (JD-CR131) CSSD Attach E	Summary of Obligation to Register as Sex Offender Sex Offender Conditions Computer Access Agreement (2 pages)
4.19	Community Notification	CSSD Attach A	Warning Notice
4.20	Sex Offender Registration	CSSD Attach C	Sex Offender Registry Registration Form
4.21	Search and Seizure	CSSD Attach D CSSD Attach E CSSD Attach F	Receipt for Seized Prop & Advisement of Rights Seized Prop Voluntary Agreement to Search Controlling 3 rd Party Vol Agrmnt to Search Probationer or Person under Prob Supv
4.22	Response to Non-Compliance	N/A	N/A
4.23	Warrant Service & Arrest Procedures	Attach A	Uniform Arrest Report
4.24	Personal Safety Equipment	N/A	N/A
4.25	Use of Force	N/A	N/A
4.26	Confidentiality / Release of Information	CSSD	Authorization for Release of Information
4.27	Split-Sentence Notification	CSSD Attach E	Split Sentence Supervision Notification
4.28	Probationer Notification	N/A	N/A
4.29	Victim Access & Safety	N/A	N/A
4.30	Metal Detector Screening	N/A	N/A
4.31	Pre-Sentence Investigation	N/A	N/A
4.32	Alternative to Incarceration	N/A	N/A
4.34	Adult Supervision – Staff Supv Conf....	N/A	N/A
4.35	DNA Sample Collection	CSSD Attach A CSSD Attach B	DNA Notification Letter DNA Warning Notification Letter (2 pages)
4.36	Record Retention	N/A	N/A
4.38	Eqpt – Procurement & Maintenance	N/A	N/A
4.39	Selection, Retention and Promotion	N/A	N/A
4.40	Quality Control & Information Retrieval	N/A	N/A
4.41	Probation Transition Program	N/A	N/A
4.42	Technical Violation Unit	N/A	N/A
4.43	Staff Training	N/A	N/A
4.44	CMIS Firearms Notes Action Link	N/A	N/A
4.45	Parole to Probation	N/A	N/A
4.46	Weapons Conditions	CSSD Attach B CSSD Attach C	Firearms Compliance Statement Firearms Acknowledgement Form
4.48	Intensive Pre-Trial Supervision	CSSD Attach A CSSD Attach C	Jail Reinterview/Bail Commission Interview Form Acceptance Letter
4.49	Mental Health Probation	N/A	N/A

ATTACHMENT B

MULTI LINGUAL MATERIAL SUBCOMMITTEE REPORT

To: Judicial Limited English Proficiency Committee

From: Multi Lingual Materials Sub Committee

Re: Report on Activities

Date: January 9, 2009

The sub committee has met two times since November 2008. Sub committee members include: D. Horowitz (Legal); R. Dunion (Judge Support Services); A. Donath (Interpreter and Translator Services); K. Franchi (Court Services Centers); H. Scalzo (Clerks Office); D. Tvaronaitis (Support Enforcement); R. Goldwasser, Chair (Court Support Services Division).

Consensus was reached that our efforts would be directed at the following goals:

1. How to identify needed forms and other materials that require translation
2. How to determine which languages were most needed
3. Development of an action plan to gather the necessary information and implement the activities (i.e. translation requests) needed to ensure that appropriate forms are available.

I. Background & Research

The sub committee looked at efforts in this area that have been undertaken by other states nationally. Information was gathered from other states and the federal government on providing translation and LEP services in the courts. It was found that states are at various levels of adequately addressing the LEP population regarding form translation and that Connecticut is doing well compared to other states. **SEE ATTACHED SURVEY RESULTS**

Next, the sub committee reviewed information provide by the Interpreter and Translator Services unit. This included a comprehensive report on the most frequently requested languages by judicial district which varies by district based on demographics and ethnic groups. All districts listed Spanish as the first most requested, followed by Portuguese and Polish. The next most requested were Vietnamese and Haitian/French, although these were only in certain districts. The figures were for 2006, 2007 and as of November 2008 and showed very little change in requested frequency over those years. Other languages were also requested but only in very small numbers. The procedure currently used for internal forms translation involves a formal request and the work is done mainly by a Lead Interpreter from the Interpreter and Translator Services unit. A formal request is also required for interpreting services. Interpreter and Translator Services also provided a statistical report for 2007 documenting Spanish Only Interpreting and Translating Events by Services.

The Spanish language events for the year totalled 104,023. *(An event is defined as each time an interpreter is used. There may be multiple events in a case on a given day.)* This information also shows frequency of events by Judicial unit. Units with the most frequent requests are: (1) Criminal (2) Motor Vehicle (3) Delinquency (4) Civil (5) Support Enforcement and (6) Housing. (Housing, which while not currently high frequency, has showed a significant increase in 2007 over past years as a result of more foreclosures and foreclosure mediations which are expected to rise in number.) Resources from Interpreter and Translator Services Unit are allocated according to documented need. **SEE ATTACHED CHART**

Stats on Requested Services for All Languages for 2007 were reviewed. A total of 44,615 requests were made. Of 24 languages, Spanish, Portugese, Polish and Franch/Haitian were the top four; Spanish represented 87% of all language requests (Portugese was 4%, Polish was 3% and French/Haitian was 1%). **SEE ATTACHED CHART.**

Forms and Other Judicial Publications Translated Into Languages other than Spanish was also provided by the Interpreter and Translator Services Unit. This provided the sub committee with a base line of additional translated forms. **SEE ATTACHED CHART.**

Finally, the Court Service Center (CSC) unit provided the sub committee with information on Commonly Stocked Forms and Publications of the Court Service Center Program. This information detailed (1) available Judicial forms and other materials distributed by business category and court site, (2) the most frequently requested forms and materials and (3) items already in Spanish translation. *(Does not include forms distributed directly in court.)* Agencies outside the Branch (Department of Social Services, Legal Aid, etc.) have also placed forms and materials (brochures, etc.) at the Court Service Centers for client convenience. **SEE ATTACHED CHART.**

Additional information has been requested from the CSC on (1) materials frequently requested but not currently available in Spanish (or any other language) and (2) the most frequently handed out that are already in Spanish, especially from outside sources. It is anticipated that most-used forms will be somewhat similar from court to court with differences between the larger cities and small towns. This information will help to identify and cross reference judicial forms and also non judicial forms available at the Centers.

The internal survey process used by CSSD to identify policies and forms was reviewed. Information was gathered by each internal business unit (probation, family, etc.) and translation needs were prioritized by frequency of use and identification of most requested language(s) at CSSD offices. Spanish was the major one identified at all offices, followed by Polish, Portugese and Haitian/French (at specific offices only).

II. Recommendations to the LEP Committee

The following activities are submitted by the Multi Lingual Forms Sub Committee for consideration at this time. The sub committee is recommending a two phase approach to accomplish its charge.

A. Phase I beginning in January 2009 would focus on the following activities

1. Identification of implementation of a translation action plan for court business areas having the greatest frequency of interpreter/translation events: (1) Criminal, (2) Motor Vehicle, (3) Delinquency, (4) Civil, (5) Support Enforcement and (6) Housing.

2. Identification of forms and materials that require translation services either through an electronic survey of each Judicial operating unit or exploration of the possibility of working with Court Operations on identifying most frequently filed forms. Base line information on this from some units is available from information already collected. Representatives from each Judicial unit have been identified as initial contact persons for this phase of the work.

If a survey is used it will be designed to identify specific judicial forms from operating units, other written material (i.e. traffic tickets, etc.) that need translation and language usage needs.

The use of bar codes and, possibly, the use of docket legend codes, may allow Court Operations to generate reports on the numbers and types of Judicial forms that are filed (as opposed to just downloaded or printed or distributed). Additional information on the most frequently filed forms can be gathered from the Clerk's office. Depending on the information available from already existing data, a survey of each business unit may not need to be completed.

3. It is recommended that: (a) Spanish be considered the priority language for forms translation, with possibly Portugese and Polish as the second and third; (b) availability of resources and cost benefits to perform other translation needs should be determined; and (c) no more than five languages in total be considered for forms and materials translation.

Spanish appears to be the most requested language. Currently the Interpreter's Office is not equipped to provide all other languages and must contract out work, which is very expensive. (*Research from other states indicates that multiple languages are not usually provided for and the Federal mandates do not specify the number of languages that must be provided.*)

4. Other material to be considered for translation would be court calendar uniform instructions into Spanish and translation of courtroom assignments that are posted in courthouses on calendar and other days.

B. Phase II would review the civil business area beginning in June 2009

1. Interpreter and Translator Services is currently updating its statistical application adding data on civil court requests. It is expected that this updated program will go into production mode in June 2009 for statistical data on civil court to be gathered from then on.

2. Also in Phase II, it is proposed that there be a review of downloaded forms and official publications from the Judicial internet to determine which may need translation services.

3. Other issues that may be identified as a result of any Phase I activities.

III. Additional Recommendations

1. The sub committee supports the concept of "Plain Language" as a cost-effective measure in form translation.

2. The sub committee recognizes the need for additional resources in the Interpreter's Office. Current staffing levels could be of concern in meeting the mandates of the Branch's LEP effort.

Language Translation from Other State Court Websites

State	Translation <u>Links to state court websites</u>
Alabama	No
Alaska	No
Arizona	No
Arkansas	No
California	Legal Help, Small Claims, Seniors, Family, Protection from Abuse, Traffic, Landlord/Tenant, Victim Assistance, Forms. Additional languages have info available in PDF.
Delaware	Family Court FAQs, Arraignments
Florida	No
Georgia	Spanish video for Divorcing Parents
Hawaii	Video for Jurors
Idaho	No
Illinois	Link at bottom of page to translate to Dutch, French, German, Greek, Italian, Portuguese, Russian, Spanish
Indiana	Video "The Initial Hearing", Indiana Criminal Code Excerpts, Glossary of Legal Terms, Self-Service Legal Center, Forms
Iowa	No
Kansas	Forms, Publications, Domestic Violence Protection, Interactive video "Parent Ally Program"
Kentucky	Google Translation of site (with disclaimer)
Louisiana	No
Maine	Google Translation of site (with disclaimer). Dropdown menu at top of subpages, translate to....
Maryland	Publications, Community Posters, Family Law section, Forms
Massachusetts	Mediation info, Forms, Publications
Michigan	Publications
Minnesota	Forms, Publications, Videos- Defendant's Rights, Conciliation Court Hearing
Mississippi	No
Missouri	Forms
Montana	No
Nebraska	Forms, Publications, Glossary of Legal Terms and Courthouse Signs
Nevada	No
NH	No
NJ	Forms, Publications (Español link on home pg goes to Spanish Forms)
NM	No
NY	Language links on bottom of page go to a page that explains what is available in that language. (Russian, Chinese, Spanish, French, Korean)
NC	Forms, Welcome from Chief Justice
ND	No
Ohio	Language Identification Guide
OK	No
Oregon	Español link from home page goes to pg w/links to items in Spanish, Forms, Foreign Language Legal Assistance, Publications
Pennsylvania	No
Rhode Island	Translation link to Babel Fish, Forms, Publications
SC	No
SD	No
Tennessee	Forms, Publications

Texas	No
Utah	Forms, Publications, Legal Term Glossary, Divorce section
Vermont	Link to Babel Fish Translation
Virginia	I-CAN Interactive Forms in Spanish
Washington	Forms, Publications
West Virginia	No
Wisconsin	Forms, I-Speak Card (for language ID)
Wyoming	No

Summary

1. **The majority of states have *some* translation which mainly includes forms and publications.** Other areas translated are Self-Help sections (How do I...?) and Frequently Asked Questions.
 - a. 20 states – could not find any translation
 - b. 5 states – offer links to free on-the-fly translation sites: [Google Translation](#) and [Yahoo Babel Fish](#). Each of these states includes a disclaimer that they have no control over the content and do not guarantee the accuracy of translated text. It is provided simply to facilitate access to information. (Maine, Kentucky, Illinois, Rhode Island, Vermont)

2. **Indiana – Workplace Spanish Training for Judicial System**
 - a. Partnered with community college to develop a Spanish curriculum for court employees – 24 hours of classroom instruction
 - b. Textbook has *basic* information needed by court employees to effectively communicate information to Spanish-speaking individuals.
 - c. CD-rom included to assist in maintaining skills learned in class
 - d. Topics: greetings, introductions, dates and times, numbers, phone reception phrases, eliciting personal info, providing directions, explaining courtroom procedures, referencing court documents
 - e. Free for court personnel who deal with public. For others (attorneys, community organizations, etc.) there is a fee.

3. **Maryland – Posters**
 - a. English and Spanish – online order form so schools, government agencies, community organizations, etc. can order specific posters and choose from 3 sizes

4. **Ohio, Wisconsin – “I Speak” card (language ID card)**
 - a. Tool to identify the language of individuals who do not speak English

5. **Minnesota**
 - a. Courthouse sign translated into most frequently used languages that states: *“You may have the right to a court-appointed interpreter in a court case. Please ask someone at the court information desk.”*
 - b. Translated directional signs in courthouses
 - c. Spanish hotline
 - d. Bilingual staff roster
 - e. Class given by Dept. of Human Services – “Dispelling the Myths: Deaf and Hard of Hearing Trends” – for staff that deals with public

6. **Nebraska, Indiana, Utah, New Jersey – Online Spanish Glossary of Legal Terms & Courthouse Signs**

Connecticut Judicial Branch Website Translation

Already translated and posted online:

1. Page that lists *all* Spanish pages
2. Publications
3. Forms
4. Landlord/Tenant FAQs
5. Traffic Violation FAQs
6. Jury Duty FAQs
7. Support Enforcement FAQs – waiting for final corrections
8. Jury Duty – Answer Summons

Scheduled to be translated and posted online:

1. Directions to Courts
2. Court Service Centers
3. Public Information Desks
4. Victim Services FAQs
5. Small Claims FAQs

WHAT PROCESS IS USED TO SELECT FORMS/LANGUAGES?

- Federal: Look at volume and those forms being accessed by the general public.
- California: No formal process. Anecdotal evidence and forms with the greatest volume were selected. There are plans to start a work group to assess various forms for translation.
- Colorado: I work with the forms specialist within the Judicial Department to prioritize the forms that we need to have translated. I also work with the Managing Interpreters to prioritize the forms that they are sight translating most often.
- Iowa: We have no formal process at this time. Each judicial district has been allowed to determine: which forms are to be translated, the language which they are translated, and who does the translation. This process resulted in some poorly translated documents. We are in the process of developing guidelines on this issue. We will/would like to require that the State Court Administrator approve any court form that is to be translated and that the translator must be certified by the ATA and/or some other nationally recognized institution that certifies or credentials translators.
- Kentucky: We are at the beginning of the process. Here is what we have so far: Our Legal Department researched the relevant Federal laws and issued a memo addressing the need to translate certain documents into a target language. This requires a four step analysis.
- Maine: A committee was created to look at prioritizing and selecting forms. It was determined that Protection from Abuse forms were the priority. A total of about 12 forms were translated.
- Missouri: Missouri has translated new forms - only forms that are standardized for use in all Missouri state courts and only in the top couple of languages.
- New Jersey: Ad hoc basis - any operating unit within the Branch could make a request for a form to be translated.
- New York:
(southern district) The most utilized forms as determined internal printing statistics as well as feedback from staff/judges. Spanish was the primary focus.
- N. Carolina: In December 2003, full-time coordinator for interpreting services was hired. A team of court managers and judges determined which forms. Focus was on Spanish.
- Ohio: An informal survey was done. Domestic violence forms, protection orders, child support, some small claims forms. Approximately 26 different forms have been interpreted.
- Oregon: No formal process. Looked at volume of forms used in criminal matters.
- Washington: This state is mandated by statute as to the specific forms that are to be translated into other languages. Approximately 100 different forms have been translated.

WHAT FORMS/LANGUAGES ARE SELECTED?

- Federal: Could not identify specific number of forms. However, the primary languages being translated are Spanish, Chinese, Vietnamese, Korean. Their primary brochure on civil rights has been translated into 17 different languages.
- California: Approximately 50-70 forms in Spanish, Vietnamese, Korean, Chinese, Tagalog.
- Colorado: We have selected many domestic forms, our guilty pleas, requests for public defender, FED forms, many instructions to fill out forms.
- Iowa: See above.
- Kentucky: "Vital" documents. Languages are selected based on the finding after applying the legal analysis.
- Maine: Protection from Abuse forms into Spanish, Arabic, French, Vietnamese, Somali, Khmer.
- Missouri: Petitions and Judgments for: Adult Abuse, Child Protection, Family Access and small claims; Waiver of Counsel and Waiver of Preliminary Hearing. Forms include both English and Spanish or English and Bosnian. Must be completed in English.
- New Jersey: Over 200 forms in all areas of the court have been translated - criminal, civil, family, etc. ONLY one language translated - Spanish.
- New York: (southern district) Approximately 50 forms. Spanish was primary language. Some additional languages as the need arises - no set criteria.
- N. Carolina: Spanish. Other languages as need arises - difficult to get interpreters. Over 50 court forms for criminal, civil and domestic violence have been created.
- Ohio: 26 forms in Spanish, Somali, Russian, Arabic, Mandarin. These languages were selected based upon an informal survey.
- Oregon: 6-8 forms in criminal matters. Only translated in Spanish.
- Washington: Forms are determined by statute and includes all areas of the court: criminal, civil, family. Through demographic survey, Spanish, Russian, Vietnamese, Korean.

WHAT RESOURCES/STAFF ARE USED IN THE PROCESS?

- Federal: Two contractors. One vendor serves as verification of the initial translation. Important to know the name of the specific individual translating the form. At times, some in-house employees are used.
- California: All form interpretation is contracted out to vendors.
- Colorado: We have a group of certified translators who are also federally certified interpreters, who work on our forms. We pay them standard translation and editing rates.
- Iowa: See above.
- Kentucky: Legal Department; Court Services Department; Interpreting Department. We are planning to get the Public Information Department also involved.
- Maine: Existing staff. Also, Arrest grant paid for contractual interpreters through Catholic Charities.
- Missouri: Use ATA accredited translator for Spanish and an agency on the State of Missouri contract for Bosnian.
- New Jersey: Two translators are contracted with to provide all forms translation.
- New York:
(southern district) Internal staff of interpreters. No attorney used in the process. For languages other than Spanish, contractors were hired. Printing completed internally.
- N. Carolina: The interpreter staff are used for translating forms. No attorney involvement. Printing was completed internally.
- Ohio: Ohio has one coordinator and no interpreters on staff. They use contractual interpreters. There is no certification standards in place in Ohio.
- Oregon: Used existing interpreters as well as contractors through a vendor called Northwest Justice Project.
- Washington: Contract out to small agencies. Nothing done internally.

OBSTACLES?

- Federal: Accuracy is the primary obstacle.
- California: Making sure the form was translated properly and accurately.
- Colorado: Time. The project is overwhelming in scope, and we are also standardizing our glossary for forms so that there is consistency. The best thing is to have one final editor to do the job of standardization.
- Iowa: Budget - no funds specifically set aside for translating court forms, though we have proposed such a line item in recent budget requests to the legislature.
- Kentucky: Will report later.
- Maine: Biggest problem was working with the software in which the contractual interpreters used to communicate to the Branch. Also, lack of dedicated staff to this project.
- Missouri: Forms change, so they have to be redone.
- New Jersey: Finding competent translators is a problem.
A standard operating procedure/policy needs to be in place to guide the rules for translation.
Always use two people to translate forms.
- New York: Major obstacle are languages other than Spanish.
(southern district)
- N. Carolina: Languages other than Spanish.
- Oregon: Major problems are when forms are changed or modified. Interpreters office not always informed. It requires a new interpretation of the entire form.
- Ohio: Since only one staff person, coordination is much too time-consuming. Finding competent, trustworthy interpreters has been difficult.
- Washington: The biggest issue is that as forms change in English, it requires revision to the translated form. Constantly updating.

COSTS?

- Federal: Not familiar with costs involved.
- California: Not sure - there is a formula used to pay the vendor.
- Colorado: We have spent about \$20,000 over two years, and still have LOTS to go!
- Iowa: Not sure. It would depend on how many forms/documents need to be translated.
- Kentucky: We are planning to use our website primarily and offer the translated forms in PDF format. We hope that using an interactive website will ensure not only more efficient outreach, but also will enable us to better manage the information and ensure prompt response to a new need.
- Maine: Minimal since existing staff was used. The Arrest grant paid for contractual interpreters through Catholic Charities.
- Missouri: It varies. Spanish is by 25¢/word (in 2005) and Bosnian is by the hour (see below):
Price per hour for translating services - \$62.50
Price per hour for copy editing/proofreading services - \$65.00
Price per hour for document formatting services - \$65.00
Price per CD-R - \$2.00
Price per 3" double sided, double density diskette - no charge
Price per 3" double sided, high density diskette - no charge
Maximum emergency fee for rush job - \$100.00
- New Jersey: Translators are paid approximately \$45.00 per hour.
- New York: Minimal.
(southern district)
- N. Carolina: Minimal.
- Oregon: Average cost is about \$75 per page.
- Ohio: One staff person and all contractual for interpreting services. The Ohio State Bar Association financially contributed to the project.
- Washington: Independent contractors average approximately \$500 per form.

In 2007, the Washington Judiciary asked the legislature for \$7.791 million for state fiscal years 2008 and 2009 to provide partial reimbursement for the cost of certified and registered spoken language court interpreters and qualified interpreters in visual languages, and to assist courts in developing and implementing Language Assistance Plans (LAP's). It was estimated that this funding would be sufficient to pay 50% of the cost of certified, registered and qualified interpreters in the state, as well as enable trial courts to comply with federal mandates to create LAP's.

The 2007 legislature appropriated \$2,000,000 for fiscal years 2008 and 2009 to assist trial courts in paying for interpreter services and in creating and implementing LAP's. \$1.56 million was provided to pay for trial court interpreter services, \$340,000 to create and implement LAP's, and \$100,000 for administration.

INTERPRETER AND TRANSLATOR SERVICES
CONNECTICUT JUDICIAL BRANCH

YEARLY STATISTICAL REPORT, 2007
BASED ON TOTAL OF FILES FOR ALL LANGUAGES

LANGUAGE	TOTAL OF FILES
Albanian	254
Arabic	42
Bosnian	105
Cambodian	42
Cape Verdean	13
Chinese/Mandarin/Cantonese	386
Farsi	23
French/Haitian Creole	447
Greek	32
Hindi/Gujatari/Punjabi	64
Hungarian	31
Italian	64
Korean	216
Laotian	119
Polish	1228
Portuguese	1957
Quiche	13
Russian	257
Somali	33
Spanish	38889
Thai	31
Turkish	50
Ukrainian	105
Vietnamese	214

GRAND TOTAL OF FILES

44615

Totals 2007 by Frequency:

	LANGUAGE	TOTAL OF FILES
1	Spanish	38889
2	Portuguese	1957
3	Polish	1228
4	French/Haitian Creole	447
5	Chinese/Mandarin	386
6	Russian	257
7	Albanian	254
8	Korean	216
9	Vietnamese	214
10	Laotian	119
11	Bosnian	105
12	Ukrainian	105
13	Hindi/Gujatari/Punjabi	64
14	Italian	64
15	Turkish	50
16	Arabic	42
17	Cambodian	42
18	Somali	33
19	Greek	32
20	Hungarian	31
21	Thai	31
22	Farsi	23
23	Cape Verdean	13
24	Quiche	13

	January	February	March	April	May	June	July	August	September	October	November	December	
IN-COURT EVENTS													
Ch. Protect.	22	35	42	39	61	25	48	35	37	27	18	15	404
Delinq.	286	252	353	322	328	372	367	353	240	365	254	245	3737
Neglect	115	114	245	185	143	129	152	88	94	159	72	126	1622
Com. Court	106	65	107	139	91	126	73	142	61	107	25	55	1097
Housing	67	54	43	31	19	42	49	71	71	44	28	31	550
Sup. Enf	225	154	290	223	330	194	234	267	143	345	188	131	2724
MV	1030	860	1005	1065	1022	1099	1202	1273	1085	1221	1086	1318	13266
Criminal	3125	2121	2653	2475	3072	2182	2876	3340	2912	3127	3478	2241	33602
Part A	213	130	201	165	356	141	147	224	89	191	143	135	2135
Other	0	1	1	0	2	1	1	5	2	2	0	3	18
IN-COURT TRIALS													
Housing	2	0	0	5	0	5	0	4	0	0	1	0	17
MV	3	5	0	0	0	1	0	5	0	0	15	2	31
Part B	29	2	17	9	14	16	25	22	2	12	0	9	157
Part A	24	24	3	14	3	3	8	15	24	0	13	17	148
Juvenile	23	19	9	23	5	5	23	19	20	26	1	6	179
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
OUT OF COURT EVENTS													
Interviews	4002	3028	4007	3419	3563	2886	3980	4263	3406	3830	3672	3082	43138
Non-Judicial	2	5	24	19	13	6	15	16	5	3	2	11	121
Translations	42	62	69	85	102	70	113	142	74	134	97	87	1077
Other	0	0	0	0	0	0	0	0	0	0	0	0	0

MONTHLY

TOTALS 9316 6931 9069 8218 9124 730 9313 10284 8265 9593 9093 7514 104023

GRAND TOTAL OF EVENTS

104023

FORMS AND OTHER JUDICIAL PUBLICATIONS TRANSLATED INTO LANGUAGES OTHER THAN SPANISH

☞☞☞☞☞

☞☞☞☞

☞☞☞☞☞☞

NOTICE OF PLACEMENT IN THE PRETRIAL AEP	JD-CR-79 Rev. 1-05	PORTUGUESE
NOTICE OF APPLICATION FOR AR	JD-CR-10 Rev. 10-01	PORTUGUESE
CONDITIONS OF PROBATION	JD-AP-110 Rev. 5/2000	PORTUGUESE
SPECIFIC STEPS	JD-JM-106 New 9-98	PORTUGUESE
ELECTRONIC MONITORING AGREEMENT FORM (CSSD)		PORTUGUESE
PROTECTIVE ORDER	JD-CR-58 Rev. 10-07	PORTUGUESE
FORM FOR PLACEMENT AND CONDITIONS		PORTUGUESE
CONDITIONS OF PROBATION	JD-AP-110 Rev. 7/05	PORTUGUESE
INTERPRETER AND TRANSLATORS SERVICES BROCHURE	JDP-ES-212-PE New 4/06	PORTUGUESE
ELECTRONIC MONITORING AGREEMENT FORM	N/A	PORTUGUESE
MADD LEAFLET		PORTUGUESE
WAIVER OF EXTRADITION FORM	JD-CR-108 Rev. 10/06	PORTUGUESE
BASIC IMMIGRATION QUESTIONNAIRE		PORTUGUESE
OFFICE OF VICTIM SERVICES BROCHURE		PORTUGUESE
DO IT YOURSELF DIVORCE GUIDE	JDP-FM-180	POLISH
JURY ADMINISTRATION BROCHURE		POLISH
ADULT SUBSTANCE ABUSE SURVEY ASUS R REVISED		POLISH
JURY ADMINISTRATION PAMPHLET	JDP-ES-212	POLISH
INTERPRETER AND TRANSLATORS SERVICES BROCHURE (IN PROCESS)		POLISH
BASIC IMMIGRATION QUESTIONNAIRE		POLISH
CUSTOMIZED WALLET CARDS (SUPPORT ENFORCEMENT)		POLISH
JURY DUTY IN CONNECTICUT/WHAT EVERY JUROR SHOULD KNOW	JDP-JA-25P	POLISH
INTERPRETER AND TRANSLATORS SERVICES BROCHURE (IN PROCESS)	JDP-ES-212	GERMAN
INTERPRETER AND TRANSLATORS SERVICES BROCHURE BASIC IMMIGRATION QUESTIONNAIRE	JDP-ES-212	RUSSIAN RUSSIAN
CONNECTICUT COURTS	JDP-ES-201	CHINESE (Simplified)

SPECIFIC STEPS BASIC IMMIGRATION QUESTIONNAIRE	N/A	ALBANIAN ALBANIAN
---	------------	------------------------------

FORM LETTERS

NOTICE OF OBLIGATION TO SUBMIT TO THE TAKING OF A BIOLOGICAL SAMPLE	N/A	PORTUGUESE
PLACEMENT FORM	N/A	PORTUGUESE
HOW TO GET YOUR LICENSE REINSTATED		POLISH
OFFICE OF ADULT PROBATION NOTICE TO VICTIM		POLISH
BAIL COMMISSIONER'S LETTER TO DEFENDANT		RUSSIAN
FAILURE TO APPEAR FORM LETTER		VIETNAMESE

Commonly Stocked Forms and Publical of the Court Service Center Program

		Ansonia/ Milford JD	Danbury JD	Fairfield JD	Hartford JD	Middlesex JD	New Britain JD	New Haven JD	New Haven/ Meriden JD	Norwich JD	Stamford JD	Tolland JD	Waterbury JD	Bridgeport GA	Hartford GA	New Haven GA	Norwalk GA	Waterbury GA
General																		
Appearance	JD-AP-12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Short Calendar Reclaim	JD-CL-6	X	X	X	X	X	X	X	X	X	X	X	X					X
Facsimile Coversheet	JD-CL-73		X	X							X	X	X					
Claim for Jury	JD-CL-63		X								X		X					
Aff. Of Indigency	JD-AP-48	X	X			X	X	X	X	X	X			X	X	X	X	X
Civil																		
Civil Summons	JD-CV-1	X	X	X		X	X	X		X	X	X	X					
Wage Execution Application	JD-CV-3	X	X	X		X		X	X	X	X							
Wage Execution Exemption	JD-CV-3a	X	X	X		X		X	X	X	X							
Property Execution Application	JD-CV-5	X	X	X		X		X	X	X	X							
Property Execution Exemption	JD-CV-5b	X	X	X		X		X	X	X	X							
Motion for Continuance	JD-CV-21	X	X	X	X	X	X	X	X	X	X	X	X					
Bank Execution Application	JD-CV-24	X	X	X		X		X	X	X	X							
Bank Execution Exemption	JD-CV-24a	X	X	X		X		X	X	X	X							
Bank Execution App. (NOT a natural person)	JD-CV-24n	X	X	X		X		X	X	X	X							
Small Claims Writ	JD-CV-40	X	X	X	X	X	X	X	X	X	X	X		X		X	X	
Small Claims Process	JDP-CV-45	X	X	X			X	X	X	X	X	X		X			X	
Withdrawal	JD-CV-41	X	X	X				X	X	X	X	X	X					
Subpoena	JD-CL-43		X	X								X						
Mot. For Default/Failure to appear	JD-CV-49	X	X			X		X	X	X	X							
Notice of Judgement/Order for weekly payments	JD-CV-50	X	X			X	X	X	X	X								
Motion to Open Judgement	JD-CV-51	X	X	X	X	X	X	X	X	X	X		X			X		
Subpoena application	JD-CV-62		X	X														
Pre-trial Memo	JD-ES-47		X															
Civil Short Calendar Marking	JD-CV-85						X											
Withdrawal Small Claims & Housing	JD-CV-70		X		X	X			X	X	X	X						
Criminal																		
App. For Accelerated Rehab	JD-CR-9	X	X			X	X	X		X	X	X		X	X	X	X	X
Notice of App. For AR	JD-CR-10	X	X			X	X	X		X	X	X		X	X	X	X	X
Youthful Offender Eligibility	JD-CR-14	X	X			X	X	X		X	X	X				X	X	X
Pretrial Alcohol Education	JD-CR-44	X	X			X	X	X	X	X	X	X		X	X	X	X	X
Nolo Contendre	JD-CR-60	X	X			X		X		X		X		X	X	X	X	X
Sentence Modification	JD-CR-68								X							X	X	
Probation/Cond. Discharge	JD-CR-59								X								X	
Suspension Pros/Community Serv	JD-CR-81	X	X			X	X	X	X	X				X	X	X	X	X
Exam for Alc/Drug Dep. (CADAC)	JD-CR-91	X	X			X		X		X	X				X	X	X	X
Pretrial Drug Education	JD-CR-118	X	X			X	X	X		X		X		X	X	X	X	X
Pretrial School Violence	JD-CR-126												X				X	X
Family Violence Education Program	JD-CR-97		X			X										X	X	X
Guide to Special Sessions/Div. Programs	JDP-CR-137		X	X		X	X			X		X			X		X	
OVS Sexual Assault Crisis Services	ovs																	

Commonly Stocked Forms and Publications of the Court Service Center Program

		Ansonia/ Milford JD	Danbury JD	Fairfield JD	Hartford JD	Middlesex JD	New Britain JD	New Haven JD	New Haven/ Meriden JD	Norwich JD	Stamford JD	Tolland JD	Waterbury JD	Bridgeport GA	Hartford GA	New Haven GA	Norwalk GA	Waterbury GA
Victims Services Advocates	JDP-VS-14						X											
Services for Families of Homicide	JDP-VS-7						X											
Rights of Crime Victims in CT	JDP-VS-15						X											
Victim Notification Program	JDP-VS-11						X										X	
Compensation for Crime Victims (Engl/Spe)	JDP-VS-10		X	X		X	X	X		X								
Application for Victims Comp	JDP-VS-8		X				X	X		X								
Has your life been aff. By a crime?	JDP-VS-17		X	X		X	X	X		X					X	X		
Family																		
Order to Withold Income for Child Support	JDFM-1	X	X	X	X	X	X	X	X	X	X	X	X					
Instruction for Withholding	JDFM-1(I)	X	X	X	X	X	X	X	X	X	X	X	X					
Summons, Family Actions	JDFM-3	X	X	X	X	X	X	X	X	X	X	X	X			X		
Financial Affidavit	JDFM-6	X	X	X	X	X	X	X	X	X	X	X	X			X		
Advisement of rights	JDFM-71	X	X	X	X	X	X	X	X	X	X	X	X					
Fee Waiver	JDFM-75	X	X	X	X	X	X	X	X	X	X	X	X			X		
Appeal Support	JDFM-111		X	X		X	X			X			X			X		
App. For Relief from Abuse	JDFM-137	X	X	X	X	X	X	X	X	X	X	X	X			X		
Diversionary Programs	JDFM-137			X			X	X	X	X	X		X				X	
Aff. For Relief from Abuse	JDFM-138	X	X	X	X	X	X	X	X	X	X	X	X			X		
Relief from Abuse Process	JDFM-142	X	X	X	X	X	X	X	X	X	X	X	X		X	X		
Support Petition	JDFM-148			X				X	X	X			X					
Parenting Education Program	JDFM-149	X	X	X	X	X	X	X	X	X	X	X	X					
Parenting Education Program Brochure	JDFM-151	X	X	X	X	X	X	X	X	X	X	X	X					
Case Input, Non-IV-D	JDFM-150	X	X	X	X	X	X	X	X	X	X	X	X					
Notice of Automatic Orders	JDFM-158	X	X	X	X	X	X	X	X	X	X	X	X			X		
Divorce Complaint/Cross	JDFM-159	X	X	X	X	X	X	X	X	X	X	X	X			X		
Divorce Answer	JDFM-160	X	X	X	X	X	X	X	X	X	X	X	X			X		
Custody/Visitation application	JDFM-161	X	X	X	X	X	X	X	X	X	X	X	X			X		
Order to Attend Hearing	JDFM-162	X	X	X	X	X	X	X	X	X	X	X	X			X		
Case Management Agreement	JDFM-163	X	X	X	X	X	X	X	X	X	X	X	X			X		
Aff. Concerning Children	JDFM-164	X	X	X	X	X	X	X	X	X	X	X	X			X		
Add. Aff Concerning Children	JDFM-164A	X	X	X	X	X	X	X	X	X	X	X	X					
Case Management Dates	JDFM-165A	X	X	X	X	X	X	X	X	X	X	X	X			X		
Motion for Notice by Publication	JDFM-167	X	X	X	X	X	X	X	X	X	X	X	X			X		
Order of Notice by Publication	JDFM-168	X	X	X	X	X	X	X	X	X	X	X	X			X		
Divorce Agreement (Dissolution)	JDFM-172	X	X	X	X	X	X	X	X	X	X	X	X			X		
Motion for Contempt	JDFM-173	X	X	X	X	X	X	X	X	X	X	X	X			X		
Motion for Modification	JDFM-174	X	X	X	X	X	X	X	X	X	X	X	X			X		
Certificate of Notice (Public Assistance)	JDFM-175	X	X	X	X	X	X	X	X	X	X	X	X					
Motion for Orders before Judgement (pendente lite)	JDFM-176	X	X	X	X	X	X	X	X	X	X	X	X					
Dissolution of Marriage Judgement	JDFM-177	X					X		X				X					
Aff. Concerning Military	JDFM-178	X	X	X	X	X	X	X	X	X	X	X	X					
Do it Yourself Divorce Guide	JDFM-179	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X

Commonly Stocked Forms and Publicat. of the Court Service Center Program

		Ansonia/ Milford JD	Danbury JD	Fairfield JD	Hartford JD	Middlesex JD	New Britain JD	New Haven JD	New Haven/ Meriden JD	Norwich JD	Stamford JD	Tolland JD	Waterbury JD	Bridgeport GA	Hartford GA	New Haven GA	Norwalk GA	Waterbury GA
Dissolution of Marriage Report	JD-FM-181	X	X	X	X	X	X	X	X	X	X	X	X					
Family Services Programs	JDP-FM-192	X		X			X	X	X			X						
How to Modify Child Supp/Alimony	LARCC	X	X	X	X	X	X	X	X	X		X	X					
State Marshal TRO Profile	State Marshal	X						X					X					
Attn Parties Family Cases w/children	SES	X		X				X	X				X					
Child Support Guidelines/worksheet	Commission	X	X	X	X	X	X	X	X	X	X	X	X					
Housing																		
Summary Process, Answer	JD-HM-5	X	X	X	X	X	X	X	X	X	X	X				X		
Notice to Quit	JD-HM-7	X	X	X	X	X	X	X	X	X	X	X				X	X	
Summary Process, Non-payment of Rent	JD-HM-8	X	X		X	X	X	X	X	X	X	X				X		
Motion for Default	JD-HM-9	X	X					X			X					X		
Landlord's guide (english/spanish)	JDP-HM-14	X	X	X	X	X	X	X	X	X	X	X				X	X	
Tenant's guide (english/spanish)	JDP-HM-15	X	X	X	X	X	X	X	X	X	X	X				X	X	
Execution	JD-HM-2							X				X				X		
Reply to Special Defenses	JD-HM-16							X				X				X		
Answer to Complaint	JD-HM-18	X	X	X	X	X	X	X	X	X	X					X	X	
Summary Process Complaint, Lapse of Time	JD-HM-20	X	X		X	X	X	X	X	X	X	X				X		
Rights & Responsibilities (english/spanish)	JDP-HM-31	X	X	X	X	X	X	X	X	X	X	X				X	X	
Summons - Summary Process	JD-HM-32	X	X		X	X	X	X	X	X	X	X				X		
Tenants Rights (english/spanish)	LARCC			X		X				X								
What can I do Homeless? (english/spanish)	LARCC					X				X								
Helping yourself thru Eviction Process	LARCC									X								
Need Help w/Basic Living Expenses?	LARCC									X								
Grievance																		
Grievance Procedures	JDP-GC-8	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X
Change of Information	JD-GC-10																	X
Complaint Against Atty	JD-GC-6	X	X	X	X	X	X	X	X	X	X		X		X	X	X	X
Juvenile																		
Foster parents and Juvenile Courts	JDP-JM-157		X	X			X	X										
Is your situation safe? (eng/spanish)	DCF			X				X				X						
Probate																		
The Probate Court and you	PROBCT			X				X				X	X			X		
Guidelines for Conservators							X	X								X		
Guidelines for Decedent's Estates	PROBCT						X											
Termination of Parental Rights	PROBCT												X			X		
Adoption Procedures	PROBCT															X		
Procedures for Persons w/Mental Retardation	PROBCT															X		
Understanding Trusts	PROBCT							X								X		
Guidelines for Guardianship Minors	PROBCT							X								X		

Commonly Stocked Forms and Publicat of the Court Service Center Program

		Ansonia/ Milford JD	Danbury JD	Fairfield JD	Hartford JD	Middlesex JD	New Britain JD	New Haven JD	New Haven/ Meriden JD	Norwich JD	Stamford JD	Tolland JD	Waterbury JD	Bridgeport GA	Hartford GA	New Haven GA	Norwalk GA	Waterbury GA
Miscellaneous																		
Court Service Centers	Court Ops		X	X	X	X	X	X		X					X			X
Directory 2007	JDP-ES-190			X			X											
Interpreter and Translator Services (Eng/Spa)	JDP-ES-212		X	X		X	X						X				X	
Welcome to Jury Admin. (english/spanish)	JDP-ES-184P			X		X	X	X				X	X		X			X
From Desktop to Courthouse	JDP-ES-193			X														
Judicial Coloring Book (english/spanish)	JDP-ES-189			X			X						X				X	
Connecticut's Courts	JDP-ES-201		X	X		X	X	X				X	X		X			X
Civil Procedures Online Instructions	Court Ops		X			X		X				X						
Courthouse Guides	Court Ops			X		X	X						X			X		
Statewide Legal Services	SLSCT.org			X		X						X	X					
Community Renewal Team Evictions	CRT					X												
Judicial Branch ADA	JDP-CL-85		X			X		X		X		X						
Legal Terms	JDP-CL-86						X											
Consumer Info Catalog	GSA Fed Info Center					X												
Lawyers concerned for Lawyers	Icict.org					X	X						X					
Transcript Requests	Court Monitors			X		X	X					X						
Attorney Referral Services	Local Bar			X			X	X				X				X		
Appellate Handbook	Judicial											X						
State Register and Manual	S.O.S					X												
211 Guide				X			X					X				X		
Local Bus/Train Schedule				X								X				X		
Local Homeless Shelter Info				X									X			X		
Local Counseling Services/Residences	The Programs						X						X			X		
Pregnancy/FMLA (eng/spanish)	CWEALF						X											
Sexual Assault	CWEALF						X											
CWEALF Pamphlet	CWEALF						X									X		
Al-Anon Pamphlets	Al-Anon							X										
Docket Mgmt Program	Court Ops		X	X				X										
CT Legal Research			X				X						X					
State Marshal List	State Marshals		X	X		X	X	X				X	X					
Establish Paternity (eng/spanish)	DSS			X			X									X		
Birth to 3	DSS															X		
Child Support Services in CT	DSS												X					
Husky Application	DSS						X									X		
Food Stamp Application	DSS															X		
Voluntary Paternity Program (eng/spanish)	DSS						X											
Safe Haven (eng/spanish)	DSS						X						X					
Passport Application																X		
Voter Registration Application																X		
SCG Assistance	SCG															X		
Your Family's Money	CT Ass for Human Ser.															X		
Food Stamp Brochure (eng/spanish)	CT Ass for Human Ser.															X		

Commonly Stocked Forms and Publicat. of the Court Service Center Program

		Ansonia/ Milford JD	Danbury JD	Fairfield JD	Hartford JD	Middlesex JD	New Britain JD	New Haven JD	New Haven/ Meriden JD	Norwich JD	Stamford JD	Tolland JD	Waterbury JD	Bridgeport GA	Hartford GA	New Haven GA	Nonwalk GA	Waterbury GA
Program Guide	CT Ass for Human Ser.															X		
Medicare Savings Program	Agency on Aging															X		
Consumer Law for Elders	Agency on Aging							X								X		
Caregiver Support	Agency on Aging															X		
Elderly Ride Info	Agency on Aging															X		
Lifestyle choices	Agency on Aging															X		
Respite Care	Agency on Aging															X		
Elderly Housing	Agency on Aging															X		
Financial Affidavit Info. (eng/span)	LARCC							X					X					
Cont. of Restraining Order	LARCC							X										
Legal Services Programs in CT	LARCC					X	X											
Teenagers Guide to Emancipation	LARCC						X											
Human Resources Agency - polish	HRA						X											
Modest Means Info	New Haven Bar															X		
CT Sexual Assault Crisis Services	ConnSacs.org						X											
Not Where I Live	ConnSacs.org						X											
Working to End Sexual Violence	ConnSacs.org						X											
American Red Cross Emergency Services	American Red Cross						X											
People helping People	American Red Cross						X											
Victim of Alcohol-related Crash	MADD						X											

ATTACHMENT C

INTERPRETER & TRANSLATOR SERVICES UNIT REPORT

**State of Connecticut
Judicial Branch
Interpreter and Translator Services**

**A PRELIMINARY REPORT TO THE
LIMITED ENGLISH PROFICIENCY (LEP) COMMITTEE**

INTRODUCTION

In May 2007, Chief Justice Rogers created the Public Service and Trust Commission, whose mission was to develop a Strategic Plan to improve the services offered to the citizens of Connecticut. In June 2008, the Commission submitted the Strategic Plan to the Chief Justice, who adopted the recommendations and directed the Chief Court Administrator to implement these recommendations.

An implementation plan has been developed that contains thirty-six separate initiatives. The initiatives address access to the courts, delivery of Judicial Branch services, and accountability. One area related to access to the courts involves providing equal access to "Limited English Proficient" (LEP) individuals by providing interpretation of the spoken language and translation of documents from the source language to the target language in various court proceedings.

In the Implementation Plan, two subcommittees were identified to address these LEP issues. The first subcommittee is charged with assessing the current availability within the Branch of signs, publications, and web pages in languages other than English. The second subcommittee is charged with addressing issues related to the interpreters, including an analysis of the demand for specific types of interpreters, an assessment of the number and location of interpreters, an evaluation of the current policies and procedures for assigning interpreters, the development and implementation of a system for tracking and scheduling interpreters statewide, and an analysis of future hiring needs of interpreters.

The purpose of this document is to provide the second LEP subcommittee with a preliminary self-assessment of the operations of the Interpreter and Translator Services Unit, and to provide initial recommendations for improvement.

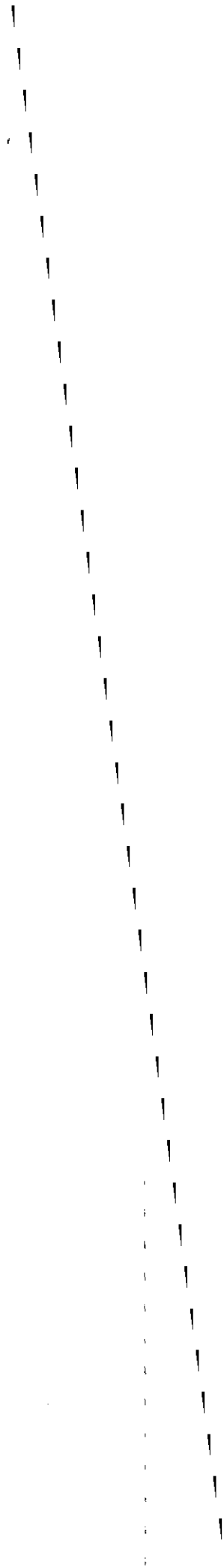
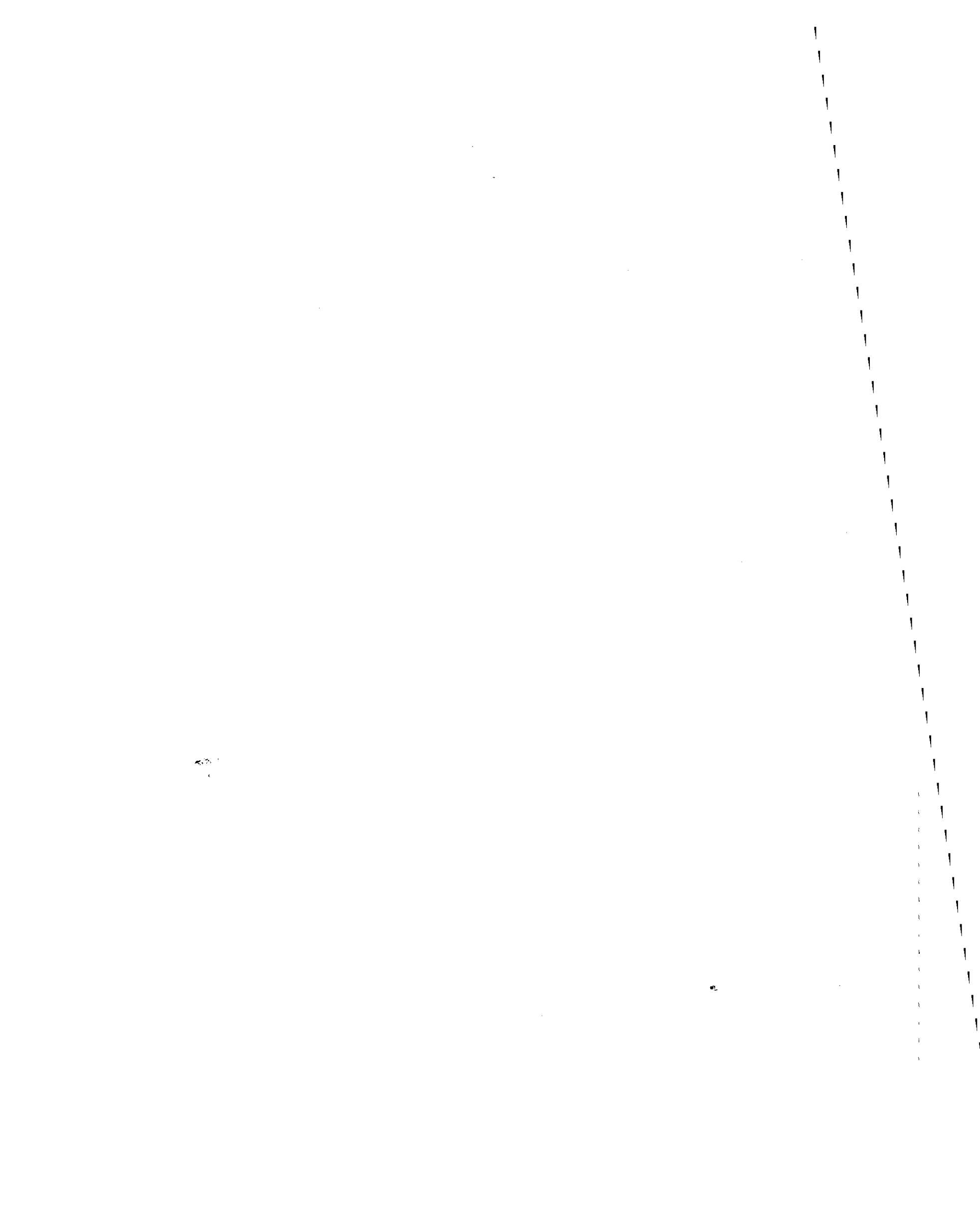


TABLE OF CONTENTS

Introduction

- I. Overview of Interpreter and Translator Services Unit
 - A. General Overview
 - B. Interpreter Certification
 - C. Shortage of Interpreters
 - D. Interpreting Services for the Civil Courts
 - E. Translation of Court Forms/Documents
 - F. Training of Court Staff/Judges/Administrators
 - II. Analysis of Specific Types and Quality of Interpreters
 - A. Languages requested
 - B. American Sign Language (ASL)
 - C. Quality Considerations (including Testing, Training and Certification)
 - D. Current Use and Expansion of the Telephonic Bilingual Services (TBS) Program
 - E. In-Court Telephone and Video Interpreting
 - III. Accessing Interpreter and Translator Services
 - A. Current Procedures
 - B. Informing Staff and Public of Current Procedures to Access Services
 - IV. Current Number and Location of Interpreters
 - V. Evaluation of Current Policies for Assigning Interpreters
 - VI. Hiring Needs
 - VII. Recommendations for Improvement
- Appendix A: Model Code of Responsibility for Interpreters in the Judiciary
- Appendix B: Immigration in Connecticut: A Growing Opportunity
- Appendix C: Survey: Compensation – Contract [Temporary] Interpreters – 2007, Consortium for State Court Interpreter Certification
- Appendix D: Survey: Compensation – Salaried Interpreters – 2007, Consortium for State Court Interpreter Certification
- Appendix E: Current Fees for Contract Interpreters, Federal District Court
- Appendix F: Interim Forensic Transcription/Translation Protocol



SECTION 1: OVERVIEW OF INTERPRETER AND TRANSLATOR SERVICES

A. GENERAL OVERVIEW

A1. Legal Requirements

Federal and state case law, as well as Title VI of the Civil Rights Act of 1964, has stated that LEP individuals have the right to equal access to the courts. By interpreting spoken language, and translating written documents, the court interpreter ensures this equal access for the LEP population in court proceedings.

In Connecticut, there currently is no statute regulating court interpreting. In 1975, the State of Connecticut Judicial Branch established the Office of Court Interpreters. Since 1975, the Office has undergone numerous management and organizational changes. It is now called Interpreter and Translator Services (ITS), and is a unit within Administration of the Superior Court Operations Division. As of October 2008, the Interpreter and Translator Services Unit had 35 permanently assigned and 22 temporary part-time interpreters on staff. Interpreters are also contracted from private agencies, when needed, to provide services in approximately 35 languages.

A2. Interpreter Duties

Court interpreters are provided for court proceedings and court-related interviews involving LEP individuals at approximately 89 different locations within the State of Connecticut. Court-related interviews include, but are not limited to, attorney-client interviews, pre-sentence investigations, psychological evaluations, legal competency evaluations, that are conducted by counsel, Court Support Services Division (CSSD) staff, Superior Court Operations staff, and staff and professionals from other organizations. Locations at which interpreter services are provided include, but are not limited to, the GA, JD, Juvenile Matters, Support Matters, Housing, and Community Court. In addition, ITS provides services to 18 Correctional Facilities, 3 Juvenile Detention Centers, and 1 hospital.

A3. Task Force on Minority Fairness

When LEP individuals come before the court, they are presented with many challenges in following, understanding, and participating in court proceedings. They may have difficulties in understanding the charges before them, their legal rights and responsibilities, required paperwork and a host of other areas in legal proceedings.

Over the years, an increasing awareness of language access issues became more apparent resulting in the forming of a "Task Force on Minority Fairness". In 1996, this Task Force produced a report highlighting various problematic areas including:

- Lack of certification;
- Insufficient number of interpreters;
- Lack of interpreters for the Civil Courts;
- Unavailability of many court publications in Spanish and other languages (forms, documents, applications for programs, informational pamphlets, brochures); and,
- Insufficient training for non-interpreter personnel--staff, administrators and Judges--related to recognizing language access or cultural differences (which may result in further barriers to LEP individuals).

Each of these areas is discussed in more detail in the sections that follow.

B. INTERPRETER CERTIFICATION

B1. Introduction to Certification

In 2001, following the recommendations of the Task Force on Minority Fairness, the Judicial Branch and the union that represents Judicial interpreters (AFSCME) agreed that the Branch should join The State Court Interpreter Certification Consortium (Consortium). The Consortium's Certification Program is administered by the National Center for State Courts (NCSC). The Consortium provides objective testing materials, establishes professional quality standards, including a Model Code of Ethics for court interpreters (See Appendix A, Model Code of Responsibility for Interpreters in the Judiciary) and ensures uniformity of interpreting services for court interpreters by requiring interpreters to meet minimal entry-level standards of proficiency. In this

agreement between AFSCME and the Judicial Branch, currently assigned permanent interpreters were granted a period of five years (later extended to six years) in which to take and pass one of four versions of the NCSC oral certification examination for Spanish interpreters. According to this agreement, those permanent interpreters who did not pass the exam, after having been administered the four versions, would be transferred to another position within the Judicial Branch where their language skills, although not sufficient to meet the standards of courtroom interpreting, could be better employed.

B2. Certification Training for Judicial Interpreters

The Consortium recommends member states offer 16 hours of training prior to administering the oral certification exam. The Judicial Branch, however, made a decision to exceed the NCSC requirements by providing a series of in-depth workshops and training sessions to its permanent staff. Temporary interpreters also were offered a condensed version of the training. Nationally, the pass rate for the NCSC oral certification exam among working interpreters is estimated to be 25-30%, and less than 15% of all court interpreter candidates actually pass the oral certification exam. In Connecticut, however, the pass rate for the oral component of the Spanish certification exam for working interpreters is 38%, attributable to the training provided to candidates by ITS.

B3. Training for Interpreters from Agencies

When proceedings require interpreters for languages for which Connecticut has no permanent or temporary interpreters on staff, the interpreters are contracted from vendor agencies. Interpreter agencies are required, by contract, to screen, qualify, and train interpreters before sending them to Branch assignments. ITS has provided training to all vendor agencies as to Judicial Branch interpreting standards. Agency responsibilities regarding these interpreters include:

- Sending them to an ITS-administered Consortium Written English Exam, including a section on Ethics;
- Administering an oral screening exam to their interpreters;

- Providing them with a three-hour “Orientation to Connecticut Judicial Assignments” program; and
- Providing proof to ITS of criminal background checks for their interpreters.

However, not all agency interpreters sent to Judicial assignments have successfully completed all the testing. As a result, ITS, on occasion, has received comments that were unfavorable regarding these agency interpreters. ITS is making every effort to ensure that only qualified vendor interpreters are used in the court. Due to time constraints and the lack of available qualified interpreters, this goal is not always met.

C. SHORTAGE OF INTERPRETERS

C1. Introduction

In 1996, the Task Force on Minority Fairness Report stated that ITS had insufficient staff to meet the increasing needs for their services. Since that time, the LEP population in Connecticut has increased significantly (See Appendix B: Immigration in Connecticut: A Growing Opportunity), while the number of Branch interpreters has remained fairly constant. Currently, there are 35 permanently assigned and 22 temporary interpreters on staff. On an ongoing basis, ITS loses staff due to attrition (retirements and resignations) as well as to failures in passing examinations.

C2. Increasing Demand for Services to LEP Individuals in Connecticut Courts

Despite the fairly constant number of Branch interpreters, ITS has worked to provide interpreters to meet the expanding needs of the courts. Interpreters are routinely required to cover several courtrooms and to travel extensively. In addition, some interpreters complete written translation assignments during intermittent short periods of down-time between cases. Due to the shortage of interpreter staff, the time required to complete translations is so long that many requests are not met in a timely manner. Given the projected increase in the population of LEP individuals in Connecticut, the Judicial Branch can no longer fulfill the needs of these individuals in the courts without improvements to operations and increases in the number of interpreters on staff.

C3. Recruiting Interpreter Candidates

To understand the difficulties encountered in recruiting and retaining qualified interpreters, it is necessary to understand the role and qualifications of the court interpreter. Court interpretation and translation require an integrated combination of specialized knowledge, skills, and experience. Complete proficiency in both English and the foreign language is necessary. In a courtroom, court interpreters must have a full command of technical language, legal "jargon," street slang, and formal language (both in English and several dialects of the target language) and have bicultural awareness. Interpreters must be able to interpret simultaneously (as the words are spoken) and consecutively (after the words are spoken). They also must be able to provide sight translations (spoken translation of written documents), and sometimes are asked to provide written translations. In addition, interpreters must have a solid foundation in ethics, procedures, and protocol.

It is recommended that the Branch consider hiring more bilingual staff for positions which directly serve LEP individuals (see Section VII, Recommendation 9).

Figure 1 (next page) displays the results of a six-month process to recruit promising interpreting candidates to attend an ITS Orientation Program held on July 28th and 29th of 2007. As set forth in Figure 1, only 9 candidates, from an initial 570 applicants, met a preliminary eligibility standard to qualify to interpret in Connecticut Superior Courts.

FIGURE 1

YIELD OF SIX-MONTH PROCESS IN 2007 TO FIND QUALIFIED INTERPRETER CANDIDATES

<p>258 AGENCY CANDIDATES Agency interpreters registered to take the written exam from February 2006 until July 2007.</p>	<p>570 INITIAL APPLICANTS</p>	<p>312 JUDICIAL CANDIDATES Temporary interpreter candidates: 130 Didn't complete applic. process to attend February '07 Orientation, but still active. 182 New candidates who contacted our office from February to July 2007.</p>
<p>Application/recruiting process of agency interpreters is done directly by the Agencies.</p>		<p>143 Did not complete application process for the following reasons: Did not turn paperwork in on time. Discontinued communication. 169 Completed paperwork on time.</p>
<p>258 Eligible Agency interpreters: 68 Agency interpreters failed to attend exam after having confirmed attendance. 190 Agency interpreters attended the written Exam.</p>	<p>427 ELIGIBLE TO TAKE WRITTEN EXAM</p>	<p>169 Temp. candidates with all paperwork: 67 Failed to commit to exam date. 102 Able to attend exam: 67 Did not attend written exam due to: Confirmed and did not attend. Dropped out. Discontinued communication. 35 Attended written exam.</p>
<p>55 Failed the Generic and Ethics test. 17 Passed only Ethics part, failed Generic 36 Passed only Generic part, failed Ethics 82 Passed both parts of the test. *Agency interpreters take Ethics exam together with the Generic.</p>		<p>EXAM RESULTS</p>
<p>118 Agency interpreters invited to attend Orientation: 82 passed exam in its entirety. 36 passed Generic part only (failed Ethics) but would be able to attend Orientation and re-take Ethics there. 35 Agency interpreters confirmed their Attendance: 3 to re-take Ethics at Orientation..</p>	<p>127 CAND / INTERPS. ABLE TO ATTEND</p>	
<p>3 Agency interpreters attended Orientation and passed Ethics (out of 27 who attended).</p>		<p>FINAL RESULTS</p>

C4. Interpreter Compensation

The Connecticut Judicial Branch faces growing challenges in attracting qualified candidates who possess the proficiency required by the certification exam due to the Branch's current pay rates and hiring practices, as well as to competition from private and other public-sector employers (e.g., hospitals, schools, airports). These other employers generally have less stringent requirements than those of court interpreters and pay higher salaries. In addition, the screening and testing process for qualifying and certifying interpreters is time-consuming and costly.

Although it is somewhat difficult to make direct comparisons for pay rates between Connecticut and nearby states, Connecticut's court interpreter salaries are generally lower than those of surrounding states, and well below those of the Federal court system. (See Appendix C: Survey: Compensation – Contract [Temporary] Interpreters – 2007; Appendix D: Survey: Compensation – Salaried Interpreters – 2007, The Consortium for State Court Interpreter Certification, National Center for State Courts; and Appendix E: Current Fees for Contract Interpreters, U.S. District Courts.)

According to current Branch hiring practices, all new ITS interpreters work as temporary employees for a time period, generally up to 2 years. If they fail to pass Connecticut's prescribed certification exams by the end of the established period, their services are discontinued. During this period, they are paid \$15.93 per hour. This rate is 27% lower than the \$21.75 hourly rate which permanent, qualified, but non-certified, interpreters are paid. If a temporary interpreter passes the oral certification exam, but a current permanent position is not available, the interpreter continues earning \$15.93 per hour. This rate is 34% lower than the \$23.97 hourly rate which permanent certified interpreters are paid by the Branch. At the same time, other organizations are competing for interpreter services by paying their interpreters at rates that exceed those paid by the Branch. This disparity adds to the competitive disadvantage faced by the Branch.

D. INTERPRETING SERVICES FOR THE CIVIL COURTS

ITS provides interpreter and translator services in cases where life, liberty, children, or housing are involved. Therefore, in addition to supplying interpreters for Criminal Court, ITS supplies interpreters for housing, support enforcement, and family matters, including restraining orders. Currently, it is usually not possible to provide interpreters for other civil matters.

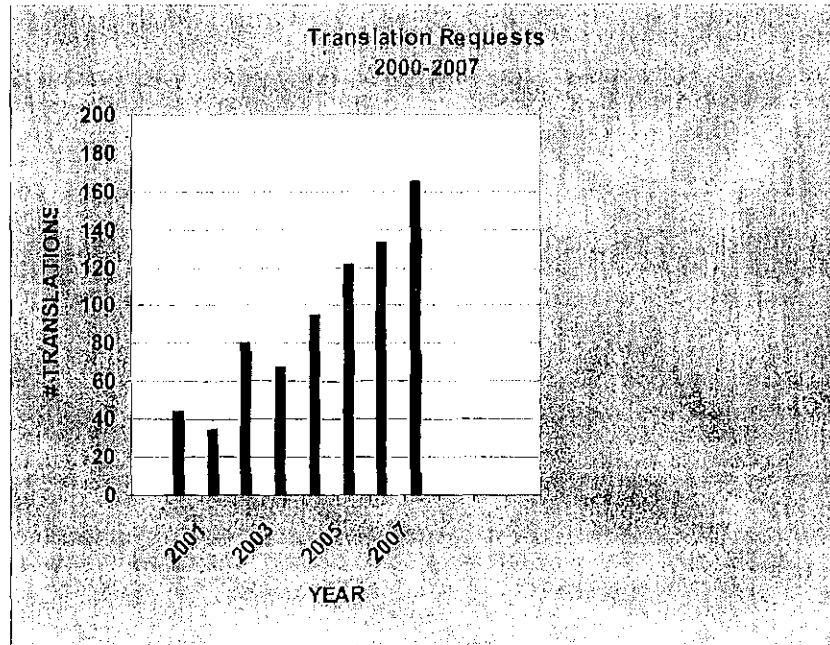
When court interpreters are not provided, other individuals, such as family members or friends, are sometimes allowed to interpret. When such individuals provide interpreting services, it is possible that information they transmit during the proceeding or interview becomes omitted or distorted because these individuals generally do not possess the skills of a trained interpreter.

E. TRANSLATION OF COURT FORMS/DOCUMENTS

Translation is the transference of ideas from a written document in one language, accurately and completely, into a written document in another language. ITS translates documents at the request of State's Attorneys, Public Defenders, Support Enforcement, Probation, Family Services, the Clerk's Office, and other units in the Judicial Branch. Documents translated have varied in length from one paragraph to 140 pages, and may need to be translated from English into another language, or from another language into English. The types of documents translated include legal documents, such as trial transcripts, motions, orders, and decisions, as well as sworn statements, affidavits, expert witness reports, psychological and social studies, and letters to or from prison inmates. In addition, ITS staff translates forms, booklets, manuals, brochures, and any other Judicial Branch publications, either in hardcopy or online formats, for which a translation is requested.

Figure 2 displays the increasing number of translation requests each year.

FIGURE 2
NUMBER OF TRANSLATION REQUESTED AND COMPLETED BY YEAR



ITS also provides transcription/translation of audio and video sources, meaning that spoken words are transcribed from the original non-English audio/visual source recording into a written text. This written text is then translated into English for use by the Courts. Legal translation and transcription/translation are very specialized, detailed, and time-consuming processes that require highly qualified personnel. The two-step transcription/translation process is even more time consuming than standard written-to-written legal translation. According to the U.S. District Court, Central District of California, in "Translation of Tapes, Videotapes, and Compact Disks," for each 1 minute in the original recording, 30 minutes to 1 hour of transcription and translation time is required.

Although some certified interpreters also work as translators, not all qualified interpreters can produce quality translations, because some different skill sets and experience are needed. Translators often must spend time to produce accurate legal translations, time which typically is not required for standard interpreting assignments.

Translators frequently must refer to dictionaries, statutes, and civil and penal codes in order to complete a translation assignment professionally.

While translation requests are initially assigned to certified interpreters, translation protocol requires that the draft translations these interpreters produce must then be reviewed, edited and corrected by a certified translator. Editing legal documents is a detailed and time-consuming task. ITS has three certified interpreters who are also certified by the American Translators Association (ATA; see Appendix F: Interim Forensic Transcription/Translation Protocol). These certified translators, who also cover interpreting assignments daily, face a considerable challenge in ensuring that legal publications are translated consistently and accurately within required deadlines. One of these certified translators currently manages translation requests, and edits most translations, while also supervising interpreting staff in a busy district and covering interpreting assignments daily.

Currently, no member of ITS staff is dedicated to translation work, and requests must be received and re-entered into the Translation section of the Interpreter Scheduling program; and appropriate translation-management software is not available to meet the increasing demand for timely translations. Dedicating at least one interpreter to translation management, automating the entry of translation requests into the Translation section of the Interpreter Scheduling program, and purchasing appropriate terminology-management translation software may be cost-effective in meeting the growing demand for translators (See Section VII, Recommendations 1, 4, and 8).

F. Training of Court Staff/Judges/Administrators

Many court staff, judges, and administrators are sometimes unaware of the special needs of LEP individuals, or the procedures necessary to access interpreter services to overcome language barriers. Court staff may not be fully aware of the potential consequences of using an unqualified interpreter, which include conflicts of interest, distortions of the record, and other interpreting-related deficiencies, which may result in the denial of access to the courts.

The Judicial Branch provides a one-half day program on diversity for new judges and magistrates. In 2003, ITS was included as a presenter, focusing on a variety of issues relevant to LEP individuals. Additionally, in support of the Public Service and Trust Commission's Strategic Plan for the Judicial Branch, the Branch is currently developing an informational training program, "What You Need to Know about Limited English Proficiency," to ensure that Judicial staff know the legal obligation of the courts to provide LEP individuals with meaningful access to the courts' programs and services, and to educate employees as to how to access interpreter services. This training will soon be available to all Judicial Branch staff.

SECTION II: ANALYSIS OF SPECIFIC TYPES OF INTERPRETERS

A. LANGUAGES REQUESTED

Figure 3, which follows, displays the number of interpreting requests by language in 2007, in volume order. It illustrates that in 2007, ITS received approximately 44,615 interpreting requests for interpreting services in the 24 most-requested languages. ITS provided an interpreter for approximately 98% of these requests for both on-the-record and off-the-record interpreting services. The requests summarized in Figure 3, however, do not include requests handled by Telephonic Bilingual Services (TBS) or the Commission on the Deaf and Hearing-Impaired.

FIGURE 3

**INTERPRETING REQUESTS BY LANGUAGE AND VOLUME FOR 2007
(FOR BOTH ON-THE-RECORD AND OFF-THE-RECORD REQUESTS TO ITS)**

Language	Total Requests
Spanish	38,889
Portuguese	1,957
Polish	1,228
French/Haitian/Creole	447
Chinese/Mandarin/Cantonese	386
Russian	257
Albanian	254
Korean	216
Vietnamese	214
Laotian	119
Bosnian	105
Ukranian	105
Hindi/Gujarati/Punjabi	64
Italian	64
Turkish	50
Arabic	42
Cambodian	42
Somali	33
Greek	32
Hungarian	31
Thai	31
Farsi	23
Cape Verdean	13
Quiche	13
GRAND TOTAL OF REQUESTS	44,615

B. AMERICAN SIGN LANGUAGE

ITS is not the unit responsible for providing sign-language interpreting services, as is the practice in some other states. Instead, these services are provided by the State Commission on the Deaf and Hearing Impaired, established by the Connecticut General Assembly in 1974. This Commission is a part of the Department of Social Services (for administrative purposes only), and its functions and responsibilities are covered by Connecticut General Statutes, Sections 46a-27 through 46a-40, in which it is defined as “a state-wide coordinating agency to advocate, strengthen and implement state policies affecting deaf and hearing impaired individuals.”

The enabling statutory sections describe the interpreting services provided by the commission in legal, medical, and educational settings, and establish registration and certification procedures for sign language interpreters.

The State Commission on the Deaf and Hearing Impaired reports that it currently has seven interpreters qualified to interpret in court proceedings. In FY 2008, these interpreters responded to approximately 1,150 requests from Connecticut’s courts.

C. QUALITY CONSIDERATIONS (INCLUDING TESTING, TRAINING AND CERTIFICATION)

To provide qualified interpreting services to LEP individuals, ITS extensively tests and trains interpreter candidates. Figure 1, included previously, shows a representative yield during an initial testing period in 2007.

Testing of candidates and newly hired interpreters specifically includes:

- A Written English Exam,
- A Written Translation component into Spanish (for Spanish-language candidates);
- An Oral Screening Exam of proficiency into candidates’ non-English languages (after which candidates may be hired as temporary employees);
- A Written Ethics Exam;
- An Oral Readiness Assessment of candidates’ readiness to be sworn in; and,
- An Oral Certification Exam.

The training includes a 2 - 8 week paid mentoring period; a practice that few, if any other states, have implemented. During the mentoring period, candidates are given comprehensive manuals and customized attention from certified interpreter mentors (as their time allows) so that they can acquire the following:

- A basic understanding of legal terminology commonly used in Connecticut courts,
- Simultaneous interpreting skills, and
- Ethical training.

The mentoring period culminates with a rigorous readiness assessment, or series of assessments, which candidates must pass before they are considered qualified and are permitted to interpret on the record.

Figures 4 and 5 list the elements in the testing and training of interpreter candidates. These figures illustrate the length and cost of the process for an ITS interpreter candidate to become qualified, and eventually certified, to provide interpreting services in the courts. The figures also include some specific recommendations to reduce the time and resources required. Among other things, Figures 4 and 5 recommend:

- Discouraging unqualified candidates from applying by
 - Collecting appropriate fees from candidates for testing and training (a practice that is implemented in other states); and
 - Creating a self-assessment sample exam online.
- For candidates who apply:
 - Enhancing communication regarding proper registration for exams following Consortium guidelines; and
 - Automating candidates' notification of their exam results.
- More effectively screening candidates by updating oral screening processes;
- Improving the training materials for those who pass screening exams to expedite their swearing-in as qualified court interpreters (e.g., by improving audio and civil training materials).
- Improving resources to help qualified interpreters become certified by

- Encouraging the development of skills-building seminars;
- Considering the collection of fees from candidates to make the training self-funded;
- Fostering the development of interpreting courses at Connecticut colleges;
and
- Fostering the development of professional interpreter and translator associations in Connecticut.

FIGURE 4 (two pages)

QUALITY CONSIDERATIONS: TESTING AND CERTIFICATION

Test	Measures	Administered to	Passing Std.	Pass Rate (2007-Oct. 2008)	Status/Issues	Recommendations
Written English Exam	Written English proficiency	All interpreter candidates, unless previously certified	80%	39% of All Tests 44% of Spanish Tests	Most current applicants fail this exam, and are insufficiently educated in aspects of English necessary for accurate interpretation in our courts.	<ol style="list-style-type: none"> 1. Consider charging candidates for tests. 2. Create on-line sample test to discourage unqualified candidates from applying. 3. Purchase grading machine to save time and prevent scoring errors.
Written Translation	Written proficiency (Spanish only)	All interpreter candidates, unless previously certified	70%	25% of Spanish-applicant tests	Labor intensive for single ATA-certified rater (person in charge of Translations) to grade, but a good predictor of written Spanish abilities; few pass.	Encourage other ITS Staff to get ATA certification so ITS can more efficiently measure the writing proficiency of candidates in Spanish, and begin measuring the writing proficiency of candidates in languages other than Spanish.
Written Ethics Exam	Understanding of interpreter's role: accurate, complete, neutral, no legal advice	All interpreter candidates	80%	73% of Tests	Works well; those who fail are given study materials and required to pass before they are considered qualified for court assignments.	
Simultaneous Oral Screening Exams (English into Other Lang.)	Spoken proficiency in other language; and baseline ability to interpret simultaneously between Eng. & other language.	All interpreter candidates who pass Written English (and Spanish Translation) exams	50% (Spanish); 70% (languages other than Spanish)	57% of Tests	Labor intensive to administer; current test used for Spanish needs to be updated; test used for languages other than Spanish is not the same type of test as the Spanish, and may not measure an equivalent level of capability.	<ol style="list-style-type: none"> 1. Add Oral Screening for English (available to purchase from external vendors, or ITS staff could be trained to do in-house.) 2. Consider substituting External Oral Screening Service to measure proficiency in non-English languages, as alternative to our limited oral screening. Note: this will not test baseline interpreting capability.

FIGURE 4 (two pages)

QUALITY CONSIDERATIONS: TESTING AND CERTIFICATION

Test	Measures	Administered to	Passing Std.	Pass Rate (2007-Oct. 2008)	Status/Issues	Recommendations
Readiness Assessments		All Interpreters toward the end of their 2 to 8-week mentoring period, to ensure that they are ready to cover all routine proceedings	Flexible but approx. 80%	13 of 15, or 87% (during Jan.-Nov. 2008)	These assessments are labor intensive to administer, but are a good safeguard to make sure unqualified interpreters are not sworn in. These assessments are administered in a somewhat subjective manner.	<p>Improve Audio Materials</p> <ol style="list-style-type: none"> 1. Create practice tapes at slower speeds. 2. Put blank segments between parts of audio. 3. Add or Improve civil/family/housing/juvenile components of the Audio Materials and Mini-Glossaries that are used in these readiness assessments.
Oral Certification Exams					<p>Few candidates pass, especially in languages other than Spanish;</p> <p>Ability to test candidates hindered by \$200 charge to rate each exam, and lack of mechanism to bill candidates for this exam.</p>	<ol style="list-style-type: none"> 1. Encourage development of college courses & professional associations in CT. 2. Offer Orientation and Skills-Building seminars in CT. These seminars could be self-funded if candidates are charged to attend. 3. If pay is not increased, help fund attendance at accredited training courses outside CT for promising candidates, through educational time or tuition reimbursement.

FIGURE 5 (two pages)
QUALITY CONSIDERATIONS: TRAINING

Educational/Training Resource	For	Status/ Issues	Recommendations
Information on Judicial Internet re: Employment for Interpreting at CT Judicial Branch (Glossaries and Introductory Documents)	Interpreter Candidates	Many unqualified persons apply and are disappointed, and considerable ITS resources are used in tracking.	<ol style="list-style-type: none"> 1. Could better incorporate self-assessment to discourage unqualified candidates. 2. Could further streamline application proc. per Court Operation Computer Systems Support.
1-Day In-House Orientation in Hartford	Newly hired Interpreters-in-Training	Works well.	Emphasize Readiness Assessment and Oral Certification Exams that will follow.
Mentoring Program and Mentoring Manuals (2), Created Sept. 2008	Newly hired Interpreters-in-Training, during 2-8 Week (avg.) Mentoring Period	Works well, but is labor-intensive for mentors, many candidates don't succeed or stay, and some mentors say they don't have enough time outside of court to do mentoring, or the freedom to change assignments to show mentee full breadth of hearings during brief period. Training is highly personalized by mentor and location, and quality of mentoring varies.	<ol style="list-style-type: none"> 1. Could substitute 16 hour training, & court observation programs, (for intensive mentoring), which some other states employ, although these do not prepare interpreters to cover all types of proceedings. 2. Could better "train the trainers" and incorporate more of their suggestions to improve the materials. 3. Complete Mini-Glossaries.
Readiness Assessments for being Sworn In	Interpreters in Training	Besides testing, readiness assessment includes training to fill in gaps typically not well covered during mentoring (e.g., intro to juvenile and other non-criminal matters).	Readiness assessments could be systematized further. Other staff could be trained to give these assessments, if desired.
Annual June Meetings	Staff Interpreters	Excellent for continuing education and morale.	Continue these seminars and explore instituting a continuing-education component for certified interpreters.

FIGURE 5 (two pages)
QUALITY CONSIDERATIONS: TRAINING

Educational/Training Resource	For	Status/ Issues	Recommendations
Assorted Occasional In-House Skills-Building Workshops	Primarily for Staff Interpreters seeking to pass Oral Certification Exams	These workshops are always beneficial to attendees and several in-house master interpreters have much to share.	
Judicial Intranet pages: Interpreter Overview; listing of Administrative staff; listing of staff Court Interpreters; listing of Temporary Court Interpreters; Recruitment Brochure; Yearly Seminars; listing of languages; glossaries and documents for Court Interpreters; requests for Interpreter and Translator Services; Policies and Procedures; Newsletter; Working with Court Interpreters (Bench Card, 2006).	Current Judicial Interpreters	Judicial Intranet web pages, "State of Connecticut Judicial Branch, Superior Court Operations, Interpreter and Translator Services" (http://zeus/Co/AdminUnit/CourtInterpreters/Index.htm).	Update Judicial Intranet Interpreter web pages with relevant educational training resources.
Judicial Internet pages	Potential interpreter candidates	Pages currently offer some resources to prepare candidates to pass ITS qualifying and certifying exams.	Expand candidate training resources on Judicial Internet.

D. CURRENT USE AND RECOMMENDED EXPANSION OF THE TELEPHONIC BILINGUAL SERVICES (TBS) PROGRAM

The Telephonic Bilingual Services Program allows for spontaneous interpreting services by telephone to Judicial staff seeking to communicate with LEP individuals off-the-record. Judicial staff who are in need of off-the-record telephonic interpreting for Spanish may call Judicial TBS staff (currently one person), who then provides the interpreting personally, when available. When TBS staff is unavailable for a Spanish-language call, or when the request is for interpreting in a language other than Spanish, requestors may call a service-provider agency, currently Language Line Services, Inc. This agency provides an interpreter by telephone within several minutes, enabling communication between the Judicial requestor and the LEP individual, 24 hours per day, 365 days per year, in more than 150 languages. On average, the agency provides interpreting services for approximately 313 calls per month, at a cost of 1 dollar per minute. Each call averages approximately 30 minutes.

Figure 6, which follows, summarizes the calls in 2007 through September 2008 which were personally interpreted by Judicial TBS Staff, and those interpreted through calls to Language Line Services, Inc.

FIGURE 6
INTERPRETING REQUESTS BY LANGUAGE AND VOLUME FOR 2007

Language	Total Calls to Judicial TBS Staff Jan. 2007-Sept. 2008	Total Calls to Language Line, Inc. Jan. 2007-Sept. 2008	Grand Total Calls
Spanish	1,634	6,280	
Portuguese		97	
Polish		42	
Mandarin		29	
Vietnamese		29	
Russian		16	
French		15	
Albanian		14	
Amharic		11	
Haitian Creole		9	
Korean		9	
Bosnian		8	
Laotian		6	
Arabic		6	
Urdu		2	
Bengali		2	
Hungarian		2	
Greek		1	
Total	1,634	6,578	8,212
Average Calls/Month	78	313	391

After beginning in the New Britain Judicial District as a pilot program, TBS has recently expanded their services to the statewide offices of the Court Support Services Division, Support Enforcement Services, Centralized Infraction Bureau, Jury Administration, and the Office of Victim Services. Expansion to other courts has proven problematic because some locations do not have appropriate telephone capabilities. For example, in some locations, the telephone communications infrastructure does not permit staff to place calls to 1-800 or out-of-state numbers, which are required to access remote interpreting through Language Line Services.

The Branch may provide improved and more cost-effective access to qualified off-the-record interpreting services outside of the courtroom by re-organizing, renaming, and expanding TBS (see Recommendation 2). TBS could efficiently provide both telephonic and some in-person interpreting (e.g., jail interviews, CSSD studies and interviews, Court Operations interviews, etc.) if the following is implemented:

- Suitable permanent qualified (but non-certified) Spanish-language interpreters are reassigned to TBS; and
- Telephonic capabilities are modified, and telephone equipment (in some cases, equipment which has already been acquired), is activated.

Implementing this recommendation will allow certified ITS staff to provide more timely interpreting services in the courtroom, while qualified staff provide more services outside of the courtroom. Deploying the qualified staff in this way will also reduce the current cost of Language Line services for Spanish-language calls.

E. IN-COURT TELEPHONE AND VIDEO INTERPRETING

The ITS Unit has acquired equipment and has conducted initial tests to facilitate the use of telephone interpreting in courtroom proceedings in a few locations. As ITS continues to serve growing volumes of requests for services, and an increasing number of languages with limited numbers of qualified interpreters, telephone services can be expected to improve operational efficiency as well as reduce costs. It is anticipated that these services will be used only in proceedings of short duration. Branch staff will rely on telephone services similar to the TBS Program currently used, but with conference-call telephone capability to permit everyone in the courtroom to hear. Also, it is contemplated that the Branch's own staff interpreters could provide these services from remote locations when necessary. Emerging technology using videoconferencing equipment and services also may be considered for remote courtroom interpreting.

However, issues such as administering oaths to private agency interpreters via telephone need to be considered and addressed before this service can be implemented.

SECTION III: ACCESSING INTERPRETER AND TRANSLATOR SERVICES (EXCLUDING TELEPHONIC BILINGUAL SERVICES)

A. CURRENT PROCEDURES

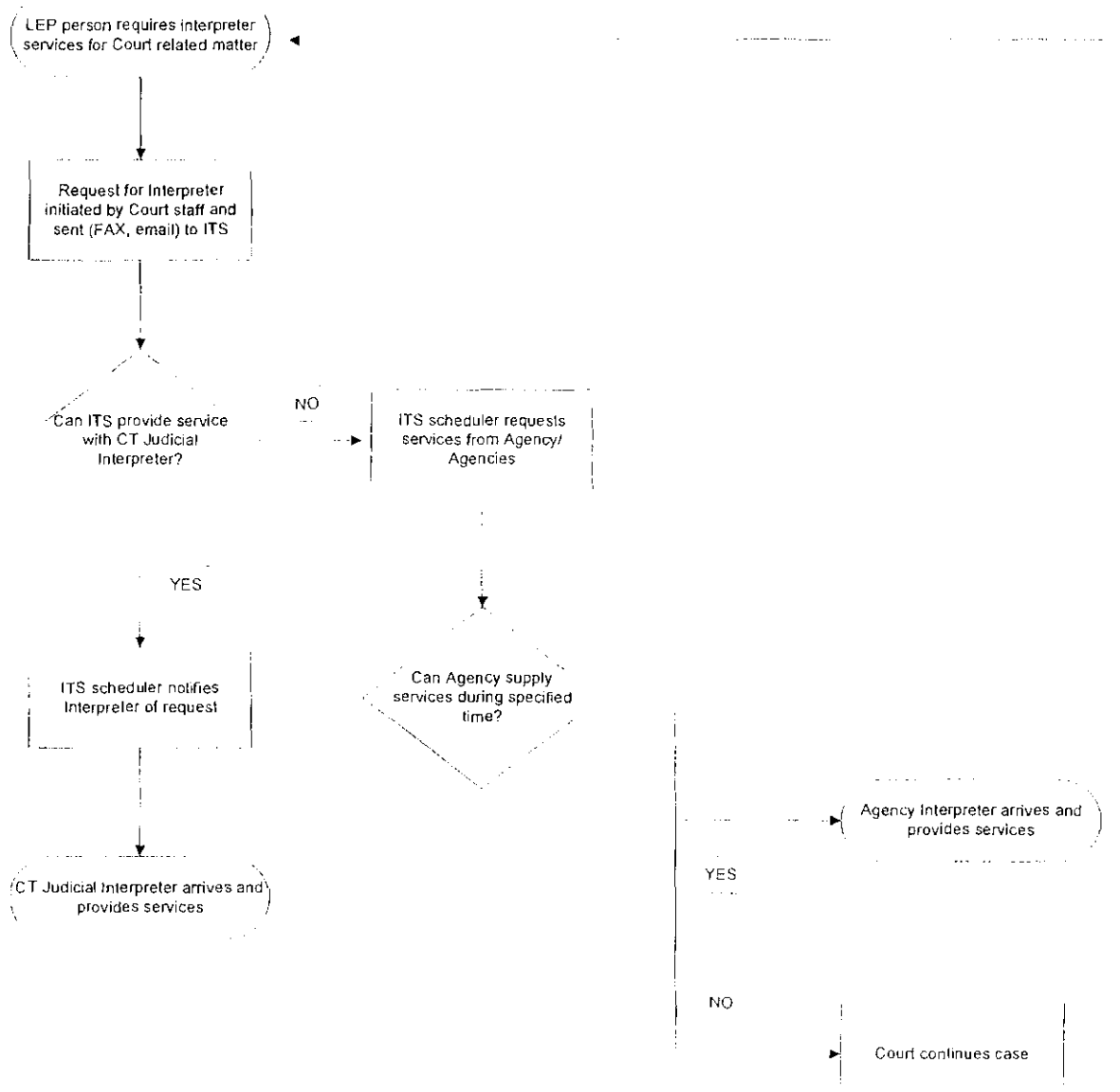
Currently, Judicial staff accesses interpreter services through ITS in two ways:

- By using the Spanish, Portuguese, and Polish interpreters who are assigned daily in specified high-volume court locations (see Figure 10, Section IV: Current Number and Location of Interpreters).
- By submitting the standard “Interpreter Services Request Form” to the ITS Unit by email or FAX (Figure 8). (The second page of the form allows LEP individuals to assist Branch staff to identify the language services needed by asking the individual to mark a given box if the individual speaks a given language.)

ITS staff then enters this information into the Interpreters “Scheduler” System.

Figure 7 (that follows) illustrates the current process for access to, and provision of, interpreter services by specific request to ITS. Section II, D (Current Use and Recommended Expansion of Telephonic Bilingual Services (TBS) Program) has outlined the current process for access to, and provision of, interpreter services through TBS.

**FIGURE 7
ACCESSING AND PROVIDING INTERPRETER SERVICES
BY SPECIFIC REQUEST TO ITS**



When ITS receives requests with adequate notice, it can effectively arrange for the requested interpreter services to be provided by Judicial Branch or Agency staff.

Challenges in providing interpreters arise when ITS staff receives an urgent request for same-day services (e.g., for an arraignment or trials). A same-day request may arise

- From a location where an on-site interpreter is not scheduled for that day, or
- For a language in which ITS staff cannot provide. In this case, ITS must initiate a request to a vendor agency, which is both time-consuming and costly, and cannot always be satisfied that day.

In some cases, ITS is able to arrange services for later the same morning, or for the afternoon session. When a same-day request cannot be satisfied, the court is obliged to continue the case to a future date. Section VIII, Recommendation 1, outlines how early detection of the need for interpreting services by first-line staff will minimize this occurrence. It is also recommended that the Information Technology Division, and the Court Operations Computer Systems Support Unit, develop computer programs that would allow interpreter-request information to be downloaded from the various judicial case-management systems into the ITS Scheduling System, from the moment the need for an interpreter for a specific case is recognized and recorded. Once accomplished, it is envisioned that these early-detection and automation processes will:

- Help schedulers more effectively assign the limited number of interpreters to cover the maximum number of cases in a timely manner;
- Significantly decrease time currently spent entering interpreter requests; and
- Cut down on data-entry errors that occasionally result in delays before an interpreting request is satisfied.

FIGURE 8

Interpreter Services Request Form

**INTERPRETER SERVICES
REQUEST FORM**
JD-CU-93 New 5-06

Interpreter and Translator Services
90 Washington Street
Hartford, Connecticut 06106
Phone: (860) 706-5040
Fax: (860) 706-5088
E-mail address: Interpreter.request@jud.ct.gov



Date Interpreter Needed:		Time Interpreter Needed:	
Location Where Interpreter Needed:			Courtroom Number:
Stage of Proceeding:	<input type="checkbox"/> Plea <input type="checkbox"/> Pre-Trial <input type="checkbox"/> Y.O.	<input type="checkbox"/> Interview <input type="checkbox"/> Court Hearing <input type="checkbox"/> Court Trial	<input type="checkbox"/> Jury Trial <input type="checkbox"/> Sentencing <input type="checkbox"/> Other
Judge:		Duration of Proceeding:	
Language(s) to be Interpreted:			
Case Name:			
Docket Number:		Date Request Made:	
Requested From:			
Phone Number of Requestor (include area code):			
Comments: (include name of person in need of interpreting services and his/her relation to case, e.g. defendant, witness, family member, minor)			

The Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact Interpreter and Translator Services at telephone number (860) 706-5040, fax number (860) 706-5088 or at the address noted above.

LANGUAGE IDENTIFICATION GUIDE

Marque esta casilla si lee o habla español.	<input type="checkbox"/>	Spanish
Assinale este quadrado se você lê ou fala português.	<input type="checkbox"/>	Portuguese
Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	<input type="checkbox"/>	Polish
Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	<input type="checkbox"/>	Haitian Creole
如果你能读中文或讲中文。请选择此框。	<input type="checkbox"/>	Chinese <small>(try to determine whether Mandarin or Cantonese)</small>
Пометьте этот квадратик, если вы читаете или говорите по-русски.	<input type="checkbox"/>	Russian
Veri shenje boksit po shkruan dhe lexon Shqip.	<input type="checkbox"/>	Albanian
한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	<input type="checkbox"/>	Korean
Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	<input type="checkbox"/>	Vietnamese
ໄຕ້ໂນນາບໄຊຊອງນີ້ ຖ້າທ່ານອ່ານຫຼືບາກພາສາລາວ .	<input type="checkbox"/>	Laotian
Označite ovaj kvadratić ako čitate ili govorite bosanski.	<input type="checkbox"/>	Bosnian
Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	<input type="checkbox"/>	Ukrainian

A request for translation services is accomplished by completing the "Translation Services Request Form." This form (Figure 9) is e-mailed or faxed to the ITS Lead Interpreter for Translations. The Lead Interpreter then enters this request into the Translation Tracking component within the ITS Scheduling system, and arranges for the requested translation to be prepared and edited by certified Judicial Branch interpreters (or Agency staff, when certified Judicial interpreter for that language is not available). The existing Translation-Request form is being revised by Legal Services. It is recommended that computer programs be developed to allow translation requests to be downloaded into the Translation Tracking component within the ITS Scheduling system.

FIGURE 9

Translation Services Request Form (updated version in process)

**Translation Services Request Form
INTERPRETER AND TRANSLATOR SERVICES
GA 4 WATERBURY
400 GRAND STREET
WATERBURY, CONNECTICUT 06702**

TEL: 203.236.8082

FAX: 203.236.8090

Request Date: _____

Requested by: (pls. include name, title & department) _____

Tel: _____ **Fax:** _____

Address:

Return to: (if different from above) _____

Source Language _____ **Target Language** _____

Materials enclosed - please circle: video tape or audio tape or documents

Number of taped minutes or pages _____

Date needed by: _____ **Case name and number** _____

Comments:

DO NOT WRITE BELOW THIS LINE

Date Received: _____ **Request Tracking No:** _____

Given to: _____ **Date:** _____

Address: _____ **Tel:** _____

Fax: _____

Deadline: _____ **Date received from translator:** _____

Date sent: _____ **Via:** _____

B. INFORMING STAFF AND PUBLIC OF CURRENT PROCEDURES TO ACCESS SERVICES

The following methods are available to inform Judicial Branch Staff of the current procedures for requesting interpreting and translating services, and how to effectively use the services.

1. Intranet Website:
 - “Requests for Interpreting and Translating Services” page (contains forms and Instructions for requesting services);
 - Form JD-CL-93 (Interpreter Services Request Form) in the “Judicial Branch Forms” page;
 - The electronic ITS Unit Brochure (“Interpreter and Translator Services”) in English, Spanish, and Portuguese; and
 - “Principles of the Proper Utilization of Interpreters in the Courtroom” (handout prepared by ITS Unit).
2. The hardcopy ITS Unit Brochure (“Interpreter and Translator Services”) in English, Spanish, and Portuguese is available at Clerk’s Offices, Court Service Centers, and Public Information Desks.
3. Education and training for Judicial staff, such as
 - Presentation on LEP issues and interpreting at the 2008 “Diversity Day” held by the Judicial Branch.
 - A presentation within “Diversity Advantage” training for new Judges and Magistrates on “Effective Communication with Limited-English Speakers.”
 - A training program for all Judicial staff, currently being scheduled for 2009, entitled “What You Need to Know about Limited-English Proficiency.”

Currently there are no methods available to inform members of the public of the current procedures to request interpreting and translating services. It is an ITS goal to publicize these procedures.

SECTION IV: CURRENT NUMBER AND LOCATION OF INTERPRETERS

Figure 10 (next page) outlines the current number of Judicial interpreters assigned to the various court locations, based upon automatic standing requests. Figure 10 illustrates the following:

1. Total staffing levels have been reduced in recent years
 - In 2006, a total of 72 permanent and temporary interpreters in all languages were employed;
 - In 2007, a total of 69 permanent and temporary interpreters in all languages were employed;
 - In 2008, a total of 55 permanent and temporary interpreters in all languages are employed.

The reductions are attributable to two major causes:

- Separation of employees unable to pass qualifying exams (without the corresponding employment of qualified interpreters willing to accept our compensation level), and
 - Standard retirements and other forms of attrition.
2. Events in other parts of the world have caused changing demographic trends in Connecticut, resulting in requests for interpreters for languages previously unfamiliar to the courts in Connecticut, such as Cape Verdean, Quiche, and Burmese.

FIGURE 10 (three pages)

CURRENT NUMBER AND LOCATION OF INTERPRETERS

JD	Schedule of basic In-Court Assignments	Additional Assignments/locations by request	Permanent staff available permanently assigned per Districts			Most requested Languages			Special Comments
			2006	2007	2008 as of 11/12/08	2006	2007	2008 as of 11/12/08	
Ansonia/ Milford	GA5 (Mon all day) GA22 (Tues/Thurs all day)	Milford JD Supp (Tues) Housing (Weds AM in Derby) 1 Darina Place Milford (Prob)	0	0	0	Spanish Polish Portuguese Albanian	Spanish Polish Chinese Portuguese	Spanish Polish Chinese Portuguese	Covered by temp Spanish interps
Danbury	GA3/DBJD (Every Day) Housing (Mon) DBJC (Mon) /Supp (Weds)	319 Main St (Prob) Garner C.I.	2 Spanish	2 Spanish	2 Spanish 1 Portuguese	Spanish Portuguese Cambodian Vietnamese	Spanish Portuguese Vietnamese Russian	Spanish Portuguese Cambodian Hindi/Guja/Punjabi	A Portuguese temp interp was assigned to GA3 daily in 2006 and 2007
Fairfield	GA2 (Every Day) Supp (Thurs.Fri) BPJD(Every Day) Housing (Mon,Wed,Fri) BPJC (Every Day) Supp at Lafayette Cir (Mon-Wed)	Juvenile Detention Center Bridgeport C.I. 1 Lafayette Circle (Prob) 299 Washington Ave (Prob) Juvenile Detention Cr	5 Spanish	4 Spanish	3 Spanish	Spanish Portuguese Polish Haitian/French	Spanish Portuguese Polish Haitian/French	Spanish Portuguese Haitian/French Polish	
Hartford	GA12 GA13 GA14/HFJD Family/Supp Community Court(Every Day) Housing(Tues) HFJC	Enfield C.I. Hartford C.I. MacDougal-Walker C.I. Willard-Cybulski C.I. Robinson C.I. 309 Wawarme Ave, Htfd (Prob) Appellate Court (Hartford) Hartford Hospital OVS (Wethersfield)	4 Spanish	5 Spanish 1 Spanish/Portuguese	6 Spanish 1 Spanish/Portuguese	Spanish Polish Vietnamese Russian	Spanish Portuguese Polish Vietnamese	Spanish Polish Vietnamese Portuguese	
Litchfield	GA18 (Mon, Tues & Thurs)	LTJD/Housing/Supp Torrington JC	0	0	0	Spanish Albanian Portuguese Hindi/Guj/Punj	Spanish Albanian Russian Portuguese	Spanish Portuguese/Albanian Chinese Polish	Waterbury permanent Spanish interpreter covers Litchfield
Middlesex	MDJC GA9/Child Protection (Every Day) Housing (Mon)	955 S Main St (Special Serv.) Whiting Forensic Inst Supp CT Valley Hospital	1 Spanish	1 Spanish	1 Spanish	Spanish Polish Portuguese Vietnamese	Spanish Polish Portuguese Vietnamese	Spanish Portuguese Vietnamese Chinese/Polish	
New Britain	GA15/NBJD/NBJC (Every Day) Supp (Tues) Housing (Thurs) GA17 (Weds am, Fri all day)	10 Whiting Street, NB (Mental Services, divers prog) 225 N Main Bristol (Adult Prob)	5 Spanish	3 Spanish	3 Spanish	Spanish Polish Bosnian Russian	Spanish Polish Russian Laotian	Spanish Polish Albanian Arabic	1 Polish-Lang. temp Interpreter is assigned to NB daily

FIGURE 10 (three pages)

CURRENT NUMBER AND LOCATION OF INTERPRETERS

JD	Schedule of basic In-Court Assignments	Additional Assignments/locations by request	Permanent staff available permanently assigned per Districts			Most requested Languages			Special Comments
			2006	2007	2008 as of 11/12/08	2006	2007	2008 as of 11/12/08	
New Haven New Haven	GA7 (Every Day) GA23 (Every Day) Housing (Tues,Thurs) NHJC (Every Day) NHJD/Supp (Every Day) Meriden Supp (Weds) Meriden Housing (Fri)	New Haven Housing (Fri) New Haven Juv. Detention Ctr New Haven C.I. Cheshire C.I. Manson Youth InSt Webster C.I. 867 State St NH (Prob) 165 Miller St Meriden (Juvenile Prob Interviews)	6 Spanish	6 Spanish	5 Spanish 1 for transl only	Spanish Polish Portuguese Korean	Spanish Vietnamese Polish Korean	Spanish Korean Polish Vietnamese	1 Spanish-lang interpreter assigned to translation-only work after not attaining certification
New London	GA10 (Every Day) GA21 (Every Day) WFJC (Mon-Thurs) Norwich Supp (Thurs)	NLJD Yrk C.I. Gates C.I. Corrigan-Radgowski C.I. Norwich Office of Evals.	1 Spanish	1 Spanish	2 Spanish	Spanish Chinese Haitian/French Turkish	Spanish Chinese Haitian/French Portuguese Cape Verdean (first time requested)	Spanish Chinese Haitian/French Vietnamese Cape Verdean	
Stamford Norwalk	GA1/ STJC / SNJD (Every Day) GA20 (Every Day) NWJC (Thurs)	717 West Avenue, Norwalk (Prob) NWJC other days per request	2 Spanish	3 Spanish 1 transl only	3 Spanish 1 trans only	Spanish Polish Haitian/French Korean	Spanish Polish Portuguese Haitian/French	Spanish Haitian/French Polish Ukrainian	Interpreter assigned to translation-only work after not attaining certification
Tolland	GA19 (Mon)	Rockville JD Rockville JC Osborne C.I. Northern C.I. Bergin C.I.	0	0	0	Spanish Laotian Hindi/Punj/Guj Polish	Spanish Haitian/French Chinese Lao/Ukrainian	Spanish Laotian Chinese Portuguese	
Waterbury	GA4 / WTJD (Every Day) Housing (Wed) Supp. 300 Grand (Mon,Tues,Thurs,Fri) Comm Court at 400 Grand (Mon&Fri) WTJC (Every Day)		4 Spanish	5 Spanish	4 Spanish	Spanish Portuguese Albanian Korean	Spanish Portuguese Albanian Haitian/French	Spanish Portuguese Albanian Hait/Fm/Burmese (first time requested)	
Windham	GA11/WDJD (Every Day) /Housing WLJC (Mon-Thurs) Windham Supp in Putnam (Thurs)	Brooklyn C.I. 109 Valley St Willimantic & 1320 Main St, Willimantic (Prob) Supp 108 Valley St Willimantic	1 Spanish	2 Spanish	2 Spanish	Spanish Chinese Russ/Portuguese Laotian	Spanish Portuguese Quiche (first time requested) Vietnamese	Spanish Portuguese Quiche Laotian	

FIGURE 10 (three pages)

CURRENT NUMBER AND LOCATION OF INTERPRETERS

JD	Schedule of basic In-Court Assignments	Additional Assignments/locations by request	Permanent staff available permanently assigned per Districts			Most requested Languages			Special Comments
			2006	2007	2008 as of 11/12/08	2006	2007	2008 as of 11/12/08	
			Temp staff available, traveling statewide						
			18 Non-Spanish	15 Non-Spanish	7 Non-Spanish				
			22 Spanish	20 Spanish	13 Spanish				

SECTION V: EVALUATION OF CURRENT POLICIES FOR ASSIGNING INTERPRETERS

ITS attempts to provide interpreting and translation services whenever requested, for cases where life, liberty, children, or housing are involved. ITS must weigh competing demands. ITS recognizes its responsibility to provide services to LEP individuals; however, at times, it must prioritize assignments based upon available resources. There is currently no regular and systematic evaluation within ITS to review the actual allocation of resources.

It is recommended that a more specific and detailed mechanism for prioritizing interpreting requests be developed, and that an analysis of the effectiveness of this mechanism be regularly performed.

SECTION VI: HIRING NEEDS

The following table (Figure 11) lists recommendations for the hiring of additional Branch interpreters to better satisfy current demands for access to the courts by LEP individuals. In making the recommendations, the following elements were considered:

- Current staffing and request levels, and the
- Current procedures for accessing interpreter services.

The recommendations do not reflect any expansion of services (e.g., to additional Civil matters) or changes in current procedures (e.g., the possible restructuring and expansion of TBS). If expansion of services to other areas is desired, or changes to current procedures are instituted, further study will be required to determine hiring needs.

FIGURE 11 (three pages) HIRING NEEDS

DISTRICT	Current Perm. Staff as of 11/12/08	Most Req. Langs. as of 11/12/2008	Comments	Hiring Needs
Ansonia/Milford	0	Spanish Polish Chinese Portuguese	Covered by temp Spanish interps	1 perm Spanish covering AM and GA7 Support on Wed, and GA4 on Fridays
Danbury	2 Spanish 1 Portuguese	Spanish Portuguese Cambodian Hindi/Gujarati/Punjabi	A Portuguese-language temp interp was assigned to GA3 on the daily basis in 2006 and 2007	1 perm Spanish for JC and Support covering NWJC on Thursdays and GA4 Fridays
Fairfield	3 Spanish	Spanish Portuguese Haitian/French Polish		2 permanent Spanish
Hartford	6 Spanish 1 Spanish/Portuguese	Spanish Polish Vietnamese Portuguese		1 perm Spanish covering GA19 on Mondays, GA13 on Tuesdays, MDJC on Wed and Thursdays. Hartford Support on Fridays
Litchfield	0	Spanish Portuguese/Albanian Chinese Polish	Waterbury permanent Spanish-Language interpreter covers LT	1 permanent Spanish also covering GA17 on Wednesdays and Fridays

FIGURE 11 (three pages) HIRING NEEDS

DISTRICT	Current Perm. Staff as of 11/12/08	Most Req. Langs. as of 11/12/2008	Comments	Hiring Needs
Middlesex	1 Spanish	Spanish Portuguese Vietnamese Chinese/Polish		(combined with Hartford position)
New Britain	3 Spanish	Spanish Polish Albanian Arabic	1 Polish-lang temporary interpreter is assigned to NB on the daily basis	1 Polish perm
New Haven	5 Spanish 1 for transl only	Spanish Korean Polish Vietnamese	1 Spanish-lang interpreter assigned to translation work only after not attaining certification	1 perm Spanish
New London	2 Spanish	Spanish Chinese Haitian/French Vietnamese Cape Verdean		
Stamford/Norwalk	3 Spanish 1 trans only	Spanish Haitian/French Polish Ukrainian	1 Spanish-lang interpreter assigned to translation work only after not attaining certification	

FIGURE 11 (three pages) HIRING NEEDS

DISTRICT	Current Perm. Staff as of 11/12/08	Most Req. Langs. as of 11/12/2008	Comments	Hiring Needs
Tolland	0	Spanish Laotian Chinese Portuguese		
Waterbury	4 Spanish	Spanish Portuguese Albanian Haitian- French/Burmese Burmese 1st time		1 permanent to allow Lead to work on translation work
Windham	2 Spanish	Spanish Portuguese Quiche Laotian		
			TOTAL HIRING NEEDS:	8 permanent Spanish 1 permanent Polish + part-time temporary interpreters in lesser most-requested languages

SECTION VII: RECOMMENDATIONS FOR IMPROVEMENT

The following recommendations for improving access to the courts for LEP individuals are presented in two groups, specified by the type of actions required to implement them.

- Operational Actions
- Human Resources Actions

OPERATIONAL ACTIONS

1. Standardize and streamline the processes to request interpreter and translator services by:
 - Enlisting the assistance of first-line Branch staff to consistently record in case-management systems (e.g., CR/MVS, Edison, etc.), at the earliest possible stage in a case involving LEP individuals, the following information:
 - The need for interpreting services in a case,
 - The language needed,
 - The type of proceeding and/or approximate duration of the interview requested.
 - Enlisting the assistance of the Information Technology Division, and the Court Operations Computer Systems Support Unit, to develop computer programs that would
 - Include an “Interpreter” and “Language” indicators in the case-management systems where they currently do not exist (Juvenile systems already possess an “Interpreter” indicator);
 - Automatically generate an interpreter-service request from early detection of the need by first-line staff;
 - Transfer pertinent data into the ITS Scheduler system, for every scheduled court appearance or interview throughout the duration of a case, until final disposition; and

- Print an "Interpreter" and "Language" indicators on all dockets.
- For translation requests, automatically generate a translation request when a requestor fills out a Translation Request Form, and transfer pertinent data from such requests into the Translation Tracking component within the ITS Scheduling system.

Once this system is in place, ITS can better predict and resolve competing scheduling demands for interpreting services, thereby assigning interpreters more effectively.

- It is recommended that a more specific and detailed mechanism for prioritizing interpreting requests be developed, and that an analysis of the effectiveness of this mechanism be regularly performed.

2. Provide improved and more cost-effective access to qualified telephonic and in-person interpreting services outside of the courtroom by expanding the scope and availability of Telephonic Bilingual Services (TBS) to Judicial Staff statewide. This improved access can be accomplished by:

- Considering expanding the scope of Telephonic Bilingual Services, and renaming it, to allow this unit to provide telephonic and in-person interpreting outside of the courtroom (e.g., jail interviews, CSSD studies and interviews, Court Operations interviews, etc.);
- Re-assigning suitable permanent qualified (but non-certified) Spanish-language interpreters to TBS; and
- Modifying, acquiring, and activating necessary telephonic infrastructure and equipment.

This recommendation, in part, will allow certified ITS staff to provide more timely interpreting services in the courtroom ("on the record" interpreting), and qualified staff to provide more services for needs outside of the courtroom. It is anticipated that deploying the qualified staff in this way will reduce the current cost of Language Line services for Spanish-language calls.

3. Permit the more effective use of scarce certified Spanish-language interpreters by considering the permissibility of using audio recordings of the advisements of constitutional rights in Spanish. These recordings could eliminate recurring conflicting requests for an interpreter to read the rights in Spanish in multiple courtrooms at the same time.
4. Consider acquisition of appropriate terminology-management translation software (e.g., the Trados program) to ensure consistent state-wide translation of important legal terminology on court forms for LEP individuals.
5. Consider implementing some of the procedural recommendations in Figures 4 and 5 (Quality Considerations for Testing, Certification, and Training). Implementing these recommendations would shorten the process to qualify and certify new interpreter candidates.
6. Strengthen interpreter services by:
 - Establishing Branch policies specifying the role and scope of duties and ethical requirements for interpreters in Connecticut Superior Courts, and
 - Creating a mechanism to allow candidates to pay for some testing and training. Although creating this mechanism may require legislation, it would be more cost-effective, attract more committed interpreter candidates, and allow ITS to focus their testing and training resources on a more promising pool of candidates.

HUMAN RESOURCES ACTIONS

7. Have the Branch consider recommending
 - An increase in the hourly pay rate for qualified temporary court interpreters, currently paid \$15.93/hour. See Appendix C, Survey: Compensation – Contract [Temporary] Interpreters – 2007, Consortium for State Court Interpreter Certification for comparative current market conditions); and
 - Establish higher rates for:
 - a. Services in hard-to-find languages, so that the Judicial Branch can compete with other employers (especially the court systems in adjoining states); and
 - b. Certified temporary interpreters.

8. Consider updating and/or creating job classifications for certified permanent interpreters as follows:
 - Update the “Interpreter II” job description for certified permanent interpreters to emphasize the professional (rather than clerical) services interpreters provide to the courts.
 - Establish a “Master Interpreter” job classification for those staff who pass the state certification with higher scores, or who hold multiple certifications (e.g., federal, ATA, interpreting certification in more than one language).
 - Establish an “Administrative Translator” position for a person responsible for managing translation assignments.

Creating this career path for certified interpreters would allow the Branch to retain and inspire increased contributions from superior-quality interpreters, who currently are paid the same as those who do not possess the same qualifications. It would enable ITS to better satisfy the growing demand for legal translations, and ensure more timely delivery of translations required for court-related proceedings.

9. The Branch should consider hiring more bilingual staff for positions which directly serve LEP individuals.

10. When funds become available, increase interpreter staff as outlined in Figure 11.
Thereafter, periodically, re-assess and review ITS staffing levels so that it can better meet the increasing demands for their services.

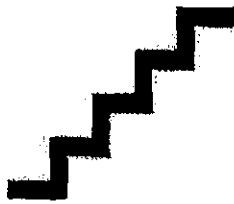
- Appendix A: Model Code of Responsibility for Interpreters in the Judiciary
- Appendix B: Immigration in Connecticut: A Growing Opportunity
- Appendix C: Survey: Compensation – Contract [Temporary] Interpreters – 2007, Consortium for State Court Interpreter Certification
- Appendix D: Survey: Compensation – Salaried Interpreters – 2007, Consortium for State Court Interpreter Certification
- Appendix E: Current Fees for Contract Interpreters, U.S. District Courts
- Appendix F: Interim Forensic Transcription/Translation Protocol

COPIES OF APPENDICES ARE AVAILABLE UPON REQUEST TO JUDGE SUPPORT SERVICES.

ATTACHMENT D

UNIVERSAL SIGNS

Universal Signs – No specific language needed



for Courtroom 2

ATTACHMENT E

PUBLICATIONS & FORMS TRANSLATED INTO OTHER LANGUAGES

**JUDICIAL PUBLICATIONS & FORMS TRANSLATED
INTO OTHER LANGUAGES**

Title	Form Number	Language
A Child Needs Emotional and Financial Support of Both Parents	JDP-ES-211	Spanish
Adult Probation Handbook, Key to Your Success	JD-AP-1365	Spanish
Compensation for Crime Victims	JDP-VS-10	Spanish
Eligibility Requirements for Victim Compensation	JD-VS-60815S	Spanish
Instructions to Complete Dissolution Agreement Form	JD-JM-106A	Spanish
Interpreter and Translator Services	JDP-ES-212	Spanish
Kid's Coloring Book	JDP-ES-189	Spanish
Landlord's Guide to Summary Process (Eviction)	JDP-HM-14	Spanish
Middletown Court Guide	JDP-ES-210 JDP-ES-21051 JDP-ES-21052	Spanish
Notice for Restitution	JD-AP-62	Spanish
Notification Programs to the Victim	JDP-VS-11	Spanish
Parenting Education Programs	JDP-FM-151	Spanish
Rights and Responsibilities of Landlords and Tenants in Connecticut	JDP-HM-31	Spanish
Rights of Crime Victims in Connecticut	JDP-VS-15	Spanish
Services For Families of Homicide Victims	JDP-VS-0075	Spanish
Tenant's Guide to Summary Process (Eviction)	JDP-HM-15	Spanish
Travel Permit	JD-AP-18	Spanish
Victim Advocate's Brochure - Victim Services	JDP-VS-14	Spanish
Victim Rights / Crisis Services Hotline	JD-VS-0025	Spanish
Basic Immigration Questionnaire		Portuguese
Conditions of Probation	JD-AP-110	Portuguese
Electronic Monitoring Agreement Form		Portuguese

Title	Form Number	Language
Electronic Monitoring Agreement Form (CSSD)		Portuguese
Form for Placement and Conditions		Portuguese
Interpreter and Translators Services Brochure	JDP-ES-212-PE	Portuguese
MADD Leaflet		Portuguese
Notice of Application for AR	JD-CR-10	Portuguese
Notice of Obligation to Submit to the Taking of a Biological Sample (Form Letter)		Portuguese
Notice of Placement in the Pretrial AEP	JD-CR-79	Portuguese
Office of Victim Services Brochure		Portuguese
Placement Form (Form Letter)		Portuguese
Protective Order	JD-CR-58	Portuguese
Specific Steps	JD-JM-106	Portuguese
Waiver of Extradition Form	JD-CR-108	Portuguese
Adult Substance Abuse Survey ASUS R Revised		Polish
Basic Immigration Questionnaire		Polish
Customized Wallet Cards (Support Enforcement)		Polish
Do It Yourself Divorce Guide	JDP-FM-180	Polish
How to Get Your License Reinstated (Form Letter)		Polish
Interpreter and Translators Services Brochure (in process)		Polish
Jury Administration Brochure		Polish
Jury Administration Pamphlet		Polish
Jury Duty in Connecticut/What Every Juror Should Know		Polish
Office of Adult Probation Notice to Victim (Form Letter)		Polish
Interpreter and Translators Services Brochure (in process)	JDP-ES-212	German
Bail Commissioner's Letter to Defendant (Form Letter)		Russian

Title	Form Number	Language
Basic Immigration Questionnaire		Russian
Interpreter and Translators Services Brochure	JDP-ES-212	Russian
Connecticut Courts	JDP-ES-201	Chinese (Simplified)
Specific Steps		Albanian
Basic Immigration Questionnaire		Albanian
Failure to Appear Form Letter		Vietnamese

ATTACHMENT F

OTHER STATES & FEDERAL GOVERNMENT SURVEY

WHAT PROCESS IS USED TO SELECT FORMS/LANGUAGES?

- Federal: Look at volume and those forms being accessed by the general public.
- California: No formal process. Anecdotal evidence and forms with the greatest volume were selected. There are plans to start a work group to assess various forms for translation.
- Colorado: I work with the forms specialist within the Judicial Department to prioritize the forms that we need to have translated. I also work with the Managing Interpreters to prioritize the forms that they are sight translating most often.
- Iowa: We have no formal process at this time. Each judicial district has been allowed to determine: which forms are to be translated, the language which they are translated, and who does the translation. This process resulted in some poorly translated documents. We are in the process of developing guidelines on this issue. We will/would like to require that the State Court Administrator approve any court form that is to be translated and that the translator must be certified by the ATA and/or some other nationally recognized institution that certifies or credentials translators.
- Kentucky: We are at the beginning of the process. Here is what we have so far: Our Legal Department researched the relevant Federal laws and issued a memo addressing the need to translate certain documents into a target language. This requires a four step analysis.
- Maine: A committee was created to look at prioritizing and selecting forms. It was determined that Protection from Abuse forms were the priority. A total of about 12 forms were translated.
- Missouri: Missouri has translated new forms - only forms that are standardized for use in all Missouri state courts and only in the top couple of languages.
- New Jersey: Ad hoc basis - any operating unit within the Branch could make a request for a form to be translated.
- New York:
(southern district) The most utilized forms as determined internal printing statistics as well as feedback from staff/judges. Spanish was the primary focus.
- N. Carolina: In December 2003, full-time coordinator for interpreting services was hired. A team of court managers and judges determined which forms. Focus was on Spanish.
- Ohio: An informal survey was done. Domestic violence forms, protection orders, child support, some small claims forms. Approximately 26 different forms have been interpreted.
- Oregon: No formal process. Looked at volume of forms used in criminal matters.
- Washington: This state is mandated by statute as to the specific forms that are to be translated into other languages. Approximately 100 different forms have been translated.

WHAT FORMS/LANGUAGES ARE SELECTED?

- Federal: Could not identify specific number of forms. However, the primary languages being translated are Spanish, Chinese, Vietnamese, Korean. Their primary brochure on civil rights has been translated into 17 different languages.
- California: Approximately 50-70 forms in Spanish, Vietnamese, Korean, Chinese, Tagalog.
- Colorado: We have selected many domestic forms, our guilty pleas, requests for public defender, FED forms, many instructions to fill out forms.
- Iowa: See above.
- Kentucky: "Vital" documents. Languages are selected based on the finding after applying the legal analysis.
- Maine: Protection from Abuse forms into Spanish, Arabic, French, Vietnamese, Somali, Khmer.
- Missouri: Petitions and Judgments for: Adult Abuse, Child Protection, Family Access and small claims; Waiver of Counsel and Waiver of Preliminary Hearing. Forms include both English and Spanish or English and Bosnian. Must be completed in English.
- New Jersey: Over 200 forms in all areas of the court have been translated - criminal, civil, family, etc. ONLY one language translated - Spanish.
- New York:
(southern district) Approximately 50 forms. Spanish was primary language. Some additional languages as the need arises - no set criteria.
- N. Carolina: Spanish. Other languages as need arises - difficult to get interpreters. Over 50 court forms for criminal, civil and domestic violence have been created.
- Ohio: 26 forms in Spanish, Somali, Russian, Arabic, Mandarin. These languages were selected based upon an informal survey.
- Oregon: 6-8 forms in criminal matters. Only translated in Spanish.
- Washington: Forms are determined by statute and includes all areas of the court: criminal, civil, family. Through demographic survey, Spanish, Russian, Vietnamese, Korean.

WHAT RESOURCES/STAFF ARE USED IN THE PROCESS?

- Federal: Two contractors. One vendor serves as verification of the initial translation. Important to know the name of the specific individual translating the form. At times, some in-house employees are used.
- California: All form interpretation is contracted out to vendors.
- Colorado: We have a group of certified translators who are also federally certified interpreters, who work on our forms. We pay them standard translation and editing rates.
- Iowa: See above.
- Kentucky: Legal Department; Court Services Department; Interpreting Department. We are planning to get the Public Information Department also involved.
- Maine: Existing staff. Also, Arrest grant paid for contractual interpreters through Catholic Charities.
- Missouri: Use ATA accredited translator for Spanish and an agency on the State of Missouri contract for Bosnian.
- New Jersey: Two translators are contracted with to provide all forms translation.
- New York: Internal staff of interpreters. No attorney used in the process. For languages other than Spanish, contractors were hired. Printing completed internally.
(southern district)
- N. Carolina: The interpreter staff are used for translating forms. No attorney involvement. Printing was completed internally.
- Ohio: Ohio has one coordinator and no interpreters on staff. They use contractual interpreters. There is no certification standards in place in Ohio.
- Oregon: Used existing interpreters as well as contractors through a vendor called Northwest Justice Project.
- Washington: Contract out to small agencies. Nothing done internally.

OBSTACLES?

- Federal: Accuracy is the primary obstacle.
- California: Making sure the form was translated properly and accurately.
- Colorado: Time. The project is overwhelming in scope, and we are also standardizing our glossary for forms so that there is consistency. The best thing is to have one final editor to do the job of standardization.
- Iowa: Budget - no funds specifically set aside for translating court forms, though we have proposed such a line item in recent budget requests to the legislature.
- Kentucky: Will report later.
- Maine: Biggest problem was working with the software in which the contractual interpreters used to communicate to the Branch. Also, lack of dedicated staff to this project.
- Missouri: Forms change, so they have to be redone.
- New Jersey: Finding competent translators is a problem.
A standard operating procedure/policy needs to be in place to guide the rules for translation.
Always use two people to translate forms.
- New York: Major obstacle are languages other than Spanish.
(southern district)
- N. Carolina: Languages other than Spanish.
- Oregon: Major problems are when forms are changed or modified. Interpreters office not always informed. It requires a new interpretation of the entire form.
- Ohio: Since only one staff person, coordination is much too time-consuming. Finding competent, trustworthy interpreters has been difficult.
- Washington: The biggest issue is that as forms change in English, it requires revision to the translated form. Constantly updating.

COSTS?

- Federal: Not familiar with costs involved.
- California: Not sure - there is a formula used to pay the vendor.
- Colorado: We have spent about \$20,000 over two years, and still have LOTS to go!
- Iowa: Not sure. It would depend on how many forms/documents need to be translated.
- Kentucky: We are planning to use our website primarily and offer the translated forms in PDF format. We hope that using an interactive website will ensure not only more efficient outreach, but also will enable us to better manage the information and ensure prompt response to a new need.
- Maine: Minimal since existing staff was used. The Arrest grant paid for contractual interpreters through Catholic Charities.
- Missouri: It varies. Spanish is by 25¢/word (in 2005) and Bosnian is by the hour (see below):
Price per hour for translating services - \$62.50
Price per hour for copy editing/proofreading services - \$65.00
Price per hour for document formatting services - \$65.00
Price per CD-R - \$2.00
Price per 3" double sided, double density diskette - no charge
Price per 3" double sided, high density diskette - no charge
Maximum emergency fee for rush job - \$100.00
- New Jersey: Translators are paid approximately \$45.00 per hour.
- New York: Minimal.
(southern district)
- N. Carolina: Minimal.
- Oregon: Average cost is about \$75 per page.
- Ohio: One staff person and all contractual for interpreting services. The Ohio State Bar Association financially contributed to the project.
- Washington: Independent contractors average approximately \$500 per form.

In 2007, the Washington Judiciary asked the legislature for \$7.791 million for state fiscal years 2008 and 2009 to provide partial reimbursement for the cost of certified and registered spoken language court interpreters and qualified interpreters in visual languages, and to assist courts in developing and implementing Language Assistance Plans (LAP's). It was estimated that this funding would be sufficient to pay 50% of the cost of certified, registered and qualified interpreters in the state, as well as enable trial courts to comply with federal mandates to create LAP's.

The 2007 legislature appropriated \$2,000,000 for fiscal years 2008 and 2009 to assist trial courts in paying for interpreter services and in creating and implementing LAP's. \$1.56 million was provided to pay for trial court interpreter services, \$340,000 to create and implement LAP's, and \$100,000 for administration.

Language Translation from Other State Court Websites

State	Translation <u>Links to state court websites</u>
Alabama	No
Alaska	No
Arizona	No
Arkansas	No
California	Legal Help, Small Claims, Seniors, Family, Protection from Abuse, Traffic, Landlord/Tenant, Victim Assistance, Forms. Additional languages have info available in PDF.
Delaware	Family Court FAQs, Arraignments
Florida	No
Georgia	Spanish video for Divorcing Parents
Hawaii	Video for Jurors
Idaho	No
Illinois	Link at bottom of page to translate to Dutch, French, German, Greek, Italian, Portuguese, Russian, Spanish
Indiana	Video "The Initial Hearing", Indiana Criminal Code Excerpts, Glossary of Legal Terms, Self-Service Legal Center, Forms
Iowa	No
Kansas	Forms, Publications, Domestic Violence Protection, Interactive video "Parent Ally Program"
Kentucky	Google Translation of site (with disclaimer)
Louisiana	No
Maine	Google Translation of site (with disclaimer). Dropdown menu at top of subpages, translate to....
Maryland	Publications, Community Posters, Family Law section, Forms
Massachusetts	Mediation info, Forms, Publications
Michigan	Publications
Minnesota	Forms, Publications, Videos- Defendant's Rights, Conciliation Court Hearing
Mississippi	No
Missouri	Forms
Montana	No
Nebraska	Forms, Publications, Glossary of Legal Terms and Courthouse Signs
Nevada	No
NH	No
NJ	Forms, Publications (Español link on home pg goes to Spanish Forms)
NM	No
NY	Language links on bottom of page go to a page that explains what is available in that language. (Russian, Chinese, Spanish, French, Korean)
NC	Forms, Welcome from Chief Justice
ND	No
Ohio	Language Identification Guide
OK	No
Oregon	Español link from home page goes to pg w/links to items in Spanish, Forms, Foreign Language Legal Assistance, Publications
Pennsylvania	No
Rhode Island	Translation link to Babel Fish, Forms, Publications
SC	No
SD	No
Tennessee	Forms, Publications

Texas	No
Utah	Forms, Publications, Legal Term Glossary, Divorce section
Vermont	Link to Babel Fish Translation
Virginia	I-CAN Interactive Forms in Spanish
Washington	Forms, Publications
West Virginia	No
Wisconsin	Forms, I-Speak Card (for language ID)
Wyoming	No

Summary

1. **The majority of states have *some* translation which mainly includes forms and publications.** Other areas translated are Self-Help sections (How do I...?) and Frequently Asked Questions.
 - a. 20 states – could not find any translation
 - b. 5 states – offer links to free on-the-fly translation sites: [Google Translation](#) and [Yahoo Babel Fish](#). Each of these states includes a disclaimer that they have no control over the content and do not guarantee the accuracy of translated text. It is provided simply to facilitate access to information. (Maine, Kentucky, Illinois, Rhode Island, Vermont)

2. **Indiana – Workplace Spanish Training for Judicial System**
 - a. Partnered with community college to develop a Spanish curriculum for court employees – 24 hours of classroom instruction
 - b. Textbook has *basic* information needed by court employees to effectively communicate information to Spanish-speaking individuals.
 - c. CD-rom included to assist in maintaining skills learned in class
 - d. Topics: greetings, introductions, dates and times, numbers, phone reception phrases, eliciting personal info, providing directions, explaining courtroom procedures, referencing court documents
 - e. Free for court personnel who deal with public. For others (attorneys, community organizations, etc.) there is a fee.

3. **Maryland – Posters**
 - a. English and Spanish – online order form so schools, government agencies, community organizations, etc. can order specific posters and choose from 3 sizes

4. **Ohio, Wisconsin – “I Speak” card (language ID card)**
 - a. Tool to identify the language of individuals who do not speak English

5. **Minnesota**
 - a. Courthouse sign translated into most frequently used languages that states: *“You may have the right to a court-appointed interpreter in a court case. Please ask someone at the court information desk.”*
 - b. Translated directional signs in courthouses
 - c. Spanish hotline
 - d. Bilingual staff roster
 - e. Class given by Dept. of Human Services – “Dispelling the Myths: Deaf and Hard of Hearing Trends” – for staff that deals with public

6. **Nebraska, Indiana, Utah, New Jersey – Online Spanish Glossary of Legal Terms & Courthouse Signs**

Connecticut Judicial Branch Website Translation

Already translated and posted online:

1. Page that lists *all* Spanish pages
2. Publications
3. Forms
4. Landlord/Tenant FAQs
5. Traffic Violation FAQs
6. Jury Duty FAQs
7. Support Enforcement FAQs – waiting for final corrections
8. Jury Duty – Answer Summons

Scheduled to be translated and posted online:

1. Directions to Courts
2. Court Service Centers
3. Public Information Desks
4. Victim Services FAQs
5. Small Claims FAQs

ATTACHMENT G

LANGUAGE STATISTICS

INTERPRETER AND TRANSLATOR SERVICES
CONNECTICUT JUDICIAL BRANCH

YEARLY STATISTICAL REPORT, 2008
BASED ON TOTAL OF FILES FOR ALL LANGUAGES

LANGUAGE	TOTAL OF FILES
Spanish	38275
Portuguese	1521
Polish	982
Chinese Mandarin/Chinese Cantonese	484
French/Haitian Creole	460
Vietnamese	274
Albanian	246
Korean	237
Russian	201
Laotian	138
Ukrainian	129
Arabic	120
Italian	113
Lang. of India (Bengali/Hindi/Gujatari/Punjabi/Telugu/Urdu)	106
Bosnian	85
Turkish	73
Hungarian	38
Cambodian	36
Greek	29
Japanese	27
Romanian	26
Hebrew	17
Thai	11
Quiche	10
Farsi	9
Burmese	8
Cape Verdean	6
Somali	6

ATTACHMENT H

PUBLICATIONS TRANSLATED INTO LANGUAGES OTHER THAN SPANISH

FORMS AND OTHER JUDICIAL PUBLICATIONS TRANSLATED
INTO LANGUAGES OTHER THAN SPANISH

Title	Form Number	Language
NOTICE OF PLACEMENT IN THE PRETRIAL AEP	JD-CR-79 Rev. 1-05	PORTUGUESE
NOTICE OF APPLICATION FOR AR	JD-CR-10 Rev. 10-01	PORTUGUESE
CONDITIONS OF PROBATION	JD-AP-110 Rev. 5/2000	PORTUGUESE
SPECIFIC STEPS	JD-JM-106 New 9-98	PORTUGUESE
ELECTRONIC MONITORING AGREEMENT FORM (CSSD)		PORTUGUESE
PROTECTIVE ORDER	JD-CR-58 Rev. 10-07	PORTUGUESE
FORM FOR PLACEMENT AND CONDITIONS		PORTUGUESE
CONDITIONS OF PROBATION	JD-AP-110 Rev. 7/05	PORTUGUESE
INTERPRETER AND TRANSLATORS SERVICES BROCHURE	JDP-ES-212-PE New 4/06	PORTUGUESE
ELECTRONIC MONITORING AGREEMENT FORM	N/A	PORTUGUESE
MADD LEAFLET		PORTUGUESE
WAIVER OF EXTRADITION FORM	JD-CR-108 Rev. 10/06	PORTUGUESE
BASIC IMMIGRATION QUESTIONNAIRE		PORTUGUESE
OFFICE OF VICTIM SERVICES BROCHURE		PORTUGUESE
DO IT YOURSELF DIVORCE GUIDE	JDP-FM-180	POLISH
JURY ADMINISTRATION BROCHURE		POLISH
ADULT SUBSTANCE ABUSE SURVEY ASUS R REVISED		POLISH
JURY ADMINISTRATION PAMPHLET	JDP-ES-212	POLISH
INTERPRETER AND TRANSLATORS SERVICES BROCHURE (IN PROCESS)		POLISH
BASIC IMMIGRATION QUESTIONNAIRE		POLISH
CUSTOMIZED WALLET CARDS (SUPPORT ENFORCEMENT)		POLISH
JURY DUTY IN CONNECTICUT/WHAT EVERY JUROR SHOULD KNOW	JDP-JA-25P	POLISH
INTERPRETER AND TRANSLATORS SERVICES BROCHURE (IN PROCESS)	JDP-ES-212	GERMAN
INTERPRETER AND TRANSLATORS SERVICES BROCHURE BASIC IMMIGRATION QUESTIONNAIRE	JDP-ES-212	RUSSIAN RUSSIAN
CONNECTICUT COURTS	JDP-ES-201	CHINESE (Simplified)

SPECIFIC STEPS BASIC IMMIGRATION QUESTIONNAIRE	N/A	ALBANIAN ALBANIAN
---	-----	----------------------

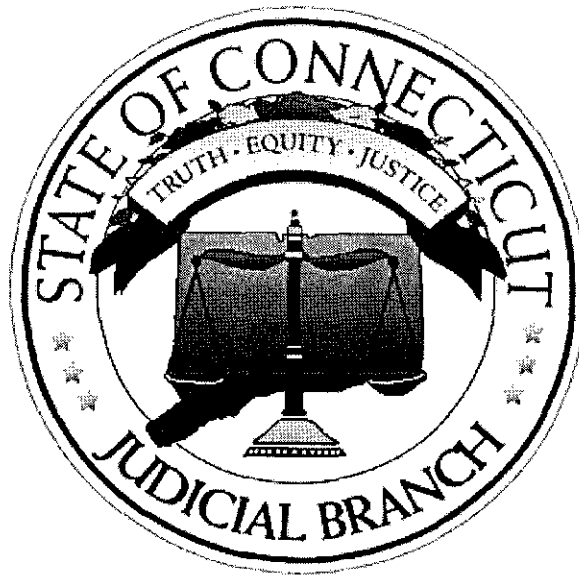
FORM LETTERS

NOTICE OF OBLIGATION TO SUBMIT TO THE TAKING OF A BIOLOGICAL SAMPLE	N/A	PORTUGUESE
PLACEMENT FORM	N/A	PORTUGUESE
HOW TO GET YOUR LICENSE REINSTATED OFFICE OF ADULT PROBATION NOTICE TO VICTIM		POLISH POLISH
BAIL COMMISSIONER'S LETTER TO DEFENDANT		RUSSIAN
FAILURE TO APPEAR FORM LETTER		VIETNAMESE

ATTACHMENT I

COURT SERVICE CENTER PHONE SURVEY RESULTS

Court Service Center - Information Desk Location:		
Most-requested Forms/Publications in English (Top 20 in order of most-requested)	Most-requested Forms/Publications in Spanish (Judicial or otherwise) (in order of most requested, up to 20)	Forms/Pubs that are frequently requested by limited english proficient people and should be translated to other languages (up to 20) please indicate language. SPANISH, POLISH & PORTUGUESE FOR ALL
Motion for Modification JD-FM-174	Do It Yourself Divorce Guide	Motion for Modification JD-FM-174
Application for waiver of fees JD-FM-75	Parenting Ed Brochure	Application for waiver of fees JD-FM-75
Appearance JD-CL-12	Landlord's Guide to Summary Process	Appearance JD-CL-12 PORTUGUESE
Accelerated Rehabilitation JD-CR-9	Tenant's Guide to Summary Process	Accelerated Rehabilitation JD-CR-9
Notice of Accelerated Rehab JD-CR-10	Rights/Responsibilities of Landlords/Tenants	Notice of Accelerated Rehab JD-CR-10
Divorce Forms (supplement) JDP-FM-180	El Divorcio en Connecticut (cuelf publication)	Divorce Forms (supplement) JDP-FM-180
Pre-trial Alcohol Education JD-CR-44	Guia Para Llevar a Cabo su prop. JDFM179ps	Pre-trial Alcohol Education JD-CR-44
Financial Affidavit JD-FM-6	Pas. A Seg. En una Dem. De Des. Jdphm-15s	Financial Affidavit JD-FM-6
Motion for Contempt JD-FM-173	Der. Y Resp. de los Arren. Inq JDP-HM-31s	Motion for Contempt JD-FM-173
Custody Application JD-FM-161	CT Jud Branch Coloring Book JDP-ES-189	Custody Application JD-FM-161
Do it yourself Divorce Guide JDP-FM-179	Derechos de Inquilino(housing code)(legal aid)	Do it yourself Divorce Guide JDP-FM-179
Affidavit of Indigency JD-AP-48	Derechos de inquilino(security deposit)(leg aid)	Affidavit of Indigency JD-AP-48
Small Claims Writ JD-CV-40	Acosto Sexual en el Trabajo (cuelf publication)	Small Claims Writ JD-CV-40
Relief from Abuse JD-FM-137	Guia de Arrendadores. . (landlords) jdphm14s	Relief from Abuse JD-FM-137
Aff. Relief from Abuse JD-FM-138	211 infoline (spanish) (united way)	Aff. Relief from Abuse JD-FM-138
Pre-trial Drug Education JD-CR-118	Servicios de interpreter services jdp-es-212s	Pre-trial Drug Education JD-CR-118
Affidavit Concerning Children JD-FM-164	Proyecto de leyes para los ancianos-legal aid	Affidavit Concerning Children JD-FM-164
Order to Attend Hearing JD-FM-162	estas desesperada (safe haven pamphlet)	Order to Attend Hearing JD-FM-162
Case Management Agreement JD-FM-	El embarazo . . (family med leave)- cuelf pub.	Case Management Agreement JD-FM-
Foreclosure Mediation Request JD-CV-93	Le corte reclamaciones . . -small claims-leg aid	Foreclosure Mediation Request JD-CV-93



PUBLIC SERVICE AND TRUST COMMISSION
COMMITTEE ON JUDICIAL INFORMATION POLICY

2009 INTERIM REPORT

Table of Contents

Introduction	3
Executive Summary	5
Recommendations	5
Discussion	7
Conclusion	11
Exhibit A	12
Exhibit B	15
Exhibit C	16
Exhibit D	17

Introduction

The Committee on Judicial Information Policy was originally formed as the Identity Theft Committee by the Public Access Task Force in the fall of 2006. Its charge at that time was to address two of the recommendations from that task force. The first recommendation was to ensure that Judicial Branch forms did not request information, including social security numbers, financial account numbers, or other information which would be likely to lead to identity theft, unless the information is necessary for the adjudicatory process. The second recommendation was to analyze and make recommendations on remote access to electronic court records.

As part of the implementation of the strategic plan, the charge of this Committee was expanded to encompass a broader range of access, privacy and confidentiality concerns in addition to the issues associated with the protection of personal identifying information. In addition to its initial charge, the Committee is also charged with increasing public access to court processes and information while ensuring that the information of those who become involved in the court process is protected from misuse. This charge was derived from the strategic plan outcome goal on Access. That goal states:

The Judicial Branch will provide equal access to all of its facilities, processes and information through the identification and elimination of barriers.

The relevant strategy intended to move the Branch toward the realization of the outcome goal mandates that the Branch “increase public access to court processes and information while protecting personal privacy and other legitimate confidentiality concerns.” The steps toward accomplishing the strategy listed in the plan include reviewing current disclosability rules to improve consistency of access and expanding Internet access to court documents.

Providing public access to court processes and information is an essential step toward gaining and retaining the trust and confidence of the public. Equally important is providing assurances to those who interact with the Branch that their personal

information will be collected only when necessary and will be handled always with discretion and respect. The Committee on Judicial Information Policy has been working to ensure that greater public access is accomplished and legitimate privacy interests are protected.

The Committee on Judicial Information Policy is a twenty-seven member committee, chaired by the Honorable Joseph H. Pellegrino. It includes judges, the criminal, family and civil bar, representatives from the information technology division, court staff, support enforcement staff, a law school professor and representatives from the field of bank security. The members of the Committee are: Hon. Marshall K. Berger, Jr., Ms. Elizabeth Bickley, Hon. John F. Blawie, Hon. David Borden, Mr. Timothy Callahan, Atty. Janice Calvi, Hon. Patrick L. Carroll III, Atty. Jorene Couture, Atty. Joseph D. D'Alesio, Mr. P.J. Deak, Atty. Melissa Farley, Hon. F. Herbert Gruedel, Ms. Krista Hess, Atty. Nancy Kierstead, Prof. Elizabeth Marsh, Hon. Aaron Ment, Atty. Louis A. Pace, Jr., Ms. Dalia Panke, Hon. Barbara Quinn, Atty. Norman A. Roberts II, Mr. Nicholas F. Sabetta, Atty. Kevin M. Shay, Ms. Rhonda Stearley Hebert, Atty. Robert Stillman, Mr. Donald Turnbull, Atty. Frederic S. Ury, and Atty. Elizabeth C. Yen.

The Committee and its subcommittees met a total of nine times between November 8, 2006 and June 2009.

Initially, the Committee formed two subcommittees: a Criminal Subcommittee, chaired by the Honorable John F. Blawie, to review Judicial Branch forms and rules that require the inclusion of personal identifying information in the criminal area, and a Family Subcommittee, chaired by the Honorable F. Herbert Gruedel, to conduct the same review of forms and rules in the family area. With the expanded charge, the Committee will also form additional subcommittees to address the following areas: (1) drafting a comprehensive access policy for court records, (2) reviewing Branch policies on disclosability and disposal of personal identifying or otherwise confidential information and examining existing and potential structures to permit or restrict access to that information, and (3) developing training for judges, staff, other agencies and the public on access to court records. With the continued expansion of electronic filing, each of these areas will need to be addressed over the next year.

Executive Summary

The summary of the recommendations of the Committee to date are listed below. Detailed information about some of the Committee's recommendations may be found in the report of the Criminal Subcommittee attached to this report. The Subcommittee report is labeled as Exhibit A.

Recommendations

1. Forms have been revised based upon the review conducted. This process should continue to eliminate unnecessary personal identifying information and to permit the redaction before submission of personal identifying information, including redacted social security numbers, dates of birth or account number. (Specific information about the recommendations of the Committee may be found in the report.)
2. A rule specifically directing filers not to submit personal identifying information in documents filed with the court was drafted and submitted to the Rules Committee as new Practice Book Section 4-7. It will be voted on by the judges at the Annual Meeting in June. (Exhibit B) ¹
3. Revisions to Practice Book Section 4-2 (b) to include a statement that the signature on a pleading means that the signer has complied with the provisions of Practice Book Section 4-7. (Exhibit C)
4. Revisions to the existing rules on sealing documents (P.B. Sec. 11-20A and P.B. Sec. 25-59A) to permit a streamlined process for removing or sealing personal identifying information that appears in court documents were drafted and submitted to the Rules Committee. These revisions will be voted on by the judges at the Annual Meeting in June. (Exhibit D)
5. The review of information that is currently displayed on the website and the procedures for ensuring that accurate information is posted on the web site should be referred to the Court Operations Quality Assurance Unit.
6. The examination of what could be added to the website to enhance access to court processes and information (i.e., providing streaming videos of court proceedings and posting decisions online), explore other ways that the Internet can be used to increase electronic access, including interactive options (creation of an online avatar to connect public with resources based on question/answer) and other web-based services should be referred to the Committee on Self-represented Parties and to the Web Board.

¹ These rules were approved by the Judges at the annual meeting on June 22, 2009 and will take effect January 1, 2010.

7. A rule should be drafted to provide for the submission in a sensitive data form of personal identifying or other confidential information that is required for adjudicative purposes. The form would not be available to the public or posted on the Internet.
8. A comprehensive policy on access to court records should be developed by the Committee on Judicial Information Policy. That policy may be modeled on the access policy drafted by the National Center for State Courts.
9. Educational materials should be developed for the public in conjunction with the Committee on Self-represented Parties regarding the public nature of materials that are filed with the courts.

Discussion

The Committee initially met in November of 2006 to address the issue of identity theft in connection with the increased access to court records. Although no incidents had occurred in this state as a result of the increased information from court records that had been provided on the website, other states, including Florida and Ohio, had experienced some problems. With the planned expansion of availability of electronic information, including public access to electronic documents filed in court cases, the Branch decided to address the possible problems before providing expanded access. The Committee approached the task of addressing the issue of identity theft first by identifying the types of information that could lead to identity theft and the places where that information could be found in Branch files. The Committee looked to the criminal statute on identity theft (C.G.S. Sec. 53a-129a) to determine information that could lead to identity theft. This information is referred to as personal identifying information. Through consultations with judges, Branch staff and attorneys, the Committee then sought to determine why the Branch collected or received the information and whether the information was necessary for adjudicative purposes. This determination required a review of Branch forms, rules and procedures.

Two subcommittees were formed to review the forms, rules and procedures: one to review information collected in criminal matters and the second, to review information collected in family matters. The subcommittees were formed to look at the two specific areas because much of the personal identifying information that the Branch requests is requested in these kinds of matters. After a review and report from the two subcommittees, the Committee recognized that much of the information requested was required not only by Connecticut for Connecticut's use in a specific court case, but in many cases, was an essential data element for use by the federal government, certain nationwide databases, and other states. For example, the Branch is a member of the Criminal Justice Information ("CJIS"). CJIS is charged with overseeing an information system that enables criminal justice agencies, among others, to share criminal history record information, and to access electronically maintained offender and case data. The entry of a birth date in that database is required.

Similarly, in family cases involving child support, some forms are prescribed by the federal government, either by regulation or computer/database requirements. For example, the Income Withholding Order JD-FM-1 requires certain information (social security and employment information) and the only variation permitted would be adding to the requested information. It is not possible to delete information requested in the form. Further, funding of state programs is dependent upon compliance with the regulations. The State of Connecticut would lose child support and welfare money if it fails to comply with the regulations. Consequently, although the Committee did recommend the elimination or redaction of some of the information collected in criminal and family cases, it did not recommend the form-wide elimination of personal identifying information.

The Committee analyzed and discussed personal information submitted in civil cases. As a result of that analysis, it determined that much of the personal identifying information that is submitted in civil cases is not required or necessary for adjudicative purposes but is submitted by attorneys for a variety of reasons. For example, in a collections case, an application for a prejudgment remedy may include a copy of a credit application agreement with social security numbers or account information. The full agreement may be attached as additional information, but it is not attached because it is required by statute, rule or procedure.

The identification of the type of information that is personal identifying information and of where that information is found in court files and why it is collected resulted in the revision of many Branch forms. It also led the Committee to the next areas for discussion. First, if personal identifying information that is not required by statute, rule or procedure is being submitted, how can the Branch prevent the submission of that information? Second, if personal identifying information is necessary to the adjudicative process, how can the Branch protect that information it collects?

The Committee discussed how best to ensure that personal identifying information was not included in court filings unless it was required. It decided that the most effective way of eliminating this information was by a rule. A proposed rule and proposed revisions and additions to three existing rules were drafted, reviewed by the Committee and submitted to the Rules Committee. The revised rules are attached to

this report as Exhibit B, Exhibit C and Exhibit D. These rules will be voted on by the judges at their Annual Meeting later this month.

Training of counsel, parties and self-represented parties is an additional component of ensuring that personal identifying information is not submitted in court filings unless required. That aspect of the Committee's work has not been fully addressed, but it will be further considered by the Committee in the upcoming year.

Having recognized that personal identifying information must be collected in certain situations, the Committee must now consider ways in which the Branch can protect that information. The Committee attended a presentation given by Dr. Thomas M. Clarke, the vice president of Research and Technology at the National Center for State Courts. Dr. Clarke is a leading expert on privacy and was invited to provide the Committee with an overview on how privacy and security issues related to access to court records are being handled nationally. Dr. Clarke's presentation provided the Committee with several methods to consider, including the drafting of a rule to provide for a sensitive data information sheet in a court file, incorporating limitations on viewing and downloading electronically available documents and information, and providing education and training to counsel, parties and self-represented parties on public access to court files. In the upcoming year, the Committee will be considering the information from Dr. Clarke's presentation in further developing mechanisms for protecting information.

In addition, any information that is posted and displayed on the website should be reviewed and the development of procedures for ensuring that accurate information is posted on the web site should be referred to the existing Court Operations Quality Assurance Unit. Court Operations has developed policies on disclosability and handling of information in court files, both on paper and electronically in order to ensure that information is handled appropriately. The Committee will review those policies and determine whether any changes should be recommended.

Another means of protecting personal identifying information is the use of a sensitive data form. The Committee will draft and submit a rule to the Rules Committee to provide for the submission in a sensitive data form of personal identifying or other

confidential information that is required for adjudicative purposes. The form would not be available to the public or posted on the Internet. Similar forms are in use in other jurisdictions and have been successful in permitting the court to have access to personal identifying information that is necessary for adjudicative purposes while protecting that information from unnecessary publication.

Conclusion

The work of the Committee on Judicial Information Policy is ongoing. This interim report provides an update on the status of the work of the Committee, but much more remains to be done. The Committee will continue to meet to develop a comprehensive policy to provide the greatest access to court records while ensuring that the legitimate privacy interests of parties and the public are respected.

Exhibit A

Report of Criminal Subcommittee January 17, 2008

The Criminal Subcommittee, including Judge Pellegrino, Judge Blawie, Larry D'Orsi, Chris Duryca, Dan Horwitch, Stacey Manware, and Alice Mastrony met on September 19, 2007 to conduct a further review of forms (both adult probation and criminal) used in the criminal justice system, and the personal identifying information those forms contain.

- **Background on use of date of birth:** As you know, the Judicial Branch is a member of the Criminal Justice Information System (CJIS) (See C.G.S. Sec. 54-142q). The CJIS is charged with overseeing an information system that enables criminal justice agencies, among others, to share criminal history record information, and to access electronically maintained offender and case data. In 2002, the Governing Board of CJIS unanimously voted to approve the mandatory input of date of birth (DOB) on all UAR arrest, Misdemeanor Summons and Complaint, and Complaint Tickets; and all systems entering arrest and booking data. The Judicial Branch is bound by that requirement.

Overall, notwithstanding the potential for a person's date of birth to be misused by identity thieves, it is apparent that the DOB is an essential, irreplaceable identifier in the criminal justice world. It remains the basic, most reliable method for matching a particular person to his or her record. Criminal history checks through national databases, including the National Protection Order Registry, use a DOB. Searches conducted in connection with firearm purchase/possession also require a DOB. Also, records without DOB's generally cannot be submitted to state/national criminal history databases, including the following:

- The national criminal history information center (includes records for fugitives, persons subject to protection orders, persons on parole, etc.),
 - The interstate identification index (for criminal arrests, civil background checks, etc.),
 - The national instant firearms check system (to determine whether a person is disqualified from possessing/purchasing firearms and explosives).
- Specific information on each form the subcommittee reviewed may be found in the notes from our meeting, along with an addendum to those notes about some additional forms and feedback received since that meeting. What follows is a brief summary of the results of the review and discussions.
- On four forms, it was determined that the DOB may *not* be necessary, provided sufficient accurate information is obtained for identification purposes. It is recommended that the *date of birth* be removed:

- Probation/Conditional Discharge Motion (JD-CR 59)
 - Probation Motion (JD-CR 59V)
 - Order of Probation (JD-CR 66)
 - Application for Real Estate Bond (JD-CR 109)
- On one form, it is recommended that the *year* of birth in lieu of the entire birth date be used:
 - Order of Conditional Discharge (JD-CR-17)
- On three forms, it is recommended that the *social security number* be removed:
 - Suspension of prosecution/Order of Community Service Application, Order, Report (JD CR 81)
 - Probable Cause Determination Request (JD CR 94)
 - Youthful Offender Ineligibility Investigation, Motion and Order (JD-CR 144)
- One form is not found in a court file and it is recommended that the legend “***This is not a public document. Do not place this document in the court file***” be printed on it:
 - CSSD Case Data Record (JD-CR 124)
- On the following forms, in light of CJIS, CSSD and Court Operations requirements, it is recommended that *no changes* be made:
 - The Infractions Complaint Ticket (JD-CR 002)
 - Competency to Stand Trial Finding and Order of Placement (JD-CR-7)
 - Summons and Complaint Prosecuting Authority (JD-CR 8)
 - Application for Accelerated Pretrial Rehabilitation (JD-CR 9)
 - Youthful Offender Eligibility Application, Motion and Order (JD-CR 14)
 - Uniform Arrest Report (JD-CR 21)
 - Mittimus (JD-CR 38)
 - Pre-Trial Alcohol Education Application, Order, Disposition (JD-CR 44)
 - Protective Order (JD-CR 58)
 - Re-Arrest Warrant and Application (JD-CR 67)
 - Sentence Modification Application, Motion, and Order (JD-CR 68)
 - Application and Writ of Habeas Corpus (JD-CR 69)
 - Information (JD-CR 71)
 - Competency Finding and Order of Examination (JD-CR 86)
 - Mittimus – Immediate Transfer to Treatment, Alcohol or Drug Dependency (JD-CR 88)
 - Examination for Alcohol or Drug Dependence – Motion and Order (JD-CR 91)
 - Waiver of Extradition (JD-CR 108)

- Mittimus for Person Awaiting Finalization of Transfer to Regular Docket (JD-CR 111)
- Standing Criminal Restraining Order (JD-CR 115)
- Pre-Trial Drug Education Program Application, Order, Disposition (JD-CR 118)
- Zero-Tolerance Drug Supervision Program Application, Motion and Order (JD-CR 121)
- Application for Exemption from Sex Offender Registration Requirements (JD-CR 122)
- Application to Restrict or Remove Restriction on Dissemination of Sex Offender Registration Information (JD-CR 123)
- Pre-trial School Violence Prevention Program Application, Order, Disposition (JD-CR 126)
- Notice of Court Order for Ignition Interlock Device (JD-CR 135)
- Notice of Obligation to Submit to the Taking of a Biological Sample for DNA Analysis (JD-CR 138)

As a result of the subcommittee's discussion and review of the forms, feedback from users of these forms, what we already know about the requirements of CJIS and other databases, and the criminal justice system as a whole, it may not be necessary to meet with other agencies and departments at this time.

Exhibit B

Proposed Rule Changes (Sec. 4-7) and Commentary

(NEW) Personal Identifying Information to be Omitted or Redacted from Court Records in Civil and Family Matters

- (a) As used in this section, “personal identifying information” means an individual’s date of birth, mother’s maiden name, motor vehicle operator’s license number, Social Security number, other government-issued identification number, health insurance identification number, or any financial account number, security code or personal identification number (PIN). For purposes of this section, a person’s name is specifically excluded from this definition of personal identifying information.
- (b) Persons who file documents with the court shall not include personal identifying information, and if any such personal identifying information is present, shall redact it from any documents filed with the court, whether filed in electronic or in paper format, unless otherwise required by law or ordered by the court.
- (c) The responsibility for omitting or redacting personal identifying information rests solely with the person filing the document. The court or the clerk of the court need not review any filed document for compliance with this rule.

COMMENTARY: The court should avoid requiring the submission of unredacted documents that contain personal identifying information and should avoid using personal identifying information in its orders and opinions except when necessary. This rule applies to all documents filed in a case, including documents offered in evidence at a hearing or trial.

Exhibit C

Proposed Rule changes Sec. 4-2 (b)

(b) The signing of any pleading, motion, objection or request shall constitute a certificate that the signer has read such document, that to the best of the signer's knowledge, information and belief there is good ground to support it, [and] that it is not interposed for delay, and that the signer has complied with the requirements of Section 4-7 regarding personal identifying information. Each pleading and every other court-filed document signed by an attorney or party shall set forth the signer's telephone number and mailing address.

Exhibit D

Proposed Rule Changes (P.B. Sec. 11-20A and 25-59A) and Commentary

Propose adding new subsection: Practice Book § 11-20A (k):

(k) The requirements of this section shall not apply to "personal identifying information," as defined in Section 4-7, that may be found in documents filed with the court. If a document containing personal identifying information is filed with the court, a party or a person identified by the personal identifying information may move to have the personal identifying information redacted or to have the document sealed if the personal identifying information cannot be redacted. In response to such a motion or on its own motion, the court may order the party who filed the document to submit a redacted copy of the document, order the clerk to redact the personal identifying information, or in appropriate circumstances, order the clerk to seal the document with the personal identifying information. If the party submits a redacted copy, the original document containing the personal identifying information shall be sealed and retained in the court file unless otherwise agreed by the parties.

COMMENTARY- 2009: Section 11-20A (k) allows the judicial authority or a party or person who is identified by personal identifying information to have such information redacted or protected in a less formalistic and cumbersome method than that now mandated by §11-20A, including, for instance, the requirements for calendaring and notice to the public under §§ 11-20A (e) and (j) and for judicial findings under §§ 11-20A (c) and (d). Although not subject to these requirements, the court should nonetheless employ the most narrowly tailored method necessary to protect personal identifying information from disclosure, and a document should be sealed, pursuant to § 11-20A (k), only in exceptional circumstances and on the record. It is anticipated that §11-20A (k) will allow the judicial authority to address immediately personal identifying information issues, whether in open court or at pretrial conferences, status conferences, conference calls and the like, and that such action would take place either on or off the record depending upon the circumstances and the agreement of the parties. As in Sec. 4-7, the responsibility for redacting personal identifying information rests solely with the person filing the document.

A person who is not a party to the action would not be required to file a motion to become an interested party or take other formal action to intervene as an interested party, in order to move that his or her personal identifying information be removed from the file.

III. Propose adding new subsection: Practice Book § 25-59A (j):

(j) The requirements of this section shall not apply to "personal identifying information," as defined in Section 4-7, that may be found in documents filed with the court. If a document containing personal identifying information is filed with the court, a party or a person identified by the personal identifying information may move to redact the personal identifying information or to seal the document if the personal identifying information cannot be redacted. In response to such a motion or on its own motion, the court may order the party who filed the document to submit a redacted copy of the document, order the clerk to redact the personal identifying information, or in appropriate circumstances, order the clerk to seal the document with the personal identifying information. If the party submits a redacted copy, the original document containing the personal identifying information shall be sealed and retained in the court file unless otherwise agreed by the parties.

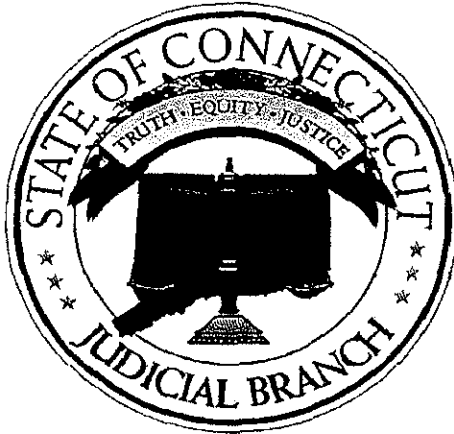
COMMENTARY - 2009: Section 25-59A (j) allows the judicial authority or a party or person who is identified by personal identifying information to have such information redacted or protected in a less formalistic and cumbersome method than that now mandated by § 25-59A, including, for instance, the requirements for calendaring and notice to the public under §§ 25-59A (e) and (i) and for judicial findings under §§ 25-59A (c) and (d). Although not subject to these requirements, the court should nonetheless employ the most narrowly tailored method necessary to protect personal identifying information from disclosure, and a document should be sealed, pursuant to § 25-59A (j), only in exceptional circumstances and on the record. It is anticipated that § 25-59A (j) will allow the judicial authority to address immediately personal identifying information issues whether in open court or at pretrial conferences, status conferences, conference calls and the like, and that such action would take place either on or off the record depending upon the circumstances and the agreement of the parties. As in Sec.

4-7, the responsibility for redacting personal identifying information rests solely with the person filing the document.

A person who is not a party to the action would not be required to file a motion to become an interested party or take other formal action to intervene as an interested party, in order to move that his or her personal identifying information be removed from the file.

CHANGING DEMOGRAPHICS

The Judicial Branch will provide a diverse and culturally competent environment that is sensitive to the values and responsive to the needs of all who interact with it.



**Connecticut Judicial Branch
Public Service and Trust Commission
Strategic Plan
Diversity in the Branch
Workforce Committee**

**Committee Report and Recommendations
March 12, 2009**

Acknowledgements

We thank the committee members and support staff for their hard work and dedication to this charge.

Linda A. Dow, Counsel, *Human Resource Management (Chair)*

Eileen L. Finn, Deputy Director, *Information Technology Division*

Maria R. Kewer, Personnel Manager, *Superior Court Operations*

Adam Mauriello, Counsel, *Legal Services, Superior Court Operations*

Eileen F. Meehan, Personnel Manager, *Human Resource Management*

Hilda Nieves, Regional Manager, *Adult Probation and Bail*, Co-Chair Judicial Branch Advisory Committee on Diversity

Robyn N. Oliver, Program Manager, *Volunteer and Intern Program*, Co-Chair Judicial Branch Advisory Committee on Diversity

Joel C. Riley, Personnel Manager, *Court Support Services Division*

Introduction and Mandate

On June 30, 2008 the Hon. Alexandra DiPentima presented the Strategic Plan of the Judicial Branch for the State of Connecticut to the Chief Justice. The Chief Justice subsequently approved the plan and charged Judge Barbara Quinn, Chief Court Administrator, with implementing the plan. One of the outcome goals of the Strategic Plan for the Judicial Branch is to "provide a diverse and culturally competent environment that is sensitive to the values and responsive to the needs of all who interact with it."

The Diversity in the Branch Workplace Committee was established and tasked with recommending a plan for ensuring that goal. The committee members were appointed in September of 2008 and met seven times beginning on October 14, 2008. The final meeting was held on January 20, 2009.

The charges to the committee were as follows:

1. To seek and receive information on the current Branch workforce population and the current demographics of the State of Connecticut, and to assess and determine the population served by the courts and develop a workforce profile reflecting diversity at all levels.
2. To review existing recruitment methods.
3. To research outreach and aggressive recruitment methods on both the local and national level with a goal of improving the overall recruitment and hiring process.
4. To interface with the diversity committee of the Branch to explore various outreach mechanisms including job fairs, career employment events and college fairs.
5. To develop a program to promote and ensure diversity in the hiring and retention of Judicial Branch employees and to propose strategies to facilitate timely implementation of the initiative.

The elements of the committee recommendations and strategies are designed to support the mission and vision of the Judicial Branch of the State of Connecticut.

MISSION STATEMENT

The mission of the State of Connecticut Judicial Branch is to serve the interests of justice and the public by resolving matters brought before it in a fair, timely, efficient and open manner.

VISION STATEMENT

An independent, accountable and responsive Judicial Branch will administer justice, ensure access to the courts and deliver effective, uniform and consistent services to a diverse public. In doing so, the Judicial Branch will collaborate with the Executive and Legislative branches of government and others with an interest in administration of justice.

Diversity in the Branch Workforce

In order for the Judicial Branch to effectively carry out its mission, it must respond to the increasing challenges in the recruitment, development and retention of employees.

Issues confronting the Branch in the future include the changing demographics of court users and the growing size and complexity of our society.

Strategic Planning Goal II

Changing Demographics: The Judicial Branch will provide a diverse and culturally competent environment that is sensitive to the values and responsive to the needs of all who interact with it.

Data Sources

The Committee gathered the following data to assist in its approach to developing a recommended action plan to promote and ensure diversity in the hiring and retention of Judicial Branch employees.

1. Judicial Branch Workforce Statistics – Retrieved from JASMIN data
 - a. Permanent Employee Statistics as of September 3, 2008
 - b. Temporary Employee Statistics as of October 1, 2008
2. CSSD Employee Demographics by Classification/Unit
3. CSSD Population Served Data from CMIS by Services Provided
4. Superior Court Operations Division Employee Demographics
5. American Community Survey Data Sheet for Connecticut 2006
6. Judicial Workforce/Connecticut Workforce Utilization Analysis, December 31, 2006
7. Support Enforcement Population Served Data provided by the Support Enforcement Unit

Analysis of Data

The collected data was used to determine whether the current statistical information supported the stated strategy of the Branch, as presented to this subcommittee. The strategy under consideration was:

Strategy: II.1

"Ensure the workforce of the Judicial Branch reflects the ethnic and cultural diversity of those who interact with the Branch."

A review of the available data was conducted. In general, the data did not raise any significant concerns regarding overall representation of the population as reflected in the census data for the State of Connecticut. As the review was narrowed to specific job classifications and specific client data gathered, representative staff to client by race/gender was less aligned.

Committee Actions:

The Committee discussed the charge, which is to ensure that the workforce reflects the "ethnic and cultural diversity" of those who interact with the Branch and whether a review of race/gender alignment is sufficient to make a determination regarding this factor. The Committee representatives from the Judicial Branch Advisory Committee on Diversity raised the concept of "cultural competence" and the need for all employees, regardless of their own cultural, racial and ethnic background to be culturally competent to deal with those who interact with the Branch.

Activity: II.1.1

Develop outreach strategies for making information about Branch job opportunities known to minority communities; and coordinating hiring efforts to secure applicants from culturally and ethnically diverse backgrounds.

In response to this Activity, the Committee reviewed the current recruitment and outreach strategies of the Branch. Based on available data as well as a review of Branch workforce by race/gender, it was determined that the current recruitment methods reach minority communities. The Committee was informed that the recruitment website is able to secure applicant data by race and sex, on a voluntary basis, that will enable ongoing review to ensure that job information is being received by minority applicants.

The Committee discussed the issue of "coordinating hiring efforts to secure applicants from culturally and ethnically diverse backgrounds". In response to this, the Committee has included a recommendation targeted at accomplishing this goal, along with outcome measures to validate its success.

The assigned task of the committee was to "recommend an action plan for ensuring that as the diversity of Connecticut's population continues to grow, the efforts made to

develop and maintain a diverse and culturally competent workforce that is sensitive to the values and responsive to the needs of all who interact with the Branch will continue". The committee approached this task in a manner consistent with the approach that the Branch Advisory Committee on Diversity has taken. The issue of shifting demographics within the population of the State of Connecticut and the need for the Branch workforce to meet the needs of this changing population in terms of sensitivity and understanding of the values and cultural differences of that population requires not a one on one match of workforce to population served in terms of race and gender, but instead requires that as the Branch strives to develop and maintain a workforce that is diverse, that it also strives to make its workforce culturally competent. The emphasis on cultural competence allows the Branch to respond to the values and needs of all cultures with whom it works while maintaining the stability of its already diverse workforce.

The Committee had lengthy discussions on the need for those within the Branch who are charged with hiring and promotional decisions to be attuned to the issue of not only the value of maintaining a culturally and racially diverse workforce, but also the issue of cultural competency for all staff.

In response to the Committee charge to, "recommend an action plan to promote and ensure diversity in the hiring and retention of Judicial Branch employees" and to "propose strategies to facilitate timely implementation of the initiative", the Committee developed and endorsed the following:

Recommendation:

1. Address issues of cultural competency through training for new and existing employees.

- Conduct a survey of Judicial Branch staff to identify the areas employees think are in need of improvement in relation to cultural competency.
- Develop and implement a cultural competency training curriculum.
- Provide evaluations to each participant upon completion of training.
- Provide pre and post tests to measure level of competency.

Outcome Indicators:

- Training developed/implemented will include areas most commonly identified by staff surveyed as in need of improvement.
- A minimum of 100 Branch employees will receive cultural competency training in each fiscal year.

- Training will be completed by staff from all Divisions proportionate to their representation in the Branch.
- A majority of post tests of applicants will reflect an increased level of cultural competency.
- A majority of participants will evaluate the training as relevant and will indicate that they feel their own level of functioning was impacted positively by the training.

Implementation Strategy:

Refer this recommendation to the Judicial Branch Advisory Committee on Diversity for incorporation into its current efforts for developing and implementing a Branch-wide cultural competency training curriculum.

Recommendation:

2. Develop a centralized training program for Affirmative Action Coordinators. Offer refresher training and report any issues that arise.

- Develop mandated training for Affirmative Action Coordinators to ensure that the interview process is conducted in an appropriate and consistent manner at all times.
- Offer refresher courses at least twice per year.
- Assess Affirmative Action Coordinators on level of competency through periodic self assessments and/or post testing.
- Develop and implement a system for Affirmative Action Coordinators to report any concerns regarding appropriateness of the interview process as they occur.
- Develop and implement a system to ensure that all such concerns are investigated and acted on prior to any action being taken on the recruitment in question.
- Track number of issues reported by Affirmative Action Coordinators.
- Track number of refresher courses attended.

Outcome Indicators:

- All newly appointed Affirmative Action Coordinators will receive centralized training prior to commencement of their responsibilities.

- All existing Affirmative Action Coordinators will receive training at least biannually.
- All concerns from Affirmative Action Coordinators regarding a recruitment will be investigated and acted upon prior to any action being taken on that recruitment.

Implementation Strategy:

A centralized training curriculum for all Affirmative Action Coordinators should be developed and implemented through the Administrative Services Division Human Resource Management Unit. In addition this Unit should develop a protocol for Affirmative Action Coordinators to report any concerns regarding the process utilized in any recruitment/interview/selection to ensure that appropriate action will be taken to review and address those concerns prior to a selection being made on a questioned recruitment.

Recommendation:

3. Develop questions to include on the interview form that will measure the cultural competency of an applicant or the ability for an applicant to become culturally competent and ensure that all Branch staff involved in the interviewing process receives training regarding the inclusion of cultural competency as part of the hiring criteria.

- Revise current interview forms to include questions that address issues of cultural competency.
- Update the *Guidelines to Effective Interviews* booklet to include cultural competency as a criteria for assessment of applicants.
- Develop a training program to be presented to those involved in the interview process regarding the concept of cultural competency and the importance it has as part of the required criteria for hire/promotion.

Outcome Indicators:

- Interview evaluation forms will include a mandatory question on cultural competence.
- Employees serving on interview panels, Affirmative Action Coordinators and divisional administrative staff will receive training on cultural competency by the end of the year in which the forms are modified.

Implementation Strategy:

The Administrative Services Division Human Resource Management Unit should work with the other Branch Division Human Resource representatives to develop questions appropriate to measure cultural competency of applicants, or to

measure the ability of applicants to become culturally competent. These questions should be mandatory questions for all Branch interviews. In addition, the Judicial Branch Advisory Committee on Diversity should be provided with the names of Affirmative Action Coordinators and Divisional administrative staff to ensure that these employees are scheduled for any cultural competency training implemented by that Committee within the first year of its implementation.

Recommendation:

4. Evaluate and develop methods to retain employees and provide opportunities to enhance their career mobility.

- Evaluate the existing Mentoring Program to determine if it meets the needs of the staff in providing increased access to career opportunities within the Branch.
- Include a career mobility program as part of the Mentoring Program to be developed by the Mentoring Committee in conjunction with Administrative Services Division-Human Resource Management.

Outcome Indicators:

- The completion of the evaluation of the Mentoring Committee.
- Development and implementation of a Career Mentoring Program as noted.

Implementation Strategy:

The Judicial Branch Advisory Committee on Diversity, which oversees the Mentoring Committee, should review the current mentoring program and identify how the goal of career mobility can be incorporated into the existing program. The Committee on Diversity should work in conjunction with the Administrative Services Division Human Resource Management Unit to develop a protocol for interfacing the mentoring program with that Unit to effectuate a career mobility program for all staff.

Recommendation:

5. Promote careers with the Judicial Branch at Connecticut high schools, business schools, technical schools, career academies and colleges through the development of class materials and a speaker's bureau for classrooms and assemblies. Assemble a pool of Judicial Branch employees that would be accessible to the Volunteer/Intern Coordinators to make presentations.

- Assess existing class materials and the extent of the present outreach.

- Market Speaker's Bureau, Job Shadow and Court Aide Programs to high school administrators.
- Track numbers of request.
- Maintain ongoing list of judicial branch employees willing to serve as speakers.
- Update list annually.
- Market the CT Courts Curriculum.

Outcome Indicators:

- Track applicants who apply as a result of increased outreach activities.
- Poll attendees at outreach events regarding the effectiveness of the activity and their intent to pursue employment with the Branch.
- Update current and expanded list of speakers.

Implementation Strategy:

This recommendation should be coordinated with The External Affairs Advisory Board for implementation.

Recommendation:

6. Develop a system to collect and determine distribution of Branch workforce data and data on the population being served.

- Assemble a committee of divisional staff to determine the data needed and how to collect this data.
- Determine how the data can be effectively utilized to support the goal of developing and retaining both a diverse and a culturally competent staff.

Outcome Indicators:

- Formation of a committee.
- Report of the committee regarding its findings.
- Track the progress of participants to determine the effectiveness of the program.

Implementation Strategy:

Each Division should appoint representatives to review the data that is currently available regarding the population they serve and whether additional data is required to develop a useful comparison to which the Division's workforce can be assessed. The Committee should review available workforce data and data on employees who have received or are scheduled to receive cultural competency training. The committee should determine who within the Branch would benefit from receipt of this data on a regular basis in order to ensure that the workforce within each Division is meeting the goal of the Branch to provide both a diverse and culturally competent workforce.

The Committee would note that after lengthy discussion regarding the issue of meeting the needs of the population served in terms of language, it was determined that this matter should be referred to the subcommittee on Limited English Proficiency to ensure that there was a consistent approach to addressing the topic.

The recommendations cited above are submitted by the Committee on Diversity in the Branch Workforce for consideration. They have been unanimously endorsed by the Committee. The Committee is grateful for the opportunity to review and address this important aspect of the Public Service and Trust Commission's Strategic Plan for the Judicial Branch and is available to respond to any questions or concerns the Commission may have related to the Committee's report.

Respectfully Submitted:



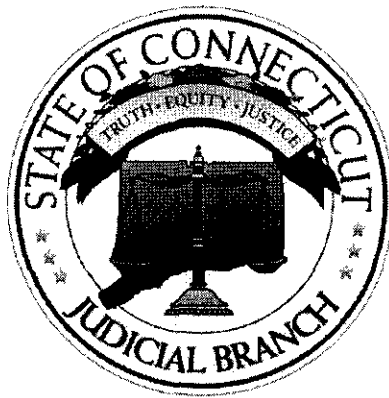
Linda A. Dow, Chair
Human Resource Management Legal Counsel

DELIVERY OF SERVICES

The Judicial Branch will provide effective, uniform and consistent delivery of services by enhancing the management of court practices.

PUBLIC SERVICE AND TRUST COMMISSION

STRATEGIC PLAN IMPLEMENTATION



REPORT OF THE COMMITTEE
ON
ALTERNATIVES TO COURT APPEARANCES

Table of Contents

The Committee	3
The Subcommittees	4
Introduction	6
Executive Summary	8
A. The Committee Defined Teleconferencing and Videoconferencing as Follows	8
B. Historical Background	8
C. Current Use of Teleconferencing and Videoconferencing in Connecticut	9
D. Overview of Advantages and Disadvantages of Teleconferencing and Videoconferencing	9
E. Recommended Uses – Civil Matters	10
F. Recommended Uses – Criminal Matters	11
G. Recommended Uses – Juvenile Matters	12
H. Recommended Uses – Family Matters	13
I. Recommended Uses – Administrative and Other Matters	13
J. Technology Recommendations	14
K. Statutes and Rules Recommendations	15
L. Outcome Indicators	15
M. Additional Recommendations	16
Commentary	17
A. The Trend	17
B. Commentary on Advantages of Teleconferencing and Videoconferencing	17
C. Commentary on Disadvantages of Teleconferencing and Videoconferencing	21
D. Commentary on Civil Recommendations	24
E. Commentary on Criminal Recommendations	25
F. Commentary on Juvenile Recommendations	26
G. Commentary on Family Recommendations	28
H. Commentary on Technology Recommendations	29
I. Commentary on Statutes and Rules Recommendations	31
J. Commentary on Outcome Indicator Recommendations	31
Conclusion	34
Appendix A	35
Appendix B	38
Appendix C	44

THE COMMITTEE

Chair: Hon. Elliot N. Solomon

Members: Hon. Patrick L. Carroll III (Deputy Chief Court Administrator)
Hon. David M. Borden
Hon. Thomas A. Bishop
Hon. Patrick J. Clifford (Chief Administrative Judge- Criminal)
Hon. Arthur A. Hiller (Chief Administrative Judge - Civil)
Hon. Christine E. Keller (Chief Administrative Judge - Juvenile)
Hon. Lynda B. Munro (Chief Administrative Judge - Family)
Hon. John E. Colella (Family Support Magistrate)
Hon. Emmet L. Cosgrove
Hon. O. James Purnell III (Probate Court)
Hon. Hillary B. Strackbein
Hon. David R. Tobin
Atty. David Belt (private bar)
Ms. Linda J. Cimino (Director, Office of Victim Services)
Atty. Susan Quinn Cobb (Attorney General's Office)
Atty. Joseph DelCiampo (Court Operations Legal Services)
Atty. Lucio DeLuca (Judge Support Services)
Atty. Joseph D. Garrison (CT Trial Lawyers Association)
Ms. Marilou Giovannucci (Court Operations)
Atty. Eric R. Groody (Clerk's Office)
Atty. Scott A. Hartley (Court Operations)
Mr. David M. Iaccarino (Court Operations)
Commissioner Thomas A. Kirk (DMHAS)
Mr. Ronald Macchio (Administrative Services - Facilities)
Mr. Richard Miele (Department of Correction)
Mr. O'Donovan Murphy (Judicial Marshals)
Mr. Mark Ostrowski (private bar)
Atty. Adele V. Patterson (Office of the Public Defender)
Atty. Norman Pattis (private bar)
Atty. Nancy A. Porter (Court Operations Legal Services)
Mr. Gary A. Roberge (Court Support Services Division)
Atty. Norman A. Roberts II (private bar)
Atty. Jennifer O. Robinson (Court Operations)
Mr. Scott Rosengrant (Information Technology Division)
Ms. Betsy Rosser (Support Enforcement Unit)
Ms. Pamela E. Sarno (Administrative Services-Purchasing)
Ms. Celia Siefert (Court Support Services Division)
Atty. Robin C. Smith (Clerk's Office)
Atty Maureen Platt Temchin (Office of the State's Attorney)

Staff: Oliver Burgos (Court Operations)
Mark Space (Court Operations)

THE SUBCOMMITTEES

The Purposes Subcommittee:

Hon. Hillary B. Strackbein, Chair
Atty David Belt
Hon. Thomas A. Bishop
Hon. Patrick J. Clifford
Atty. Susan Quinn Cobb
Atty. Joseph D. Garrison
Ms. Marilou Giovannucci
Atty. Scott A. Hartley
Hon. Arthur A. Hiller
Hon. Christine E. Keller
Commissioner Thomas A. Kirk
Mr. Richard Miele
Hon. Lynda B. Munro
Atty. Adele V. Patterson
Atty. Norman Pattis
Hon. O. James Purnell III
Ms. Betsy Rosser
Atty. Robin C. Smith
Atty. Maureen Platt Temchin

The Technology Subcommittee:

Mr. Scott Rosengrant, Chair
Hon. Patrick L. Carroll III
Hon. John E. Colella
Atty. Lucio DeLuca
Atty. Eric R. Groody
Mr. Ronald J. Macchio
Atty. Mark Ostrowski
Atty. Norman A. Roberts II
Ms. Celia Seifert
Hon. David R. Tobin

The Cost/Benefit Subcommittee:

Mr. David M. Iaccarino, chair
Ms. Linda J. Cimino
Mr. Brian Coco
Mr. Richard Miele
Mr. O'Donovan Murphy
Atty. Jennifer O. Robinson
Ms. Pamela Sarno
Hon. Elliot N. Solomon

The Statutes and Rules Subcommittee:

Atty. Jennifer O. Robinson, chair
Hon. David M. Borden
Hon. Emmet L. Cosgrove
Atty. Joseph DelCiampo
Atty. Nancy A. Porter

INTRODUCTION

In May of 2007, Chief Justice Rogers created the Public Service and Trust Commission and charged it with developing a plan to enhance the public's trust and confidence in the Judicial Branch by improving the services offered to the thousands of people who interact with the Branch each day. In June of 2008, the plan was submitted to the Chief Justice, who adopted the recommendations of the Public Service and Trust Commission and directed the Chief Court Administrator to develop a plan to implement the recommendations of the Commission.

The Chief Court Administrator developed and prioritized a series of initiatives designed to implement the recommendations of the Commission. The first phase of the implementation process included seven initiatives that provided for the creation of certain committees, one of which was the Committee on Alternatives to Court Appearances (the "Committee"). The Committee was organized in November of 2008. Directed toward the strategic goal of increasing the efficiency of case management and court practices, the Committee's charge was to consider opportunities to expand the use of teleconference and videoconference technology for court appearances. The charge of the Committee is set forth in Appendix A, attached hereto. The Committee is constituted with representatives of those stakeholders who interact regularly with our judicial system. In accordance with its mission, the Committee has evaluated the current use of teleconference and videoconference technology in Connecticut courts and the potential for the expanded use of such technologies.

In order to accomplish its mission, the Committee sought: (i) to assess the current teleconference and videoconference resources available to our courts and how they are utilized; (ii) to determine how the use of this technology can be expanded; (iii) to identify and quantify, when possible, the anticipated monetary and non-monetary benefits and costs of such expansion; and (iv) to analyze existing statutes and rules of practice which permit the use of this technology and how they would need to be revised or supplemented to accommodate the recommendations contained herein.

The Committee considered these areas through four subcommittees: (i) the Purposes Subcommittee - to evaluate and propose uses for videoconference and teleconference technology in the judicial system; (ii) the Technology Subcommittee - to identify technology currently in place and what new equipment would be required to support the recommendations of the Purposes Subcommittee; (iii) the Cost/Benefit Subcommittee - to assess the monetary and non-monetary benefits and costs of the recommendations of the Purposes Subcommittee; and (iv) the Statutes and Rules Subcommittee - to review existing statutes and rules of practice and determine what, if any, amendments or new provisions would be necessary based on the recommendations of the Purposes Subcommittee. Collectively, the Committee and its four subcommittees have held approximately 30 meetings in the past six months. The meetings were conducted in a sequential process, beginning with the establishment of a methodology, then the collection and assessment of information and, finally, the integration of the work of each subcommittee into the recommendations contained in this report.

The Committee gathered information from many sources. Committee members, representing many of the stakeholders in the judicial process, solicited viewpoints and data from

their respective constituencies and inquired how their work would be impacted, favorably or unfavorably, by the expansion of teleconferencing and videoconferencing in the judicial process. An inventory of the Branch's current teleconference and videoconference resources was undertaken and assessments were made regarding the current use of that technology. The Committee obtained articles regarding the use of videoconference technology from the National Center for State Courts and other sources, including studies conducted in other states evaluating their experience with the use of this technology. Firsthand experience with videoconference technology was obtained by many Committee members in a number of ways. Several subcommittee meetings were conducted by videoconference with subcommittee members at different locations. Vendors made a two-hour presentation to the Committee demonstrating some of the technology which is currently available and the ease and effectiveness of its use. Finally, several members of the Committee traveled to Essex County, New Jersey (Newark), which makes extensive use of videoconference technology. While there, they observed the videoconferencing of proceedings and spoke with many of the participants in those proceedings.

The members of the Committee voted unanimously in favor of all of the recommendations in this Report, except two members voted against the recommendation to establish a pilot program for arraignments in Hartford. The concerns of those who objected are discussed in the Commentary on Criminal Recommendations.

EXECUTIVE SUMMARY

A. The Committee Defined Teleconferencing and Videoconferencing as Follows:

1. Teleconferencing: the use of a telephonic device that enables all participants, situated in more than one location, to converse and be heard in real-time over a secure network.
2. Videoconferencing: The use of a secure audiovisual device which enables all participants, situated in more than one location, to see and communicate with each other in real-time.

When used in a court proceeding, provision must be made for: (i) private communication between an attorney and client who are participating from different locations; and (ii) the ability of participants to review and exchange documents in the course of the proceeding.

B. Historical Background

Court proceedings have been conducted using videoconferencing technology for almost forty years, the first such proceeding being a bail hearing conducted in an Illinois court in 1972. A few years later, a closed circuit television system was installed in a Philadelphia court which arraigned defendants from the detention facility where they were held. Since that time, most states have implemented some form of videoconferencing in their courts. At the federal level, videoconferencing has been utilized for oral argument in appellate proceedings and for other purposes in a substantial number of district and bankruptcy courts.

The purpose for which videoconferencing is used and the extent of that usage varies significantly not only from one state to another but often from county to county within the same state.¹ Some jurisdictions have conducted comprehensive evaluations containing detailed assessments of the feasibility of implementing or expanding the use of videoconference technology in their courts.²

¹ By way of example, Essex County (Newark) in New Jersey extensively uses videoconference technology for first appearances, whereas its neighbor to the north, Passaic County (Paterson), infrequently conducts such appearances by videoconferencing.

² See An evaluation of Video Preliminary Arraignment Systems in Pennsylvania (Shastri and Wald, Fall 2004); Bridging the Distance - Implementing Videoconferencing in Wisconsin (2005); Video Arraignment and Its Potential For Use in the County Criminal Justice System (Los Angeles County; November 2004); Assessment of Videoconferencing in the South Dakota Unified Judicial System (October 2004); Fairbanks Video Arraignment Assessment (Alaska Judicial Council - May 1999).

C. Current Use of Teleconferencing and Videoconferencing in Connecticut

There are presently six courts which house videoconference units suited to large courtroom use. They are located in Hartford, New Haven, Bridgeport, Waterbury, Stamford and Rockville. The first five are used primarily in Family Support Magistrate proceedings (typically child support proceedings involving incarcerated obligors) and the remaining unit, located in Rockville, is used primarily for habeas corpus proceedings. In addition, there are six portable videoconference units available for use in small courtrooms or hearing rooms. Although videoconference units are used primarily for support enforcement and habeas corpus proceedings, they are also being used occasionally in restraining order proceedings pursuant to Connecticut General Statutes §46b-15c(a), which allows for the taking of testimony from domestic violence victims situated at a remote location. These units have also been used on a limited basis in civil matters for the taking of testimony from a remotely located witness.

All correctional facilities in Connecticut have videoconference capability (and several have more than one videoconference terminal). In addition to using videoconferencing for certain habeas corpus proceedings, the Department of Correction (DOC) also uses that technology for telemedicine purposes, i.e., communication between the inmate at the correctional facility and medical personnel at UConn Medical Center. From an economic and security perspective, it is significantly less expensive and more secure to have inmates remain within the correctional facility and attend to legal matters by teleconference or videoconference.

Teleconferencing capacity now exists on a limited basis in most judicial facilities. The Branch also has the capacity to implement Voice Over Internet Protocol (VOIP) teleconferencing. The VOIP system will allow multi-call teleconferencing capabilities from any Judicial Branch location.

The current state of the Judicial Branch intranet network is such that much of the ground work has been laid for the successful implementation of the expanded use of videoconferencing and teleconferencing. The recommended enhancements to the infrastructure build upon a solid framework already in place. Furthermore, a significant portion of the labor required for the first phase of implementation can be absorbed by existing staff.

D. Overview of Advantages and Disadvantages of Teleconferencing and Videoconferencing

The Committee believes that advantages of teleconferencing and videoconferencing outweigh the disadvantages. The advantages and disadvantages are set forth below.

Teleconferencing and videoconferencing offer substantial monetary benefits to those involved in the judicial process. In civil, family and juvenile proceedings, litigation costs, in the form of counsel fees and witness costs/expert fees, can be significantly reduced when teleconferencing or videoconferencing is used in lieu of requiring counsel to appear in court for routine conferences or minor matters or having witnesses travel from distant locations to provide

trial testimony. Additionally, the cost of transporting inmates to court is substantial. A reduction in the number of inmate transports, in appropriate circumstances, because of the availability of videoconferencing would generate significant savings. Even when teleconferencing and videoconferencing cost savings do not drop to the bottom line, they nevertheless allow for better deployment of personnel and, thus, greater systemic efficiencies (e.g., travel time is eliminated for probation officers when they conduct interviews of inmates by videoconferencing). The use of videoconferencing in lieu of certain types of court appearances for inmates also reduces the significant security risks inherent in the transportation process and, at the same time, spares the inmate the stress and discomfort associated with being brought to court and into the courtroom. Finally, the use of videoconferencing as an alternative to many of the training sessions and meetings which Branch personnel currently attend would generate quantifiable savings and increase efficiencies otherwise lost to travel time.

On the other hand, there are monetary and non-monetary costs associated with the use of teleconferencing and videoconferencing. The monetary costs are the hard costs incurred in acquiring and upgrading equipment, and implementing the use of and maintaining that equipment. The Committee believes that these costs can be recovered within a short time frame (perhaps a year or less). There may be additional administrative costs to the Branch and DOC facilities associated with scheduling the use of and operation of videoconferencing equipment. As with any technology, there are always considerations of quality and reliability. The Committee believes, based upon the state of current technology, that such issues are neither significant nor insurmountable. The use of videoconferencing also presents perception issues, both on the part of the public as well as the court. Notwithstanding the opportunities which videoconferencing presents, the Committee believes that, if not used properly or if used in inappropriate proceedings, the dignity, respect and even fairness of the justice process could be undermined. Those who use this technology in a criminal justice setting must be constantly mindful of viewing the incarcerated defendant as an individual, protecting his or her rights and preserving and fostering his or her relationship with counsel. Finally, the implementation of this technology represents a change in the way our courts conduct business. Perhaps the most significant determinant of the success of this technology will be the willingness of participants in the process to adapt to it and accept it.

E. Recommended Uses – Civil Matters

1. Teleconferencing - teleconferencing should be allowed, at the discretion of the court and after reasonable notice, for:
 - Status and scheduling conferences;
 - Arguments, not including short calendar, where testimony is not required (including such matters for self-represented inmates); and
 - Such other matters upon which the parties may agree

2. Videoconferencing - videoconferencing should be permitted, at the discretion of the court and after reasonable notice, for:

- Short calendar arguments not involving the testimony of witnesses;
- Trial testimony of any witness;
- Inmate proceedings;
- Habeas corpus proceedings alleging claims regarding conditions of confinement; and
- Such other matters upon which the parties may agree.

It is recommended that videoconferencing NOT be used for pretrial conferences.

F. Recommended Uses - Criminal Matters

1. Teleconferencing - teleconferencing should be allowed, at the discretion of the court and upon reasonable notice, for status and scheduling conferences.
2. Videoconferencing
 - (a) Videoconferencing should be allowed, at the discretion of the court and with the consent of all parties, for:
 - Extradition proceedings - second stage;
 - Competency proceedings (C.G.S. Sec. 54-56d) in which there is no dispute that the defendant, at such time, is “incompetent but restorable”. Additionally, a member of the evaluation team may testify by videoconference in support of the recommendations made by the team (videoconference equipment in the courthouse and at Connecticut Valley Hospital (CVH) must be compatible); and
 - Such other matters as to which both parties may agree.
 - (b) Videoconferencing should be allowed without the consent of the parties for:
 - Court Support Services Division (CSSD) interviews of inmates in connection with Pre-Sentence Investigations (PSI), the Jail Re-interview Program and Level of Service Inventories (LSI); and
 - Sentence Review proceedings.
3. Callbacks (transporting of inmates to court for matters when appearance before the judge is not necessary). In any courthouse which has videoconference facilities for private conferences between counsel and an incarcerated defendant, the following shall apply:
 - (a) Part A callbacks other than in the Hartford Judicial District - the defendant shall not be transported to court unless specifically requested by the State or defendant’s counsel;

- (b) Part A callbacks in the Hartford Judicial District - the defendant shall not be transported to court unless specifically requested by the State or defendant's counsel and approved by the court in its discretion; and
 - (c) GA callbacks – defendant will be transported to court unless both the State and defendant's counsel agree otherwise
4. A pilot program should be established for the videoconferencing of arraignments between the holding area and a courtroom in G.A. Number 14 (Hartford).³

G. Recommended Uses – Juvenile Matters

1. Videoconferencing or teleconferencing should be allowed in Child Protection Proceedings, at the discretion of the court and upon reasonable notice, for:
- Status and scheduling conferences;
 - The testimony of a person on whose behalf a protective order, restraining order or standing criminal restraining order has been issued and the subject matter of the proceeding involves the person against whom such order has been issued;
 - Participation by an out of state parent in a child protection matter under the Interstate Compact for Placement of Children;
 - Participation in a child protection case by a parent incarcerated in this state whose presence in court poses a security risk, limited to certain proceedings;⁴
 - Use of non-English language interpreter if not readily available in Connecticut;
 - The testimony of (i) a foster parent regarding the placement or revocation of commitment of a foster child living with such foster parent, or (ii) a sibling regarding visitation with or placement of a child committed to DCF;
 - By agreement of parties and their attorneys, participation in discussions by treatment service providers and evaluators in case status conferences, child protection mediation and in court proceedings; and

³ The Committee's recommendation was not unanimous on this point. There were two dissenting votes for reasons discussed in the Commentary on Criminal Recommendations.

⁴ These proceedings would include: (i) Plea hearings, judicial pre-trials (if self-represented); (ii) order of temporary custody (OTC) and termination of parental rights (TPR) management conferences (if self-represented); (iii) in court reviews of protective supervision; (iv) permanency plan hearings; (v) case status conferences; (vi) Preliminary OTC hearings; (vii) consensual neglect pleas and dispositions; (viii) neglect trials; TPR plea hearings; (ix) canvas of consents to TPR; (x) contested transfer of guardianship proceedings; (xi) motions to revoke commitment; (xii) emancipation proceedings; and (xiii) motions for reinstatement of a guardian.

In most instances, absent his or her own waiver, an incarcerated parent should be present at the preliminary custody or initial plea hearing. At the conclusion of such hearing or other hearings, the court can determine whether the presence of an incarcerated parent is necessary at subsequent proceedings.

- Conferences with a judge of another state as required pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act.
2. Videoconferencing should be allowed in delinquency proceedings, at the discretion of the court and upon reasonable notice, for initial detention review hearings where the detention facility is not located in the child's home juvenile district.

H. Recommended Uses - Family Matters

1. Teleconferencing - teleconferencing should be allowed, at the discretion of the court and upon reasonable notice, for:
 - Status conferences not pertaining to custody and visitation issues;
 - Scheduling conferences (including issues regarding trial management orders);
 - Conferences with a judge of another state as required pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act;
 - Pretrial conferences where a party lives at such a remote distance that the court finds teleconferencing to be appropriate; and
 - Arguments that do not require the taking of evidence.
2. Videoconferencing - videoconferencing should be allowed, at the discretion of the court and upon reasonable notice, for:
 - Participation by a party incarcerated in an out of state or federal facility;
 - Arguments that do not require the taking of evidence;
 - The taking of testimony from an out of state witness;
 - Hearings on post judgment motions as permitted by existing law; and
 - Interviews by Family Relations and Support Enforcement Officers of out of state and incarcerated individuals necessary for the completion of a service ordered by the court.

I. Recommended Uses – Administrative and Other Matters

Teleconferencing and/or videoconferencing should be allowed as appropriate for:

- Administrative meetings;
- Training sessions for Branch personnel (videoconferencing only);
- Use of non-English language interpreters working from a remote location;
- Subject to Judicial approval, communication with juvenile detainees or incarcerated individuals;

- Communication between inmates and state operated medical facilities regarding medical needs of an inmate while in the care and custody of Judicial Marshals;
- Videoconferencing systems used in criminal matters for private conferences between counsel and incarcerated defendants may be used by counsel to communicate with inmates in family, civil, and juvenile matters when equipment is available; and
- Probate proceedings at such times as the teleconference and/or videoconference equipment is available for use.

Absent exigent circumstances and court approval, an inmate should not be transported to court on a day when no necessary court appearance is scheduled in his or her case.

J. Technology Recommendations

Subject to fiscal constraints and prioritization within the Criminal, Civil, Juvenile, and Family divisions, the following recommendations are made with regard to the acquisition of equipment:

1. Each Judicial District (J.D.) and Juvenile courthouse should be equipped with videoconference capability in at least one courtroom;
2. Each J.D., Geographical Area (G.A.) and Juvenile courthouse should be equipped with a videoconferencing capability for confidential communication between attorneys and incarcerated clients;
3. Each J.D. courthouse should be equipped with a portable videoconference unit;
4. The Branch should implement a VOIP teleconferencing system that can accommodate all Branch locations;
5. CSSD should be equipped with videoconferencing and teleconferencing capabilities in order to conduct inmate interviews (PSI's , LSI's, jail re-interview, etc.) and engage in adaptable administrative functions such as training sessions and meetings that require travel; and
6. Appropriate equipment shall be provided for continuous non-English language interpretation as needed.

K. Statutes and Rules Recommendations

Currently, provisions exist in the General Statutes, Practice Book and case law that permit the use of teleconferencing and videoconferencing. Among the relevant provisions that govern the various uses of these technologies are: Gen. Stat. Secs. 46b-213a(f) and 46b-15c(a), Practice Book Sections 23-68, 25-39, 44-10 and 44-10A and In Re Juvenile Appeal, 187 Conn 431 (1982). The Committee recommends the adoption of new rules and the revision of existing rules and statutes to provide for the expanded use of these technologies for the purposes recommended in all practice areas. The use of teleconferencing and videoconferencing should, in most instances, be at the discretion of the judicial authority and the rules should reference this discretion. Generally, it is contemplated that rules regarding teleconferencing and videoconferencing in a particular subject matter should be set forth separately, as described more specifically in Appendix B. Additionally, the Committee recommends a rule that: (1) defines teleconferencing; (2) defines videoconferencing; (3) authorizes, in most instances, the use of videoconferencing, if available where teleconferencing is permitted; and (4) permits remote non-English language interpreting services, including continuous, word-for-word interpretation in appropriate situations.

L. Outcome Indicators

The successful expansion of teleconferencing and videoconferencing in the judicial process and branch activities will be measured, in the first instance, by the number of occasions in which the technology is used. Thus, the relevant inquiries will include the following:

- How many status, scheduling and other case management conferences were conducted by teleconference or videoconference?
- How many motions were heard on the record by teleconference or videoconference?
- How many witnesses had their testimony taken by videoconference?
- How many matters, such as habeas corpus proceedings and name change applications, were heard in their entirety by videoconference?
- How many parties, otherwise unable to attend the proceedings, were able to participate by teleconference or videoconference?
- How many CSSD interviews, for PSI's, LSI's and Jail Re-interview, were conducted by videoconferencing with inmates?
- How many inmate transports were rendered unnecessary because of the alternative of teleconferencing or videoconferencing?
- How many training sessions and meetings involving branch personnel were conducted by videoconference?

The answer to almost all of the above questions, when subjected to analysis with relevant cost data, can demonstrate quantifiable savings to private litigants and the State (both the Branch as well as the DOC) and measurable efficiencies in performance based upon an enhanced ability to deploy personnel resources more effectively.

M. Additional Recommendations

The Committee makes the following recommendations as part of the expansion of teleconferencing and videoconferencing in the Branch:

- A Standing Committee on Technology for Videoconferencing and Teleconferencing should be formed to continue the work of this Committee. The purpose of the Standing Committee will be to monitor the implementation of these recommendations, to educate users as to the availability and use of new technologies, and to measure the outcomes of the changes as they are implemented.
- An individual should be designated whose sole responsibility would be the management of Branch teleconference and videoconference resources. Existing and anticipated teleconference and videoconference resources are substantial and the field will change considerably in the years to come. Consequently, it is appropriate that one individual be charged with providing direction in this field.
- Further study should be done into the feasibility of using videoconference technology to create and preserve the court record. Although this has been discussed in the course of the Committee's work, a full examination of the issue is beyond the scope of this analysis.

COMMENTARY

A. The Trend

The growing use of videoconference technology in courts around the country, while clearly reflecting a strong trend, does not necessarily indicate how Connecticut courts should address the issue. Some jurisdictions employ videoconference technology for demographic reasons. In large states with smaller populations, such as Alaska, or other large states with more substantial populations, such as Texas, the need for videoconference technology in lieu of court appearances is compelling. Court appearances by incarcerated defendants may require several hours of travel for the inmate to be brought to the courthouse or, in those jurisdictions in which a judge travels a circuit, by the court going to the correctional facilities. Such logistical considerations are not limited to criminal proceedings, as counsel, litigants and witnesses in civil matters may likewise be subject to extensive travel to attend court appearances in distant venues. Parallels to these jurisdictions are inapplicable in the case of Connecticut, a smaller state geographically with a significant population base. Nevertheless, many densely populated areas have turned to the use of videoconference technology, often as a means of reducing costs and promoting efficiency and security in the judicial process. For example, the Delaware County courts in Pennsylvania, servicing a heavily populated area in suburban Philadelphia, conducted almost 8000 videoconferenced court proceedings in 2008 (compared to approximately 2500 ten years earlier), and also accommodated approximately 3000 inmate interviews with counsel and probation department personnel (contrasted with approximately 800 ten years earlier).

Although some jurisdictions use this technology to overcome geographical and demographic barriers to ready access to the courts, most jurisdictions have turned to it as a means of promoting economy, efficiency and security in the judicial process.

B. Commentary on Advantages of Teleconferencing and Videoconferencing

1. Teleconferencing

Teleconferencing is generally considered to be an efficient and cost-effective case management tool. Status and scheduling conferences, which most courts routinely expect counsel to attend, may only require fifteen minutes of a judge's time, however litigants incur substantial legal fees because of the travel time associated with counsel's appearance at the courthouse. Even if the attorney's office and the court are in the same city, a scheduling conference lasting fifteen minutes may result in as much as two hours or more of portal to portal billing by each attorney. Absent unusual circumstances, counsel's attendance at such conferences can be avoided by teleconference between a judge in his or her chambers and counsel in their respective offices.

Currently available teleconference technology, once acquired, would even permit such conferences to be conducted in the courtroom on the record if the court deemed that necessary or appropriate. Similarly, arguments on non-dispositive matters which do not

require the taking of evidence (e.g., arguments regarding continuances and extensions of time, minor discovery disputes, etc.) can be accommodated by teleconference in the courtroom. Even if current fiscal constraints prevent the implementation of teleconference technology in the courtroom at this time, some judges already use the phones in their chambers to conduct these types of non-record conferences. This type of teleconferencing has generally met with strong approval from the bar. There are no apparent disadvantages to the use of teleconferencing for the purposes noted above (the court would always have discretion to require the appearance of counsel to address difficult issues), and the most likely impediment would be the reluctance of some to embrace changes in the way such matters are currently handled.

2. Videoconferencing

The monetary and non-monetary benefits of videoconference technology are substantial.

(a) Videoconferencing allows for the “virtual presence” in the courtroom of an individual at a remote location or remote distance from the court. This could include a party⁵ or witnesses who are so distantly located that their attendance could not be procured without the incurring of substantial expense. The financial benefit of videoconferencing testimony is even greater when the remote witness is an expert whose fees include not only court time but, as well, time spent traveling and costs (airfare, lodging, etc.) associated with that travel. Although the taking of testimony from a remote witness may involve the review or identification of documents offered as exhibits, this poses a logistical concern which courts have successfully addressed (through the use of document cameras, fax machines at both video terminals, prior distribution of copies of anticipated exhibits to the remote witness, etc.).⁶

(b) A large group, dispersed in many locations, can be connected visually to permit the dissemination of information. This would allow judicial personnel from around the State to participate in meetings and training sessions without the expense and loss of time required for travel to a central location.

⁵ An example of a proceeding in which a party at a remote location (albeit not necessarily a remote distance) might appear by videoconference would be a change of name proceeding initiated by an inmate.

⁶ The expense of bringing a witness from a remote location is often avoided by the taking of a deposition (which may also be a video recording). This procedure, however, is inferior to live videoconferenced testimony because (i) substantial expense is still incurred in the deposition process, (ii) the recording may be broken up by objections made at the time of the deposition but not ruled on until trial, and (iii) such depositions are taken or recorded prior to trial and can not always anticipate questioning on matters that have arisen at trial.

(c) Personnel resources can be used more effectively through the use of videoconferencing. For example, probation officers travel to correctional facilities around the state on a regular basis to conduct thousands of interviews with inmates annually for a variety of purposes. The time and expense associated with that travel is, collectively, substantial and can be avoided by conducting such interviews by videoconference between the probation officer and the inmate at their respective locations. CSSD has recently conducted inmate interviews by videoconference and the response has been very positive.⁷ Interviewers report that there is little, if any, difference in the quality of a videoconferenced interview in lieu of an in-person interview, and the elimination of non-productive travel to and from the correctional facility allows them more time to attend to other cases on which they are working.

(d) By far the greatest cost-efficiencies are achieved by the use of videoconferencing in lieu of transporting inmates from correctional facilities to court. The use of videoconferencing in lieu of court appearances raises a number of issues and, therefore, it should be used only in appropriate circumstances. Nevertheless, the monetary and non-monetary costs of transporting inmates to court, are substantial. Except for those directly involved in the transportation process, most participants in the judicial process are not sensitive to the monetary costs and security risks attendant to bringing an inmate to court, primarily because they are not familiar with the logistics involved in each transport or the magnitude of the inmate transportation system as a whole.

In most cases, inmates are transported to court in a two-step process. They are first transported by DOC personnel, often with one or more intervening stops, to the local correctional facility serving the particular judicial district where their case is pending. From there, they are transported by judicial marshals to the courthouse. For example, an inmate being held in the MacDougal-Walker Correctional Facility in Suffield, with a case pending in Hartford would be transported by DOC from MacDougal to the Hartford Correctional Center, and then transported by judicial marshals from there to the Hartford court. DOC and judicial marshals, collectively, do approximately 250,000 inmate transports per year, the vast majority of which are for court appearances. The economic costs associated with such transports include:

- Processing time;
- Transportation costs including vehicle capital expenditures, maintenance and repairs, and fuel; and
- Labor costs. The transportation of inmates is labor intensive for DOC and judicial marshals. A minimum of two corrections officers and two judicial

⁷ One type of interview conducted by probation officers is a PSI following a felony conviction of an inmate. On occasion, defense counsel want to be present during this interview. In a videoconferenced interview, counsel would have the option of being present with his or her client at the correctional facility or, alternatively, with the probation officer who is conducting the interview.

marshals are required to transport a van or bus with inmates from the corrections facility through the local corrections center to the courthouse. Analyses conducted in other jurisdictions place the cost of transporting an inmate to court in a range of \$100 to \$500 per inmate. The worst case scenario, one which occurs thousands of times each year in Connecticut, are transports which, of necessity, involve the assignment of two corrections officers or judicial marshals to bring a single inmate to court. This occurs, for example, in transporting inmates/patients held at Whiting Forensic (with medical staff personnel), inmates with mental health classifications, and inmates housed at Northern Correctional Facility (a level 5 security correctional facility). These transports involve even greater costs because the assigned corrections officers or judicial marshals are committed to one inmate for the duration of his travel time as well as his or her time in the courthouse. Because supervision of the inmate population at correctional facilities is the first priority for DOC and staffing levels are adapted toward that mission, "two on one" transports are usually staffed by corrections officers on an overtime basis. The labor cost of an eight hour transport (travel and court time) in such situations is approximately \$560.

The costs associated with transporting inmates to court extend beyond the transportation process itself. Once at the courthouse, inmates are held in lockup and, as needed, individually brought by judicial marshals to the courtroom to which their case is assigned. This requires the deployment of judicial marshals to supervise the lockup and to escort inmates to the courtroom. At current staffing levels, the opening of courtrooms is sometimes delayed due to a shortage of marshals who are otherwise assigned to transportation, lockup supervision or escort duty.

(e) The use of videoconferencing in lieu of transporting inmates to court promotes public safety and minimizes security risks. Public safety and security concerns are heightened any time an inmate is removed from a secure correctional facility for transport to court or any other location (such as a hospital). All of the risks entailed by such transport have occurred, at one time or another, in this State. There have been escapes and/or escape attempts during the transportation process. Incidents have occurred during transport (between corrections officers/judicial marshals and inmates and among inmates themselves), resulting in numerous injuries to corrections officers, judicial marshals and inmates. There are vehicle accidents and breakdowns during inmate transport (sixteen DOC accidents and eighteen DOC breakdowns in 2007) which, apart from injury considerations, give rise to liability and security concerns. Any DOC/judicial marshal vehicle transporting inmates which is involved in an accident or breakdown requires the immediate response of substantial numbers of law enforcement personnel for obvious security reasons. The transporting of inmates from corrections facilities also increases the risk that contraband will find its way into those facilities. Finally, increased numbers of inmates at the courthouse give rise to a greater likelihood of incidents amongst inmates in the lockup facility,

between judicial marshals and inmates during escort to the courtroom, and in the courtroom itself.

(f) Videoconferencing in lieu of transporting inmates to court is often easier for inmates and, in certain circumstances, may be in their best interest. In order to successfully handle substantial transportation demands in a way which ensures the inmate's arrival in time for the opening of court, the process begins early in the day. Inmates are awakened much earlier than usual, placed in a bus or van for a trip which may involve substantial travel time and, upon arrival at the courthouse, placed in a holding area which is more confining and less comfortable than the facility from which they came. During transport and in the courthouse holding area, they may be with other inmates who are far more dangerous and facing far more serious charges. If brought into the courtroom, they appear before the public in a prison jumpsuit and, for security reasons, are usually handcuffed and shackled. These types of concerns are particularly acute in the case of inmates who have mental health issues or are housed at Whiting Forensic Division during periods of evaluation. Transporting such inmates to court may well exacerbate the issues for which they are being evaluated or treated. For many inmates, communicating with their counsel by videoconference while preserving their daily regimen may be preferable to the demands and inconvenience attendant to a court appearance.

C. Commentary on Disadvantages of Teleconferencing and Videoconferencing

1. Expense

The first issue to be confronted in the implementation of videoconference technology in the judicial process is the issue of cost. That issue involves assessments on several levels: (i) initial capital expenditures to acquire the necessary equipment and create the infrastructure to support it, (ii) maintenance of the system once it is operational, and (iii) the deployment of personnel to train and oversee others in the use of the equipment. There may be additional administrative costs to the Branch and DOC facilities associated with operating and scheduling the use of videoconference equipment.

The most substantial costs are those incurred in acquiring the equipment and creating the necessary infrastructure. These costs will vary depending on the purposes for which the equipment will be used and the level of technology required to achieve those purposes.

The Committee concluded, for qualitative reasons and in the interest of openness in the courts, that videoconferencing of actual court proceedings should be supported by large screen videoconference units. They are better adapted to proceedings that involve juries and occur in large courtrooms because the cameras are more sophisticated and the screens are larger and have better resolution. These units are significantly more expensive than smaller portable units. On the other hand, the use of videoconferencing for discussions between an inmate and his or her

attorney or a probation officer who is conducting a PSI interview does not require the same level of technology. The cameras require few functions and the screens would be smaller. The amount of capital investment would also be impacted by the number and type of videoconference units installed in judicial districts.⁸

Although the implementation or expansion of videoconference technology requires an initial capital investment, other jurisdictions which have acquired this technology have concluded that the costs will be recouped, directly or indirectly within a short period of time (in some instances, less than a year). The Committee believes that, if implemented in a logistically sound manner and utilized properly, videoconference technology will generate cost savings on a perpetuating basis long after the initial expenditures have been recovered.⁹

2. Quality and Reliability

The use of technology, videoconference or otherwise, in actual court proceedings is subject to concerns regarding the quality and reliability of transmission. Although the possibility of a technical malfunction is always present, the state of the art has developed so rapidly in recent years that image quality is excellent and disruptions are minimal. Pre-testing of the system before daily use usually identifies any technical problem and the resolution of any problems, as they arise, can generally be accomplished with minor adjustments. The Committee is not aware of any jurisdiction that has discontinued or reduced its use of videoconference technology because of quality or reliability concerns.

3. Inherent Limitations in Credibility Assessment

The videoconferencing of testimony from a witness in lieu of his or her personal presence at trial raises an issue as to the impact of that technology on the fact finder's ability to make credibility determinations. The nature of the testimony - eyewitness identification as opposed to chain of custody evidence - may generate different views on the issue. Factors unique to each witness and his or her role in the subject matter of the trial may likewise impact the assessment of how credibility determinations are affected, if at all, by the use of videoconferencing. On the other hand, such concerns, while genuine, may be less problematic when the alternative is the absence of any testimony on an issue because the witness is otherwise unavailable.

⁸ The Committee recommends the encouragement of sharing of videoconference resources both within a given district and between districts. For example, the videoconference unit in Rockville is used primarily for habeas corpus proceedings, but has also been used for other matters such as (i) the taking of expert testimony in a civil jury matter and (ii) participation by a remotely located domestic violence witness in a hearing on an application for a restraining order. If fiscal constraints prevented the acquisition of large screen units in each J.D., strategically placed fixed units could be made available not only within a district, but for use by other proximately located districts. (e.g., Meriden and Middlesex, Ansonia-Wallingford and New Haven, etc.).

⁹ It should be noted that not all cost savings will be direct cash savings. However, videoconferencing reduces the use of manpower for non-productive purposes (e.g., travel) and becomes the functional equivalent of adding personnel at no cost.

4. Public perception

Courts must conduct their proceedings openly and in a manner designed to promote public confidence in the judicial process. Citizens of this state bring the most important issues in their lives to our courts — issues involving their families, their health and well-being and their freedom — and they must feel that their issues have been addressed and decided with solemnity, decorum and dignity. Inadequate videoconference technology or the use of that technology for inappropriate proceedings may undermine confidence in the judicial process on the part of the litigants as well as the general public.

5. Constitutional limitations

The use of videoconference technology, particularly in criminal matters, may implicate constitutional concerns. In the criminal context, such concerns include the defendant's right of confrontation as well as his or her right to counsel. Confrontation issues can arise, for example, in the instance of a witness testifying remotely by videoconference in lieu of appearing personally and testifying in the presence of the judge or jury. Right to counsel issues are typically presented in terms of a denial of effective assistance of counsel. For example, in those jurisdictions which conduct arraignments by videoconference, the physical separation of the defendant (incarcerated but "virtually" present by video) and counsel (present in the courtroom), with or without any means of communication, may give rise to a claim that the defendant's right to the assistance of counsel has been abridged or otherwise rendered ineffective.¹⁰ The Committee does not believe that any of its recommendations, as far as they go, contravene the constitutional rights of any participant in a proceeding.

6. Marginalization of the defendant

The use of videoconferencing in lieu of transporting inmates for court appearances must be done with great care to avoid the perception and the reality of marginalizing the defendant. In jurisdictions which videoconference arraignments or hearings on bail motions, the defendant on the screen, absent proper equipment, training and precautions, can become almost incidental to the proceedings. He or she may not be an active participant in the proceeding and, if uninformed as to what is transpiring, may be disengaged from the process (or perceived as such). This could negatively impact the defendant's view of the fairness of the proceeding. The court's perception that the defendant is disinterested or the projection of a negative image caused by inadequate equipment or insufficient lighting may also affect the court's interaction with the defendant and its ruling on the issue which is the subject of the proceeding.

7. Education and acceptance

Perhaps the most significant obstacle to the successful implementation or expansion of videoconference technology is the willingness of participants in the process to adapt to change. Just as some cling tightly to "hard copy" in an e-mail world, there are those who are accustomed

¹⁰ The Committee has not undertaken the task of identifying the constitutional boundaries of videoconference technology, and leaves such concerns to trial courts to be addressed as each situation presents itself.

to the notion that everybody should be present in the courthouse (attorneys and litigants for conferences, a testifying witness, etc.) and will resist the change which videoconferencing (or even teleconferencing) brings. Videoconference technology will only be successful if participants in the process commit to its use. The limited teleconference and videoconference technology currently available in our courts has not been utilized to its fullest advantage. The implementation or expansion of this technology must be accompanied by a plan which proactively promotes its use in the judicial process.

D. Commentary on Civil Recommendations

Unlike criminal, family and juvenile matters in which the State always has an interest, civil cases typically (though not always) involve disputes between private litigants. They bear the expense of the litigation and that expense, including legal fees, expert witness fees and the like, can and often does become substantial. The costs may become so substantial as to make access to our courts either financially impossible or practically unavailable in the sense that the costs to be incurred are not justified by the subject matter of the proposed litigation. The Committee's recommendations are primarily intended to minimize litigation costs and maximize the productive use of the judicial process. Thus, routine court conferences which can be conducted by teleconference in a matter of minutes will avoid the disproportionate amount of travel and waiting time (and client expense) attendant to counsel appearing in person. Similarly, the logistics of procuring the attendance of a witness at trial may present a formidable or even insurmountable financial obstacle. This recommendation would allow the court, either with the consent of the parties or in the exercise of its discretion, to allow the taking of otherwise unavailable testimony at trial through videoconferencing. Although the primary beneficiaries of the Committee's recommendations in civil matters are those private litigants who bear the expense of accessing the judicial process, it is expected that efficiencies will inure to the benefit of the State as well. For example, attorneys representing state agencies, like members of the private bar, will be able to utilize their time more effectively when permitted to engage in the same activities (routine conferences, minor short calendar disputes, etc.) by teleconference in lieu of being physically present in court. In a different context, certain civil matters which would require the transportation of an inmate to the courthouse may be capable of resolution by teleconference or videoconference between the court and the correctional facility.

It is anticipated that counsel will use teleconferencing and videoconferencing to their mutual advantage. The Committee recognizes, however, that the relative financial strength of the parties or differences in the extent to which they are invested in the judicial process may warrant their physical presence in court for certain purposes. One such purpose would be judicial pretrials, which the Committee believes will receive a greater degree of preparation and attention if conducted with the parties or their respective representatives physically present in court.

The essence of the Committee's recommendations in civil matters is the flexibility which they afford to the court in the exercise of its discretion and to those parties seeking to use this technology to their mutual advantage in accessing the courts in a cost-effective way.

E. Commentary on Criminal Recommendations

The Committee encountered the most difficulty in arriving at its recommendations on the use of videoconferencing in criminal matters. This is not surprising as the extent of videoconferencing in criminal matters has been the subject of some controversy in most jurisdictions where it has been implemented. The issues are fairly clear. The most substantial benefits derived from the use of videoconferencing are found in its application to criminal matters, particularly arraignments and callbacks.¹¹ Proponents of videoconferencing point to the substantial costs associated with the transporting of inmates to the court (administrative processing time by personnel at many levels, DOC and judicial marshal transportation costs, and judicial marshal supervision while in the courthouse) and the greater security risks which such transports entail. Opponents of videoconferencing, on the other hand, raise constitutional issues associated with videoconferencing (such as the defendant's constitutional right to confront witnesses) and, as well, express concerns with the impact of videoconferencing on the establishment, maintenance and preservation of a meaningful attorney-client relationship.

The recommendations of the Committee attempt to strike a balance between these competing considerations. The reduced transportation of inmates for Part A callbacks will eliminate thousands of transports annually. The use of a courthouse videoconference facility, however, will allow counsel (in the courthouse) and client (in a corrections facility) to communicate privately (and visibly to each other) regarding the case generally and, more specifically, the details of the conference conducted earlier in the day with the court.

Certain types of court proceedings will be conducted, with the consent of both parties, by videoconferencing. An excellent example are competency proceedings involving inmates who, based upon written evaluations, are expected to be found "incompetent but restorable". The videoconferencing of such proceedings will not only result in substantial cost savings but, more importantly, will spare an already impaired defendant the additional stress and discomfort of being transported from the treatment facility to the courthouse and back (and the additional time spent in the courthouse holding area). Another significant recommendation of the Committee is the use of videoconferencing by CSSD personnel to conduct interviews with inmates for a variety of purposes. Although such interviews do not involve the transportation of inmates, the use of videoconferencing will eliminate substantial travel by CSSD personnel to corrections facilities throughout the state. Thousands of these interviews are conducted each year and, at an estimated cost of \$100 per interview (the average personnel costs and vehicle costs associated solely with travel to and from the corrections facility), the cost of a CSSD videoconference unit would be fully recovered after the videoconferencing of only 30 to 40 such interviews.

¹¹ Callbacks are those instances, between the first court appearance of a defendant and the date on which he or she accepts or rejects a plea offer, when a defendant held in custody is brought from the corrections facility to the courthouse because of a scheduled conference between the court and counsel. The defendant is not present at this conference and typically is not brought before the court. He or she is available, however, to confer with counsel after the conference. In one Part A case, a defendant will typically be "called back" (brought to court from a correctional facility) approximately five or six times between his or her first appearance in court and the appearance resulting in the acceptance or rejection of a plea offer; in the most serious cases, a single defendant may be transported to court on a dozen occasions or more.

The Committee recommends two pilot programs, both of which would be conducted in the Hartford Judicial District. The first of these programs is intended to resolve differences among Committee members regarding judicial oversight of the Part A callback process. In all judicial districts other than Hartford, the defendant in any Part A case will not be brought to court for a callback unless either the State or defense requests that he or she be transported. In the event of such a request, the defendant will be transported irrespective of the court's view as to the necessity of his or her presence in the courthouse. In the Hartford Judicial District, the same procedures will apply, however the court may exercise its discretion not to have the defendant transported if it believes that, under the circumstances, the purposes for which the defendant's presence has been requested can be just as readily and effectively accommodated through the use of private videoconference facilities located in the courthouse. The second pilot program which the Committee recommends is the videoconferencing of arraignments between the holding area in G.A. 14 (Hartford) and the arraignment court itself. This G.A. location was selected because (i) it has a sufficiently high volume of arraignments to allow for the assessment of videoconferencing arraignments in an optimal setting, and (ii) the proximity of the holding area to the courtroom would permit the use of traditional arraignment procedures (defendant present in court) in any case where warranted. It is expected that the videoconferencing of arraignments and this pilot program will, at a minimum, allow for the better deployment of judicial marshals in the Hartford courthouse. As a pilot program, however, it is the Committee's intent that the videoconferencing experience in this court location assist in the possible expansion of the technology elsewhere. The unique physical setting of each arraignment court throughout the state may present different impediments to the successful use of videoconferencing in an arraignment context. The Hartford pilot program, if successful, would serve as a platform from which to begin addressing issues unique to each of the other arraignment courts in the state.

F. Commentary on Juvenile Recommendations

Connecticut juvenile courts have used teleconferencing technology for over 25 years during on the record proceedings, most commonly where a parent in a child protection proceeding is incarcerated or residing out of state. Parental consent to the termination of parental rights has frequently been canvassed via teleconferencing, and parents incarcerated or residing out-of-state have been allowed to participate in trials, including consultation with their attorneys, through the use of teleconferencing. See In Re Juvenile Appeal, 187 Conn. 431 (1982); In Re Wayne A, 25 Conn. App. 536 (1991). Teleconferencing has also been used to satisfy the mandate of the Uniform Child Custody Jurisdiction and Enforcement Act that judges from different states communicate with each other when an issue exists as to which court has jurisdiction to enter custody orders regarding a child. More recently, juvenile courts have used teleconferencing to obtain interpreter services for uncommon foreign languages. Recent legislation also provides for the use of teleconferencing or videoconferencing to allow persons protected by domestic violence protective and restraining orders to participate in court proceedings without having to confront the party who is the subject of the protective order or restraining order. See Conn. Gen. Stats. Section 46b-15c(a). Teleconferencing has also been used to allow litigants to participate in non-record matters such as case status, case management and trial management conferences.

Currently, all juvenile courts are equipped with teleconferencing equipment, typically a Polycom speaker device that has the appearance of a flying saucer. The Committee believes that teleconferencing in juvenile matters should be encouraged, as it promotes, at low expense, the participation of parties and other stakeholders in a variety of contexts. There are no specific Practice Book rules permitting or disallowing the use of teleconferencing in juvenile courts. In an October 2007 e-mail, the Branch Legal Services Division raised questions about the use of teleconferencing for scenarios other than case status conferences and similar mediation-type sessions and communication with judges in sister states on interstate custody matters. It expressed reservations about the use of teleconferencing where testimony is required because of the following concerns: the verification of the identity of the individual on the other end of the phone line, the judge's ability to assess the witness's demeanor without seeing him or her, and the ability of a witness to be coached out of sight of the judge and litigants. The expanded availability of videoconferencing would be a preferable mode of communication in such situations and would eliminate the above stated concerns.

When the Superior Court Rules Committee adopted Practice Book rules 23-68 and 25-39, it did not specifically provide for the use of videoconferencing in juvenile matters. As a result of this omission, the Branch Legal Services Division has discouraged the use of videoconferencing by a juvenile court on at least one occasion when videoconferencing between the court and the correctional facility was available and would have been preferable to a significant risk undertaken by transporting the inmate to court. This omission should be corrected, and the use of teleconferencing and videoconferencing should be specifically permitted by the rules of practice.

The Chief Administrative Judge for juvenile matters has surveyed sitting juvenile judges regarding their views on the expanded use of teleconferencing and videoconferencing in juvenile proceedings. Many of those who responded did not have an opportunity to observe the current level of technology available for videoconferencing in the courts. Those judges who responded expressed a preference that juvenile judges be afforded maximum discretion in determining when the use of teleconferencing and videoconferencing is appropriate in juvenile court proceedings.

Recognizing that the circumstances involving each child are unique and often exigent, the Committee's recommendations seek to give the judge in juvenile matters maximum flexibility to address the diverse issues and constantly shifting dynamics that are confronted in these cases. As in the criminal court context, the Committee believes that an incarcerated parent, absent his or her own waiver, should generally be present at the preliminary custody or initial plea hearing in child protection matters. Future court dates are set at these early proceedings. A juvenile judge, at the time the future date is established, can determine whether or not there is any necessity to transport an incarcerated party back to court for the next date and order that the inmate be present by teleconferencing or videoconferencing or, alternatively, that a writ of habeas corpus be issued to transport the inmate back for that date.

Prior to the creation of this Committee, the juvenile court Improvement Project had been working on guidelines for a pilot project in several courts encouraging the use of

teleconferencing and/or videoconferencing for out of state participants. Encouraging the use of such technology for out of state participants is required by the provisions of the Interstate Compact on the Placement of Children (ICPC). Although federal law does not require the use of teleconferencing or videoconferencing, it requires that states “determine the best strategy to use to expedite the interstate placement of children, including ... authorizing courts to obtain information and testimony from agencies and parties in other states without requiring interstate travel by the agencies or parties; and... permitting the participation of parents, children, other necessary parties and attorneys in cases involving interstate placement without requiring their interstate travel...”. A state is required to assess whether state laws and/or state court rules permit information sharing by telephone or videoconferencing. See Section 438(a)(1) of the Social Security Act (U.S.C. 629(a)(1)). The Committee's recommendations regarding teleconferencing and videoconferencing in juvenile courts take into account Connecticut's obligation under the ICPC. A portion of federal grant money awarded to the Court Improvement Project has been approved for the purchase of videoconferencing and teleconferencing equipment for use by juvenile courts in designated districts.

G. Commentary on Family Recommendations

Teleconferencing and videoconferencing has been used relatively extensively in family courts when such technology has been available. There are no statutory or practice book constraints on the use of teleconferencing and family matters. Teleconferencing is used, pursuant to statutory authorization, for matters involving placement of children under the Interstate Compact for Placement of Children, custody and visitation issues under the Uniform Child Custody Jurisdiction and Enforcement Act (Conn. Gen. Stats. Sections 46b-115 through 46b-115jj), and issues related to child support under the Uniform Interstate Family Support Act (Conn. Gen. Stats. Sections 46b-212 through 46b-213w(m)). Additionally, teleconferencing or videoconferencing may be used to allow persons protected by domestic violence protective orders or restraining orders to participate in a proceeding without being physically present with the person who is the subject of that protective order or restraining order. Status and scheduling conferences and pretrial conferences have been conducted by teleconferencing, however there are no protocols for these practices and the use of teleconferencing for such purposes may vary from one judge to another.

Videoconferencing technology has been used on a regularly scheduled basis in five judicial districts (Fairfield, Hartford, New Haven, Stamford and Waterbury) for child support matters involving incarcerated obligors. The use of videoconferencing has been favorably received by family support magistrates and has reduced the costs and security concerns associated with the transporting of inmates to the courthouse for these relatively brief hearings. As indicated above, recent legislation has provided for domestic violence victims under the protection of a protective order or restraining order to participate in court proceedings without being physically present with the person who was the subject of these orders. Few requests have been made by domestic violence victims to appear remotely, however this may be a function of the recent nature of the legislation. Practice Book section 25-39, making Practice Book section 23-68 applicable to family matters, permits incarcerated individuals to participate in certain court

proceedings by videoconference. Intended to enhance the safety of the public and court personnel and reduce the substantial cost of inmate transports (see commentary to Practice Book section 23-68), this source of authority has seen limited use (other than in proceedings before family support magistrates). This may also be the result of the recent nature of the adoption of the rule (effective in 2007) as well as the limited proceedings to which it applies.

The Committee's recommendations regarding teleconferencing and videoconferencing in family matters are principally intended to address three considerations: minimizing litigation costs incurred by parties for court conferences and minor on the record arguments (primarily through the use of teleconferencing); minimizing inmate transport and the costs and security concerns associated therewith (through the use of teleconferencing and videoconferencing); and enabling parties or witnesses who might otherwise be unable to be present in court for logistical reasons to participate by teleconferencing or videoconferencing. The use of teleconferencing and videoconferencing, under existing statutes and rules and as recommended by the Committee, should be encouraged. However, given the emotional issues which are part and parcel of most family cases, the court should have broad discretion in deciding whether teleconferencing or videoconferencing is appropriate in any given case.

H. Commentary on Technology Recommendations

As set out in the Executive Summary, there is a wealth of technology available for use in the court setting for teleconferencing and/or videoconferencing.

Teleconferencing

Teleconferencing is a very cost effective alternative to court appearances. The teleconference technology currently in use in our courthouses allows multiple individuals to be in various locations and communicate by an audio connection, however it is antiquated and not cost effective. Currently, if a group of people wish to participate in a teleconference from multiple locations, they must dial into a phone number provided through the telephone company that is charged at a per minute, per line rate. If the Judicial Branch upgraded its infrastructure to include the VOIP system (hardware and software that enables people to use the Judicial network, as opposed to the traditional telephone system), anyone would be able to conduct a teleconference from any Judicial Branch location with multiple participants, without a per minute charge from the telephone company. This system can be used with existing digital phones or through a teleconferencing phone that has multiple speakers to allow all parties in the room to hear the conversation clearly. It would be adaptable to courtroom use for telephonic, on the record proceedings. The cost of the VOIP system will be approximately \$30,000 (for statewide use) and \$900 for each teleconferencing phone.

Videoconferencing

The videoconferencing technology that is referenced in the Executive Summary of this report can vary greatly in terms of cost (see Appendix C for the full technology report). The approximate expenditure necessary for the technology recommendations of the Committee are as follows:

- A large screen courtroom unit can cost from \$15,000 up to \$25,000, with a recurring yearly cost of \$1,500 (presently Judicial has six such units in operation);
- A portable videoconferencing cart system can range in price from \$3,500 to \$8,000 (depending on the size of the room where the videoconferencing will be taking place, five of the six existing videoconferencing courtrooms are cart systems);
- A videoconferencing facility for confidential attorney/client communication can cost between \$3,500 and \$7,500;
- CSSD interviews could be conducted using similar equipment to that used for attorney/client communication, with prices ranging from \$3,500 to \$7,500; and
- A videoconferencing bridge should be acquired for the Main Data Center at Judicial Information Services (the approximate cost for a bridge is about \$20,000).

A bridge is a computerized system that would allow multiple contacts from any judicial videoconferencing system. The ability to make multiple site calls during one videoconferencing session would require that each videoconferencing system being used for that proceeding be specially equipped with such a function. The use of a bridge will avoid the need for this customization of each site.

Each location would also need some upgrades, depending on the current connectivity for each site. Some courts and buildings will need to be upgraded to high speed connectivity and have switches installed that would allow network connection to the Local Area Network. The cost of these switches varies depending on the network usage of each location. Additional less costly upgrades are outlined in the Technology Subcommittee report attached as Appendix C.

Additionally, existing technology can be plugged into the videoconferencing systems to reduce costs. For example, a videoconferencing system can be connected to Smartboards, which are available currently in certain Branch locations, thus eliminating the need to purchase a television monitor. A more detailed description of the exact equipment needed for these types of systems, as well as a glossary of technological terms is included in Appendix C.

The Committee's technology recommendations are intended to bring videoconferencing to most of our courthouses on a modest level where existing needs could support its use. More extensive videoconference technology is available, (as outlined in the Technology Subcommittee report Appendix C), as we continue to expand the use of videoconferencing in our courts in the future.

I. Commentary on Statutes and Rules Recommendations

The Committee began its analysis by conducting a comprehensive review of the statutes and practice book rules that may be impacted by the expanded use of videoconferencing and/or teleconferencing. In conducting its analysis, the Committee was mindful that in all cases in which a court permits testimony to be taken outside the presence of another party, the manner in which and the means whereby testimony is taken must be consistent with the right to confrontation guaranteed by the federal and state constitutions. After an analysis of the law and its impact on the purposes recommended for each subject area, the Committee formulated recommendations for necessary statutory and rules revisions. The recommendations are intended to give the Rules Committee as much flexibility as possible when it drafts the rules necessary to implement the recommendations. The Committee recommends that the rules be drafted broadly enough to avoid annual revisions. The Committee discussed that this could, perhaps, be accomplished with broad, omnibus provisions.

J. Commentary on Outcome Indicator Recommendations

Evaluations undertaken by other jurisdictions that make effective use of teleconferencing and videoconferencing indicate that they have generated cost savings and increased efficiencies through the use of this technology. In a Pennsylvania study, it was estimated that they would recover the cost of equipping a site with videoconference capability within five months. In a similar analysis, Wisconsin estimated that costs could be recovered in approximately six months. If used effectively, there is no reason why similar benefits cannot be achieved in Connecticut.

In some respects, it may not be possible to quantify some of the benefits of this technology. For example, the use of videoconferencing as an alternative to transporting inmates to court minimizes security concerns otherwise attendant to the transportation process and while the inmate is in the courthouse. Although one can assume that a reduction in the number of inmate transports would result in a corresponding percentage decrease in the number of security incidents reported by DOC and judicial marshals each year, it would not be possible to identify which incidents did not occur as a result of the decision not to transport a particular inmate. Apart from such situations, there are other areas where cost savings and efficiencies from videoconferencing would exist but are more difficult to quantify. For example, a DOC/judicial marshal van (capacity of 12) will require the same manpower and hard costs (fuel, maintenance, etc.) whether it has six inmates or 12 inmates. However, if six inmates are being transported to court and another six inmates are not because of the availability and use of videoconferencing, there are cost savings and efficiencies associated with those who were not transported (e.g., administrative processing for each inmate at every level (clerks, judicial marshals and DOC), judicial marshal supervision and escort of inmates within the courthouse, etc.).¹²

¹² Such cost savings could presumably be determined, if necessary, by professional efficiency experts. For purposes of this report, however, the Committee believes that such economies are logically demonstrable without quantifying them.

Nevertheless, there are a number of situations which, with the making of reasonable assumptions, permit the quantifying of cost savings and efficiencies as outcome indicators:

1. Teleconferencing of status and scheduling conferences and arguments on certain non-evidentiary motions: assuming (i) that there is private counsel for each litigant billing at a conservative rate of \$200 per hour, and (ii) the billing of two hours portal to portal for a 15 minute status conference, the cost savings to the litigants of teleconferencing that one conference will be \$700 (\$350 each). Depending on counsel's hourly rate and the travel and waiting time in court, the cost savings could be correspondingly greater.
2. CSSD interviews of inmates: CSSD reviewed its operations and determined that it conducts approximately 5400 interviews with inmates in correctional facilities each year as part of the PSI and LSI process (jail re-interviews were not included in the review, and they would increase projected savings and efficiencies noted herein). After eliminating trips to correctional facilities to account for situations where the probation officer conducted more than one interview, CSSD concluded that probation officers make approximately 3900 trips to and from correctional facilities annually. Assuming portal to portal travel time (including processing time at the correctional facility) of two hours per trip, CSSD estimates that probation officers spend approximately 8000 hours per year just in travel time to and from correctional facilities. At an assumed hourly rate of \$35 for a probation officer, the cost of this travel (inclusive of vehicle costs) exceeds \$300,000 annually. All of that cost is unnecessary if these interviews are conducted by videoconferencing. The cost of one videoconference unit sufficient to accommodate these interviews would be fully recovered after 30 to 40 such interviews. All interviews conducted thereafter would constitute a return on investment.
3. High cost inmate transports: As indicated earlier, it is difficult to break out the monetary cost of transporting one inmate when he or she is transported as part of a larger group. A substantial number of inmates, however, are transported to court individually. Such transports include, but are not limited to, the following: inmates from Northern Correctional (approximately 1200 per year); Garner Correctional inmates with mental health classifications (approximately 200 per year); and York Correctional (approximately 1200 per year). At approximately \$560 per trip with one inmate (just the cost of the transportation staff), the cost of these individual transports is approximately \$1,500,000 per year. This does not include almost 5000 juvenile delinquent transports annually to court from detention centers. Approximately 125 inmates held at Whiting Forensic for competency evaluations are transported by judicial marshals to and from court each year for anticipated uncontested findings that they are "incompetent but restorable". The cost of these transports, including accompanying medical staff, approaches \$100,000 per year. Because all of the foregoing inmate transports are done on an individual basis and the transportation staffing costs are attributable to that individual only, the outcome indicator is the number of such transports that

are rendered unnecessary because of the availability of videoconferencing. The cost savings of the use of videoconferencing in such instances is determined by multiplying \$560 (conservative estimate of the transportation staffing cost) by the number of instances when videoconferencing was used as an alternative to bringing the inmate to court.

4. Training sessions and administrative meetings and conferences: As indicated earlier, one of the benefits of videoconferencing is that it allows many individuals located in different locations to be brought together visually and audibly. This would allow for the videoconferencing of training sessions and meetings. These types of training sessions and meetings occur on a regular basis within the Branch and, as presently conducted, require Branch personnel to travel from all corners of the state to a central location. The cost of conducting such sessions/meetings includes reimbursement of travel costs and, more significantly, the loss of otherwise productive time of the attending individuals (judges, CSSD personnel, clerks, etc.) to the unproductive time of traveling to the central location. It may also include the rental of a facility and audiovisual equipment, the provision of refreshments for attendees, etc.

In order to assess the cost savings of a training session that could be achieved by videoconferencing, CSSD surveyed two groups of probation officers who attended a training seminar. There were 125 attendees, and approximately half attended the morning session and half attended the afternoon session. Based on responses received from approximately three quarters of the attendees, CSSD determined that videoconferencing of this training session would have generated cost savings of approximately \$3300 (almost \$500 in facility costs, \$740 in reimbursed mileage and \$2100 in personnel time, at \$35 per hour, just for their travel to and from the central location). Although refreshments were provided, that cost was not included for purposes of this assessment. The development of an outcome indicator for the videoconferencing of a particular administrative matter requires nothing more than the distribution of a survey to attendees as was done in the CSSD exercise noted above. The Committee recognizes that not every training session or administrative meeting is suitable for videoconferencing, however many are adaptable to this technology. The Committee also recognizes that the \$3300 in costs savings which could have been achieved by videoconferencing this training session is not substantial in and of itself, however such training sessions and meetings occur at all levels on a regular basis throughout the year. With sufficient use of videoconferencing for such purposes, the cost savings would be significant.

The foregoing are not intended to exhaustively list all of the outcome indicators associated with every use of teleconferencing and videoconferencing. They simply demonstrate that, based on the purpose for which the technology is used, the cost savings are readily calculable in most instances.

CONCLUSION

The Committee recommends that the Branch expand the use of teleconference and videoconference technology in our courts. The technology has developed to a point that remotely located participants in a videoconferenced matter are virtually present together. Like other states, the Branch is looking for ways to make courts more accessible, affordable and efficient. Teleconferencing and videoconferencing offer that opportunity.

However, enthusiasm for the implementation of teleconference and videoconference technology is not enough. In an effort to explain why some courts had been unable to use the technology successfully, the National Center for State Courts conducted a study in the 1990s. That study concluded that the lack of success was attributable, at least in part, to the resistance of some jurisdictions to change the way they had historically done business and their belief that the technology would not result in any meaningful costs savings. An evaluation conducted in 2004 on the use of videoconferencing in Los Angeles courts noted that:

“It is important... to recognize that videoconferencing technology will require law enforcement, judges, attorneys and court administrators to transform policies and procedures, as well as how they conduct business overall. Clearly, this is a difficult mindset to change.”(Emphasis in original).

This concern was readily apparent to many on the Committee as it conducted its assessment of the use of this technology in our courts. Simply stated, if participants in the process do not accept and adapt to the technology, it will not succeed.

For this reason, the Committee believes that implementation of this technology, particularly videoconferencing, should be gradual in order that participants become acclimated to its use. Significant efforts need to be made to educate participants, particularly judges, concerning the ease with which this technology can be used and the many benefits which it offers. Those efforts should occur in many forms and on many levels but, importantly, should include actual live demonstrations of this technology in operation. If we develop and encourage appropriate uses of this technology and can succeed in changing resistant mindsets, there is every reason to believe that the benefits achievable through the use of teleconferencing and videoconferencing can be fully realized in our courts.

APPENDIX A

(Committee Charge)

ALTERNATIVES TO COURT APPEARANCES

Goal III Delivery of Services: The Judicial Branch will provide effective, uniform and consistent delivery of services by enhancing the management of court practices.

Strategy: III.4 Increase efficiency of case management and court practices.

Activity: III.4.3 Expanding the use of telephonic and video technology for court appearances.

This Committee will also need to review and make recommendations for upgrading and enhancing the current technological infrastructure of the Branch. The 47 courthouses and 35 other administrative and service-based judicial facilities throughout the state are all connected to the main data center that is maintained by the Information Technology Division in East Hartford. The fast-paced changes in technology today require that the underlying network infrastructure be kept up to date and ready to handle the burden placed on it by solutions such as video conferencing. High speed data lines must be in place in each Branch location to ensure that no court or office will be left without the means to provide the best possible service to the public.

In order to ensure consistent quality in the video and audio components of video and telephonic technology, special care must be taken to make certain that state of the art equipment is utilized, adequate acoustic systems are present, courtroom recording equipment (i.e., FTR) is in place and that proper training on the systems is provided. The Committee should also examine whether the video or telephonic technology can be used to produce the court record and how that record should be captured, stored and made available for playback. The Committee should also consider the burden that could be placed on digital storage space, archiving and what technology would be needed to send the recordings to Branch staff, external agencies or the public via the internet. The procurement of a server and storage technology with adequate capacity is vital for

the success of expansion. These are just a few of the items the Committee must take into consideration for the accomplishment of this strategy.

ALTERNATIVES TO COURT APPEARANCES

In developing a plan for expanding the use of video and telephonic technology the committee must also consider issues of security and confidentiality with regard to the use of this technology in sensitive matters such as juvenile proceedings. The committee should consider less expensive video or telephonic systems for matters that do not require heightened network security. The network is currently equipped to provide security for transmitting such hearings. However physical security at the video or telephonic locations should also be taken into consideration.

The Judicial Branch continues to expand its delivery of services both in the courts and through the use of technology. This Committee will need to evaluate current staffing levels and whether additional staff is necessary to support the expansion of video and telephonic technology. Staffing levels may need to be increased or reallocated for such things as the initial installation, training, scheduling, case management, coverage in the courtroom and ongoing technical support.

The Committee should be comprised of the following members:

The Chief Administrative Judge from each Division (Criminal, Family, Civil and Juvenile)

A representative from the Probate Courts

A representative from the Court Operations Unit

A representative from the Judge Support Services Unit

A representative from the Legal Services Unit

Representatives from Court Clerks' offices (of varied caseloads and demographics)

A representative from the Support Enforcement Services Unit

A representative from the Office of Victim Services

A representative from the Department of Mental Health and Addiction Services

A representative from the Court Support Services Division

A representative from the Information Technology Division

A representative from the Department of Correction

A representative from the Chief State's Attorney's Office

ALTERNATIVES TO COURT APPEARANCES

A representative from the Chief Public Defender's Office

A Private Sector Attorney

A representative from the Commission on the Blind and Hearing Impaired

A representative from the Connecticut Bar Association

A representative from Administrative Services Division Facilities Unit

Non-attorney members

The committee will develop outcome indicators to measure the success of the activities within this project. The committee will also develop outcome indicators that show the combined contribution of the individual activities included in this project toward attaining the specific strategy addressed and its accompanying performance measures as defined by the strategic plan.

The committee will submit its recommendations to the Chief Court Administrator by January 2, 2009.

APPENDIX B

(Statutes and Rules Recommendations)

Recommendations for Rules Committee

After considering the Purposes Subcommittee's recommendations, the Statutes and Rules Subcommittee recommends that rules be adopted or revised in the following areas:

Scope of Rules and General Provisions

1. Currently, a number of provisions exist in the General Statutes, Practice Book and in case law that permit the use of teleconferencing and videoconferencing. See, e.g., Gen. Stat. Section 46b-213a(f); Practice Book Sections 23-68, 44-10 and 44-10A and In Re Juvenile Appeal, 187 Conn. 431 (1982). These rules proposals are intended to expand and not limit those provisions. It is also generally intended that rules regarding teleconferencing and videoconferencing on a particular subject matter be set out separately; one for teleconferencing and another for videoconferencing; in that subject area.

2. A rule that defines teleconferencing in general terms including the concept that the technology must enable all of the participants to be heard over a secure network and to provide each other with copies of documents in advance of any proceeding. In Re Juvenile Appeal, 187 Conn. 431 (1982). The Connecticut Supreme Court applied the balancing test in Mathews v. Eldridge, 424 U.S. 319, 335 (1976) and concluded that in a termination of parental rights case, the respondent father's right to due process was not denied when the trial court in Connecticut listened to his testimony by use of a telephone in his California prison.

3. A rule that defines videoconferencing in general terms that includes the description of such a device that appears in Section 23-68: "such audiovisual device must operate so that such person and his or her attorney, if any, and the judicial authority can see and communicate with each other simultaneously. In addition, a procedure by which such person and his or her attorney can confer in private must be provided." Such rule shall also include provisions for providing copies of all documents which may be offered at the proceeding to all counsel and self-represented individuals in advance of the proceeding.

4. A rule that authorizes, in most instances, the use of videoconferencing, if available, where teleconferencing is permitted.

5. A rule that permits remote translation services, including continuous, word-for-word translation in appropriate situations, provided adequate technology and funding is available. (See State v. Munoz, 233 Conn. 106 (1995).)

Civil Matters

Teleconferencing

1. A rule that permits the use of teleconferencing, at the discretion of the Judicial Authority and after reasonable notice, for status and scheduling conferences and for arguments, not including short calendar, where testimony is not required, including such matters that involve an incarcerated individual who is self-represented.

Videoconferencing

1. A rule that expands Practice Book Section 23-68 to permit the use of videoconferencing at the discretion of the Judicial Authority and after reasonable notice, for: short calendar arguments that do not involve the testimony of witnesses; trial testimony of any witness; and proceedings that involve an incarcerated individual who is self-represented.

2. A Practice Book Rule, §23-40, exists that allows videoconferencing, in the discretion of the Judicial Authority, for habeas corpus matters that involve conditions of confinement.

Juvenile Matters – Child Protection Proceedings Only

Teleconferencing and Videoconferencing

1. A rule that permits the use of teleconferencing and videoconferencing by an out-of-state party in which the Interstate Compact on the Placement of Children is applicable;

2. A rule that permits the use of teleconferencing and videoconferencing in accordance with General Stat. Sec. 46b-15. The Judicial Authority may, upon motion of the attorney for any party, order testimony through videoconferencing or teleconferencing of a party or a child who is a subject of the proceeding where a protective, restraining or standing criminal restraining order has been issued on their behalf.

3. A rule that permits the use of teleconferencing and videoconferencing by a parent who resides out of state or who is incarcerated in an out-of-state federal correctional facility or another state's correctional facility.

4. A rule that permits the use of teleconferencing and videoconferencing for attorney conferences with incarcerated clients, with first priority given to out-of-state incarcerated parents or other parties.

5. A rule that permits the use of teleconferencing and videoconferencing, at the discretion of the Judicial Authority, by a parent incarcerated within the state of Connecticut who poses a security risk for the types of child protection proceedings listed in number five below.

6. A rule that permits the use of teleconferencing and videoconferencing, at the discretion of the Judicial Authority, for the following types of child protection proceedings when a parent is incarcerated in Connecticut:

- Plea hearings
- Judicial Pre Trials
- Order of Temporary Custody (OTC) and Termination of Parental Rights (TPR) Management Conferences
- In Court Reviews of Protective Supervision
- Permanency Plan Hearings
- Case Status Conferences
- Preliminary Order of Temporary Custody Hearings
- Neglect Plea and Disposition by Agreement
- Neglect Trials
- TPR Plea Hearings
- Canvass of Consents to TPR
- Contested Transfer of Guardianship Hearings
- Motions to Revoke Commitment
- Emancipation Petitions
- Motions to Reinstate Guardian

In most instances, absent his or her own waiver, an incarcerated parent should be present at the preliminary custody or initial plea hearing.

7. A rule that permits the use of teleconferencing and videoconferencing for foster parents, and children and siblings of children committed to the Commissioner of the Department of Children and Families in accordance with Section 35a-5, excluding when any of these individuals is called as a witness, at certain prescribed proceedings. A subsection of this rule may permit the use of teleconferencing and videoconferencing, at the discretion of the Judicial Authority, if any of these individuals is called to testify as a witness.

8. A rule that permits the use of teleconferencing and videoconferencing by agreement of the parties and their attorneys, to participate in discussions by treatment service providers for children or parents in case status conferences or child protection mediation. A subsection of this rule may permit the use of teleconferencing and videoconferencing, at the discretion of the Judicial Authority, if such service provider is called to testify as a witness.

9. A rule that permits the use of teleconferencing and videoconferencing by agreement of the parties and their attorneys to participate in discussions with evaluators who have conducted court ordered evaluations in case status conferences or child protection mediation. A subsection of this rule may permit the use of teleconferencing and videoconferencing, at the discretion of the Judicial Authority, if such evaluator is called to testify as a witness.

Videoconferencing Only

1. A rule that permits the use of videoconferencing in delinquency proceedings, at the discretion of the court and upon reasonable notice, for initial detention review hearings where the detention facility is not located in the child's home juvenile district.
2. A rule that permits the use of videoconferencing by a parent incarcerated in an out-of-state federal correctional facility or another state's correctional facility for contested hearings including, but not limited to, temporary custody hearings, neglect or uncared for proceedings or termination of parental rights trials.

Family Matters

Teleconferencing and Videoconferencing

1. A rule that permits the use of teleconferencing and videoconferencing, at the discretion of the Judicial Authority in Uniform Interstate Family Support Act (UIFSA) matters. Pursuant to the provisions of General Statutes Section 46b-213a(f), a Family Support Magistrate in UIFSA matters under General Statutes Section 46b-212 to 46b-213w, "shall permit a party or witness residing in another state to be deposed or to testify under penalty of perjury by telephone, audiovisual means, or other electronic means"
2. A rule that permits the use of teleconferencing and videoconferencing, at the discretion of the Judicial Authority, in Interstate Custody and Visitation Matters.
3. The expansion of Practice Book Section 23-68 to permit the use of teleconferencing and videoconferencing to allow the participation at court hearings of individuals who have been sentenced and who are incarcerated in-state when those individuals pose a security risk or under other specified conditions, and to allow an individual incarcerated out of state to participate in a family case.
4. A rule that permits the use of teleconferencing and videoconferencing, in the discretion of the Judicial Authority, to allow the participation of out-of-state witnesses.
5. A rule that permits the use of teleconferencing and videoconferencing, in the discretion of the Judicial Authority, for the hearing of post-trial motions as specified in Practice Book section 23-68(b), including motions to modify alimony, support or custody.
6. A rule that permits the use of teleconferencing and videoconferencing, in the discretion of the Judicial Authority, for status conferences not pertaining to parenting issues; discovery disputes where counsel agree and that do not require the taking of evidence; scheduling and trial management orders and compliance issues; pretrials where a party lives at such a distance that the Judicial Authority determines that teleconferencing and videoconferencing is appropriate.

Videoconferencing Only

1. The expansion of Practice Book Section 23-68 to permit the use of videoconferencing to allow the participation in contested hearings of a parent who is incarcerated out of state.

2. A rule that permits the use of videoconferencing, in the discretion of the Judicial Authority, for status conferences not pertaining to parenting issues; discovery disputes where counsel agree and that do not require the taking of evidence; scheduling and trial management orders and compliance issues; pretrials where a party lives at such a distance that the Judicial Authority determines that teleconferencing is appropriate; and to allow the participation of self-represented inmates in hearings and trial matters.

Criminal Matters

General Recommendations

It is recommended that the Branch install private video conference capability in each J.D., G.A. and Juvenile courthouse and that rules be adopted that require:

- Such booths and equipment to be in a secure, neutral location within a courthouse so as to allow for confidential communication;
- The acoustics of such booths and equipment shall be standardized (unless headphones are available);
- Such booths and equipment shall be available to all counsel;
- Protocols to be established that coordinate access to such booths and equipment and advanced schedule with Department of Correction in order to have inmates available as necessary

Teleconferencing

A rule that permits the use of teleconferencing, at the discretion of the Judicial Authority and after reasonable notice for status conferences and scheduling conferences.

Videoconferencing

1. A rule that provides that proceedings under General Statutes Section 54-56(k) may be conducted by videoconferencing if:

- The evaluation under General Statutes Section 54-56d(j) concludes that the defendant is not competent but is restorable; and
- Counsel agree to such videoconferencing

2. A rule or rules that permit the use of videoconferencing, with consent of all parties, in the following situations:

- For incarcerated defendants for the 2nd continuance on extradition cases (by consent of all parties)
- For incarcerated defendants for motions that do not require testimony (by consent of all parties)
- For incarcerated defendants for the Part B screening date for Part A (by consent of all parties)

3. A rule that permits the use of videoconferencing by the Court Support Services Division for pre-sentence interviews, jail re-interviews, and level of service inventory interviews.

4. A rule that provides that in Part A case callbacks the following will apply:

- Part A callbacks other than in the Hartford Judicial District - the defendant shall not be transported to court unless specifically requested by the State or defendant's counsel;
- Part A callbacks in the Hartford Judicial District - the defendant shall not be transported to court unless specifically requested by the State or defendant's counsel and approved by the court in its discretion; and
- GA callbacks – defendant will be transported to court unless both the State and defendant's counsel agree otherwise

5. A rule that permits the use of videoconferencing for Sentence Review Division hearings. (An amendment to the general statutes is required before this rule can be adopted.)

6. A statute and/or rule that would allow for a pilot program for the videoconferencing of arraignments between the holding area and a courtroom in G.A. Number 14 (Hartford).

APPENDIX C

Technology Recommendations

OVERVIEW

The Technology Subcommittee was charged with identifying technologies and equipment that would allow the Judicial Branch (the “Branch”) to implement recommendations for alternatives to court appearances in an effective and efficient manner. In order to fulfill that goal the subcommittee considered several factors including the capabilities of the existing infrastructure (technological as well as physical), available technologies (equipment and software) and cost effective implementation. A glossary of terms appears at the end of this report and words defined are bolded throughout the report.

The recommendations of the subcommittee are based on two basic concepts:

1. To enhance the Branch’s statewide technology infrastructure to ensure that all Branch locations are capable of handling the highest level of accessibility and to have the ability to accommodate present and future videoconferencing requirements.
2. To develop a “menu” of available videoconferencing equipment required by the recommendations of the Purposes Subcommittee and which provide flexibility for implementation.

The subcommittee determined that the best way to promote alternatives to court appearances was to ensure that the infrastructure of any Branch location could handle any type of videoconference anywhere in the building. Equipment would be identified that would be appropriate for a “space” not a function, thus any purpose could be accommodated simply by supplying the equipment appropriate for that space. A major benefit of the recommendation would be the additional use of the installed equipment for training, administrative functions, meetings, etc.

The subcommittee determined that much of the ground work has already been laid for the successful implementation of the technology in this recommendation. The enhancements to the infrastructure in this recommendation build upon a solid framework already in place. Furthermore, a significant portion of the labor required for the first phase of implementation of the recommendations can be absorbed by existing staff. Additional staff resources would become necessary at some point during the expansion of these technologies; however, the benefits and savings that this initiative will realize will be well documented and should provide adequate justification for more resources.

RECOMMENDATIONS

1. Infrastructure

Infrastructure describes all of the technology, both hardware and software, that provides the foundation for all network and system connectivity as well as data security and integrity. It is critical that sufficient infrastructure components are in place in order to meet any present or future requirements for Alternatives to Court Appearances. In order to meet that goal, the following infrastructure elements must be implemented:

A. Equipment

- Cisco *switch* upgrades (or additions) in each location branch-wide;
- All sites where videoconferencing will be conducted should be upgraded to high speed connectivity (*Wide Area Network*);
- Implement *Bridging* appliance in main Data Center to enable multi-participant conferences;
- Installation of data/voice drops and electrical outlets as needed in courtrooms and offices where videoconferencing will be conducted;
- Additional wiring or equipment as needed based on specific location requirements;
- Leverage existing technology infrastructure by implementing a *Voice-Over-IP* teleconferencing system that can accommodate all Branch locations;
- Repurpose existing space within facilities to accommodate video conferences;
- Wireless access points and *switches* to be phased in as needed; and
- Recording of videoconference proceedings can be done with relative ease from a technological perspective but may be cost prohibitive with regard to storage of recorded sessions.

B. Resources

- Staff:
 - No additional staff will be required
- Contract services
 - Cabling vendor – amendment to existing blanket purchase order
 - Phone system vendor – conversion of phone lines from digital to analog (only needed if *Voice over IP* solution is not used)
 - *note – conversion from digital to analog for these individual phone lines is necessary due to the technical requirements of the audio teleconferencing solutions currently in place.
- Building modifications
 - Contracted services

- In-house
- Cost (exact costs to be determined)
 - Network *Switching*
 - *Wide Area Network (WAN)*
 - *Routers*
 - Recurring monthly services (AT&T)
 - *Videoconferencing Bridge(s)*

C. Implementation Steps (in priority order)

1. Install *Bridging* technology
2. *Wide Area Network* upgrades
 - a. Highest volume courthouses should be considered first
 - b. Network congestion should be considered next
3. *Switching*
 - a. Sites currently configured with high speed *WAN* should take first priority
 - b. Other sites to be upgraded in conjunction with *WAN* upgrades
4. Wiring
5. Building modifications

2. Equipment

The Committee recommends a phased in approach to equipment acquisition. Consideration should be given to cost-effectiveness, proper technological fit and greatest operational impact.

A. Committee's Recommendations

The Committee recommended the acquisition of three types of equipment (in addition to a *bridge* for the main data center): (i) a large screen unit for use in a large courtroom, (ii) a portable cart unit for use in a hearing room or conference room, and (iii) smaller units for use in (a) private consultations between counsel and incarcerated clients and (b) interviews between CSSD and incarcerated clients. The approximate cost of each item of equipment is set forth in the Commentary on Technology Recommendations. These costs do not include any infrastructure costs, which will vary from courthouse to courthouse (some courthouses will need minimal upgrading; a few will require significant upgrading).

B. Additional Equipment Options

In addition to the equipment currently recommended by the Committee, the following types of equipment are available for consideration in the future:

- Chambers/private offices/laptop screen with USB connected camera - \$300 cost (no annual recurring cost);
- Hearing room/large conference room – 42” HD screen (approximate) - \$16,000 cost (\$1,000 annual recurring cost); and
- Lockup/holding area – 19” screen (approximate) - \$3,500 cost (\$300 annual recurring cost).

More specific equipment information is set forth below (all costs listed are per room/instance):

Courtrooms

Minimum of 50” HD monitor (screen size to be determined by size of courtroom)

Videoconferencing system with camera

Additional cameras (Judge, counsel, witness)

Integrated with courtroom sound system (where available)

Integrate with the For The Record system (FTR) (where applicable)

Total Estimated Capital Cost – \$25,000

Estimated Annual/Recurring Cost - \$1500

Hearing rooms

Minimum of 42” HD monitor (screen size to be determined by size of courtroom)

Videoconferencing system

Camera – included with videoconferencing system

Integrate with FTR (where applicable)

Total Estimated Capital Cost – \$16,000

Estimated Annual/Recurring Cost - \$1000

Chambers

One-on-one conferences

Computer/Laptop mounted camera (new laptop standard will include built in camera)

Total Estimated Capital Cost – \$300

Estimated Annual/Recurring Cost - None

Note – alternate solutions for chambers can be accommodated as needed

Conference room (large)*

Minimum of 42" HD monitor (screen size to be determined by size of courtroom)

Videoconferencing system

Camera – included with the videoconferencing system

Total Estimated Capital Cost – \$16,000

Estimated Annual/Recurring Cost - \$1200

Conference room (small)* - number and type of systems installed should be determined by the needs of the court

1) Cart-mounted, mid-range mobile videoconferencing unit

2) Portable desktop unit

Total Estimated Capital Cost – \$3500

Estimated Annual/Recurring Cost - \$300

Private office - number and type of systems installed should be determined by the needs of the functional unit

1) Computer/Laptop mounted camera

2) Portable desktop videoconferencing unit

Total Estimated Capital Cost – Option 1) \$300 Option

2) \$3500

Estimated Annual/Recurring Cost – Option 1) none Option

2) \$300

Training rooms*

Cart-mounted, mobile videoconferencing unit (size of screen determined by size and use of training room)

Total Estimated Capital Cost – \$8000

Estimated Annual/Recurring Cost - \$800

Videoconferencing booths

Courthouse

1) Dedicated booths –

Total Estimated Capital Cost – \$7500

Estimated Annual/Recurring Cost - \$700

2) Multi-use space - Portable desktop unit

Total Estimated Capital Cost – \$3500

Estimated Annual/Recurring Cost - \$300

Lock up/Holding (includes Juvenile Detention and Branch holding facilities)

Videoconferencing system with handset

Total Estimated Capital Cost – TBD (this model may be end of life)

Estimated Annual/Recurring Cost - TBD

* Smartboard equipped conference and training rooms can be leveraged by utilizing videoconferencing software and camera.

** All videoconferencing devices are capable of end to end *encryption* and can be configured to enable *encryption* as needed at the time the call is established.

C. Resources

- Staff
 - No additional staff will be required to define equipment standards or for procurement
 - Training - IT staff will provide all training for field staff
 - As the use of videoconferencing expands, 1 additional staff position would be required for management, monitoring, maintenance and ongoing customer support for all videoconferencing systems.
- Contracted Services
 - Videoconferencing vendor – consultation services may be required
- Cost
 - Actual capital equipment costs
 - Maintenance costs (annual)
 - Possible contracted services
 - Equipment lifecycle planning – TBD
 - Enterprise Management software – based on number of systems

3. Implementation Plan

The Subcommittee recommends a phased in implementation plan. The intent is to maximize accessibility to the courts in an efficient and cost effective manner. The following key elements are critical to a successful plan.

- Establish pilot programs utilizing existing infrastructure and equipment for recommended purposes.
- Ensure that each Branch location meets the established infrastructure standards necessary to support all recommended purposes.
- Expand on the existing use of equipment for current applications – (family support matters, PSI/LSI, training, meetings, etc.)
- Extend successful outcomes of pilot programs and other uses to all Branch locations as deemed appropriate. (additional IT staff will be needed)

Glossary of Technology Terminology

Encryption

The translation of data into a cipher text code making it unreadable to anyone other than the intended recipient.

IP (Internet Protocol) Address

The unique identifier for a device on a *WAN* or *LAN*. It is represented by a series of numbers separated by a period such as 111.222.333.444.

Local Area Network (LAN)

A subset of network connected devices that are contained within a building or complex

Router

A device that forwards units of information from one network to another.

Switch

A device that connects all computers, printers, and other network devices to the LAN.

Videoconferencing Bridge

A video bridge is a computerized switching system that allows for multipoint video conferencing.

Voice Over IP (VOIP)

A category of hardware and software that enables people to use the network as the transmission medium for telephone calls by sending voice data in packets using IP rather than by traditional circuit transmissions of the standard telephone system

Wide Area Network (WAN)

A long-distance communications network that covers a wide geographic area such as a state or country. Our WAN uses services from AT&T

COMPLEX LITIGATION COMMITTEE
REPORT OF SUBCOMMITTEE RECOMMENDATIONS

Administrative Subcommittee:

Chair, Attorney Richard A. Silver
Honorable Alfred J. Jennings, Jr.
Honorable Linda K. Lager

Attorney Jonathan Orleans
Attorney John Rose

Procedures Subcommittee:

Chair, Attorney Richard Weinstein
Honorable Robert E. Beach, Jr.

Honorable Marshall K. Berger, Jr.
Attorney Catherine Smith Nietzel

Standards Subcommittee:

Chair, Attorney William Prout
Attorney Joseph Burns

Honorable Arthur A. Hiller
Honorable Joseph M. Shortall

Proposals and Changes to Administrative Practices
Recommended by the Administrative Subcommittee

CLD Coordination:

- A Presiding Judge should be appointed in order to provide better coordination of resources between the CLDs and the regular dockets and among the CLD judges, particularly regarding the transfer of cases between CLD areas if the assigned judge is not available for trial or hearing.

Evaluations - Superior Court / CLD:

- The evaluation form for all Superior Court Judges should contain a

check-box inquiring of counsel whether that judge should be considered for assignment to the CLD.

- It is recommended that the evaluation form should not contain a case caption or docket number and should be distributed with an internal and external envelope. The wording of the form should give the Bar assurance that the information is not attributable to a specific lawyer.
- A practice should be established which provides the Bar with input on the selection of CLD Judges; it was suggested that a representative group of the Bar meet with the Chief Court Administrator to give candid appraisals of potential for service on the CLD.

Criteria for CLD:

- Criteria used to determine whether a case should be referred to the CLD should be elucidated more clearly.

Length of Assignment:

- A judge's assignment to the CLD may be extended beyond three years to permit the judge to manage cases through trial in accordance with the principles of an individual calendar method of case management. However, an interim review should be conducted after two years to evaluate each CLD judge's performance.

Additional CLD Locations:

- Additional CLD locations would provide synergy and flexibility to assist in the reassignment of a CLD trial that could not proceed as scheduled.
- The creation of additional CLDs in New Haven, Bridgeport and the eastern part of the State is recommended if possible, given the constraints of the available Judicial Branch courthouses in those locations. The Committee supports an expedited schedule for addressing the completion of new facilities in these locations, particularly New Haven and Bridgeport.
- Identify those Judicial Districts that may have available courtrooms and space for support staff for locating additional CLDs.

Speeding Jury Selection:

- The juror administrative processes should be reviewed in order to identify areas that are contributing to the lack of a sufficient number of jurors for a full day of jury selection, and to provide solutions. Stamford appears to be a particular problem.

Potential Use of Trial Referees:

- Examine the potential for utilization of Judge Trial Referees in cases where no CLD judge is available.
- If Judge Trial Referees were to be utilized, due to the statutory

requirement that they cannot preside over civil jury trials without the written consent of all parties, a mechanism would have to be developed to provide for parties' agreement.

Proposals and Changes to Procedures
Recommended by the Procedures Subcommittee

Referral Process:

- The application process should be streamlined. The application for case referral should be filed early in the case and the form should be redrafted in order to provide a box which clearly identifies whether all parties consent to the referral.
- Any objection to the referral of a case to the CLD must be filed after a specified time period following the filing of the application, rather than after the decision is rendered on the application. The present application form which allows an objection to come in after the decision of the judge shall be amended to reflect this change.
- An alternative to the referral of cases to the CLD based upon the length of trial would be the transfer of the case to another judicial district by the Chief Court Administrator.

Request for Adjudication:

- In order to prevent delay, the Request for Adjudication form should be modified to address the difficulties in reaching opposing counsel and obtaining the necessary information to complete the form.
- Procedures should be developed for the processing of this form based upon the differentiation of the types of motions in order to provide for prompt adjudication of discovery motions.
- To expedite the processing of these motions, different methods such as telephonic scheduling conferences should be explored.

Identifying the Filer of a Motion:

- System changes should be considered in order to provide the capability of readily identifying the filer of a motion/objection on the Case Detail page of the Branch's website.
- Procedural requirements for filings should be adopted, such as the inclusion of the party number on all CLD filings to facilitate the process.

Wireless Fidelity (Wi-Fi) Access:

- Efforts should be made to provide for the availability of Wi-Fi access in the courthouses.

Display of CLD Events on the Judicial Branch Website:

- The scheduling of CLD events should be entered into the Edison system

so that this information may be available for viewing on the Branch's website.

Proposals and Changes to the Standards for Determining Eligibility Recommended by the Standards Subcommittee

Information Sheet:

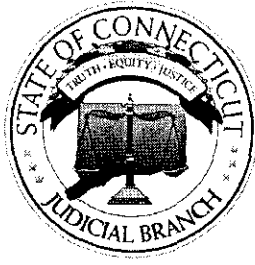
- Language contained in the document entitled *Facts About the Connecticut Judicial Branch Complex Litigation Docket* (Information Sheet) should be rewritten to more clearly reflect that cases are considered for placement on the CLD on the basis of their individual merit, in the exercise of sound discretion, on a non-formulaic basis.
- In the section of the Information Sheet entitled "How Does a Case Get Referred to the Complex Litigation Docket?", the following language should be inserted immediately following the reference to the Judicial Branch website:

"The Chief Administrative Judge of the Civil Division has discretion to schedule a hearing to consider whether referral to the Complex Litigation Docket is appropriate."

- In the section of the Information Sheet entitled "What Factors Will Be Considered in Determining Eligibility?", the language should be as follows:
 - The number of parties
 - The number of counsel

- The amount of the claim and the nature of the relief requested
 - The anticipated length of trial
 - The complexity of the issues presented for resolution
 - The extent and complexity of pretrial proceedings, including discovery matters, motion practice, and special proceedings
 - The overall need for the special oversight and management that the Complex Litigation Docket may provide
 - Whether alternative case management approaches are available in the judicial district where the case has been brought
- In the section of the Information Sheet entitled "What Types of Cases Will Be Considered as Complex Litigation?", the following introductory sentence should be inserted:

"While each case proposed for the Complex Litigation Docket will be evaluated on its individual merits, the following types of cases often have been found to be appropriate for assignment to the Complex Litigation Docket."



Report of the Criminal Practice Commission June 1, 2009

The Criminal Practice Commission was reconstituted as a result of focus groups conducted by the *Public Service and Trust Commission*. The Criminal Practice Commission consists of judges and other key players in the criminal justice community brought together to take steps to enhance the efficiency, professionalism and civility in the criminal courts.

The commission is chaired by Judge Patrick L. Carroll III, Deputy Chief Court Administrator and is comprised of the following members: Supreme Court Justice Joette Katz, Judge Patrick Clifford, Chief Administrative Judge for Criminal Matters, Judge Joan Alexander, Judge Richard Damiani, Judge David Gold, Judge James Ginocchio, Judge Gary White, Chief State's Attorney Kevin Kane, Attorney Joseph D'Alesio, State's Attorney Patricia Froehlich, Attorney Edward Gavin, State's Attorney Gail Hardy, Attorney Raymond Hassett, Assistant Public Defender, Attorney M. Elizabeth Reid, Attorney Eugene Riccio, Assistant State's Attorney Charles Stango, Chief Public Defender Attorney Susan Storey, Public Defender Attorney Thomas Ullman, Attorney Daniel Horwitch, Mr. William Carbone, Mr. Lawrence D'Orsi.

The charge of the Criminal Practice Commission as reflected in its mission statement is the improvement of the criminal justice system. The first meeting of the commission was held on July 16, 2008 during which several areas requiring the attention of the commission were identified, including: Habeas Corpus reform, uniformity in the courts, practice book changes, issues surrounding the notification of Immigration and Customs Enforcement, allocation of courthouse space including areas for confidential communications between lawyers and their clients, the possibility night and/or weekend sessions of the court, enhancing professionalism and civility, the rate at which jury trials are held in the geographical area courts, cooperation between the bench and the bar, consideration of the pros and cons of a permanent sentencing commission, to name a few.

In addition to the topics identified by the commission, the focus groups of the Public Service and Trust Commission yielded additional topics for consideration by the Commission, including: the advisability of separating court-based victim advocates from the prosecutor's offices, designation of a Chief a statewide judge for domestic violence matters, decreasing the frequency of court appearances, expanding the use of plain language in court forms, review of the plea canvass process, defining the role of court service center in criminal courts, establishing special dockets for self represented defendants, expanded use of video conferencing, rotation of judges sitting on Sentence Review, expanded use of domestic violence dockets throughout the state, online/electronic adjudications that allow for payment of fines in appropriate cases.

Six Committees of the Criminal Practice Commission have been created to address some of the above-noted issues: the Habeas Corpus Reform Committee, the Professionalism/Civility Committee, the Committee to Consider Proposed Revisions to the Rules of Professional Conduct, the Immigration Customs Enforcement Committee and finally, the Practice Book Discovery Rules Committee which has already completed its work and forwarded proposed Practice Book changes to the Rules Committee.

The Habeas Corpus Reform Committee has met several times to identify key and discuss key issues in the habeas process with an eye toward making recommendations to streamline and make the habeas process more efficient and fair to all participants in the process. Its next meeting will be held in the near future.

The Professionalism/Civility Committee has met and established a dialogue with the Connecticut Criminal Defense Lawyers Association (CCDLA) for consideration of its process of submitting comments, frequently anonymously, to both the Judicial Selection Commission and the Judiciary Committee in connection with the process of judicial reappointments.

The Committee to Consider Proposed Revisions to the Rules of Professional Conduct Committee has its first meeting scheduled in July and the Immigration Committee will similarly meet in the near future.

The Criminal Practice Commission has already met a total of four times and will likely meet quarterly as it attempts to discharge its mission of improving the criminal justice system.

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

June 15, 2009

Table of Contents

Members of the Jury Committee and Acknowledgment	2
I. Introduction: The Committee Charge and Process	3
II. Jury Service in Connecticut	7
III. Recommendations	11
Recommendations of the Before Court Appearance Subcommittee (BCAS)	17
Recommendations of the Arrival Subcommittee	35
Recommendations of the Voir Dire Subcommittee	44
Recommendations of the Selected Jurors Subcommittee	65
Recommendations of the Chairs	98
IV. Post-Report Projects, Recommendations for Further Study and Surveys/Focus Groups and Recommendations for Training.	100
V. Appendices	104
Appendix A. Summoning and Utilization Statistics	105
Appendix B. Jury Trials by Case Type - J.D.; Jury Trials - G.A.	106
Appendix C. Mock Up of Revised Summons for Petit Juror and Mock Up of Revised Reminder Notice.	109
Appendix D. National Center for State Courts State Rankings of Judge & Attorney Survey Results (2007)	112
Appendix E. Survey Data on Retention/Destruction of Confidential Juror Questionnaires.	116
Appendix F. National Center for State Courts State Rankings of Judge & Attorney Survey Results (2007)	122
Appendix G. Proposed Change to Practice Book § 42-12.	126

Members of the Jury Committee

Hon. Linda K. Lager, Chair
Hon. Frank M. D’Addabbo, Jr., Co-Chair
Atty. Matthew Auger
Hon. Barbara N. Bellis
Atty. Karen A. Berris
Atty. Timothy Patrick Brady
Atty. Michael R. Corsello
Hon. Robert J. Devlin, Jr.
Hon. Julia DiCocco Dewey
Atty. Karen A. Goodrow
Atty. Kyle Harrell
Hon. Maureen M. Keegan
Atty. Ernest J. Mattei
Hon. Aaron Ment
Atty. Ralph Monaco
Atty. Cesar A. Noble
Hon. Nicola E. Rubinow
Atty. Daniel E. Ryan, III
Atty. William Sadek
Atty. Jay H. Sandak
Dean Brad Saxton
Hon. Carl J. Schuman
Hon. Dan Shaban
Hon. Michael R. Sheldon
Atty. Richard A. Silver
Atty. Jessica C. Torres
Atty. Lawrence Tytla
Atty. Michael Walsh
Mr. David Ward

Acknowledgment

We acknowledge the diligent and thoughtful work of all the members of the committee, the time they devoted to this project and their enthusiasm and interest.

We thank the dedicated support staff, Esther Harris, court planner, Attorney Irene Mikol, court planner, and Karen Noguera Roman, administrative assistant, for their tireless efforts in assisting the chairs, the subcommittees and the committee as a whole. We also want to thank Attorney Karen (Kay) Berris, the Jury Administrator, Shari DeLuca, court planner and outreach coordinator, and Gregory J. Pac, caseflow statistician, for their assistance. Without their efforts, this report could not have been completed.

Hon. Linda K. Lager, Chair
Hon. Frank M. D’Addabbo, Jr., Co-Chair

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

I. INTRODUCTION: THE COMMITTEE CHARGE AND PROCESS

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

INTRODUCTION

The purpose of this report is to detail the work of the Jury Committee of the Public Service and Trust Commission and to set forth certain recommendations to be considered for implementation by the Office of the Chief Court Administrator and the Chief Justice. The report is organized as follows: Section I discusses the Committee's charge and process; Section II provides certain background information about jury service in Connecticut; Section III sets forth the recommendations of the subcommittees of the Jury Committee and the recommendations of the chairs; Section IV sets forth areas for further study, recommendations for training and recommendations for post-report projects; Section V contains relevant appendices.

I. THE COMMITTEE'S CHARGE AND PROCESS

The Jury Committee of the Public Service and Trust Commission was established pursuant to recommendations outlined in the "Strategic Plan for the Judicial Branch". Specifically, Goal III of the Plan addresses "Delivery of Services" and provides that "The Judicial Branch will provide effective, uniform and consistent delivery of services by enhancing the management of court practices." In relationship to Connecticut's jury system, Strategy III.2 of the Implementation Plan goal is to "Improve juror's participation and experience in jury service." The Implementation Plan then set forth two recommended activities.¹

The Jury Committee had 32 individuals appointed to serve on it and was chaired by the Hon. Linda K. Lager, Administrative Judge for the Judicial District of New Haven, and co-chaired by the Hon. Frank M. D'Addabbo, Jr., Administrative Judge for the Judicial District of New Britain. The Jury Committee met for the first time as a whole on December 4, 2008. The Jury Committee defined its Mission Statement as follows:

"To determine whether the Judicial Branch uses best practices for summoning, notification, management and utilization of jurors and to recommend new approaches and initiatives."

The committee was organized into four subcommittees designed to focus on the various

¹ Public Service and Trust Commission "Implementation of the Strategic Plan"; 1998 at p. 43: Activity III.2.1 calls for "Using jury surveys to determine juror comfort and satisfaction"; and, Activity III.2.2 calls for "Developing user-friendly technology to educate jurors on their role, to provide them with clear information on jury service, and to automate the process involved in jurors managing and scheduling their service."

stages of juror service which represent “the life cycle of a juror.” Each subcommittee was asked to identify current relevant practices in Connecticut, measure those practices in relation to the American Bar Association’s PRINCIPLES FOR JURIES & JURY TRIALS (August 2005)² and other indicia of best practices, discuss the perceived advantages and disadvantages of the practice under consideration, and make recommendations consistent with best practices.

The four subcommittees and their areas of responsibility were:

I. **Before Court Appearance:** Chair, Attorney Karen A. Berris; Co-chair, Attorney William Sadek, Members: Hon. Robert J. Devlin, Jr., Hon. Julia DiCocco Dewey, Hon. Aaron Ment, Attorney Jay Sandak. Judge Lager served as a liaison to this subcommittee

This subcommittee met five times and focused on areas that included

- Qualification
- Juror Publications
- Juror Questionnaire
- Scheduling Issues
- Summoning and Notification

II. **Arrival:** Chair, Attorney Ralph Monaco; Co-Chair, Hon. Dan Shaban, Members: Attorney Kyle Harrell, Attorney Jessica Torres, Attorney Lawrence Tytla and Mr. David Ward. Judge D’Addabbo served as liaison to this subcommittee. This subcommittee met three times and looked at some of the following areas:

- Facilities and Logistics
- Orientation Issues
- Videos
- Pre-screening

III. **Voir Dire:** Chair, Hon. Carl J. Schuman; Co-Chair, Hon. Barbara N. Bellis, Members: Attorney Timothy Patrick Brady, Attorney Michael Corsello, Hon. Maureen M. Keegan, Attorney Daniel E. Ryan, III, Attorney Richard Silver. Judge Lager served as liaison to this subcommittee. This subcommittee met three times and examined voir dire practices in the context of the following areas:

- Comparing practices in civil and criminal jury selection
- Facilities and Accommodations
- Management
- Utilization
- Selected vs. Not Selected

IV. **Selected Jurors:** Chair, Dean Brad Saxton, Quinnipiac University School of Law; Co-Chair, Hon. Nicola E. Rubinow, Members: Attorney Karen A. Goodrow, Attorney Ernest Mattei, Attorney Cesar Noble, Hon. Michael R. Sheldon, Attorney Michael Walsh. Judge D’Addabbo

² The ABA’s Principles for Juries & Jury Trials was a result of many months of investigation by a task force appointed under the auspices of the “American Jury Project.” The Preamble to the ABA Principles states, in part, at VII, that the principles “define our fundamental aspirations for the management of the jury system. Each Principle is designed to express the best of current-day jury practices in light of existing legal and practical constraints.”

served as liaison to this subcommittee. This subcommittee met seven times and its areas of focus included:

- Trial Orientation including information on trial schedule and procedures for trial days
- Expectations, Transparency, Security
- Innovative Trial Practices
- Accommodations
- Post Verdict Issues

The subcommittees reviewed their areas of focus and went through a process of identifying specific recommendations. A meeting of the committee as a whole was held on March 26, 2009 and the chairs of each subcommittee reported on their work in progress. Further work continued during the month of April and on May 14, 2009, the committee met as a whole again for the purpose of allowing members to comment on the recommendations of subcommittees on which they had not served. The final recommendations of the subcommittees were submitted to the co-chairs on June 4, 2009 and will be presented in part III of this report.

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

II. JURY SERVICE IN CONNECTICUT

II. JURY SERVICE IN CONNECTICUT

The right to a trial by jury is guaranteed in Connecticut by Article I, §§ 8 and 19 of the Connecticut Constitution as well as by the Sixth Amendment to the United States Constitution.³ The Connecticut “constitutional guarantee of trial by an impartial jury incorporates two common-law rights derived from English law: (1) the right to trial by a jury that is properly selected from a venire panel composed of a representative cross section of the community, which right is secured by ‘challenges to the array’; and (2) the right to a trial by jury composed of individuals capable of deciding the case solely on the basis of the evidence and in accordance with the law, which right is secured by ‘challenges to the polls,’ i.e., in modern terminology, challenges for cause.” *State v. Griffin*, 251 Conn. 671, 694 (1999). Prospective jurors in both civil and criminal cases have an independent interest in participating in the trial process and the parties have third party standing to assert the right of prospective jurors not to be improperly excluded from participating in a trial on the basis of a discriminatory challenge. *Edmondson v. Leesville Concrete Co.*, 500 U.S. 614 (1991); *State v. Patterson*, 230 Conn. 385, 393-94 (1994). These rights must be protected by manner in which jurors are summoned to serve in Connecticut, the manner in which they are selected to serve and by the way the trial is conducted.

The statutes provide for the appointment of a Jury Administrator who is “responsible for qualifying, summoning, selecting, managing and utilizing jurors in the Superior Court.” General Statutes § 51-219a. Attorney Karen A. Berris is the Jury Administrator for the State of Connecticut. She has held this position since October, 1999 and she supervises a staff of 29 people. Qualifications for an individual to serve as a juror are set forth in General Statutes § 51-217. “It has long been accepted that the Constitution does not forbid the States to prescribe relevant qualifications for their jurors. The States remain free to confine the selection to citizens, to persons meeting specified qualifications of age and educational attainment, and to those possessing good intelligence, sound judgment, and fair character.” *Carter v. Jury Commission*, 396 U.S. 320, 332 (1970).

The Connecticut Judicial Branch summons jurors to 19 court locations throughout the state. To meet the needs of these diverse court locations, state law requires the Jury Administrator each year to assemble a Master List of potential jurors from four different sources.

³ Connecticut Constitution, Art. I, § 8: “In all criminal prosecutions, the accused shall have a right . . . in all prosecutions by indictment or information, to a speedy, public trial by an impartial jury.”

Connecticut Constitution, Art. I, § 19: “The right of trial by jury shall remain inviolate, the number of such jurors, which shall not be less than six, to be established by law; but no person shall, for a capital offense, be tried by a jury of less than twelve without his consent. In all civil and criminal actions tried by a jury, the parties shall have the right to challenge jurors peremptorily, the number of such challenges to be established by law. The right to question each juror individually by counsel shall be inviolate.” (Sequestered individual voir dire is provided for by statute in civil cases, General Statutes § 51-240(a), and criminal cases, General Statutes § 54-82f, as are the number of permitted peremptory challenges. General Statutes §§ 54-82b(c) 54-82g, 54-82h (criminal cases) and General Statutes §§ 51-241, 51-243 (civil cases).)

United States Constitution, Amendment VI: “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed . . .”

namely, licensed motor vehicle operators obtained from the Department of Motor Vehicles; unemployment recipients obtained from the Department of Labor; state income tax filers obtained from the Department of Revenue Services; and, registered voters obtained from the Central Voter Registry of the Secretary of the State. The four lists are combined and duplicate records are removed to create a single master file from which potential jurors are randomly selected. The jury year runs from September 1st to August 31st each year.

Jury Administration issues summonses to potential jurors and qualifies individuals for jury service pursuant to General Statutes § 52-217(a). To process and manage potential jurors, Jury Administration maintains a toll free information line and a web site, <http://www.jud.ct.gov/jury>, and permits responses via U.S. Mail, e-mail and on line. The Jury Administration office also schedules and postpones potential jurors.

Each juror who is scheduled for service receives a reminder notice and handbook with detailed instructions as to where to report and a standby number to call the night before serving. Attendance status may also be checked on the web site, which also contains much other useful information for prospective jurors to view. Jurors who are canceled by the court prior to serving are excused for the remainder of the court year. Jurors who serve at least one day may be excused for up to three years after the date that they serve. Connecticut uses a “one day, one trial” system which means that anyone who is not selected for a trial when they appear on the day specified in the summons, or on a rescheduled appearance date, is deemed to have served.

In the 2008 court year, also known as the jury year, which ran from September 2007 through August 2008, 610,120 individuals were summoned for jury service statewide. There were 98,831 individuals who served. The majority of those individuals completed their service in one day.⁴ In that same court year, statewide there were 402 civil cases, 9 complex litigation cases and 208 criminal cases in which jury selection commenced.⁵

Individuals report to a jury assembly room in the courthouse to which they have been summoned, where they are processed by a jury clerk, view one or more videos about jury service and are welcomed by a judge. Remarks made during juror orientation must be “recorded in a manner approved by the Office of the Chief Court Administrator,” and the parties or their counsel, in any civil or criminal case have “right to examine any written materials, audio-visual materials, recordings or transcription of oral remarks made or given to the juror pool during orientation which describe the responsibilities of jurors, describe the procedures in the courts and discuss the laws of this state. The court may permit counsel to be present during the orientation of the juror pool.” General Statutes § 51-243a. Individual panels of prospective jurors are then created for the cases in which jury selection is taking place and the prospective jurors undergo voir dire. While a judge must preside over voir dire in criminal cases, *State v. Patterson*, 230

⁴ Of the 98,831 individuals who served, 93% served one day, 2% served two days, 1% served three days, 1% served four days, 1% served five days, less than 1% served six days, less than 1% served seven days, and 1% served more than seven days. Data on summoning and utilization statistics can be found in Appendix A.

⁵ See Appendix B.

Conn. 385, 397-400 (1995), the manner in which voir dire in civil cases is conducted varies considerably throughout the state. By law, the judge and counsel receive copies of the statutorily required “confidential juror questionnaire” for use during voir dire. General Statutes § 51-232 (c). The nature of the questions that may be asked during voir dire is proscribed largely by caselaw. Voir dire has two purposes – to allow the court to determine if potential jurors are qualified to serve and to allow the parties to determine whether to exercise peremptory challenges. *State v. Hodge*, 248 Conn. 207, 216-17, cert. denied, 528 U.S. 969 (1999); *State v. Robinson*, 237 Conn. 238, 248 (1996); *Rozbicki v. Huybrechts*, 218 Conn. 386, 395 (1991).

Once jurors are selected, they will serve for the duration of the trial, unless they are alternate jurors.⁶ Service is counted even if the case settles before a verdict is rendered. The assigned trial judge is responsible for manner in which the selected jurors are oriented and instructed as part of his or her duties to conduct the trial in a fair and orderly manner. Following the conclusion of the trial, the selected jurors are discharged from their service.

⁶ Alternate jurors may be substituted for regular jurors at any time before deliberation in both civil and criminal cases. General Statutes §§ 51-243(d) (civil cases); 54-82h(e) (criminal cases). However, civil jurors must be dismissed from service once the case is submitted for deliberation. General Statutes § 51-243(e), while criminal jurors may be retained in service and seated as substitute during deliberations, provided “that deliberations shall begin anew.” General Statutes § 54-82h(c).

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

III. RECOMMENDATIONS

III. RECOMMENDATIONS

This section of the report contains the following information: an executive summary of the recommendations of the subcommittees prepared by the chairs, the full recommendations of the subcommittees and recommendations of the chairs. Given the time constraints under which this report was prepared, the subcommittee recommendations were not put to a vote of the full committee. However, as noted previously, all members of the committee were given an opportunity to comment on the recommendations of subcommittees other than their own. In addition, minority viewpoints of subcommittee members are indicated in the full recommendations of the subcommittees.

More than one subcommittee identified the following topics as significant: pre-screening of jurors, methods of providing information to jurors and orienting jurors, and juror confidentiality and privacy. As a result, there are overlapping recommendations for these significant topics. The executive summary also cross-references to related recommendations of other subcommittees.

EXECUTIVE SUMMARY OF RECOMMENDATIONS

Before Court Appearance (BCA) Subcommittee

I. Permanent Master File

Maintain the current practice of annually creating the Master File. Study ways to improve the quality of the data received from the source list provider agencies. Study whether technology could overcome the disadvantages of a Permanent Master File.

II. Improve Juror Utilization

Implement techniques statewide based to reduce daily number of requested jurors to achieve a utilization rate of 60% based on practices of court locations with high utilization rates, cancellation rates and scheduled trials and monitor the impact of reducing daily numbers.

III. Improve Information re Employment Issues

Expand and update information about rights of employed and unemployed jurors. Hold focus groups of former jurors to determine what information would be helpful. See also BCA Recommendation V.

IV. Jury Service

Substitute the term "jury service" for "jury duty" and ensure all forms of communication (summons, notices, publications, website, videos and oral) conform to the changed terminology. Also see BCA Recommendation V.

V. Maintain and Update Forms, Publications, Website, Video and Orientation Materials

Create a formal mechanism (a committee, dedicated staff or a combination) to develop procedures and to review, maintain, update and recommend revisions, according to an established schedule, of forms, publications, website, video and orientation remarks and

materials in order to provide accurate and timely information regarding jury service, to ensure accurate translations into languages other than English, to ensure uniform and proper use of terminology throughout the cycle of jury service and to respond to jurors' questions. Hold focus groups of former jurors to determine what information would be helpful. See also BCA Recommendation III, Selected Jurors Recommendation I.

VI. Refinement of Summoning Procedures

Study the legality of changing the summons calculation formula based on population within a zip code and the stability of population within a zip code. If studies prove favorable, pursue legislative changes to implement such a change in order to enhance the representativeness of the array.

VII. Addressing Specific Juror Concerns About Service

Create a uniform process for jurors with specific concerns about their ability to serve, such as economic hardship or past experiences, by which those concerns can be confidentially communicated to jury administration staff before appearing and to a judge on the day of appearance. See also BCA Recommendation V, Arrival Recommendation I, II.

VIII. Excusing Jurors Who Have Served on Exceptionally Long Trials

Continue to permit judges to exercise their discretion to excuse jurors from future service for a period greater than three years if the circumstances warrant and the juror wishes to be excused.

Arrival Subcommittee

I. Juror Orientation

Create and provide a uniform outline of points to be covered in the orientation remarks made by judges to jurors who have arrived for jury service. See also BCA Recommendation V, VII.

II. Pre-Screening

Implement a pre-screening process to be used upon arrival or during the orientation process that identifies prospective jurors with bona fide reasons to be excused from service before they are selected for a voir dire panel. See also BCA Recommendation VII, Voir Dire Recommendation I and II.

III. Facilities and Logistics

Ensure comfortable seating arrangements and quiet areas for waiting jurors. Explore providing wi-fi or internet access, with instructions as to proper use during jury service. Consider these needs in planning construction of courthouses in the future. See also Voir Dire Recommendation VI, Selected Jurors Recommendation XVI.

IV. Orientation Video

Create a new updated video, approximately 20 minutes long, that includes relevant points culled from the existing videos. Mandate that the video be shown in all locations. See also BCA

Recommendation V.

Voir Dire Subcommittee

I. Judicial Supervision of All Voir Dire

Require that a judge, either the assigned trial judge or a judge trial referee, preside over voir dire in civil cases in the same manner that judges presently preside over voir dire in criminal cases.

II. Pre-screening

Require that all jurors be pre-screened by a judge prior to individual questioning by counsel in order to excuse jurors who have hardships, conflicts or special difficulties hearing the case of the type on trial or who otherwise satisfy the requirements for an excusal for cause. See also BCA Recommendation VII, Arrival Recommendation II, Voir Dire Recommendation I, III, V, VI.

III. Voluntary Use of Panel Voir Dire

Allow and facilitate the use of panel voir dire on a purely voluntary basis in any case in which all the parties request it and pertinent statutory and constitutional rights are properly waived.

IV. Retention and Destruction of the "Confidential Juror Questionnaire"

Adopt a specific formal and uniform policy, as recommended by the subcommittee in IV.3, regarding the retention and destruction of the statutorily required "confidential juror questionnaire." Require judges to inform prospective jurors about the use and privacy of the questionnaires and the retention and destruction policy. See also Voir Dire Recommendation VI.4, Selected Jurors Recommendation XV.

V. Reusing Excused Jurors

Adopt a uniform policy that requires jurors who are excused, following either pre-screening or voir dire questioning, to return to the jury assembly room to be available for inclusion on a panel for another case, taking into account, among other things, the time of day and the basis for the excusal. See also Voir Dire Recommendations I, II, III.. Re-use of jurors for another voir dire panel should enhance overall juror utilization. See BCA Recommendation II.

VI. Improving Juror's Comfort

Provide an adequate and suitable environment for jurors awaiting questioning. See also Arrival Recommendation III. Minimize waiting time by implementing methods to expedite the process such as photocopying the confidential juror questionnaire for counsel, using pre-screening techniques, and allowing venire members to report at specified times for questioning. See also Voir Dire Recommendation II, III, Selected Jurors Recommendation XII.

VII. Alternate Jurors

Study methods for selection and better use of alternate jurors that are more consistent

with ABA Principles for Juries and Jury Trials, Principle 11.G.2 and G.3. Conform the practices used in civil and criminal cases and seek appropriate legislative changes to do so. See also Selected Jurors Recommendation XIII.

Selected Jurors Subcommittee

I. Post-Selection Orientation

The trial judge should provide specific orientation materials to selected jurors that address important aspects of trial service including juror conduct requirements and other key information. See also Selected Jurors Recommendation XII, XVI.

II. Juror Note Taking

Permit jurors to take notes during the evidentiary stages of a trial with the trial judge providing appropriate instructions about the procedures to be used.

III. Clear Jury Instructions

Instruct jurors in plain and understandable language regarding the applicable law and the conduct of jury deliberations and make the formulation of such clear language instructions a priority for the civil and criminal jury instruction committees.

IV. Copies of Instructions

Provide jurors with a copy of the jury instructions for use while the jury is being instructed, or alternatively use technology to display the instructions, and also provide each juror with a written copy of the instructions to use during deliberations.

V. Exhibit Index

Provide an appropriately redacted index of full exhibits for use during deliberations.

VI. Responding to Juror Questions and Requests for “Readback” of Testimony

Continue to follow the current practice, as set forth in relevant practice book sections, with sensitivity to concerns of fairness, completeness and accuracy of responses.

VII. Innovative Trial Practices – Recommended

With agreement of counsel and the court, use juror exhibit binders/notebooks and/or expanded preliminary instructions in appropriate cases.

VIII. Innovative Trial Practices – Not Recommended

Do not permit the use of the following innovative trial practices – discussion of evidence during the trial of civil cases, sequential expert testimony; specific suggestions regarding the selection of a foreperson and the conduct of deliberations.

IX. Juror Questions for Witnesses

Permit jurors in civil cases to submit questions to witnesses with agreement of counsel and the court, in a prescribed manner and as currently permitted by Connecticut law. Although Connecticut law also permits the practice in criminal cases, the subcommittee recommends

against that practice.

X. Counseling for Jurors in Stressful Cases

Provide free appropriate counseling to jurors who report mental health challenges as a result of their jury service.

XI. Jurors' Certificates of Appreciation

Prepare a standard letter of appreciation to be sent to jurors at the conclusion of the case.

XII. Efficient Use of Jurors' Time and Communications regarding Scheduling

Manage trials in a manner that avoids wasting jurors' time and keep jurors apprised of the trial schedule, any necessary changes to the schedule and the reasons for necessary delays.

See also Selected Jurors Recommendation I, Voir Dire Recommendation VI.

XIII. Alternate Jurors

Conform the practices used in civil and criminal cases. See Voir Dire Recommendation VIII.

XIV. Juror Privacy: Post-Verdict Instructions

Require judges to instruct jurors about post-service contacts from others and to explain their rights regarding speaking about their service. Consider establishing a secure juror service phone line for post-discharge complaints and issues. See also Selected Jurors Recommendation X, Voir Dire Recommendation IV.

XV. Juror Privacy: Juror Questionnaire and Personal Information

Conduct a study to determine if juror privacy may be protected in ways consistent with the ABA's Principles. See also Voir Dire Recommendation IV for a more specific proposal regarding the confidential juror questionnaires.

XVI. Use of Smartphones (E-Mail, Voice Mail)

Prohibit use of smartphones and similar electronic devices in the courtroom and during trial for specific purposes (conducting research, gathering information, communicating with others about the case). Study whether the prohibition should be extended to recesses and lunch breaks. Provide explicit guidance about the use of such devices and the reasons for any restrictions the court may impose. See Selected Jurors Recommendation I, Arrival Recommendation III.

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

**RECOMMENDATIONS OF THE BEFORE COURT APPEARANCE
SUBCOMMITTEE (BCAS)**

Jury – Before Court Appearance Subcommittee (BCAS)

Recommendation I: Permanent Master File

1. Current Practice

Creation of the Jury Master File pursuant to Conn. Gen. Stat. § 51-222a. The Jury Administrator is responsible for creating the Master File or list from which potential jurors are randomly selected.

2. Discussion

Each year, the Jury Administrator obtains source lists from the state Departments of Revenue Services, Labor and Motor Vehicles along with the central voter registry from the Secretary of the State. These four lists are combined, records are matched and duplicates are removed to create a single file from which jurors are chosen at random to meet the needs of the courts. The current statute (C.G.S. 51-222a (d)) requires that the previous year's file be discarded and an entirely new file be created using the new source lists. Annually re-creating the Master File results in the loss of data gathered by Jury Administration throughout the year when potential jurors contact the office to report changes in their information such as new addresses or corrections to a name. While initial discussion of this issue revealed some aspects of this practice to be inconvenient to both Jury Administration and the public, upon further review the benefits currently outweigh the disadvantages.

3. Best Practice Finding

The current Jury Master File process is in line with ABA Principle 10. A. 1., namely that: "the names of potential jurors should be drawn from a jury source list compiled from two or more regularly maintained source lists of persons residing in the jurisdiction. These source lists should be updated at least annually."

The BCAS has discussed the possibility of modifying current practice to maintain a permanent file of potential jurors to be matched against the four source lists obtained each year from the different state agencies.

4. Advantages and Disadvantages of a Permanent Master File

Pros

- Maintenance of data gathered from jurors throughout the year with no loss of information
- In some cases, may provide more current information than source list
- Better public relations – no need to tell jurors that they must contact list owner (state agency)

Cons

- Disqualification status may change, requiring annual updating by Jury Administration and potential for wrongful disenfranchisement
- Increase in duplicate summonses where records can not match
- No means of improving the quality of the source list -- Currently potential jurors contact DMV, Labor, Registrars and DRS to correct their records.
- Costly and time consuming programming requirement
- Jurors would not necessarily notify Jury Administration of a change in address or name as they now do with DMV, Revenue Services and the Registrars of Voters.

5. Recommendation

Maintain the current practice for the annual creation of the Master File, but study ways to further improve the quality of the data received from the source list provider agencies. In addition, all jury staff should be periodically re-trained in providing clear, concise explanations to potential jurors regarding anomalies in their records as well as an effective means of resolving these issues.

Study whether the use of technology could overcome the disadvantages of a permanent Master File so that the Branch may be able to maintain the data gathered from jurors throughout the court year.

Jury – Before Court Appearance Subcommittee (BCAS)

Recommendation II: Improve Juror Utilization

1. Current Practice

Each year the Jury Administrator asks court clerks to provide an estimate of the number of jurors they would require each day during the coming court year. According to Connecticut General Statutes § 51-219b, this estimate should be based on factors such as types of cases that will come to trial, number of judges assigned to jury trials and the experience of the court location in regard to the number of jurors who actually serve in relation to the number of jurors who are summoned for service.

2. Discussion

Jury Administration issued 610,120 summonses for the 2008 court year, which resulted in 316,978 individuals being scheduled to serve. Of those scheduled to serve, only 98,831 served at least one day. Of the total that were scheduled to serve, 177,461, or 56 percent of the jurors were canceled. The National Center for State Courts recommends a juror utilization rate of at least 40 percent. Connecticut's statewide utilization rate was 31 percent of all jurors scheduled to appear. Those who were not canceled or excused by the court were no-show jurors.

Many court locations canceled well in excess of the statewide average. Two locations canceled more than 90 percent of their scheduled jurors.

When more jurors than necessary are summoned, the state incurs unnecessary expense in postage; printing and staff resources used to process each juror. Of even greater concern is the inconvenience to potential jurors who must make personal arrangements with employers, daycare providers or clients. The result of excess cancellations is wasted resources and understandable frustration felt by those who have made an effort to comply only to be told at the last moment that they were not needed.

3. Best Practice Finding

The current practice is not in line with ABA Principle 2 D, namely that: "Courts should respect jurors' time by calling in the minimum number deemed necessary and by minimizing their waiting time"; ABA Principle 2 D 1, namely that: "Courts should coordinate jury management and calendar management to make effective use of jurors," and ABA Principle 2 D 2 that: "Courts should determine the minimally sufficient number of jurors needed to accommodate trial activity."

With so many locations canceling more than half of the jurors scheduled to appear, it is clear that an excessive number of individuals are being called.

4. Advantages and Disadvantages of Calling Fewer Jurors

Pros

- Cost savings of \$1.73 per scheduled juror and \$1.31 per disqualified/excused juror. (The difference results from an additional notice that is issued to scheduled jurors)
- Increases the likelihood that scheduled jurors will actually serve
- Less inconvenience to the public
- More efficient processing time resulting from fewer jurors to check in, indoctrinate, etc.
- Improved utilization
- Greater public trust and confidence in the process

Cons

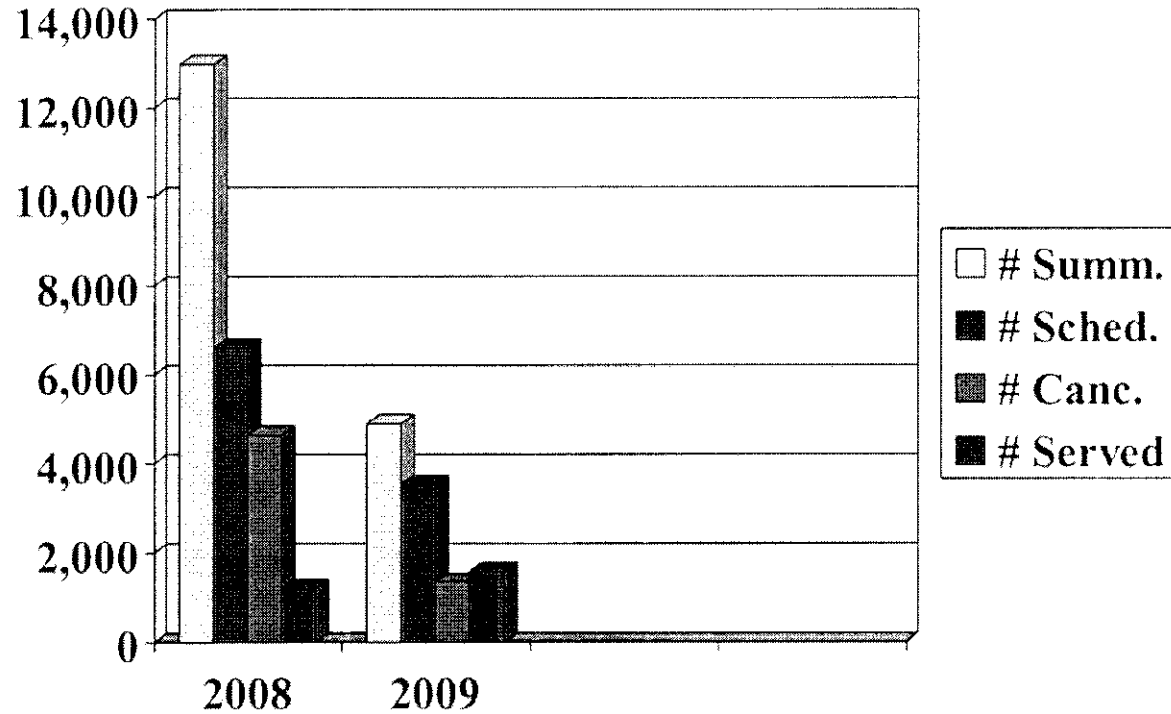
- Occasional shortages on days when fewer people appear
- Requires more coordination between caseload, the jury office and the courtroom
- Possible reduced flexibility in granting postponements to jurors
- Requires a change in perception of “recycled jurors”
- Because it is difficult to know in advance when there is a need to cancel jurors, a reduction will not always prevent cancellations.

5. Recommendations

- I. Continue to monitor the impact of reduced summoning in locations that have decreased their daily need.
- II. Study utilization practices in courts with high utilization rates (greater than 40 percent)
- III. Set the Branch’s juror utilization goal at 60 percent as a minimum acceptable level. This is higher than the NCSC minimum recommendation.
- IV. Request that all locations reduce their daily need (requested jurors) for a trial period. Base reductions on cancellation rates and other factors such as scheduled trials.
- V. Encourage courts to consider smaller venire panels and perform a study of the most efficient sized panels for different case types.
- VI. Conduct training for jury staff and clerks offices on how to interpret utilization statistics for a more accurate assessment of the number of jurors needed.

See attached statistical report.

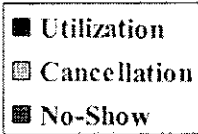
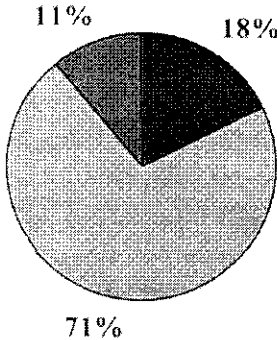
Comparison of summonses mailed and jurors who served at one court location during two 32 day periods in early 2008 and 2009



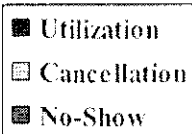
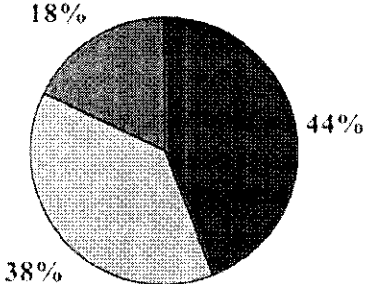
Discussion: Jury Administration compared utilization statistics for a single court location that reduced summoning by two thirds during a 32 day period in 2009. Despite issuing fewer summonses, more jurors actually served and fewer were canceled when compared to the same time period in 2008.

Juror utilization comparison for a single court location for two 32 day periods in early 2008 and 2009

2008



2009



Utilization equals the percentage of jurors scheduled who serve at least one day.

Jury – Before Court Appearance Subcommittee (BCAS)

Recommendation III: Improve employment information provided to jurors

1. Current Practice

The publication JDP-JA-27 was developed by Jury Administration in conjunction with the Department of Labor to provide basic information about employment issues arising from jury service. Beginning at the end of 2007, this publication has been continuously mailed to all prospective jurors with the summons. Additionally, the FAQs section of the Judicial Branch website includes information for employees.

2. Discussion

Courts have reported that jurors arrive at court not knowing whether they will be paid for jury service beyond the five days required by statute. Additionally, the recent economic downturn has resulted in an increase in questions regarding the impact that jury service will have on unemployment compensation.

3. Best Practice Finding

Providing information about employment and payment issues finds support in ABA Principle 2 F 1-3, which deals with reimbursement for expenses and obligations of employers. Informing jurors of Connecticut's laws and regulations is an integral part of ensuring that these standards are being met.

4. Advantages of Providing Additional Employment-Related Information

- Increases chances that jurors will come to court prepared with information about their employment circumstances
- Reduces the likelihood that employers will harass their employees about their jury service
- Increases the likelihood that jurors will be willing to serve
- Saves time questioning jurors

5. Recommendations

- I. Hold a focus group of former jurors to obtain feedback on current publications and determine what additional information would be helpful.
- II. Update the current publication to more prominently feature the recommendation that potential jurors discuss their upcoming juror service with their employers.
- III. Update current publication for consistency in web address.
- IV. Update current publication to include a more prominent recommendation that jurors discuss their jury service with their employers prior to arriving at court and to include information about third shift as provided in PA 08-103.
- V. Expand the employment information to include clarification of the rights of unemployed jurors, including whether jurors will continue to receive unemployment benefits and how they will be impacted by the jury fee.

JURY – BEFORE COURT APPEARANCE SUBCOMMITTEE (BCAS)

Recommendation IV: “Jury Service”

1. Current Practice

All publications currently describe the experience of serving on a jury as “jury duty.” In addition, the FAQ section of the Judicial Branch website bears the heading, “Frequently Asked Questions about Jury Duty.”

2. Discussion

Regrettably, some people view service as a juror as something to avoid. Using the terminology jury “**duty**” may reinforce this negative connotation.

3. Best Practice Finding

The ABA Principles for Juries and Jury Trials generally uses the term jury “service” as does New York. [Need to check on terminology used by other states.]

4. Advantages and Disadvantages of Changing Terminology

Pros

Substituting the term “Jury Service” for “Jury Duty” emphasizes the positive aspects of jury service. It tends to reinforce the aspect of public service and communicate the notion that jurors make an important contribution to their communities.

Cons

Many publications and the website currently use the “jury duty” terminology and would have to be changed.

5. Recommendations

- I. Revise publications and the website to substitute the term “jury service” for “jury duty.”
- II. Encourage court personnel to use “jury service” terminology.

Jury – Before Court Appearance Subcommittee (BCAS)

Recommendation V. Maintain and Update Information on Jury Service appearing on the Jury Website, Including the Frequently Asked Questions (FAQs) Section; in Jury Publications, on all Jury Forms and in the Video Utilized During Juror Orientation.

1. Current Practice

The Judicial Branch website (which includes juror information and Frequently Asked Questions sections) is maintained by a Web Board with input from the various operating divisions whose information is posted on the site. Jury Administration information is updated when a new publication is published, a new feature such as enhanced e-mail capability is added or a statute changes. Occasionally, changes are recommended from the field when parking instructions or directions to courthouses change.

Publications and forms undergo periodic forms review which is triggered by a low stock notice -- when stored publications drop below a specified number, requiring a reprint. The Branch's Legal Services Division submits the publication to the Jury Administrator for comment or revision prior to ordering the reprint. Any proposed changes are reviewed and approved prior to reprinting.

At this time there is no formal mechanism in place to review the juror orientation videos.

2. Discussion

At this time, there is no fixed schedule for reviewing the Jury Web page to ensure that information continues to be accurate and is updated in a timely manner. Additionally, the Frequently Asked Questions (FAQs) section was developed more than 10 year ago and may need updating. While members of the public and judicial employees periodically make suggestions for improvement, a more efficient system would ensure the maintenance of accurate and helpful information for jurors.

While publications undergo periodic review, there is no coordinated effort to compare language on all publications to ensure consistency of style and other data such as phone numbers and website addresses.

Finally, there is currently no established means of obtaining feedback from former jurors and members of the public regarding any jury publications or other media.

3. Best Practice Finding

Maintaining helpful and accurate publications, forms, website information and videos is addressed in ABA Principle Number 6, namely, "Courts should educate jurors regarding the essential aspects of a jury trial."

4. Advantages of Regularly Updating and Maintaining Publications, Forms, the Jury Website and Video

- Increases chances that jurors will come to court prepared with accurate information
- Reduces anxiety about serving
- Increases the likelihood that jurors will be willing to serve
- Saves time questioning jurors
- May reduce telephone calls to the court and Jury Administration offices
- Fosters a more polished and professional public image
- Improves responsiveness to specific needs for information
- Maintains accuracy of information provided to the public

5. Recommendations

- I. Hold a focus group of former jurors to obtain feedback on the current website and determine what additional information would be helpful.
- II. Dedicate jury staff to routinely review the jury website and Frequently Asked Questions Sections, jury publications, video and forms to determine whether changes and updates should be recommended.
- III. Make proposed changes to jury summons form and reminder notice. See Appendix C.
- IV. Develop procedures to recommend the changes and ensure that revisions are undertaken according to an established schedule.
- V. Take steps to ensure that the Spanish language translation for the FAQs and other sections are updated whenever the main page is updated.
- VI. Study whether a need exists to translate sections of the website and juror publications into languages other than Spanish.

Jury – Before Court Appearance Subcommittee (BCAS)

Recommendation VI: Refinement of Summoning Procedures

1. Current Practice

Calculation of the number of jurors to be summoned for juror service from each town is based on a formula required by Conn. Gen. Stat. § 51-220. The statute requires that the most recent published census be the source from which population data for each town are derived. Jurors are selected in numbers proportionate to each town's population compared to the population of the Judicial District as a whole. For example:

The Superior Court for the Judicial District of Oz will need 60 jurors to meet its need for the coming court year. The total population of the Judicial District of Oz is 1,000. Anytown is a city located within the Judicial District of Oz. Anytown's population according to the last published US Census is 200. Therefore, Anytown's population is 20 percent of the population of the Judicial District of Oz. A total of 12 individuals (or 20 percent of 60 jurors) will be randomly selected from Anytown.

2. Discussion

The current practice utilized for summoning jurors was developed to ensure to the greatest extent possible that the jury array is representative of a fair cross section of the community. In towns or cities with multiple zip codes, it may be possible to enhance representativeness by summoning in proportion to the population residing within a particular zip code.

3. Best Practice Finding

ABA Principle 10 A. 2. reads "The source list and assembled jury pool should be representative and inclusive of the eligible population in the jurisdiction. The source list and the assembled jury pool are representative of the population to the extent the percentages of cognizable group members on the source list are reasonably proportionate to the corresponding percentages in the population."

In jurisdictions where courts have found that cognizable groups were under-represented, increasing the numbers of summonses mailed to certain geographic areas has been implemented as a remedy.

While the Connecticut Supreme Court in *State v. Gibbs*, 254 Conn. 578, 586-600 (2000), upheld the sufficiency of summoning procedures utilized by the Judicial Branch, the work of the Jury Committee affords the Branch with an opportunity to be proactive and ensure that the best and fairest possible practices are utilized when calculating the number of individuals to be selected for juror service.

4. Advantages and Disadvantages of Changing the Summons Calculation Formula

Pros

- Enhances the perception that the Judicial Branch is doing everything possible to ensure a fair cross section of the community.
- This method may provide more accurate figures on which summons calculations may be based while preserving the requirement that jurors be selected at random.

Cons

- Zip code population counts may vary more widely between each U.S. Census than town or city population counts.
- Will require a statutory change
- A programming change will be required
- New zip codes are periodically added to towns and cities.

5. Recommendation

The Judicial Branch should seek a legal opinion as to whether summoning based on the population within a zip code would in any way jeopardize the requirement that jurors be selected at random and that the jury pool reflects a fair cross section of the community. Additionally, the stability of the population within a zip code over a ten year period as compared to the stability of the population of a town or city should also be evaluated. If these studies prove favorable, then the Branch should pursue legislation that would permit populations within each zip code to be used to determine the number of individuals to be summoned for each Judicial District.

Jury – Before Court Appearance Subcommittee (BCAS)

Recommendation VII: Addressing Juror Concerns About Serving Before They Appear in Court

1. Current Practice

Some potential jurors have specific concerns about serving such as economic hardship, having been a crime victim, childcare, and transportation to name a few. When these concerns are reported to Jury Administration staff and/or jury staff in the courts, they are addressed on a case-by case basis. All jurors appropriate for disqualification pursuant to C.G.S. § 51-217 (a) are disqualified prior to appearing at court. All who have demonstrated an extreme hardship pursuant to C.G.S. § 51-217 (b) are excused by the Jury Administrator or her designee prior to appearing at court. Potential jurors who may not be disqualified or excused are advised by the Jury Administrator to appear at court and explain their circumstances on their appearance date.

2. Discussion

If potential jurors bring specific concerns to the attention of a Jury Administration staff member answering the toll free information line, then the matter may be addressed according to the applicable statute.

For example, an individual reporting that he or she has been the victim of a violent crime would be advised that there is an opportunity to bring this matter to the attention of a judge on the appearance date. If the juror reports that he or she would experience anxiety or other debilitating symptoms as a result of even reporting to court, a Jury Administration staff member would advise the individual to seek a medical excuse pursuant to C.G.S. § 51-217 (a) (8). If, as often is the case, a juror is merely seeking information as to whether someone is disqualified because he or she is a crime victim, that individual would be advised that crime victims are not specifically disqualified by statute. The individual would be advised that he or she would be asked about their experience during the voir dire process, if it is relevant to the particular case. As explained above, the individuals are instructed that they may report their concerns to a judge on the day they report to court.

It has happened that jurors have written information about their status as crime victims on the confidential questionnaires in the belief that this will prevent them from having to undergo voir dire. Because the questionnaire is intended for use during voir dire, it is not used as a means of screening individuals out of a voir dire on a particular case. Additionally, jurors may not be aware that court staff and judges will be able to address their concerns on the day they report for service..

In addressing juror concerns, the courts must strike a balance between the concerns of the jurors and the interest of maintaining a representative pool of individuals

qualified to serve. It is important to distinguish between those who are truly unable to serve and those who are able to serve, but may have reservations about doing so.

3. Best Practice Finding

ABA Principle 2 B. states in part: "Eligibility for jury service should not be denied or limited on the basis of race, national origin, gender, age, religious belief, income, occupation, disability, sexual orientation, or any other factor that discriminates against a cognizable group in the jurisdiction. . ."

ABA Principle 10 C states: "Exemptions, excuses and deferrals should be sparingly used."

ABA Principle 7 A. states: "Courts should inform jurors that they may provide answers to sensitive questions privately to the court, and the parties."

In keeping with the principles, any effort to adopt a procedure whereby jurors may, before arriving at court, bring their concerns about serving to the attention of court staff must also take care not to systematically exclude classes of persons from serving. The Branch should also take care not to encourage otherwise qualified jurors from seeking to be excused.

Therefore, any information provided in advance to jurors regarding grounds for excusal from service must take into account that only those who are truly unable to serve under any circumstances and in any case should be excused and that generally, a judge is in the best position to evaluate an individual's suitability for service if that individual is not disqualified by statute.

4. Advantages and Disadvantages of Addressing Juror Concerns About Serving Before They Appear in Court

Pros

- May facilitate pre-screening as recommended by the Arrival and Voir Dire Subcommittees
- May ease juror apprehension
- Improves overall quality of information provided to jurors
- Informs jurors of the appropriate way to express their concerns about service

Cons

- May encourage potential jurors to seek to be excused
- May cause jurors to become frustrated if they are not excused
- May create confusion regarding grounds for excusal

5. Recommendation

- The Judicial Branch should add language to its publication: “Your Guide to Jury Duty – *An obligation and an honor*” (JDP-JA-5) that describes the process that will take place when they arrive in court and directs potential jurors to bring their concerns to the attention of a judge when they arrive.

It is recommended that the following language be inserted in the handbook:

“Q: I have concerns that pressing issues in my life or a past experience I have had will affect my ability to serve. What should I do?”

A: If you have concerns about your ability to serve you may call our toll free number 1-800-842-8175 and speak to a member of our jury staff before your court appearance. When you arrive in court, you will have an opportunity to speak privately with a judge following orientation remarks to communicate your concerns about serving.

Many people have concerns about whether they are able to serve. They may have pressing issues such as childcare responsibilities and economic concerns or they may believe a past experience like having been the victim of a crime may make them unable to serve. If you are having these concerns, you are not alone. However, many potential jurors find that they are able to serve after they bring their concerns to the attention of our staff. Our jury system depends on the participation of people like you. ”

- All jury staff should be trained to assess these concerns on a case by case basis and to refer such matters to the a judge, if delivering orientation remarks.
- Judges who greet jurors or give orientation remarks should be trained, and provided with a script, to implement this process.
- Changes to the language in the brochure, as well as training for jury staff should be consistent with the recommendations of the Arrival Subcommittee’s concerning pre-screening procedures, or with any procedures recommended by the Chair and Co-Chair of the Jury Committee.
- Finally, any information expressed to jury Administration and any court staff must be kept confidential and potential jurors must be advised that it will be kept confidential. Care should be taken to ensure that any information provided by a potential juror does not become a matter of court record, unless a judge determines it is necessary to go on the record regarding the juror’s reasons for seeking an exemption from service.

Jury – Before Court Appearance Subcommittee (BCAS)

Recommendation VIII: Excusing Jurors who have Served on Exceptionally Long Trials

1. Current Practice

Section 51-217a permits jurors who have served at least one day in a state court to be excused for a period of three court years following the date of their service.

Jurors who have served after October 1, 2009 will not be summoned for the three court years following their service unless they notify the Jury Administration in writing of their desire to remain eligible for service.

2. Discussion

It has been recommended that individuals who serve on exceptionally long cases (three months or longer) be excused for longer than the period allowed by statute. This option would affect a very small percentage of all jurors who serve. For example, in Court Year 2007 jurors serving more than five days numbered 1,681, or two percent of the 110,024 jurors who served at all.

3. Best Practice Finding

A.B.A. Principle 10 C. 2. b. states that jurors should be excused from serving when “Their service would be an undue hardship or they have served on a jury during the two years preceding their summons.”

4. Advantages and Disadvantages

Pros

- Acknowledges the extraordinary sacrifice made by citizens who serve in lengthy trials
- May promote greater willingness to serve on a longer trial
- Distinguishes between individuals who have served as little as one day and those who have served longer

Cons

- Connecticut’s previous service exemption period of three years is already more generous than the ABA standard
- More difficult to administer and program than a uniform standard
- Requires additional record keeping
- Not all jurors view their service as a negative experience.

5. Recommendation

Current statute and the Practice Book allow judges the discretion of entering an order that would excuse jurors from serving for a period greater than three years, in situations where they believe it is warranted and in which the juror wishes to be so excused. It is recommended that judges continued to be allowed to exercise their own discretion in this matter and that new judges be instructed that they have this option.

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

RECOMMENDATIONS OF THE ARRIVAL SUBCOMMITTEE

Sub-Committee on: Arrival – Recommendation I. Juror Orientation

A. Juror Orientation

1. Identify the practice or practice-related issue: **Juror Orientation**

2. Current Practice in Connecticut

There exists in Connecticut a lengthy orientation statement that is available to judges. There is a lack of uniformity in the use of this statement, and a lack of uniformity regarding the information communicated to the venire panel. Most judges utilize their own practice in conducting juror orientation.

3. Alternative “Best Practice”

Our subcommittee discussed the variations in jury orientation that we have experienced around the State of Connecticut. We discussed the possibility of preparing an outline of important points that judges should make during orientation. We discussed the goal of reducing juror anxiety, attempting to get people excited or at least interested in serving, and providing prospective jurors with answers to frequently asked questions. (e.g. length of service, compensation, prior experience or knowledge not necessary).

We also discussed the merits of uniformity in the juror orientation. The subcommittee also discussed the importance of the judge’s tone in conducting the orientation.

4. Advantages and Disadvantages of the Alternative

The advantage of providing judges with an outline as opposed to a formal script is creating greater uniformity in all judicial districts, yet respecting the judge’s independence. Outlining key points will ensure that jurors consistently receive the same information. Lawyers will benefit by knowing the information that is communicated to jurors, thereby reducing the time spent in voir dire. For example if the panel is aware of the time commitment, lawyers will not have to repeatedly discuss this topic with each venire person. An outline permits judges to conduct the orientation according to the judge’s personal style.

5. “Best Practice” Recommendation

The sub-committee recommends providing to judges an outline of important points and encouraging judges to adhere to the outline. We believe orientation should be used to streamline voir dire by answering frequently asked questions. This in turn will assist in reducing juror anxiety. In addition, we recommend that judges use orientation to generate interest to participate in the

American jury system. We believe that uniformity around the State of Connecticut is critical to ensure that all jurors receive the same information and provides lawyers confidence that jurors will receive certain basic information during orientation. Lawyers should not have to address mundane issues such as juror compensation during voir dire. The subcommittee feels that it is important to excuse venire people early in the process who clearly cannot serve.

Sub-Committee on: Arrival – Recommendation II. Pre-Screening

B. Pre-Screening

1. Identify the practice or practice-related issue: **Pre-Screening**
2. Current Practice in Connecticut

Few, if any, judicial districts conduct a written pre-screening when jurors arrive to serve. Limited excusals for hardship may be made before venire panels are composed.

3. Alternative “Best Practice”

The sub-committee focused on the problem of prospective jurors with bona fide excuses sitting around a courthouse all day and not being excused until late in the day, thus instilling a negative impression of our judicial system. One way to avoid this problem is to solicit bona fide reasons that may justify an early excusal, such as medical reasons, pre-paid vacations during the trial, self-employment, and caring for an immediate family member. This solicitation may be achieved by the use of a pre-screening document or process. After the introduction of the case by the lawyers and/or judge, jurors could complete a pre-screening form. Outside the presence of the venire panel, but on the record in criminal cases, the judge would discuss the pre-screening forms that were submitted from any person requesting excusal for one of the commonly accepted reasons.

4. Advantages and Disadvantages of the Alternative

The advantage of pre-screening is early excusal of people who have a bona fide excuse. A further advantage is the process may identify people who do not have bona fide excuses, but are trying desperately to be excused.

The disadvantage of pre-screening is that it will require an on the record discussion in criminal matters due to constitutional requirements. An on the record discussion may be required in civil cases as well. Another disadvantage is the cost of providing forms and materials to the panel, and the cost of maintaining confidentiality in the storage or disposal of the forms. The other disadvantage is that some individuals may be “encouraged” to make an excuse when presented with the form.

5. “Best Practice” Recommendation

The sub-committee recommends using a pre-screening process in civil and criminal cases. We feel that people with bona fide reasons for excusal should be excused as early in the day as

possible. Common bona fide excuses are medical reasons, pre-paid vacations during the trial, self-employment, and caring for an immediate family member. The sub-committee recommends the pre-screening process be conducted on the record in criminal cases. In civil cases the process does not need to be on the record (and may be conducted by the lawyers and if necessary by a judge, similar to when challenges are made for cause), but it may be advisable to conduct it on the record.

CHAIRS' COMMENT: The Chairs note that General Statutes §§ 51-240 and 54-82f, and Practice Book §§ 16-6 and 42-12, state that "the right of examination shall not be abridged by requiring questions to be put to any juror in writing and submitted in advance of the commencement of the action," but juror pre-screening is permitted under *State v. Faust*, 237 Conn. 454 (1996). See Voir Dire Subcommittee Recommendation II. The Chairs believe all pre-screening should be done on the record in civil as well as criminal cases. See Voir Dire Subcommittee Recommendation I. The Chairs note a distinction between pre-screening and addressing specific juror concerns. See BCAS Recommendation VII.

Sub-Committee on: Arrival - Recommendation III. Facilities and Logistics

C. Facilities and Logistics

1. Identify the practice or practice- related issue: **internet access and new facilities.**
2. Current practice in Connecticut:

Some courthouses have wi-fi or other internet access, some do not.

Most courthouses have auditorium style seating arrangements in the jury assembly rooms.

3. Alternative “Best Practice”

Provide prospective jurors with wi-fi or other internet access while they are waiting in the courthouse during the voir dire process.

Construction of all new courthouses should include state of the art facilities for jurors, including more comfortable seating.

4. Advantages and Disadvantages of the Alternative

Many people who come for jury service want to utilize their “down time” by staying connected to their personal business affairs. Venire people should have access to the internet so that they can check their email, access their work computer, or attend to personal matters in their life. The subcommittee believes that a preliminary page should appear on the wi-fi network notifying jurors that they may not use the wi-fi access for illegal or improper purposes, such as researching the cases that they may hear. The disadvantage is jurors may use the internet for improper purposes such as researching the cases that they may hear.

When individuals appear for jury service, most of their time will be spent seated. Seating in the jury rooms should be made as comfortable as possible to accommodate the long wait times that will sometimes occur during this process. The disadvantage would be the additional cost to the overall construction and maintenance of the areas.

5. “Best Practice” Recommendation

The sub-committee recommends providing wi-fi or other internet access to jurors. provided that they are instructed regarding the proper use during their jury service. As a

practical matter, many people currently have wireless access to the internet through devices such as a Blackberry or I-Phone, which access is not regulated by the judicial branch. Moreover, people may have wi-fi access if the courthouse is near a public wi-fi location. An additional benefit of affording jurors with internet access is reinforcing the charge given to jurors that they may not investigate or research cases that are before them.

This sub-committee also recommends that future construction of all new courthouses include more comfortable seating arrangements in the jury rooms. Regular seating with couches or sofa chairs should be added. A room or walled off section should be included for individuals who would like to simply read, relax or do some work without the interruption of noise from the television and other conversations. This would also accommodate people having to use laptops, etc while waiting.

Sub-Committee on: Arrival - Recommendation IV. Orientation Video

D. Orientation Video

1. Identify the practice or practice-related issue: orientation video
2. Current Practice in Connecticut

The current practice is to make available two videos to each judicial district. One video is entitled "We the People- The Pursuit of Justice", which is available on the Judicial Branch website, and the other is entitled "Judicial Branch- Voir Dire", which is not available on the website. Most judicial districts use both videos, but a few use only one. The districts that use only one video assert "not enough time" as their reason for not showing both. Both videos are about 15 minutes each. According to both videos they have a copyright of "2004", but they appear older.

3. Alternative "Best Practice"

The subcommittee reviewed both videos and discussed them in detail. Interestingly, some of the lawyers on the subcommittee had not seen the videos in the past. We discussed making these videos more easily available to lawyers and the public.

The subcommittee feels that both videos are very good. We discussed whether the videos should be combined, and whether the overall length should be shortened. Combining the videos will create uniformity among the districts. The current total length of the videos is a concern.

Additionally, if a new video is created some consideration may need to be given to the "best practice" of having judges on the video, as opposed to a neutral person or professional actor. Sometimes a judge may have subsequent problems or be the subject of some controversy or may have passed away since the production of the video, making viewing of the video uncomfortable or problematic.

4. Advantages and Disadvantages of the Alternative

As stated above, the subcommittee believes that viewing both videos is important for prospective jurors. The "We the People- Pursuit of Justice" video is an excellent basic civics type lesson. It also contains excellent patriotic themes and music that should make jurors feel good about their jury service. The "Voir Dire" video is more of a nuts and bolts of the voir dire process, and should be effective in reducing juror anxiety regarding the process.

Combining the two videos has the advantage of effectively mandating them in all judicial districts. Shorting the videos will reduce the chance of people becoming distracted and losing attention.

The disadvantage of combining and shortening the videos is possibly eliminating important information. However, with proper study and guidance, this risk will be minimized.

5. "Best Practice" Recommendation

The subcommittee recommends combining and shortening the two videos. We believe that the best practice is to require one video in all judicial districts. Prior to revising these videos, however, both videos should be made available on the judicial website, and the revised video should be uploaded to the website when it is produced. As for the revised video, the subcommittee recommends a single video of approximately 20 minutes in length. This length of time balances the time pressure on jury clerks and an appropriate average attention span for the average juror. The subcommittee recommends that additional research be conducted on attention spans and that the people in charge of the revision take this research into consideration.

In addition, the subcommittee recommends that lawyers become familiar with the video so as to reduce the amount of time spent during voir dire.

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

RECOMMENDATIONS OF THE VOIR DIRE SUBCOMMITTEE

**Public Service and Trust Commission
Jury Committee
Voir Dire Subcommittee**

Recommendation I : Judicial Supervision of all Voir Dire

1. This recommendation discusses Voir Dire Management (from the point in time when venire persons have reported to a courtroom for a specific case), and recommends judicial supervision of voir dire in civil cases, consistent with the practice in criminal.
2. In criminal cases, judges statewide remain on the bench throughout the entire voir dire process.^{1, 2} In civil cases, with the exception of challenges for cause which require judicial intervention, the current practice in Connecticut with respect to the judge's role in the voir dire process varies widely. Depending on the jurisdiction, the custom and practice ranges from voir dire conducted exclusively by the attorneys without any introduction or orientation by a judge to a more proactive judicial involvement with the judge remaining on the bench for some period of time and pre-screening by the judge through the use of oral or written questions. In some jurisdictions, the same judge will handle the case, from voir dire through verdict; in other jurisdictions, any number of judges, in addition to the trial judge, may be involved in the introduction of the case, if any, and challenges for cause. Additionally, voir dire may or may not be recorded, court staff such as clerks and court reporters/monitors may or may not be present, and, informal agreements of attorneys to excuse potential jurors may or may not be allowed. These varied practices affect the venire persons, attorneys, parties, litigants, court staff, and judges.

The ABA Principles for Juries and Jury Trials recommend the following:

- The court should provide further orientation and information when jurors report to a particular courtroom for voir dire.
- Voir dire should be on the record.
- Judges should ensure that juror privacy is reasonably protected, explain how the juror information that has been provided will be retained/utilized, inform jurors that they may provide answers to sensitive questions privately to the court and parties, and take a proactive role to ensure that the questions are consistent with the purpose of voir dire.

¹ See *State v. Patterson*, 230 Conn. 385 (1994) (requirement that trial judge remain on bench during voir dire process cannot be waived in a criminal case).

² Typically, in criminal cases the trial judge will be the judge present during the voir dire.

The voir dire procedures followed in criminal cases statewide, measured against the practices of other states and the ABA principles, qualify as a "best practice." However, based on the lack of uniformity across the state, non-compliance with the ABA principles, and comparisons to the rest of the country,³ the voir dire procedures in civil cases do not qualify as "best practices" and improvements are recommended.

3. Ample research is available with respect to judicial oversight of voir dire; no further research is recommended at this time. The following "best practices" are recommended with respect to civil cases:
 - The trial judge should provide a brief orientation/introduction to the venire persons upon their reporting to the courtroom, addressing, inter alia, juror privacy issues and the rationale of sensitive questions. This will serve to enhance juror confidence, with the added benefit of increased juror candor (Alternative: if the trial judge is unavailable, another judge may step in.)
 - All voir dire should be on the record, with the judge, clerk, and reporter/monitor present. There is no substitution for meaningful judicial oversight. This recognizes the court's responsibility to prevent any abuse of the voir dire process and reinforces to the potential juror that the questions posed are all proper questions. (Alternative: if a judge has other pressing obligations, a judge may consider remaining on the bench initially, in order to establish parameters,⁴ and may wish to excuse the reporter/monitor. At a minimum, however, a clerk should be present to oversee the voir dire procedure).
 - Informal agreements of counsel to excuse potential jurors may be allowed, at the discretion of the trial judge, but only to the extent it will not prevent qualified jurors from having an opportunity to serve, and will not delay jury selection. This recognizes that while under Connecticut law, jurors may be excused based on the exercise of a peremptory strike, or on a successful challenge for cause, efficiency and judicial economy will be served by identifying jurors who are not qualified to serve on a particular case, and by returning them to the jury pool at an earlier stage, where they can be available to serve on another panel. In addition to promoting uniformity across the state, this will serve to protect the important interest of a prospective juror

³ Without respect to length of time, Connecticut ranks 50th, with a median length of voir dire in civil trials at 16 hours; California ranks 49th, at 4.0 hours. Gregory E. Mize, Paula Hannaford-Agor, and Nicole L. Waters, *The State-of-the States Survey of Jury Improvement Efforts: A Compendium Report (2007)*. Connecticut also ranks 50th, as the state with the most attorney-dominated voir dire. *Id.*

⁴ A party has a right to examine a venire person as to his qualifications to sit as a juror in the action, his interest, if any, in the subject matter of the action, and as to his relations with the parties. Conn. Gen. Stat. § 51-240(a). Additionally, case law recognizes the right of a party to inquire as to a potential juror's predispositions.

to participate in the democratic process and to be selected to serve where qualified.

4. The advantages of these proposed "best practices" are that the voir dire process will be efficient, will not unreasonably invade the privacy of the potential juror, will reinforce the importance of the proceedings via the judge's presence, will protect the interest of the potential juror in participating in the democratic process, and will enhance juror confidence and candor. The disadvantage is that the judge and staff present in the court room during the voir dire will not be able to tend to matters that they otherwise would have been handling.
5. The "best practices" recommendation is that the trial judge in civil matters conduct voir dire as it is presently being conducted in criminal matters.

Additionally, this subcommittee is recommending that judge trial referees be authorized to preside over jury selection in civil cases.⁵ This will be consistent with the practice in criminal jury cases. It will have the additional benefit of having more judges available to actively supervise the voir dire process, based on this subcommittee's other recommendations. This would require statutory and rule changes.

CHAIRS' NOTE: The data relied on in this Recommendation is appended, with the permission of the National Center for State Courts. See Appendix D.

⁵ In criminal cases, other than Class A, Class B, or capitol felony cases, judge trial referees may preside over jury selection, "unless good cause is shown." Conn. Gen. Stat. § 52-434 (a)(1); Conn. Practice Book § 44-19.

**Public Service and Trust Commission
Jury Committee
Voir Dire Subcommittee**

Recommendation II : Pre-screening of all Jurors

1. This recommendation discusses the practice of prescreening of jurors by a judge, prior to individual questioning by counsel, for the purpose of excusing jurors who have hardships, conflicts, or special difficulties in hearing a case of the type on trial, or who are unable to be fair and impartial.

2. The current practice in Connecticut varies widely. In some cases, no prescreening takes place. This approach occurs particularly in civil cases for which there is no judicial supervision of voir dire in the first place. Other judges, during the group introduction of the case, have jurors raise hands to indicate claimed hardships or conflicts and then conduct brief interviews of these jurors to determine whether the claim merits excusal. Still other judges submit a written questionnaire concerning ability to serve to jurors after they have learned about the case in a group session and then meet with counsel, either on or off the record, to attempt to agree on which jurors to excuse. Some judges use a combination of written questionnaires and group questioning.

To the extent that no prescreening of jurors takes place, this practice does not qualify as the best practice. The authority for prescreening of jurors in Connecticut is clear. In *State v. Faust*, 237 Conn. 454, 462 (1996), our Supreme Court stated: "A trial court may pose questions to entire venire panels prior to individual voir dire . . . and may dismiss for cause any panel member whose answers to the court's questions reveal bias." See also General Statutes § 51-217a (b) ("The court shall have authority to excuse a juror from juror service, upon a finding of extreme hardship."); Practice Book § 42-11 ("Preliminary Proceedings in Jury Selection"; "The judicial authority may excuse any prospective juror for cause.") In general, the trial court is vested with wide discretion in conducting the examination of jurors. *Childs v. Blesso*, 158 Conn. 389, 394 (1969).

In the vast majority of states, judges participate in questioning potential jurors. See N. Vidmar & V. Harris, *American Juries: The Verdict*, p. 89 (2007). The ABA Principles for Juries and Jury Trials (ABA Principles) similarly provide: "Questioning of jurors should be conducted initially by the court, and should be sufficient, at a minimum, to determine the jurors' legal qualification to serve in the case." ABA Principles, Principle 11.B.1.

Prescreening of jurors by the court has significant advantages over a system that allows lawyers to question every juror in the panel. The main and obvious advantage is to increase the efficiency of the jury selection process. The theory is that, if some jurors will almost certainly

end up being excused, we ought to identify and excuse them as soon as possible. Prescreening, as the word suggests, takes place before the lengthier individual voir dire process begins. Prescreening should take place by the court, rather than by lawyers, because the court is neutral and will presumably be unlikely to excuse or retain jurors for partisan reasons. A court focused on identifying jurors who are not able to serve is in a much better position to accomplish that task than lawyers who seek to preserve their peremptories or force their opponent to use them.

The prompt dismissal of jurors who have conflicts, hardships, or bias in a particular case allows those jurors to become readily available for another case, or to return home or to work with minimal interruption in their lives and duties. The immediate result is to leave the lawyers with a subset of the original panel comprised of people who are ready, willing, and able to serve. The end result is that jury selection finishes sooner, which is better for the court, the lawyers, their clients, and the public.

3. As suggested above, there are various ways to prescreen jurors for eligibility in a particular case. Many judges will feel most comfortable asking the panel of jurors in the introductory group session basic questions about whether they might have a hardship or familiarity with any of the trial participants or the case. These judges will ordinarily follow up with brief interviews of those jurors who provided affirmative responses. In some cases, especially depending on the availability of fully eligible jurors, counsel may agree to excuse all jurors who indicated a hardship or conflict without the necessity of conducting interviews.

The practice of using a written questionnaire is not widely understood, but can be very effective. One method being used is to have jurors identify possible hardships, conflicts, special difficulties with the subject matter, or biases on a short questionnaire. The lawyers and the court then review the questionnaires and attempt to reach agreement on who to excuse. The review can take place in court or, if counsel agree, in chambers followed by the court's summary of the process on the record.

Experience with the written questionnaire has been very encouraging. Most jurors have provided responsive answers in writing. (For those jurors who appear not to have understood the questionnaire, the court retains the option of interviewing them in court.) The answers are sometimes very candid, especially with regard to possible bias, and reveal thoughts that the juror might not want to express verbally in open court. The process of eliminating ineligible jurors based on the questionnaire is not lengthy and can sometimes take less time than if the court had to conduct individual interviews. It is essentially color blind. And the result has been that counsel are left with a solid and diverse cadre of jurors who are fully eligible to serve and generally agreeable to doing so.

4. There is no need, however, to prescribe a uniform approach, as long as the chosen method of prescreening accomplishes the basic objective of sorting out, to the maximum extent possible, jurors who have actual hardships, conflicts, or bias before individual voir dire begins. See also

State v. Faust, supra, 237 Conn. 462-65 (During introductory group session, follow up questions by the court of the jurors that required elaboration beyond an affirmative or negative response should have been reserved for subsequent individual questioning.) Regardless of the specific method chosen, prescreening, as mentioned, has the advantage of improving the efficiency of the voir dire process. There are no significant disadvantages. Judges may have to become more involved in jury selection at the outset, but such involvement will essentially serve as an investment in a procedure that shortens the entire voir dire process for the court and all other participants.

5. The subcommittee therefore recommends that we adopt prescreening of jurors as a best practice for the jury selection process. In order to insure that all judges will employ a prescreening method, and to give counsel and their clients fair notice that the court will do so, an amendment to the civil and criminal Practice Book rules to codify the practice of prescreening is probably necessary.

Some attorneys have objected to the use of a written questionnaire in criminal cases under Practice Book § 42-12, which provides in pertinent part: "The right of such [voir dire] examination shall not be abridged by requiring questions to be put to any juror in writing and submitted in advance of the commencement of trial." The response is that this provision seems intended to prevent the court from requiring counsel to submit written questions to the court for its review prior to individual voir dire, but not to prevent the court on its own from using a written questionnaire as a prescreening device. The Rules Committee has passed an amendment to clarify the rule's meaning in that way. Although not necessary, it may also be helpful to enact similar amendments to clarify Practice Book § 16-6 and General Statutes § 51-240 (c), pertaining to civil cases, and § 54-82f, pertaining to criminal cases, which contain language similar to that in Practice Book § 42-12.

**Public Service and Trust Commission
Jury Committee
Voir Dire Subcommittee**

Recommendation III: Allowing and Encouraging the Voluntary Use of Panel Voir Dire in all Jury Trials

1. This recommendation discusses the voluntary use of panel or box voir dire in all civil and criminal jury trials and recommends that the judicial branch continue to encourage this practice.
2. The current practice in Connecticut is for individually sequestered voir dire unless the parties and the court agree to conduct a panel or box voir dire. The current practice is set by statute and rule. General Statutes § 51-240 provides: "In any civil action tried before a jury, either party shall have the right to examine, personally or by his counsel, each juror outside the presence of other prospective jurors as to his qualifications to sit as a juror in the action, or as to his interest, if any, in the subject matter of the action, as the judge determines." Practice Book § 16-6 provides similarly. General Statutes § 54-82f and Practice Book § 42-12 contain the same provision for criminal cases. In practice, individually sequestered voir dire means that counsel will interview jurors one by one outside the presence of other jurors. These interviews range from several minutes each to over an hour.

The language requiring selection of a juror "outside the presence of other jurors" first came into our law in 1977, with the passage of Public Act No. 77-255. Prior to that, there was no specific provision in our law for individually sequestered jury selection and the court had discretion to employ the box voir dire method. See *Childs v. Blessio*, 158 Conn. 389, 393-94 (1969). In 1972, Connecticut enacted an amendment to article first, § 19 of the state constitution that permitted mandatory six person juries in place of twelve person juries in certain circumstances while at the same time guaranteeing that parties would have the right to challenge jurors peremptorily and "[t]he right to question each juror individually by counsel" Conn. Const., art. I, § 19. See *Rozbicki v. Huybrechts*, 218 Conn. 386, 391-92 (1991). The state representative who introduced the amendment stated that the provision regarding voir dire "preserves the valuable rights of litigants to have their perspective [sic] jurors individually questioned by their counsel and apart from other veniremen." (Internal quotation marks omitted.) *Rozbicki v. Huybrechts*, supra, 392 n.1 (quoting 14 H.R. Proc., Pt. 5, 1971 Sess., p. 2367, remarks of Representative Robert G. Oliver). However, our Supreme Court commented that "[t]here is no indication that the passage of the relevant part of the 1972 amendment to article first, [§] 19, was intended to accomplish anything more than to assure that the 'right to question each juror individually by counsel' would be 'inviolable'" and that "the constitution guarantee is satisfied by the discretionary use of a 'box voir dire.'" *State v. Burns*, 173 Conn. 317, 321-22 (1977).

The legislative history of the 1977 Public Act, which added the phrase "outside the presence of other jurors," is sparse. The bill passed by consent in both the state house and the

senate. The only specific comment in favor of the bill came before the judiciary committee from the president of a lawyers' association who remarked that, with the box voir dire method, there is a risk that one juror would make statements that could prejudice the entire panel, and also that the use of individually sequestered would save time. Conn. Joint Standing Committee Hearings, Judiciary, 1977 Sess.. Pt. 2, p. 586.

In approximately 2004, the judicial branch developed a set of procedures for the voluntary use of panel voir dire in civil cases. Since that time, some judicial districts have used the voluntary panel jury selection method on a regular basis. There is no comparable initiative for criminal cases.

Under the civil procedures, both counsel or parties waive their right to individually sequestered voir dire on the record. An introductory group session then takes place that resembles the standard introductory session in a criminal case. After appropriate introductions to a panel of jurors, the court conducts a prescreening procedure in which the court identifies jurors with possible hardships, conflicts, or circumstances that may make it especially difficult for them to serve as fair and objective jurors in that particular case. Typically, the judge will question jurors individually who indicate a possible concern.

After dismissal of jurors with hardships, conflicts, or other special difficulties, the remaining members of the panel return to the jury box for questioning by counsel. Counsel can alternate asking questions in an agreed-upon fashion. Counsel might, for example, ask for a showing of hands on a particular question or, alternatively, ask the question of selected jurors. If a panelist indicates, or the court or counsel believe, that answers to a particular question or line of questions would be more forthcoming if the juror answered outside of the presence of the other jurors, the court can effectuate that procedure.

After the completion of questioning, counsel take a recess to allow them to review the jurors' responses and evaluate which jurors they would like to accept and which they would prefer to excuse. Counsel then meet with the judge, either in chambers or in court, and alternate either selecting or excusing jurors until exhaustion of the panel or peremptories, or until counsel have completed jury selection.

Voluntary box voir dire in criminal cases would be essentially no different. Perhaps the only difference is that the court must be especially scrupulous in insuring, by means of a thorough canvass of the defendant personally, that the defendant's waiver of his right to individually sequestered voir dire is voluntary, knowing, and intelligent. See *State v. Gore*, 288 Conn. 770 (2008).¹

¹As stated above, the Connecticut Supreme Court has held that the state constitution does not guarantee individually sequestered voir dire and that a box voir dire in which counsel have the right to question jurors individually satisfies the state constitution. See *State v. Burns*, 173

3. The system of individually sequestered voir dire undoubtedly has benefits. Counsel have the opportunity to spend a considerable amount of time questioning each juror, thereby learning much about that juror's background and outlook. Some contend that jurors are more frank about prejudices, bias, or other nonconforming views when questioned individually outside the presence of other jurors. Counsel can use this information in carefully exercising peremptory challenges and challenges for cause.

The relevant portion of the ABA Principles for Juries and Jury Trials provides as follows: "Following initial questioning by the court, each party should have the opportunity, under the supervision of the court and subject to reasonable time limits, to question jurors directly, both individually and as a panel." ABA Principles, Principal 11.B.2. The commentary notes studies showing that focused examination of the venire members by the court and counsel in a more private setting than an open courtroom can yield invaluable information regarding disqualifying conditions. Accordingly, the ABA Principles "[encourage] questioning of prospective jurors both as a panel and individually." ABA Principles, p. 75.

But Connecticut's system of mandated individually sequestered voir dire of prospective jurors does not conform to the actual practice nationally. To our knowledge, no other state in the nation or federal jurisdiction requires individually sequestered voir dire. See *State v. Robinson*, 237 Conn. 238, 247 n.9 (1996). Ironically, our experience with the time it takes to conduct individual voir dire has been the exact opposite of that predicted before the Judiciary Committee in 1977. Indeed, Connecticut ranks last in the nation in the time it takes to select a jury. More tellingly, Connecticut is not even close to the next slowest state. According to a survey conducted by the National Center for State Courts in 2007, Connecticut takes ten hours on average to pick a jury for serious criminal trials and sixteen hours for civil trials. The next slowest states take five and four hours, respectively. See "Delayed Decision: Jury Selection Process Slower than Other States," *Stamford Advocate* (May 7, 2007).² For similar reasons, Connecticut is apparently the only state in the country in which counsel must select or excuse a juror in isolation from the other jurors yet to be interviewed, about whom counsel knows very little.

Conn. 317, 320-22 (1977); accord *State v. Thergood*, 33 Conn. Supp. 599, 601-02 (App. Sess. 1976). Thus, waiver of the right to individually sequestered voir dire does not involve the waiver of a constitutional right. Rather, it involves the waiver of the statutory right under General Statutes § 54-82f to question jurors "outside the presence of other prospective jurors." Accord Practice Book § 42-12. Nonetheless, because of the importance of this right, the court's canvass of the defendant should be thorough.

²Another large national survey reported that the average time for jury selection for felony cases was 3.8 hours in state court and 3.6 hours in federal court; for civil cases, 3.1 hours in state court and 2.3 hours in federal court. See N. Vidmar & V. Hans, *American Juries: The Verdict*, p. 89 (2007).

The protracted time it takes to select a jury in Connecticut has important and undesirable consequences. Many prospective jurors must stay at the courthouse most of the day or all day awaiting their individual interview, thus taking them away from their family responsibilities or their job, in the latter case reducing work productivity. Jury selection that typically lasts several days for one case also imposes significant additional attorney's fees on privately represented parties. Attorneys must spend time in court that could be spent preparing for the case or tending to other business. And each day that jury selection takes place, at least in criminal cases, requires the staffing of a courtroom with a judge, prosecutor, public defender when needed, clerk, monitor, and marshals, with all the attendant costs to the public. We also doubt that public confidence in our judicial system is enhanced when jury selection alone can take over a week, or when, as is often the case, jury selection takes longer than the evidentiary portion of the trial. See *State v. Anthony*, 172 Conn. 172, 175 (1976).

The practice of individual voir dire questioning by counsel can also take an emotional toll on the jurors. Many jurors feel nervous or intimidated sitting in a courtroom witness chair being asked questions by counsel with a judge presiding. Some jurors have reported feeling as if they were ones on trial. This feeling is exacerbated by the fact that the questions from counsel are often complicated, repetitious, unnecessary, or unduly personal. See "Expectations of Privacy? Jurors' Views of Voir Dire Questions," 85 *Judicature*, No. 1, p. 10 (July-Aug. 2001). It is usually possible to determine whether a juror will be attentive, objective, and fair during the first few minutes of questioning. The remaining time spent by counsel is often aimed subtly, and improperly, at attempting to educate the jurors about counsel's case. See *State v. Anthony*, supra, 172 Conn. 175. Further, jurors' time - not to mention judicial time - is often wasted as counsel engage in gamesmanship by attempting to convert a basis for a peremptory into a basis for a challenge for cause. See *State v. Herwood*, supra, 33 Conn. Supp. 602 (the practice of individually sequestered voir dire "has been frequently abused by protracting unduly the process of jury selection.")

Finally, counsel conducting individual interviews with jurors do not get the benefit of seeing how jurors interact with each other, which is ultimately what the jurors will have to do when they deliberate on a case. Counsel instead receive a picture of the juror in isolation on the witness stand, which is not necessarily reflective of the personality of the juror in a jury room. Further, counsel must select or excuse jurors in isolation, without the advantage of knowing who comes next. In contrast, in a box voir dire format, counsel will learn what issues seem to trouble the panel. They will also see how jurors respond and interact when confronted with controversial opinions. Counsel cannot obtain these benefits from individually sequestered voir dire. As Judge Robert Satter has stated in his book "Doing Justice," "Nobody has ever shown that our state juries are any fairer than the federal court juries." R. Satter, *Doing Justice; A Trial Judge at Work*, p. 83 (American Lawyer Books 1990).

One of the leading criticisms of box voir dire is that jurors will not express any feelings of bias or prejudice in front of other jurors. It is not clear, however, that jurors will be more

candid if they are put in a witness chair and questioned individually while everyone in the courtroom watches. In any event, the court can identify many jurors who harbor strong feelings that are incompatible with the objectivity needed for a particular case by employing effective prescreening methods, such as a written questionnaire. (See this committee's separate memorandum on that subject). Further, the court should permit any juror who feels embarrassed by a particular question to answer in the absence of other jurors. See *Childs v. Blesso*, 158 Conn. 389, 393-94 (1969).

Another criticism of box voir dire is that the panel may become tainted by a juror who blurts out a prejudicial remark. There is undeniably some risk that this event may occur and, if it does, the court may have to excuse the entire panel. This concern, however, does not appear to have become so prominent as to prevent every other jurisdiction in the country to mandate box voir dire. Further, the court can minimize the risk of a prejudicial remark by instructing the panel to answer counsel's questions with a yes or no answer when called upon or to ask for a side bar if any question requires a controversial response.

4. For these reasons, we conclude that box voir dire, as described herein, is the best practice based on national standards.³ We nonetheless recognize that individually sequestered voir dire has been the practice in Connecticut since at least 1977, when Public Act 77-255 guaranteed that voir dire occur "outside the presence of other prospective jurors." 1977 Public Acts, No. 77-255. Accordingly, we recommend that panel or box voir dire take place on a purely voluntary basis at this time.

There is no reason, however, not to extend the voluntary use of box voir dire from civil to criminal cases and to encourage its use in all such cases. The same advantages, discussed above, of box voir dire apply equally to both types of cases. Indeed, box voir dire is the predominant method of jury selection in criminal cases across the nation. As long as the court's canvass of the defendant's waiver of his right to individually sequestered voir dire is thorough, there is no barrier to the voluntary use of box voir dire in criminal cases.

³Some members of our subcommittee disagree with this statement and believe that individually sequestered voir dire is the best practice.

Public Service and Trust Commission
Jury Committee
Voir Dire Subcommittee

Recommendation IV: Ensuring the Proper Confidentiality, Use, and Retention of Jury Questionnaires

1. This recommendation discusses the protection of the information given by prospective jurors during the voir dire process. It recommends primarily that the Judicial Branch adopt a policy for the retention and destruction of the statutorily mandated "Confidential Juror Questionnaire" and that trial judges inform venire panels of the practices concerning privacy of their information.
2. Prior to coming to court for jury service, venire persons receive a form in the mail entitled "Confidential Juror Questionnaire." General Statutes § 51-232. The form instructs the venire person to bring the completed form to court on their day of service. General Statutes §51-232(c) requires that the questionnaire include questions "eliciting the juror's name, age, race and ethnicity, occupation, education and information usually raised in voir dire examination." The form also seeks information regarding place of employment, spouse's place of employment, prior jury service and any relations to the court system. The statute provides that "[c]opies of the completed questionnaire shall be provided to the judge and counsel for use during voir dire or in preparation therefore." "Counsel shall be required to return such copies to the clerk of the court upon completion of voir dire." The statute also specifically requires that "except for disclosure made during voir dire or unless the court orders otherwise, information inserted by jurors shall be held in confidence by the court, the parties, counsel and their authorized agents".

Statewide compliance with the statutory requirement that the juror information be held in confidence exists but there is no statewide policy within the Judicial Branch for a common method. There is broad discrepancy among the judicial districts as to length of time the information is kept. Only one district informs the potential jurors that the questionnaires are strictly confidential. See Appendix E.

The ABA Principles for Juries and Jury Trials, Principle 11.A.2 recommend the following:
"Jurors should be advised of the purpose of any questionnaire, how it will be used and who will have access to the information."

This principle seeks to encourage honesty among jurors in completing questionnaires and to enhance the value of these questionnaires by having the court advise jurors of their purpose and use.

An inquiry was posted through the National Association of State Courts as to the practices in other states for the retention and destruction of confidential juror information. Although the response was limited, it did reveal that other courts do have a formal retention/destruction policy. See Appendix E.

On its face, our statute is in compliance with the "best practice" espoused by the ABA, as the form states that "the information which you provide will be used by the judge, lawyers and litigants during the selection of a jury and will be held confidential unless the judge orders it disclosed". There is, however, a lack of statewide policy within the Judicial Branch as to the retention and destruction of the questionnaires under §51-232, and no policy as to questionnaires created by counsel and/or the court. Accordingly, we cannot guarantee compliance with our statutory mandate that the information will be "held in confidence." Our statute also does not provide compliance with the best practices of the ABA that the court inform potential jurors about the questionnaire and its uses. Finally, on a related note, there is discrepancy among jurisdictions as to compliance with the mandatory language of §51-232(c) regarding provision to counsel and the court of the information from the jury questionnaires.

3. The following "best practices" are recommended with respect to informing jurors as to the use of the confidential information:
 - The State of Connecticut Judicial Branch should adopt a formal and uniform policy regarding the retention and destruction of the juror confidential questionnaires; namely, that all confidential juror questionnaires will be collected daily and put into a file marked with a "destroy by" date. Said date shall be twenty days after the verdict or, if applicable, the sentence unless an appeal has been filed, in which case the questionnaires shall be retained until there is a final judgment in the case. Destruction will be by depositing the envelope in a locked shredding bin. This policy should apply to all questionnaires, whether created pursuant to the statute or by the parties and/or court.

- The trial judge, in his/her introduction to the prospective jurors upon their reporting to the courtroom, should address, inter alia, the state's policy regarding the use, privacy, retention, and destruction of any questionnaires. This will serve to enhance juror confidence, with the added benefit of increased juror candor. This proposal is dependent on the adoption of another proposed "best practices" change; namely, judicial oversight in civil jury selection.

The following is recommended with respect to the uniform compliance with the provision of §51-232(c) regarding provision of juror information to counsel and the court:

- The Judicial Branch will ensure compliance, by means of a memorandum to all chief clerks and their staff, with the provision of §51-232(c) that copies of the questionnaire shall be provided to the judge and counsel for their use during voir dire or in preparation for voir dire.
4. The advantages of these proposed "best practices" are that the Branch will now have a uniform, statewide process for the retention and destruction of these forms, the potential juror will have a sense of comfort knowing the parameters of the use of the information provided, there will be greater protection of the interest of the potential juror in participating in the democratic process, and there will be enhanced juror confidence and candor. The disadvantage is that the judge and staff present in the court room during the voir dire will not be able to tend to matters that they otherwise would have been handling.
 5. The "best practices" recommendation is that the Judicial Branch adopt the proposed policy, described in § 3 above, regarding the retention and destruction of all confidential juror questionnaires, which policy will then be communicated to venire persons during the jury selection process and to the legal community through a standing order by the Chief Court Administrator's office. In addition, the Judicial Branch should, as also stated in § 3, ensure compliance with the statutory requirement to make information from the questionnaire available to counsel and the court.

**Public Service and Trust Commission
Jury Committee
Voir Dire Subcommittee**

Recommendation V : Reusing Excused Jurors

1. This recommendation discusses the practice of having an excused juror returned to the jury assembly room (jury pool) upon being excused from service on a particular case. This practice is compared with the alternative of sending an excused juror home.

Consideration of this issue is motivated by the fact that a juror excused from sitting on a certain type of case may very well be appropriate for service on another type of matter. A juror may, for personal reasons be inappropriate or unable to sit in judgment on a DWI or Sexual Assault case, yet be well suited for a personal injury matter. Likewise, due to personal or business concerns a potential juror may be unable to serve on a six week trial. However, the same juror may be available and could be an appropriate choice for a trial lasting for a shorter period of time.

If a juror is sent home during the process of screening a venire panel, the juror is lost for the day. This not only deprives a potential juror of the opportunity to serve but depletes the size of the jury pool. This causes delay and inefficiency. Delay and inefficiency occurs when during the course of jury selection, a panel is exhausted. Often, a request is made for an additional panel but it is learned that there is an insufficient number of potential jurors left in the assembly room to justify indoctrinating a new panel. Jury selection obviously does not continue and is postponed for the following day. This usually results in the case being adjourned for the day. The delay and inefficiency this causes is manifest and problematic.

2. Currently, the prevailing, although not exclusive, practice in Connecticut is to excuse for the day (send home) a potential juror who has been excused from service during the process of screening venire panels. As stated above, this depletes the number of jurors available for service and results in inefficiency. Although the ABA Standards Relating to Juror Use and Management do not specifically address the issue of re-using jurors, subdivision A encourages the efficient use of jury resources. The prevailing practice does not appear to efficiently use juror resources and therefore, does not qualify as a "best practice."

3. The only practical manner to improve the current practice requires pre-screening to be conducted by a trial Judge in all cases (civil and criminal). The decision as to whether to instruct an excused juror to return to the pool or go home should be left to the discretion of the trial Judge. The decision should be made after voir dire with the participation of counsel has taken place, unless the Judge decides to return the venire person after pre-screening. Often, trial Judges are not present during the civil voir dire. An effective policy requires uniformity in criminal and civil matters. Assuming an appropriate pre-screening practice is put in place, the re-use of jurors would be a practice consistent with the goal of delivering effective, efficient services of potential jurors and the public.

3a. The Judicial Branch should remain flexible in implementing the practice of reusing jurors. If there are no undue administrative burdens, a Judicial District courthouse might stagger the start of jury selection for different cases so that, for example, jurors prescreened at 10:00 a.m. but unavailable for that case might be sent to a jury selection starting at 11:00 a.m. and be willing and able to serve in that case.

4. One disadvantage could occur if the re-use policy is applied blanketly, regardless of the geographic location of the trial versus the courthouse where the jury assembly room is located, although this problem is limited to only a few judicial districts. If, for example, a juror is excused in Norwalk and instructed to return to the jury pool located in Stamford, a substantial amount of travel time would be required. This would cause inconvenience to the potential juror and the time necessary to travel would negate any efficiency that might be gained. Where such geographic obstacles exist, this practice should not be used.

The advantage is that having a more pre-screened fully "stocked" jury pool would expedite jury selection, making for shorter trials and give individuals an opportunity to serve on a jury, which would not otherwise be afforded them.

5. The best practice would be to institute a policy wherein a trial Judge shall, after excusing a potential juror during the initial screening process, instruct such juror to return to the jury assembly room when in the judgment of the Court, the availability of such juror for another prospective panel would result in a more efficient and expeditious jury selection process. The Court should take into account all appropriate considerations, including geographic locations, the time of day and the reasons for excusal. To implement this policy no legislation or Practice Book changes are necessary. Connecticut General Statutes §51-238a governs the Length of Term of Service as a Juror and limits it to one day subject to certain exceptions. Implementing the policy as aforesaid will not run afoul of the Statute.

Public Service and Trust Commission
Jury Committee
Voir Dire Subcommittee

Recommendation VI: Improving Juror Comfort while Waiting to be Questioned

1. This recommendation discusses whether changes can be implemented to improve the comfort of jurors while waiting to be questioned.

2. Juror comfort while waiting to be questioned would appear to vary in the different jurisdictions depending on the physical facilities and amenities available in different courthouses, ranging from jury panels being sequestered in small, crowded, sterile rooms with little or no amenities, to more comfortable quarters in the newer courthouse facilities.

The ABA Principles for Juries and Jury Trials (Principle 2.C, 2.D, and 2.E) recommend that the time required of persons called for jury service be the shortest period consistent with the needs of justice, that courts respect jurors by minimizing their waiting time, and that courts should provide an adequate and suitable environment for jurors.

3. Consistent with the ABA Principles, it would appear that juror comfort is dependent upon both the speed with which the jurors are "processed" and the ability of jurors to engage in meaningful activity while waiting.

4. It is recommended that the judicial branch make processing of jurors and reduction of waiting time a priority in all cases. It is recommended that in order to speed voir dire, each counsel receive copies of the "Confidential Juror Questionnaire" for each venire person. In many, if not all, jurisdictions only one copy of the "Confidential Juror Questionnaire" is available to be shared among counsel despite the language of CGS 51-232(c) that copies shall be provided to counsel. Consequently, there is a significant delay in commencing questioning while all counsel circulate the one copy of the Confidential Juror Questionnaire prior to initiation of questioning. Even in two party cases, this results in significant delay, which is obviously multiplied in multi-party cases. (See Recommendation IV)

Additionally, use of pre-screening questionnaires for assignment of venire persons to individual cases is recommended to improve the speed of processing. Every case should utilize a questionnaire that contains all information necessary to identify conflicts with counsel, parties, witnesses, etc, as well as those case specific issues which would necessarily be asked of every juror, i.e. "have you or anyone close to you suffered the (same injury as the plaintiff)", in a medical malpractice case, "have you or anyone close to you every been dissatisfied with the care of a healthcare provider." (See Recommendation II)

As to the venire persons' ability to engage in meaningful activity while waiting, it is recommended that jurors be allowed to bring books, cards, and personal electronic devices which can be used noiselessly, such as DVD players, i-pods and laptop computers equipped with earphones, and that they be notified when summoned that they are encouraged to do so.

It is recommended that other than those times when venire persons are required to be addressed in a group, such as the introductory orientation and introduction of specific cases, that venire persons be allowed to move about the court house facility, to the degree permitted by security and confidentiality considerations, and possibly leave the building.

It is recommended that the branch explore the feasibility of providing each juror with a buzzer which would allow the juror to be notified that his/her presence is required within 5- 10 minutes, freeing the jurors to move about the facility. Although there is great variation among the facilities as to the amenities available, were the jurors free to move throughout the facility, they could wait in coffee shops, larger group waiting areas, quiet areas, areas for internet access for laptop computers, reading rooms, etc.

Although the speed of voir dire questioning and the number of venire persons required for questioning can vary greatly, when it becomes apparent that the size of a particular panel is such that the entire panel cannot be questioned in the morning, portions of the panel should be excused and allowed to report back in the afternoon.

It is also recommended that an exit survey be conducted of all venire persons for suggestions for improving in the process.

**Public Service and Trust Commission
Jury Committee
Voir Dire Subcommittee**

Recommendation VII: Making Better Use of Alternate Jurors

1. This recommendation discusses potential issues related to better use of alternate jurors. We recommend that further consideration be given to the issues set forth below, after consideration by interested parties, the public, bar and judiciary. Some members of the subcommittee disagreed with the proposals set forth in paragraphs 3 and 5.

2. Currently alternate jurors are selected after the regular jury has been selected and the jurors are aware of their status as alternates. The alternate jurors are dismissed just prior to submission of the case to the jury and, in civil cases, serve no other function.

3. Rather than informing alternate jurors that they are alternates and therefore may not deliberate, consideration should be given to not informing the alternates of their alternate status until immediately prior to the submission of the case to the jury.¹ This proposal would require amendments to CGS 51- 243 regarding civil cases, CGS 54-82h regarding criminal cases, and CGS 1- 25 regarding the alternate's oath. Jurors could be given both the regular juror oath and the alternate juror oath at the start of the case.

4. It is anticipated that the jurors would be more diligent and invested in the process if they were unaware that they were the alternates in the case. Although we have seen no data to support it, under the current practice it is assumed that the alternates are less invested in the process because of their status as such. This proposal is at least consistent with the ABA Principles for Juries and Jury Trials, Principle 11.G.2, which recommends that the status of jurors as regular jurors or alternates should be determined through random selection at the time for jury deliberation.

5. It is also recommended that consideration be given to allowing the alternates to participate in deliberations in civil cases upon the unanimous agreement of all counsel.² It is suggested that alternates not be allowed to participate in deliberations unless they are allowed to vote, since non-voting alternates would not have the same investment in the proceedings as those voting. This proposal is in keeping with ABA Principle 11.G.3.

¹Some members of the subcommittee disagree with this proposal.

²Some members of the subcommittee disagree with this proposal.

In the event alternates are allowed to participate and vote, counsel would have to unanimously agree on whether the verdict requires a unanimous vote or otherwise. The ABA Principles for Juries and Jury Trials, Principle 4, recommends that in both civil and criminal cases jury decisions be unanimous wherever feasible. Although the ABA Principles approve of less than unanimous verdicts upon stipulation by the parties, the Principles recommend that to be valid, the stipulation must be clear as to the number of concurring jurors required for a verdict and, in criminal cases, requires the personal waiver by the defendant of the right to a unanimous decision after being advised by the Court of the right to a unanimous decision.

6. It is also recommended that the court allow alternates to replace regular jurors during deliberations in civil cases, as allowed in criminal cases. CGS 54- 82h(c) provides that in criminal cases if an alternate becomes a regular juror after commencement of deliberations, the jury "shall be instructed by the court that deliberations by the jury shall begin anew." An amendment to the civil statute governing alternates, CGS 51- 243, to add a similar provision would be required if alternates are allowed to replace regular jurors during deliberations in civil cases.

CHAIRS' NOTE: The Selected Jurors Subcommittee made comments but did not make a specific recommendation on this issue. That subcommittee agreed that whatever procedure is adopted for the use of alternate jurors, the same procedure should apply in both criminal and civil cases. See Selected Jurors Recommendation XIII.

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

RECOMMENDATIONS OF THE SELECTED JURORS SUBCOMMITTEE

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION I: POST-SELECTION ORIENTATION

The Subcommittee discussed at some length the guidance that is given to jurors – after they have been selected to serve in a particular case – about important requirements of their service. The Subcommittee concludes that Connecticut courts could make some helpful improvements in the approaches for giving selected jurors this guidance.

Practice Recommended in PRINCIPLE 6:

PRINCIPLE 6 provides that “[c]ourts should educate jurors regarding the essential aspects of a jury trial.” In pertinent part, PRINCIPLE 6.C. provides as follows:

Throughout the course of the trial, the court should provide instructions to the jury in plain and understandable language.

1. The court should give preliminary instructions directly following empanelment of the jury that explain the jury’s role, the trial procedures including note-taking . . . the nature of evidence and its evaluation. [Remaining text omitted.]
2. The court should advise jurors that once they have been selected to serve as jurors or alternates in a trial, they are under an obligation to refrain from talking about the case . . . until the trial is over and the jury has reached a verdict. [Remaining text omitted.]

PRINCIPLES, at 29.

Current Connecticut Practice:

The current Connecticut jury handbook, titled “Your Guide to Jury Duty,” provides at least some of the guidance suggested by PRINCIPLE 6.C.1 and PRINCIPLE 6.C.2, albeit in the midst of a much broader orientation to jury service in general. Most Connecticut judges also give empanelled jurors oral instructions covering some of these topics; the comprehensiveness of this guidance, however, appears to vary considerably from court to court.

Perceived Advantages of Approach from PRINCIPLES:

- Jurors will likely pay more attention to instructions specifically concerning their responsibilities as selected jurors if they receive those instructions after they know that they have been selected to serve in a trial.
- Jurors may better comply with important instructions about their service as selected jurors if they have those instructions readily available to them, in a succinct written format, throughout their service in a trial.

Perceived Disadvantages of Approach from PRINCIPLES:

- Courts will incur some additional expense if required to produce new pamphlets or other written instructional materials specifically targeted toward selected jurors' service.

Subcommittee Recommendation:

The judiciary should prepare succinct educational materials for distribution to selected jurors immediately or soon after they have been selected to serve in a trial. While additional matters may warrant inclusion, the Subcommittee recommends that these educational materials should cover at least the following aspects of selected jurors' service. The Subcommittee also concludes that jurors should be given explicit guidance about the extent – if any – to which they will be permitted to use smartphones or other devices to access and process e-mail and voicemail messages during recesses.

Conduct Requirements:

- Jurors should not discuss the evidence, the facts, the witnesses or the issues in the case until the judge instructs them that they can begin their deliberations.
- Jurors should not discuss the case with others until their jury service is finished.
- Jurors should not investigate the law or facts relating to their trial (in person, internet, etc.).
- Jurors should not review media accounts of the case on which they are serving.
- Jurors should understand that the attorneys in the trial are not permitted to talk with jurors informally on recesses, etc., and that attorneys are not being rude when they refrain from doing so.
- Jurors should inform the court by passing a written note (on a folded-up piece of paper) to court staff (i.e., the clerk, or a marshal, if a marshal is present) if they experience health issues or other emergencies or problems, and the court staff will deliver the note directly to the judge, unopened.
- Jurors should not use smartphones or other handhelds at any time during their service for research/investigation of the case (including information about the lawyers, parties or other witnesses) or for communicating with others about the case.
- Having been selected to serve, jurors are expected to conduct themselves as officers of the court and can expect to be treated as such by the judge and other participants in the proceedings.

Additional Information:

- Phone numbers for alerting court to attendance or other problems.
- Information about parking, meals, etc.

- **Procedures for note taking and any special procedures that will be used in the case (e.g., use of “trial notebooks”/exhibit binders, if applicable).**

Subcommittee Comments on Implementation:

The Subcommittee on Selected Jurors Subcommittee on Selected Jurors concludes that it will be very helpful if specific orientation materials – independent of or easily separable from broader, more-generalized orientation materials – address recurring, critically-important particular aspects of selected jurors’ service during trial. While this might be accomplished by a brief, stand-alone brochure, it may be possible to include this guidance in a broader jury handbook as a removable insert. The overall goal should be to have a succinct, clear, written statement of conduct requirements and other key information that selected jurors can have readily at hand and to which they can easily refer for guidance during trial.

The Subcommittee also notes its view that the trial judge should be the source of authority of these and all other matters concerning jurors’ conduct during trial. Accordingly, if instructions of this type are published in written form for selected jurors to remind them of their legal obligations during jury service, the trial judge should distribute these materials and explain their significance. The Subcommittee believes this precaution appropriate to ensure that jurors will understand these instructions to be part of their charge as given by the trial judge, rather than by some independent, unknown and unseen authority.

The subcommittee examined the prudence of providing orientation instructions on the so-called “CSI Effect” as part of its charge and concluded that it would not be appropriate for the trial judge to provide instructions to selected jurors in an attempt to debunk or minimize this perceived effect. The subcommittee suggested that identifying jurors with unrealistic expectations about forensic evidence might be more appropriately handled at voir dire by counsel.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION II: JUROR NOTE TAKING

Practice Recommended in PRINCIPLE 13:

PRINCIPLE 13 provides that “the court and parties should vigorously promote juror understanding of the facts and the law.” With respect to note taking, Principle 13.A provides in pertinent part:

Jurors should be allowed to take notes during the trial.

- (1) Jurors should be instructed at the beginning of the trial that they are permitted, but not required, to take notes in aid of their memory of the evidence and should receive appropriate cautionary instructions on note taking and note use. Jurors should also be instructed that after they have reached their verdict, all juror notes will be collected and destroyed.
- (2) Jurors should ordinarily be permitted to use their notes throughout the trial and during deliberations.
- (3) The court should ensure that jurors have implements for taking notes.
- (4) The court should collect all juror notes at the end of each trial day until the jury retires to deliberate.
- (5) After the jurors have returned their verdict, all juror notes should be collected and destroyed.

PRINCIPLES, at 91.

Current Connecticut Practice:

Many Connecticut judges currently permit jurors to take notes, but not all do so. Moreover, among those judges who do permit jurors to take notes, the procedures followed for juror note taking vary, sometimes significantly. Case law specifically authorizes Connecticut trial judges, in their discretion, to allow note taking by jurors in both civil and criminal cases. *See, e.g., Esaw v. Freedman*, 217 Conn. 553, 586 A.2d 1164(1991) (civil cases); *State v. Mejia*, 233 Conn. 215, 228-29 (1995) (criminal cases). Practice Book provisions confirm the permissibility of note taking in both civil and criminal cases. *See* Practice Book §16-7 (for civil jury trials) Practice Book § 42-9 (for criminal jury trials). The Judicial Branch website includes helpful form instructions for use by judges when note taking is permitted. *See* State of Connecticut Judicial Branch Website “Civil Jury Instructions,” Part 1 (“Preliminary and Trial Instructions”), Section 1 (“Before the Start of Evidence”), § 1.1-4; and State of Connecticut Judicial Branch Website “Criminal Jury Instructions,” Part 2 (“Before Evidence”), § 1.2-11. Data on note taking by jurors permitted in other jurisdictions is attached in Appendix F.

Perceived Advantages of Approach from PRINCIPLES:

- Jurors who take notes may be better able to remain engaged and attentive during trial.
- Jurors who take notes may be better able to keep track of and later recall information received at trial.
- Jurors who have taken notes may feel more confident and comfortable during deliberations if they can use their notes to refresh their recollections.
- Many jurors apparently want to take notes at trial, and they may feel frustrated if they are not permitted to do so; conversely, they may be more satisfied with their jury service if permitted to take the notes they believe would be helpful.

Perceived Disadvantages of Approach from PRINCIPLES:

- Jurors who are taking notes may be distracted from paying full attention to witness testimony or the judge's instructions.
- Jurors who did not take notes may feel inclined in deliberations to defer inappropriately to jurors who took better (or at least more comprehensive) notes during trial.

The Subcommittee concludes that the perceived advantages of permitting jurors to take notes significantly outweigh the perceived disadvantages, and that Connecticut courts should follow most of PRINCIPLE 13.A.'s recommendations on juror note taking. A minority of the Subcommittee members feel that the balancing of advantages and disadvantages favors allowing jurors to take notes at all phases of trial – including opening statements, closing arguments and instructions – and to retain and review their notes during recesses. A significant majority of Subcommittee members, however, feel that (1) jurors should not be permitted to take notes while the court is instructing them or during counsels' opening statements or closing arguments; and (2) jurors should not be permitted to retain and review their notes during recesses. Accordingly, the Subcommittee makes the following recommendation:

Subcommittee Recommendation:

Connecticut judges should allow jurors to take notes at trial, with appropriate instructions about the procedures to be used for note taking. Jurors should not be permitted, however, to take notes while the court is instructing them or during counsels' opening statements or closing arguments. (A minority of the Subcommittee members believe that note taking should be permitted during opening statements and closing arguments.) Jurors should not be permitted to retain and review their notes during recesses. In other respects, Connecticut courts should follow the procedures recommended in PRINCIPLE 13.A.

Subcommittee Comments on Implementation:

The Subcommittee suggests that alternates' notes should be kept separate when the jurors who will deliberate retire to do so, so that the deliberating jurors will not refer to the alternate jurors' notes.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION III: Clear Jury Instructions (“Plain Language”)

Practice Recommended in PRINCIPLE 14:

PRINCIPLE 14 provides that “[t]he court should instruct the jury in plain and understandable language regarding the applicable law and the conduct of deliberations.” PRINCIPLE 14.A. further emphasizes that “[a]ll instructions to the jury should be in plain and understandable language.” PRINCIPLES, at 107.

Current Connecticut Practice:

The jury instructions used in Connecticut vary considerably – many communicate effectively in plain and understandable language, but some do not. There are standing committees in place to make recommendations for civil and criminal jury instructions. Instructions drafted by these committees are made available to the public on the Judicial Branch’s website. These instructions, however, are not endorsed as “approved” instructions.

Perceived Advantages of Approach from PRINCIPLES:

- Jurors may be better encouraged to consider the jury instructions carefully – and may apply them more effectively and accurately – if the jury instructions are written in language that is accessible to lay persons.

Perceived Disadvantages of Approach from PRINCIPLES:

- The process of preparing plain language instructions is difficult and can be very time consuming.
- Use of plain language in instructions often will require a “translation” of and a departure from the exact language used in court opinions or statutes, with some risk that the plain language reformulation will subsequently be found to be incorrect.

The Subcommittee concludes that the perceived advantages of using instructional language that will be accessible to jurors significantly outweigh the perceived disadvantages, and that Connecticut appellate and trial courts should make every effort to use plain and understandable language when issuing decisions and instructing jurors on the law. Accordingly, the Subcommittee makes the following recommendation:

Subcommittee Recommendation:

Connecticut judges should instruct the jury in plain and understandable language regarding the applicable law and the conduct of deliberations.

Subcommittee Comments on Implementation:

The task of preparing plain language jury instructions is a difficult and time consuming one. The Subcommittee notes that Connecticut’s standing committees on civil and criminal jury

instructions have already made significant progress toward plain language instructions in recent years. The Subcommittee believes that the Connecticut judiciary should urge the standing committees to make plain language formulation a top priority as the standing committees continue to examine and refine existing pattern instructions and prepare future ones. In this regard, the standing committees might find it helpful to seek assistance from extra-judicial resources including legal academics, linguists, and attorneys with expertise in the subject areas that particular instructions will address.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION IV: COPIES OF INSTRUCTIONS

Practice Recommended in PRINCIPLE 14:

With respect to copies of instructions, PRINCIPLE 14.B. provides:

Jurors should be instructed with respect to the applicable law before or after the parties' final argument. *Each juror should be provided with a written copy of instructions for use while the jury is being instructed and during deliberations.* (Emphasis added.)

PRINCIPLES, at 107.

Current Connecticut Practice:

Many -- perhaps most -- Connecticut judges currently give the jury a written copy of the jury instructions for their use during deliberations, but few give each juror a copy of the instructions.

Some judges currently use procedures that permit the jurors to read along as the judge delivers the jury charge. Of the judges who take this step, some give the jurors hard copies of the instructions at this stage; other judges instead use an overhead projector to display the instructions while the judges read the instructions aloud to the jurors. Judges who give the jurors hard copies of the instructions for their use during the jury charge retrieve those hard copies before the jurors' deliberations begin, if the judges have found errors in the instructions while reading them to the jury. (The jurors then receive corrected copies of the instructions for their use during deliberations.)

Perceived Advantages of Approach from PRINCIPLES:

- Jurors may be better able to follow the judge's instructions if they are able to read along as the judge delivers the instructions orally.
- Jurors who are able to read along while the judge delivers the jury charge observe (contemporaneously) the headings and subheadings that the judge used to organize the instructions, likely permitting the jurors subsequently to locate pertinent instructions more efficiently during their deliberations.
- Jurors may make more effective use of the instructions during deliberations if each juror has his or her own copy of the instructions to which to refer.
- Courts may get fewer requests for reinstruction when the complete instructions are provided in writing, and such requests may be better focused than they tend to be when the instructions have been provided orally, without written copies.
- Provision of multiple copies helps "democratize" the deliberation process, by preventing one or two especially strong-willed jurors from monopolizing the

conversation by seizing control of the only printed copy of the instructions sent in for the jurors' use.

Perceived Disadvantages of Approach from PRINCIPLES:

- The courts will incur some additional expense if required to make copies of instructions for each juror.
- The process of preparing multiple copies of the final jury charge will require additional time that may cause some delay in the proceedings.
- Jurors read at different rates, and some jurors may either read ahead of or fall behind the trial judge if they are reading their own copy of the instructions while the trial judge is charging them.
- Judges occasionally detect minor errors in the instructions as they read the charge to the jury; if the jurors have already been given their own individual copies of the instructions, the result will be to complicate the process of correcting the charge as initially written to ensure that the jurors use a corrected version of the instructions during deliberations.

The Subcommittee concludes that the perceived advantages of giving each juror his or her own copy of the instructions significantly outweigh the perceived disadvantages, and that Connecticut courts should follow PRINCIPLE 14.B.'s recommendation on copies of instructions for jurors. Accordingly, the Subcommittee makes the following recommendation:

Subcommittee Recommendation:

Connecticut judges should provide each juror with a copy of the instructions for use while the jury is being instructed and during deliberations. (A minority of the Subcommittee members believe that jurors should not be given their own copies of the instructions to read along with the judge during the jury charge, but should instead receive their copies at the time they commence deliberating.)

Subcommittee Comments on Implementation:

The Practice Book currently permits one copy of the jury instructions to be sent into the jury room. *See* Practice Book § 16-15 (civil cases) and § 42-23 (criminal cases). If the Subcommittee's recommendation on this practice is implemented, the Practice Book rule should be revised to authorize the court on its own motion to give each juror a copy of the instructions for the juror's use during deliberations.

The Subcommittee notes that one possible variation in implementation may be helpful in addressing some of the perceived disadvantages of giving the jurors copies of the instructions to read along with the judge. As noted above, some trial judges use an overhead projector while they charge the jury, rather than giving each juror a written copy of the instructions to read during the charge. Two benefits result: (1) jurors cannot read ahead of or fall behind him as the judge delivers the charge; and (2) the judge does not have to retrieve from the jurors their copies of the charge as initially written if the judge detects minor errors while reading the charge. (Instead, the judge can make corrections and then have copies of the corrected final instructions

made and given to the jurors for use during deliberations.) Where courtrooms have the technology to permit this approach, the approach should be used as a likely “best practice.”

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION V: Exhibit Index for Use During Deliberations

Practice Recommended in PRINCIPLE 15:

PRINCIPLE 15.B. provides:

Exhibits admitted into evidence should ordinarily be provided to the jury for use during deliberations. Jurors should be provided an exhibit index to facilitate their review and consideration of documentary evidence.

PRINCIPLES, at 113.

Current Connecticut Practice:

Some Connecticut judges currently give the jury an exhibit index for their use during deliberations, but many do not.

Perceived Advantages of Approach from PRINCIPLES:

- An exhibit index should assist jurors in recalling and locating exhibits to which they may wish to refer during their deliberations.

Perceived Disadvantages of Approach from PRINCIPLES:

- The process of preparing the exhibit index will require additional time that may cause some delay in the proceedings.

The Subcommittee concludes that the perceived advantages of giving the jury an exhibit index for their use during deliberations significantly outweigh the perceived disadvantages, and that Connecticut courts should follow PRINCIPLE 15.B.'s recommendation in this regard. The Subcommittee cautions, however, that the court should (with the active assistance of counsel) eliminate from the index to be provided to jurors all references to exhibits that have not been admitted as full exhibits (e.g., court exhibits and exhibits marked for identification but not admitted as full exhibits), and all descriptions of full exhibits that might in some way be prejudicial. Accordingly, the Subcommittee makes the following recommendation:

Subcommittee Recommendation:

Connecticut judges should provide the jury with an appropriately redacted index of full exhibits for the jurors' use during deliberations.

Subcommittee Comments on Implementation:

If the Subcommittee's recommendation on this practice is implemented, the Practice Book rule should be revised to authorize the court on its own motion to provide the jury with an appropriately redacted index of full exhibits for the jurors' use during deliberations. See Practice Book § 16-15 (civil cases) and § 42-23

(criminal cases), which do not currently include an exhibit list among the items that may be given to the jury for use during deliberations.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION VI:

Responding to Juror Questions and Requests for “Readbacks” of Testimony During Deliberations

Practice Recommended in PRINCIPLE 15:

PRINCIPLE 15.D. provides:

When jurors submit a question during deliberations, the court, in consultation with the parties, should supply a prompt, complete and responsive answer or should explain to the jurors why it cannot do so.

PRINCIPLES, at 113.

Current Connecticut Practice:

The Connecticut Practice Book provides for and Connecticut judges allow a readback of trial testimony when the jurors request one during deliberations. Connecticut judges vary in the approaches they use when deliberating jurors submit a question about interpretation of the court’s instructions. Some judges simply reread to the jurors the initial instructions and advise the jurors that they will have to do the best they can to follow them; other judges, after consulting with counsel, give the jurors additional instructions in an attempt to respond to the issue about which they appear confused or uncertain.

Perceived Advantages of Approach from PRINCIPLES:

- Jurors will likely deliberate more effectively and more confidently – and they may reach objectively more accurate verdicts – if the court provides the information or guidance the jurors have requested when they are uncertain about their recall of testimony or have a question about the judge’s instructions.
- Jurors who receive this type of assistance from the court will likely feel more satisfied with their service than will jurors who have requested this type of assistance and been rebuffed by the court.

Perceived Disadvantages of Approach from PRINCIPLES:

- The process of preparing helpful, appropriate responses to jurors’ questions about instructions will require additional time, delaying completion of the proceedings.
- The process by which the court works with counsel to formulate additional instructions to address jurors’ questions about the initial instructions is a challenging process, and the supplemental instructions that the court fashions may expose the trial court to greater risk of reversal on appeal.

The Subcommittee concludes that the perceived advantages of responding helpfully to jurors’ questions during deliberations significantly outweigh the perceived disadvantages, and

that Connecticut courts should follow PRINCIPLE 15.D.'s recommendation in this regard. Accordingly, the Subcommittee makes the following recommendations:

Subcommittee Recommendation:

With respect to readbacks, the Subcommittee recommends that Connecticut courts should continue to follow current practice as prescribed by Practice Book § 16-27 and § 42-26. The Subcommittee further recommends:

- Judges should be sensitive to concerns of fairness and completeness and should construe requests for readbacks broadly to ensure that the readbacks will include all testimony fairly responsive to the jurors' request.
- When the court is uncertain about which portions of the recorded testimony will be fairly responsive to the jurors' request – or when the jurors' request arguably will require the reading of very significant portions of testimony – the court should make inquiries to the jurors about their request, after consultation with counsel, to determine if the jurors' readback request can be refined and better focused.

With respect to jurors' request for additional instructions or clarification of the instructions that have been given, the court should consult with counsel and then supply a prompt, complete and responsive answer or explain to the jurors why it cannot do so. In responding to reinstruction requests, judges should continue to follow the guidance in Practice Book § 16-28 (for civil cases) § 42-27 (for criminal cases).

With respect to requests for readbacks and requests for reinstruction, the Subcommittee further recommends:

- After receiving a request from the jury for a readback or additional instruction, the court should instruct the jury to continue with its deliberations, as best it can, while the court works with counsel to fashion an appropriate response.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION VII: INNOVATIVE TRIAL PROCEDURES

Procedures that should be used only in particular trials in which they might be helpful, by agreement of counsel and the court

The Subcommittee examined a number of other procedures recommended in the PRINCIPLES or elsewhere and concluded that that they might be advantageous in a limited number of trials. The Subcommittee concluded that certain of these procedures, summarized briefly below, should be used only in particular trials in which they might be helpful, by agreement of counsel and the court. The Subcommittee also concludes that the judiciary should provide judges with appropriate guidance and training on the “best practices” for implementation of these procedures, for those trials in which the procedures will be used.

1. Juror Exhibit Binders/Notebooks

PRINCIPLE 13.B. states in pertinent part that “[j]urors should, in appropriate cases, be supplied with identical trial notebooks which may include such items as the court’s preliminary instructions, selected exhibits which have been ruled admissible, stipulations of the parties and other relevant materials not subject to genuine dispute.” While many trials will not be of sufficient length or complexity to warrant use of such trial notebooks, the Subcommittee agrees with PRINCIPLE 13.B.’s recommendation that they be used in appropriate cases in which the trial notebooks will assist jurors in organizing and keeping track of materials they have received, including notes they have taken.

2. Expanded Preliminary Instruction

PRINCIPLE 13.B. states in pertinent part that “[t]he court should give preliminary instructions directly following empanelment of the jury that explain . . . the nature of evidence and its evaluation, *the issues to be addressed, and the basic relevant legal principles, including the elements of the charges and claims and definitions of unfamiliar legal terms.*” (Emphasis supplied.)

The Subcommittee concludes that substantive instructions of this type might be helpful in giving jurors a better sense of the context in which they will have to evaluate the evidence that will be presented at trial. The Subcommittee does, however, have two significant concerns about the procedure:

- Jurors who are so instructed may prematurely adopt a frame of reference within which they will place undue emphasis on selected parts of the evidentiary presentation.
- The process of determining which substantive instructions can be given appropriately and safely at the beginning of trial may become unduly burdensome and time-consuming.

These potential disadvantages of expanded preliminary instructions lead the Subcommittee to the following recommendation:

Subcommittee Recommendation:

Expanded preliminary instructions should be given only to the extent that they are deemed helpful in particular cases, and only when agreed upon by counsel and the court.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION VIII: INNOVATIVE TRIAL PROCEDURES Procedures that should *not* generally be used by Connecticut courts

The Subcommittee examined several procedures that are being suggested or used elsewhere and concluded that they should not generally be used by Connecticut courts, as the perceived disadvantages of them appear to the Subcommittee to outweigh the perceived advantages.

1. Discussing Evidence During Trial

PRINCIPLE 13.F. states that “[j]urors in civil cases may be instructed that they will be permitted to discuss the evidence among themselves in the jury room during recesses from trial when all are present, as long as they reserve judgment about the outcome of the case until deliberations commence.”

The Subcommittee acknowledges that jurors may feel some frustration that they are not permitted during recesses to discuss the evidence that has been presented up to that point in the trial. The Subcommittee also believes that there may be some benefits to allowing jurors during recesses to engage in discussion to clarify matters on which particular jurors may have misheard recent testimony or experienced other types of confusion. The Subcommittee concludes, however, that permitting jurors to engage in such discussions involves very significant risk that jurors will start to move prematurely toward judgment about the outcome of the case – before they have heard all the evidence that will be presented – even if the court admonishes them strongly not to do so. In addition, this procedure was held unconstitutional in *State v. Washington*, 182 Conn. 419 (1980). The Subcommittee concludes that this disadvantage of the procedure significantly outweighs its potential benefits, and thus makes the following recommendation:

Subcommittee Recommendation:

Connecticut courts should continue to follow their current practice of instructing jurors that they may not discuss the evidence in the case until the judge has delivered the final jury charge and instructed the jurors that they may begin deliberations.

2. Sequential Expert Witness Testimony

PRINCIPLE 13.G. states in pertinent part that “[p]arties and courts should be open to a variety of trial techniques to enhance juror comprehension of the issues including . . . alteration of the sequencing of expert witness testimony.”

The Subcommittee acknowledges that jurors may better understand issues that will be addressed in expert testimony if the experts for both sides present their testimony at the same stage of trial, rather than separated by days or weeks of evidence on other issues and the intervening testimony of some or many other witnesses. The Subcommittee concludes, however, that the procedure involves significant disadvantages. Chief among these is the likelihood that the interjection of defense expert's testimony in the course of plaintiff's case in chief will unfairly prejudice plaintiff's ability to present that case in chief coherently and effectively. Defendants may also find the procedure disadvantageous, as they will be precluded from presenting defense expert testimony that is informed by and responsive to all of the evidence presented in plaintiff's case in chief. For these reasons, the Subcommittee makes the following recommendation:

Subcommittee Recommendation:

Connecticut courts should not generally use sequential presentation of expert witnesses. If – in extraordinary cases – a court feels that the procedure might be especially advantageous, the procedure should be used only if all counsel for all parties in the case consent.

3. Guidance on Selecting Foreperson and Jury Deliberation Guide

Principle 14.C. states that “[i]nstructions for reporting the results of deliberations should be given following final argument in all cases. *At that time, the court should also provide the jury with appropriate suggestions regarding the process of selecting a presiding juror and the conduct of its deliberations.*” (Emphasis added.)

The Subcommittee acknowledges that many jurors have expressed the view, after completing their service, that they would have benefited from more guidance about how they should deliberate. The Subcommittee concludes, however, that the process by which juries decide how to deliberate is itself a critical step by which jurors develop rapport with each other and general strategies for group conversation. The Subcommittee believes that jurors will likely feel constrained to follow the suggestions in a “jury deliberation guide,” if given one by the court..

Subcommittee Recommendation:

Connecticut judges should continue to provide general guidance in their instructions regarding jury deliberations and should instruct jurors about the role and responsibilities of the foreperson, but should not otherwise offer suggestions to jurors about how they should go about deciding who will serve as foreperson..

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION IX: Juror Questions for Witnesses

PRINCIPLE 13.C. states:

In civil cases, jurors should, ordinarily, be permitted to submit written questions for witnesses. In deciding whether to permit jurors to submit written questions in criminal cases, the court should take into consideration the historic reasons why courts in a number of jurisdictions have discouraged juror questions and the experience in those jurisdictions that have allowed it.

1. Jurors should be instructed at the beginning of the trial concerning their ability to submit written questions for witnesses.
2. Upon receipt of a written question, the court should make it part of the court record and disclose it to the parties outside the hearing of the jury. The parties should be given the opportunity, outside the hearing of the jury, to interpose objections and suggest modifications to the question.
3. After ruling that a question is appropriate, the court may pose the question to the witness, or permit a party to do so, at that time or later; in so deciding, the court should consider whether the parties prefer to ask, or to have the court ask, the question. The court should modify the question to eliminate any objectionable material.
4. After the question is answered, the parties should be given an opportunity to ask follow-up questions.

PRINCIPLES at 91-92.

Current Connecticut Practice:

The Practice Book permits jurors to submit questions to be asked of witnesses in the discretion of the presiding judge in both civil, Practice Book § 16-7, and criminal cases, Practice Book § 42-9. Some Connecticut judges currently permit jurors to submit questions for witnesses in civil cases, with the parties' consent. The Subcommittee is not aware of any Connecticut judge who has permitted jurors to ask questions of witnesses in criminal cases. Data about the practice of permitting jurors to ask questions in other jurisdictions is attached in Appendix F.

Perceived Advantages of Approach from PRINCIPLES:

The Subcommittee concludes that – at least in civil trials – some significant benefits may be realized from use of this procedure.¹ Possible or likely benefits include:

- Jurors who are allowed to submit questions may avoid potentially unnecessary confusion about portions of witnesses' testimony.
- Jurors apparently want to be permitted to submit occasional questions for witnesses, and they may feel more confident and comfortable if they have been allowed to submit questions to get information they believe necessary for well-informed deliberation and decision-making.
- Jurors who are allowed to submit questions may remain more attentive and engaged than they will be if restricted to a passive role during trial.
- Jurors' questions, if permitted, may alert the court and counsel to issues about which jurors need additional information or guidance to deliberate effectively.

Perceived Disadvantages of Approach from PRINCIPLES:

The Subcommittee concludes that the potential disadvantages of the procedure are also significant. Potential disadvantages include:

- Jurors who are allowed to submit questions may draw unfair and inappropriate inferences if questions they submit are not posed to witnesses. (Inevitably, some juror questions will not be posed to witnesses because the questions are legally inappropriate.)
- Jurors who are allowed to submit questions for witnesses may be inclined to fall into the role of partisans or advocates, rather than the role of neutral fact-finders.
- Parties and their counsel may lose – or at least perceive a loss of – their control of the orderly presentation of evidence and issues at trial, if jurors are permitted to submit questions that the parties and/or their counsel would prefer not be asked.

The Subcommittee concludes that the perceived disadvantages of this procedure are sufficiently important that the procedure should not be used in Connecticut courts, absent consent of the parties and their counsel. Accordingly, the Subcommittee makes the following recommendation:

¹ The Subcommittee concludes – as a number of jurisdictions have – that the procedure should not be used in criminal trials. In reaching this conclusion, the Subcommittee was significantly influenced by two concerns: (1) use of juror questions in criminal trials seems to inappropriately undercut the constitutional assignment to the government of the burden of presenting evidence that establishes guilt beyond a reasonable doubt; and (2) jurors in criminal trials may be especially likely to submit legally inappropriate questions (e.g., pertaining to prior convictions or accusations of criminal conduct by the accused) and to draw improper inferences when the questions are not posed by the court.

Subcommittee Recommendation:

Jurors should be permitted to submit questions for witnesses only when use of the procedure has been agreed upon by counsel and the court. The subcommittee does not believe this procedure should be used in criminal trials, although it is permitted by the rules. When jurors in civil trials are permitted to submit questions for witnesses, the court should use the procedures suggested in PRINCIPLE 13.C.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION X: Counseling for Jurors in Stressful Cases

Subcommittee members discussed at some length the significant challenges faced by jurors who have served in especially stressful cases. These challenges may include anxiety, depression, and other potential symptoms of post-traumatic stress disorder. Accordingly, the Subcommittee makes the following recommendation:

Subcommittee Recommendation:

The judiciary should take steps to ensure that appropriate counseling and other mental health resources are available – free of charge – to jurors who report mental health challenges on account of their jury service.

Subcommittee Comments on Implementation

The Subcommittee suggests that – consistent with the general treatment of jurors as officers of the court during the period of their service – the judiciary’s Employee Assistance Program (“EAP”) might be an appropriate vehicle for provision of these resources, although the program currently is not used for this purpose. Use of the EAP, if feasible, might allow the judiciary to respond helpfully to the range of mental/emotional symptoms for which jurors might conceivably seek help.

If the EAP program will not be a feasible avenue for the provision of counseling and other mental health resources to distressed jurors, the judiciary may wish to explore the possibility of contracting with private mental health professionals for provision of these types of services to distressed jurors, with appropriate referral protocols and restrictions.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION XI:

Jurors' Certificates of Appreciation (Doc. No. JDP-JA-28, New 10/7)

The Subcommittee believes that the Juror Certificates of Appreciation currently used by the courts are not an ideal method for acknowledging jurors and thanking them for their service. Accordingly, the Subcommittee makes the following recommendation:

Subcommittee Recommendation:

The judiciary should prepare a standard letter of appreciation that will routinely be sent to jurors at their homes, after they have completed their service. The Subcommittee recommends that these letters be personalized; they should be addressed individually to the jurors by name.

Subcommittee Comments on Implementation:

While the letters of appreciation might perhaps be signed by the trial judge from the case in which the jurors served, problems could arise if the trial judge is subsequently required to act on a motion for a new trial based upon claims of juror misconduct. (In such an instance, the receipt by the jurors of an intervening letter of thanks from the trial judge may present at least the appearance of a conflict or impropriety complicating the judge's consideration of the new trial motion.) For that reason, the better course may be to have the letter of thanks signed by the Administrative Judge or the Chief Justice, so that the trial judge will not be involved in private, post-trial communications with the jurors.

The Subcommittee also notes that a different approach than the one suggested here might be necessary if copies of the thank-you letters to jurors will be deemed to be public documents and thus filed in the public clerk's file. If that will be the case, the use of jurors' names and addresses in the thank-you letters would disserve the important goal of projecting jurors' privacy, and the new approach suggested here would likely not be a "best practice" because of those privacy concerns.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION XII:

Using Jurors' Time Efficiently and Communicating Clearly With Jurors About Scheduling

PRINCIPLE 12 provides that “[c]ourts should limit the length of trials insofar as justice allows and jurors should be fully informed of the trial schedule established.” PRINCIPLES 12.A-C. further provide as follows:

- A. The court, after conferring with the parties, should impose and enforce reasonable time limits on the trial or portions thereof.
- B. Trial judges should use modern trial management techniques that eliminate unnecessary trial delay and disruption. Once begun, jury trial proceedings with jurors present should take precedence over all other court proceedings except those given priority by a specific law and those of an emergency nature.
- C. Jurors should be informed of the trial schedule and of any necessary changes to the trial schedule at the earliest practicable time.

The Subcommittee is not persuaded that it will be generally feasible or fair for judges to impose time limits for trials or even portions thereof, even if judges confer with counsel before doing so. The Subcommittee agrees strongly, however, with PRINCIPLE 12’s suggestion that judges should try to the greatest extent possible to manage trials (including sidebars and periods when jurors will be excused) to avoid wasting jurors’ time. The Subcommittee also concurs with PRINCIPLE 12’s suggestion that judges should do the best that they can to keep jurors apprised of the trial schedule, any necessary changes to the schedule and – when appropriate – the reasons for necessary delays. The Subcommittee notes that jurors may be more understanding of and patient with recesses and other delays if the court provides them with appropriate explanations of the reasons the delays are necessary.

The Subcommittee also recommends that courts explore the possibility of modifying the courthouse daily schedule to allow for the most efficient use of jurors’ time. Some Connecticut judges, for example, have experimented successfully with shortening the daily trial schedule to start in mid-morning or conclude in mid-afternoon; this schedule allows jurors to come late or be excused early, and it permits the court to use periods when the jurors are absent from the courthouse to address with counsel some issues that might have required excusing the jury for periods of inactivity in the jury waiting room.

For these reasons, the Subcommittee makes the following recommendation:

Subcommittee Recommendation:

Judges should try to the greatest extent possible to manage trials (including sidebars and periods when jurors will be excused) to avoid wasting jurors’ time. Judges should also do the best that they can to keep jurors apprised of the trial schedule, any necessary

changes to the schedule, and – when appropriate – the reasons for necessary delays. Connecticut courts should also explore the possibility of modifying the courthouse daily schedule to allow for most efficient use of jurors' time.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION XIII: Treatment of Alternate Jurors at Trial

The Subcommittee understands that the Subcommittee on Voir Dire Practices is examining the procedures for selection of alternate jurors and their treatment at trial, including those procedures recommended in PRINCIPLE 8. The Subcommittee on Selected Jurors also discussed these issues and concludes that changes in current practices may be desirable. Because recommendations will be forthcoming from the Subcommittee on Voir Dire Practices, the Subcommittee on Selected Jurors limits its comments here to the following two observations.

First, the Subcommittee believes that Connecticut should consider discontinuing the practice currently followed in criminal trials for use of alternate jurors when deliberating jurors must be excused. Specifically – pursuant to Conn. Gen. Stat. § 54-82h – an alternate juror in these circumstances can be brought back to join in jury deliberations, but the jury is required to start deliberations over and to disregard all discussion that took place before the alternate returned. (This practice is not used in civil trials.) The Subcommittee believes that this procedure may not constitute a “best practice,” as the kind of deliberation that results from it will likely be materially different than the kind of deliberation that occurs when a jury has not been required to “start again” with a new member who did not participate in the group’s initial deliberations. The Subcommittee concludes that the practice warrants further study, with a view to a possible change.

Second, Connecticut’s practices regarding treatment of alternate jurors for purposes of deliberations should be revised so that the same approach is used in criminal and civil trials. The Subcommittee believes that consistency in this practice would be beneficial, and there do not appear to be compelling reasons (if any) for using a different approach in criminal trials than is used in civil trials. The Subcommittee notes that legislative action will be necessary for effectuation of the Subcommittee’s recommendation here for a change in the practice used with alternates in criminal trials, as the current practice has been codified. *See* Conn. Gen. St. §§ 54-82h (criminal cases) and 51-243 (civil cases).

CHAIRS’ NOTE: This topic is covered in greater detail in Voir Dire Recommendation VII.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION XIV:

Protecting Juror Privacy -- Parting Instructions for Jurors

Practice Recommended in PRINCIPLE 18:

PRINCIPLE 18 provides that “[c]ourts should give jurors legally permissible post-verdict advice and information.” PRINCIPLES 18.C.-E. provide additional suggestions in this regard, as follows:

C. At the conclusion of the trial, the court should instruct the jurors that they have the right either to discuss or to refuse to discuss the case with anyone, including counsel or members of the press.

D. Unless prohibited by law, the court should ordinarily permit the parties to contact jurors after their terms of jury service have expired, subject, in the court’s discretion, to reasonable restrictions.

E. Courts should inform jurors that they may ask for the assistance of the court in the event that individuals persist in questioning jurors, over their objection, about their jury service.

PRINCIPLES, at 127.

Current Connecticut Practice

Judges use various methods to advise jurors that the law does not require them to speak to anyone about their service, and that the jurors may choose whether or not to do so. Representatives of parties and the media can directly contact jurors to discuss their jury service.

Perceived Advantages of Approach From Principles

- Jurors will likely feel more comfortable and relaxed knowing that they have a choice as to whether to speak about their service post-verdict.
- The court’s involvement with juror access may reassure jurors, especially in light of concerns they may have about their own safety after serving in criminal cases and some types of civil cases.

Perceived Disadvantages From Principles

- The fact that post-verdict access to jurors will – at least to some extent – be under the control of the court may make accessibility more limited than it would be with an unfiltered approach.

Subcommittee Recommendation

The Subcommittee believes that the approach suggested by the PRINCIPLES constitutes the “best practice” in this area and that Connecticut courts should follow the procedures suggested in PRINCIPLE 18.

Consistent with this general recommendation, the Subcommittee specifically recommends:

Judges should provide jurors with at least the following instructions and information after they have completed their service:

Instructions:

- **Jurors have the right either to discuss or to refuse to discuss the case with anyone, including counsel, the parties and members of the press.**
- **Jurors may ask for the assistance of the court in the event that individuals persist in questioning them, over their objection, about their jury service.**

Additional Information:

- **Contact information for jurors to use if they require assistance from the court in addressing persistent unwelcome questioning about their jury service.**

Subcommittee Comments on Implementation

The Judicial Branch might consider establishing a secure statewide juror “hotline” or juror service line that jurors could call to report problems related to unwelcome post-service contacts from others. Such a hotline would allow jurors to call to report problems without having to resort to the clerk’s office in the courthouse in which the jurors served, and availability of the hotline might facilitate speedy, private follow-up on post-discharge juror complaints.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION XV:

Protecting Juror Privacy -- Prospective Juror Questionnaire and Personal Information

Practice Recommended in PRINCIPLE 7:

PRINCIPLE 7.A .8 states:

Following jury selection and trial, the court should keep all jurors' home and business addresses and telephone numbers confidential and under seal unless good cause is shown to the court which would require disclosure. Original records, documents and transcripts relating to juror summoning and jury selection may be destroyed when the time for appeal has passed, or the appeal is complete, whichever is longer, provided that, in criminal proceedings, the court maintains for use by the parties and the public exact replicas (using any reliable process that ensures their integrity and preservation) of those items and devices for viewing them.

Current Connecticut Practice

Prospective jurors receive a questionnaire prior to their report date. The completed questionnaire is present with the prospective juror on the report date. The questionnaire is presented to the attorneys (parties) during the jury selection process. At the conclusion of voir dire, the questionnaire is collected by the clerk and copies are shredded. The confidentiality of the questionnaire is protected by law. Connecticut General Statutes § 51-232. The jury clerk produces a listing of jurors and their towns of residence. This list is generally collected by the clerk upon completion of the voir dire process.

Jurors regularly express concerns about their personal information being disclosed to the public, lawyers, criminal defendants and the media. Under current practices, the listing of jurors' names and towns of residence can be made available to the public. This practice has caused jurors consternation and concern, particularly in criminal cases.

Generally – consistent with requirements under the state and federal constitutions – Connecticut courtrooms are open to the public and names of jurors and personal information about them are presented in court during the voir dire process. While the questionnaire contains personal information, current law already protects against broad public disclosure of the questionnaire.

Percieved Advantages of Approach From PRINCIPLES

- Jurors will very much appreciate the improved protection of privacy and confidentiality that the PRINCIPLES approach affords.

Perceived Disadvantages of Approach From PRINCIPLES

- Access to contact by media, parties and other individuals will be restricted.
- Destruction of voir dire transcripts may not be permissible under applicable constitutional principles.

Subcommittee Recommendation

The ABA's recommended practices appear to be generally consistent with Connecticut's practice, except that voir dire is open (pursuant to constitutional requirements) and the names and towns of residence of jurors can be disclosed under current Connecticut law.

The Subcommittee recommends that this issue be studied further, to ascertain if Connecticut courts might better protect jurors' privacy by using, in all respects consistent with constitutional requirements, the practices recommended in Principle 7.A.8. The Subcommittee also suggests that the courts may want to consider particularized specification of the type of "good cause" that must be shown before disclosure will be permitted – something more than a simple balancing test pitting the public's right to know against the jurors' rights to confidentiality.

SUBCOMMITTEE ON SELECTED JURORS

RECOMMENDATION XVI: Juror Use of Smartphones (E-mail, Voice-mail)

The Subcommittee believes that the issue of jurors' use of smartphones or other similar devices during their service warrants further examination by the courts. All members of the Subcommittee agree that jurors should be prohibited from using such devices at *any* time during their service (including during the jury selection process) to conduct research about issues in or media accounts of their case; to gather information about the parties, counsel or witnesses; or to communicate with others about the proceedings. Members of the Subcommittee differed vigorously, however, in their views of the desirability of allowing jurors to use smartphones or other devices during recesses or lunch breaks to catch up with their personal and work voicemail and/or e-mail. The Subcommittee's conversations suggested both advantages and disadvantages of prohibiting jurors from using smartphones during recesses to catch up on personal and business matters.

Perceived Advantages of Prohibiting Jurors from Using Smartphones During Recesses

- Jurors who are prohibited entirely from using smartphones during their service, including during recesses, may be better able to resist the temptation to use their smartphones to conduct research about issues in or media accounts of their case; to gather information about the parties, counsel or witnesses; or to communicate with others about the proceedings. (This advantage will be secured with greater certainty if jurors are required to leave their smartphones with the clerk during recesses.)
- If permitted to use their smartphones during recesses, jurors may become distracted by the personal or business matters discussed in the voicemails or e-mails they retrieve, with the result that they may become less capable of committing their full attention to the court proceedings when the proceedings resume after the period of recess.
- The conversations in which jurors engage during periods of recess are an important component of the process by which jurors build relationships and establish rapport, and these conversations will take place differently (and perhaps not at all) if some or many jurors are preoccupied during recesses by using their smartphones to check on outside personal or work matters.

Perceived Disadvantages of Prohibiting Jurors from Using Smartphones During Recesses

- Jurors will likely be angered and frustrated if they are prevented from using recesses to work through at least some of their voicemail and e-mail messages that will accumulate during the trial day and with which the jurors will otherwise have to contend in the evening hours, after they are excused for the day.

- If jurors are not required to leave their smartphones with the clerk during recesses, some -- perhaps many -- of them will likely use their smartphones to check on personal or business matters during recesses, even if they have been explicitly instructed not to do so. Two unfortunate consequences appear likely:
 - Some erosion of the authority of the trial judge may result as jurors observe fellow jurors violating the judge's instructions without apparent penalty. (It seems unlikely that jurors would report fellow jurors to the court for the offense of checking their personal e-mails or voicemails on their smartphones during recesses.)
 - Jurors who conclude that the prohibition against their smartphone use during recesses is not justified by compelling reasons of policy -- and who then use their smartphones in violation of the instructions -- may resent that they were required to violate the judge's instructions in order to engage in conduct that they believe should have been permissible.

Subcommittee Recommendation

Jurors should be prohibited from using smartphones or other such devices at *any* time during their service (including during the jury selection process) to conduct research about issues in or media accounts of their case; to gather information about the parties, counsel or witnesses; or to communicate with others about the proceedings. The judiciary should conduct additional investigation to evaluate the desirability of allowing jurors to use smartphones or other devices during recesses or lunch breaks to catch up with their personal and work voicemail and/or e-mail. Finally, as noted in Recommendation I, the Subcommittee concludes that -- whatever the approach will be that the courts will follow in the future in this regard -- jurors should be given explicit guidance about when and how they may use their handheld devices and the reasons for the restrictions that the court imposes on that use.

Subcommittee Comments on Implementation

In weighing future approaches in this regard, the judiciary may find a helpful resource in the Center for Jury Studies at the National Center for State Courts. Paula Hannaford, Director of the Center for Jury Studies, has been collecting instructions prepared by jurisdictions around the country relating to the use that jurors may make of smartphones and similar devices during their jury service.

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

RECOMMENDATIONS OF THE CHAIRS

CHAIRS' RECOMMENDATIONS

1. The chairs have attached recommendations for post-report projects, areas of study or survey, and areas for training based on the recommendations of the subcommittee in part IV of this report.

2. The chairs recommend the creation of a small standing committee, consisting of the Jury Administrator, three judges and a chief clerk, for following purposes: to assist in implementing adopted recommendations, to supervise any future studies, surveys or focus groups, to assist in establishing educational programs, to review general instructions drafted by the standing civil and criminal jury instruction committees, to review revisions of juror publications, orientation remarks, web site information and juror video, to coordinate with other committees regarding media issues, and to recommend the creation of task forces where appropriate to address on-going jury service issues. The chairs propose that this standing committee be constituted as an internal Judicial Branch committee without public membership, but that any task force that may be created may include members of the public.

3. The chairs recommend a review of the job description and compensation for those individuals who serve as jury clerks so that the description and compensation are commensurate with the size of the location in which the clerk serves and the caseload.

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

**IV. POST-REPORT PROJECTS, RECOMMENDATIONS FOR FURTHER STUDY AND
SURVEYS/FOCUS GROUPS AND RECOMMENDATIONS FOR TRAINING**

POST-REPORT PROJECTS

- Creating, maintaining and updating forms, publications, website, video and orientation materials and conforming them for consistency
- Creating a uniform process to address jurors specific concerns about their ability to serve
- Training programs for judges and staff on adopted recommendations
- Creating a new jury orientation video
- Adopting recommended appropriate practices for pre-screening jurors in civil and criminal cases
- Exploring methods by which post-verdict counseling can be provided for jurors who served in stressful cases without cost to them
- Establishing a secure statewide juror service line for post-discharge complaints/issues

RECOMMENDATIONS FOR: FURTHER STUDY AND FOCUS GROUPS OR SURVEYS

- Study ways to improve quality of source list data received
- Study whether technology can overcome disadvantages of permanent master file
- Study juror utilization practices in different locations statewide
- Study efficiency of the size of venire panels
- Study whether a need exists to translate sections of the website and juror publications into languages other than Spanish
- Conduct focus groups with former jurors on what information would be helpful both in advance of service and during service
- Study legality of changing summons calculation formula (this would be a major study and requires a legal opinion first before the demographic data is examined)
- Study constitutional ways in which to protect juror privacy following jury selection and trial
- Exit survey of jurors regarding improvements to the voir dire experience
- Study restrictions as to jurors' use of personal electronic devices during jury service

RECOMMENDATIONS FOR TRAINING

- Train jury staff and clerks' offices on how to interpret utilization statistics for more accurate assessment of number of jurors needed
- Train jury staff to assess jurors' specific concerns about serving
- Train judges to assess jurors' specific concerns about serving
- Train judges and staff regarding appropriate pre-screening practices
- Train judges, attorneys on how to conduct panel jury selection
- Train judges, attorneys, staff on preservation of juror privacy and confidentiality

PUBLIC SERVICE AND TRUST COMMISSION

JURY COMMITTEE

REPORT AND RECOMMENDATIONS

V. APPENDICES

Appendix A

Summoning and Utilization Statistics

	<u>2007 Court Year</u>	<u>2008 Court Year</u>
Total Jurors Summoned:	609,121	610,120
Disqualified (C.G.S. § 52-217 (a)):	284,288	286,004
Excused by Court:	6,720	5,712
Canceled by Court:	160,282	177,461
Jurors who served:	109,904	98,831
No Shows:*	35,329	35,272

Juror utilization is the percentage of jurors scheduled to appear who actually serve at least one day. The National Center for State Courts recommends a minimum juror utilization rate of 40 percent.

	<u>CY 2007</u>	<u>CY 2008</u>
Statewide Juror Utilization Rate:	35%	31%
Statewide Juror Cancellation Rate:	51%	56%

* Not all no-show jurors attain delinquent status. Some are disqualified or canceled prior to the expiration of 13 months from the original summons date.

Appendix B

Jury Trials by Case Type – J.D. Locations 9/1/2007 to 8/31/2008

Jury Trials - G.A. Locations 9/12007 to 8/31/2008

Jury Trials by Case Type
J. D. Locations
9/1/2007 to 8/31/08

	Criminal	Civil
Ansonia-Milford	3	28
Danbury	2	22
Fairfield	28	84
Hartford	20	53
Litchfield	1	8
Middlesex	0	13
Meriden	0	8
New Britain	10	25
New London-Norwich	8	22
New Haven	18	44
Stamford	8	50
Tolland	1	6
Waterbury	23	35
Windham	0	4
State	122	402

**Jury Trials
G. A. Locations
9/1/2007 to 8/31/08**

	Criminal Jury Trials
Derby	2
Milford	0
Danbury	5
Bridgeport	9
Manchester	11
Enfield	0
Hartford	9
New Britain	4
Bristol	2
New London	6
Norwich	2
Bantam	1
Middletown	0
Meriden	2
New Haven	11
Stamford	8
Norwalk	6
Rockville	1
Waterbury	6
Danielson	1
State	86

Appendix C

Mock Up of Revised Summons For Petit Juror

Mock Up of Revised Juror Reminder Notice



STATE OF CONNECTICUT
SUMMONS FOR PETIT JUROR

Juror ID: XYZ-2009-002-200909999999

YOU MUST APPEAR FOR JURY DUTY IN CONNECTICUT SUPERIOR COURT. FAILURE TO REPORT FOR JURY DUTY IS A VIOLATION OF STATE LAW. PLEASE REPORT TO:

COURT

Hartford Superior Court
101 Lafayette Street
Hartford, CT 06106

APPEARANCE DATE:

September 5, 2008

APPEARANCE TIME:

8:30 a.m.

You will be required to serve for at least one day. If you are selected for a trial, you must serve until the end of the trial.

You may postpone your service to a date within ten months of the appearance date listed above. To postpone your service, call the Jury Administrator at 1-800-842-8175 or log on to www.jud.ct.gov/jury.

Fill out and return the Confirmation Form to Jury Administration as soon as possible or answer your summons by e-mail. If you claim one of the disqualifications on the Confirmation Form, please check the appropriate box and provide documentation, if applicable.

Approximately one week prior to your appearance date, you will receive a handbook and a reminder notice in the mail with directions to the court. The handbook will contain general information about juror service. You can obtain appearance and cancellation information on-line.

The Judicial Branch complies with the Americans With Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, Contact Jury Administration.

For more information, you may contact Jury Administration toll-free at 1-800-842-8175, Monday through Friday from 8:00 a.m. to 8:00 p.m. TDD/TTY users may transmit inquiries by calling (860) 263-2771 or 1-800-708-6794.

Save Time!
Answer your summons by e-mail.
Get information about jury duty on-line.
Just log on to www.jud.ct.gov/jury
It's fast and easy!



XYZ-2009-002-200909999999
Shari DeLuca
80 Washington Street
Hartford, CT 06106

CONFIRMATION FORM
Complete and return to Jury
Administration immediately.

A [] I WILL APPEAR ON MY APPEARANCE DATE OF: September 5, 2008

B [] I WISH TO POSTPONE TO A DATE WITHIN 10 MONTHS:

1st CHOICE: / / 2nd CHOICE: / /

THE FOLLOWING ARE DISQUALIFICATIONS ALLOWED BY STATUTE. CHECK ANY BOX WHICH APPLIES AND SUPPLY THE REQUIRED INFORMATION OR DOCUMENTATION.

C [] I claim previous service within the past three years, or I am currently scheduled to serve. (Please enclose a copy of your Juror Certificate if available.)

D [] I am 70 years of age or older and choose not to serve:
Date of Birth: / /

E [] I am not a resident of the State of Connecticut. (Enter new address above.)

F [] I am incapable of serving due to a physical or mental disability. (To claim this disqualification you must submit a letter from a licensed physician stating the physician's opinion that such disability prevents you from rendering juror service for a period of one year or permanently, whichever is applicable)

G [] I am not a U.S. citizen. I am a citizen of: (country of citizenship)

H [] I do not speak or understand English. My language is:

I [] I was convicted of a felony within the past 7 years, or I am a defendant in a pending felony case, or I am in the custody of the Commissioner of Corrections.

J [] A judge of the Superior Court has found that I exhibit a quality which will impair my ability to serve. (To claim this disqualification, include a copy of the impairment document issued by a judge.)

K [] I am under 18 years of age. Date of Birth: / /

L [] I am a member of the General Assembly and the General Assembly is in session.

M [] I am the Governor, Lt. Governor, Secretary of State, Treasurer, Comptroller, Attorney General, Judge of Superior, Appellate, Supreme, Probate or Federal Court, or Family Support Magistrate.

SIGNED (Signed under penalty of false statement) DATE SIGNED

IF SIGNED BY OTHER THAN ADDRESSEE, PRINT YOUR NAME AND RELATIONSHIP

DETACH HERE AND RETURN THIS SECTION IMMEDIATELY



REMINDER NOTICE



State of Connecticut Judicial Branch
Jury Administration
P.O. Box 260448
Hartford, CT 06126-0448

For more information regarding the
Judicial Branch, visit our Web site
at www.jud.ct.gov

Juror ID: XYZ-2009-064-2009999999
Dear Shari DeLuca

Appear On:
09/05/2008

You must report for jury service on 09/05/08. Please arrive before 8:30 A.M. at Hartford Superior Court, 101 Lafayette Street, Hartford and proceed to the 4th floor Jury Room.

You must call 1-800-842-8175 if you are unable to appear as scheduled.

On Thursday, 09/04/08 after 5:30 P.M., you must call the court at (860) 566-5298. At that time, you will learn whether you have been excused from jury duty. If you are not excused, report as scheduled.

You may obtain appearance/cancellation information at any time at our Web site, www.jud2.ct.gov/jury.

You have not contacted us. Please call 1-800-842-8175 to confirm your appearance date.

COURT

Hartford Superior Court
101 Lafayette Street
Hartford, CT 06106

Inclement Weather Radio Station
WTIC-AM 1080

(860) 548-2784 - Prerecorded Message
- Jury Clerk's Office During Business
Hours

PARKING IS AVAILABLE ON SITE. COURTHOUSE DOORS OPEN AT 8:30 A.M.

Please dress appropriately.

Visit our Web site at: www.jud.ct.gov

PLEASE DETACH *[Signature]*

JD-JA-7-96 CGS 51-232

CONFIDENTIAL JUROR QUESTIONNAIRE

PLEASE PRINT

Please complete and bring with you to court

Juror ID: XYZ-2009-064-2009999999

The information which you provide will be used by the judge, lawyers, and litigants during the selection of a jury and will be kept confidential unless the judge orders that it be disclosed.

Shari DeLuca		AGE	ARE YOU A U.S. CITIZEN? YES <input type="checkbox"/> NO <input type="checkbox"/>
EDUCATION (Circle Highest Level Completed)	1 2 3 4 5 6 GRADE	7 8 9 10 11 12 HIGH	13 14 15 16 17 + COLLEGE
("X" Appropriate Box) <input type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> DIVORCED OR SEPARATED <input type="checkbox"/> PARTY TO A CIVIL UNION <input type="checkbox"/> WIDOW OR WIDOWER		ARE YOU A RESIDENT OF CONNECTICUT? YES <input type="checkbox"/> NO <input type="checkbox"/>	
PRESENT EMPLOYER	FORMER EMPLOYER	WHAT IS YOUR PRESENT OCCUPATION?	
FORMER OCCUPATION IF RETIRED:			
IF MARRIED, OR A PARTY TO A CIVIL UNION, STATE THE FULL NAME, OCCUPATION AND EMPLOYER OF SPOUSE.			
STATE LAST OCCUPATION AND EMPLOYER IF SPOUSE RETIRED OR DECEASED.			
IF YOU HAVE EVER BEEN CONVICTED OF A CRIME OR HAVE A PENDING CHARGE, STATE THE OFFENSE, DATE AND RESULTS BELOW, INCLUDING MOTOR VEHICLE CHARGES OTHER THAN PARKING TICKETS.			

HAVE YOU EVER BEEN PARTY TO A CIVIL ACTION OF ANY KIND? YES NO
IF YOU ANSWER YES, STATE DETAILS BRIEFLY.

Pursuant to Sec. 51-232(c) of the Connecticut General Statutes information concerning race and



REMINDER NOTICE



State of Connecticut Judicial Branch
Jury Administration
P.O. Box 260448
Hartford, CT 06126-0448

For more information regarding the
Judicial Branch, visit our Web site
at www.jud.ct.gov

Juror ID: XYZ-2009-064-2009999999

Dear Shari DeLuca

Appear On:

09/05/2008

You must report for jury service on 09/05/08. Please arrive before 8:30 A.M. at Hartford Superior Court, 101 Lafayette Street, Hartford and proceed to the 4th floor Jury Room.

You must call 1-800-842-8175 if you are unable to appear as scheduled.

On Thursday, 09/04/08 after 5:30 P.M., you must call the court at (860) 566-5298. At that time, you will learn whether you have been excused from jury duty. If you are not excused, report as scheduled.

You may obtain appearance/cancellation information at any time at our Web site, www.iud2.ct.gov/jury.

You have not contacted us. Please call 1-800-842-8175 to confirm your appearance date.

COURT

Hartford Superior Court
101 Lafayette Street
Hartford, CT 06106

Inclement Weather Radio Station
WTIC-AM 1080

(860) 548-2784 - Prerecorded Message
- Jury Clerk's Office During Business
Hours

PARKING IS AVAILABLE ON SITE. COURTHOUSE DOORS OPEN AT 8:30 A.M.
Please dress appropriately.

Visit our Web site at: www.jud.ct.gov

PLEASE DETACH
JD-JA-7-96 (CGS 51-232)

CONFIDENTIAL JUROR QUESTIONNAIRE

PLEASE PRINT

Please complete and bring with you to court

Juror ID: XYZ-2009-064-2009999999

The information which you provide will be used by the judge, lawyers, and litigants during the selection of a jury and will be kept confidential unless the judge orders that it be disclosed.

Form with fields for personal information: Name (Shari DeLuca), Age, Citizenship, Education, Residence, Occupation, Employment, Spouse, Criminal History, Civil Actions, Jury Service History, Race, and Ethnicity.

NOTICE: ANY FALSE WRITTEN STATEMENT MADE BY YOU WHICH YOU DO NOT BELIEVE TO BE TRUE AND WHICH IS INTENDED TO MISLEAD A PUBLIC SERVANT IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS PUNISHABLE BY A FINE AND/OR IMPRISONMENT.

DATE

SIGNATURE (Under penalty of false statement)

Appendix D

National Center for State Courts State Rankings of Judge & Attorney Survey Results (2007)

1. Length of Voir Dire for Civil Trials
2. Length of Voir Dire for Felony Trials
3. Who Questioned Jurors During Voir Dire

State Rankings of Judge & Attorney Survey Results



Length of Voir Dire for Civil Trials

Median length of voir dire in hours for civil trials.

State	Sample Size	Median Length (Hr)
South Carolina	42	0.5
Delaware	24	0.8
Virginia	91	0.8
Arkansas	21	1.0
Maine	43	1.0
Maryland	113	1.0
Massachusetts	87	1.0
New Hampshire	17	1.0
Vermont	13	1.0
West Virginia	56	1.0
Rhode Island	17	1.3
DC	37	1.5
Kentucky	107	1.5
Oregon	210	1.5
Tennessee	91	1.5
Michigan	402	1.7
Alabama	29	2.0
Arizona	58	2.0
Colorado	60	2.0
Georgia	202	2.0
Indiana	130	2.0
Iowa	60	2.0
Kansas	41	2.0
Minnesota	180	2.0
Mississippi	47	2.0
Missouri	222	2.0
Montana	32	2.0
Nebraska	63	2.0
Nevada	86	2.0
New Jersey	116	2.0
New Mexico	33	2.0
Ohio	174	2.0
Oklahoma	63	2.0
Pennsylvania	544	2.0
South Dakota	96	2.0
Texas	313	2.0
Utah	150	2.0
Wisconsin	93	2.0
Wyoming	19	2.0
North Dakota	62	2.3
Florida	88	2.5
Idaho	30	2.5
Hawaii	40	3.0
Illinois	519	3.0
Louisiana	54	3.0
New York	216	3.0
North Carolina	67	3.0
Washington	77	3.0
Alaska	102	3.8
California	184	4.0
Connecticut	137	16.0

n/a - Not Applicable

National Center for State Courts, 2007

State Rankings of Judge & Attorney Survey Results



Length of Voir Dire for Felony Trials

Median length of voir dire in hours for felony trials.

State	Sample Size	Median Length (Hr)
South Carolina	32	0.5
Alabama	27	1.0
Delaware	12	1.0
Maine	15	1.0
New Hampshire	23	1.0
Virginia	118	1.0
West Virginia	28	1.3
Arkansas	22	1.5
Kentucky	74	1.5
Maryland	178	1.5
Massachusetts	70	1.5
Michigan	166	1.5
Mississippi	50	1.5
New Mexico	51	1.5
Pennsylvania	149	1.5
Wisconsin	7	1.5
Florida	186	2.0
Georgia	105	2.0
Indiana	112	2.0
Iowa	58	2.0
Kansas	55	2.0
Montana	21	2.0
Nebraska	43	2.0
North Carolina	133	2.0
North Dakota	49	2.0
Ohio	71	2.0
Oregon	117	2.0
Rhode Island	21	2.0
South Dakota	75	2.0
Tennessee	73	2.0
Texas	148	2.0
Utah	166	2.0
Vermont	29	2.0
Washington	71	2.0
Wyoming	25	2.0
Colorado	57	2.5
Idaho	14	2.5
Oklahoma	70	2.5
Arizona	90	3.0
Hawaii	24	3.0
Illinois	145	3.0
Minnesota	110	3.0
Missouri	97	3.0
Nevada	43	3.0
DC	60	3.5
Alaska	67	4.0
California	187	4.0
Louisiana	93	4.0
New Jersey	48	4.5
New York	148	5.0
Connecticut	28	10.0

n/a = Not Applicable

National Center for State Courts, 2007

State Rankings of Judge & Attorney Survey Results



Who Questioned the Jurors During Voir Dire

Mean score from most judge-dominated voir dire (scoring a 1) to most attorney-dominated voir dire (scoring a 5) for all jury trials.

State	Sample Size	Average Score
South Carolina	83	1.05
Maine	65	1.19
Delaware	41	1.20
Massachusetts	197	1.28
New Jersey	168	1.35
Maryland	347	1.75
Utah	406	1.92
New Hampshire	45	2.00
DC	107	2.08
Arizona	181	2.27
California	446	2.57
Nevada	140	2.79
Illinois	781	2.84
West Virginia	90	2.96
Michigan	799	3.06
Virginia	226	3.08
Pennsylvania	748	3.09
Colorado	176	3.11
Oklahoma	173	3.12
Wisconsin	179	3.24
Idaho	68	3.28
Mississippi	126	3.37
Hawaii	69	3.40
Minnesota	345	3.50
Ohio	255	3.51
New Mexico	97	3.55
New York	450	3.55
Kentucky	211	3.56
Louisiana	159	3.61
Florida	405	3.62
Nebraska	150	3.64
Rhode Island	62	3.66
Arkansas	45	3.68
Washington	165	3.71
Alabama	57	3.73
Indiana	274	3.73
Tennessee	181	3.85
Kansas	111	3.91
Oregon	393	3.93
North Dakota	154	3.94
Georgia	382	3.96
Montana	66	3.98
North Carolina	245	3.98
Wyoming	47	3.98
Alaska	225	4.03
Texas	574	4.09
South Dakota	213	4.13
Iowa	168	4.16
Missouri	348	4.19
Vermont	57	4.30
Connecticut	170	4.54

n/a = Not Applicable

National Center for State Courts, 2007

Appendix E

Survey Data on Retention/Destruction of Confidential Juror Questionnaires

- In Connecticut

- In Other Jurisdictions

CONFIDENTIAL JUROR QUESTIONNAIRE (CJQ):
RESPONSES FROM JURY CLERKS

Additional abbreviations used in this table: LSB = Locked Shredding Bin
 SAA = Same As Above
 TAC = Temporary Assistant Clerk

	Description of procedures in use	Written policy in place?
AAN	Jury Clerk: (1) Obtains all copies and originals; (2) Disposes CJQ in LSB; (3) Informs all jurors that CJQ are strictly confidential	Not known
A05D	Shred CJQ after voir dire	Not known
BHB	1) <u>Crim.</u> : Pre-trial: For dismissed jurors, CJQs placed in LSB; for returning jurors, CJQ placed in vault; During trial, kept by courtroom clerk and locked in crim. clerk's vault; after trial, kept in vault with exhibits. Destroyed after appeal period. (2) <u>Civil</u> : Pre-trial, kept in locked cabinet in Jury Room; during trial, placed in exhibit envelope and given to courtroom clerk and @ end of day, locked in vault; after trial, kept in civil clerk's vault with exhibits. Destroyed after appeal period.	Not known
B17B	LSB	Not known
DBD	LSB	Not known
FBT	Daily, placed in recycle bin and shredded by maintenance workers.	Not known
HHD	<u>Crim.</u> : Pre-trial: Originals given to clerk; Three copies are made – one given to each of two attys and on to judge. When voir dire completed, copies sometimes returned to clerk and shredded; sometimes judge and attorney(s) will retain copy. For selected jurors, originals given to Jury Clerk and CJQ are placed in office until end of trial; then they are stored and destroyed pursuant to retention schedule. Non-selected persons: Jury Clerk will return	Yes

	<p>original to summoned person or, if person does not return to Jury Room, will destroy CJQ by tearing it up.</p> <p><u>Civil:</u> TAC accepts CJQ from jury office when TAC collects voir dire panel; TAC responsible for CJQ - will allow attys possession during voir dire. at conclusion of voir dire, atty returns CJQ to TAC; TAC returns CJQ to jury office.</p> <p><u>Complex Lit.:</u> SAA except in one unit, TAC makes copy of CJQ for attorneys; at conclusion of voir dire, TAC collects copies and deposits them shredding bin.</p>	
H12M	<p><u>Not selected:</u> CJQ shredded @ end of day;</p> <p><u>Selected:</u> CJQ placed into envelope marked "Sealed to the Public" and placed in the file until end of trial when jurors are dismissed. Then, CJQ shredded by courtroom clerks.</p>	Yes
H13W	<p>Clerk collects CJQ; makes sufficient number of copies for proper distribution.</p> <p><u>Selected:</u> Original CJQ are retained by the clerk separate from the court file; original is retained until conclusion of the case (including any appeal period).</p> <p><u>Copies of CJQ</u> that had been distributed at beginning of voir dire process are collected by the clerk at end of daily voir dire and shredded. made; original CJQ retained by clerk</p>	Yes
KNL	Daily, LSB	Yes
LLI	conclusion of voir dire, shredded	No

MMX	<p>Copy of CJQ provided to attys for use during voir dire;</p> <p>When CJQ are returned to jury office, they are shredded;</p> <p>Original CJQ is held for a while then also shredded.</p>	No
NNH	destroyed by shredding	Not known
NNI	<p>Copy supplied to counsel then returned to clerk of court upon completion of voir dire.</p> <p><u>Non-Selected:</u> At end of day, shredded; <u>Selected:</u> CJQ held for time needed to cover the case.</p>	Yes
SST	daily, Jury Clerk destroys CJQ and end of day.	No
S20N	After voir dire, all CJQ shredded via LSB	No
TTD	<u>Non-Selected:</u> CJQ shredded; <u>Selected:</u> At conclusion of trial, CJQ and notes are shredded	Not known
UWY	<p><u>Civil:</u> <u>Selected:</u> Original CJQ of selected jurors placed in sealed envelope until case is disposed; <u>Not selected:</u> shred CJQ at end of each day.</p> <p><u>Complex Lit.:</u> <u>Selected:</u> SAA <u>Not selected:</u> tear-up CJQ at end of each day.</p> <p><u>Crim.:</u> Keep all original CJQ in confidential area until appeal period and all other criminal proceedings (e.g. <i>habeas</i>) have expired.</p> <p>shred all copies</p>	Not known
WWM	<u>Selected:</u> Originals are maintained in file locked in jury pool office. Copies of CJQ shredded.	No

	<u>Non-Selected:</u> Originals and copies are shredded	
--	---	--

Responses to Juror Questionnaire

	Questionnaire prior to voir dire?	Is questionnaire confidential?	How long retained?
Polk County, Oregon	Yes		3 years
Lane County, Oregon	Yes	No, can be viewed by public on request	3 years after conclusion of jury service
Hamilton County, IN	Varies county-to-county	Unknown	2 years
MA	Yes	Yes	No, shredded at end of day
Orange County, CA	Yes	Yes	3 years
U.S. District Court in Hartford, CT	Yes	Yes	Approx. 6 years
Carroll County, MD	No	Yes	4 years
AZ	Yes	Appears yes	At present, indefinitely
Cumberland County, PA	Yes	Yes	After trial completed
Idaho Falls, ID	Yes	Yes	4
New York	Yes	Unknown	Returned to jurors or shredded

Appendix F

National Center for State Courts State Rankings of Judge & Attorney Survey Results (2007)

1. Jurors Permitted to Take Notes
2. Jurors Provided with Note Taking Materials
3. Juror Questions to Witnesses

State Rankings of Judge & Attorney Survey Results



Jurors Permitted to Take Notes

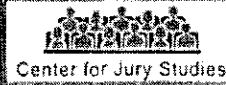
Percent of respondents who reported that jurors were permitted to take notes

State	Sample Size	% of Respondents
Wyoming	47	95.7
Arkansas	45	95.6
Arizona	161	95.0
Indiana	274	94.9
Colorado	176	92.6
Oregon	393	92.1
Minnesota	345	91.9
California	446	91.5
Alabama	57	91.2
Idaho	68	91.2
Maryland	347	90.5
Utah	406	90.4
Hawaii	69	88.4
Iowa	168	88.1
New Mexico	97	87.6
Illinois	781	87.3
Washington	165	87.3
Alaska	225	87.1
DC	107	86.9
Montana	66	86.4
Wisconsin	179	86.0
Nevada	140	83.6
Georgia	382	81.9
South Dakota	213	80.8
Tennessee	181	77.3
North Dakota	154	76.6
Kentucky	211	76.3
Massachusetts	197	67.0
North Carolina	245	64.9
Virginia	226	59.7
Vermont	57	59.6
Mississippi	126	57.1
Florida	406	55.1
Ohio	255	53.7
Texas	574	53.0
Michigan	799	52.1
Oklahoma	173	50.3
Connecticut	170	47.6
Delaware	41	46.3
Pennsylvania	748	46.1
West Virginia	90	44.4
Missouri	368	40.2
New Jersey	168	39.9
South Carolina	83	38.8
Kansas	111	36.0
Louisiana	159	34.6
New York	450	32.7
Nebraska	150	24.7
Maine	65	23.1
New Hampshire	45	20.0
Rhode Island	62	19.4

n/a = Not Applicable

National Center for State Courts, 2007

State Rankings of Judge & Attorney Survey Results



Jurors Provided with Notefaking Materials

Percent of respondents who reported that jurors were provided with writing utensils and notepaper for taking notes

State	Sample Size	% of Respondents
Wyoming	47	95.7
Indiana	274	95.3
Arizona	161	94.4
Minnesota	345	93.9
Oregon	393	93.9
California	446	93.7
Maryland	347	93.7
Arkansas	45	93.3
Nevada	140	92.1
Colorado	176	91.5
Washington	165	90.3
Hawaii	69	89.9
Iowa	168	89.3
Alaska	225	88.9
DC	107	88.8
Illinois	781	88.6
Idaho	68	88.2
Montana	66	84.8
Utah	406	82.3
New Mexico	97	81.4
Georgia	382	80.4
South Dakota	213	77.9
North Dakota	154	72.7
Tennessee	181	72.4
Massachusetts	197	66.5
Kentucky	211	64.9
Vermont	57	56.1
Ohio	255	53.7
Florida	405	52.6
Pennsylvania	748	45.9
Alabama	57	45.6
Connecticut	170	45.3
Michigan	799	43.3
West Virginia	90	42.2
Delaware	41	41.5
North Carolina	245	40.0
Oklahoma	173	39.9
Virginia	226	39.8
Mississippi	126	37.3
New Jersey	168	36.9
Missouri	348	36.5
Kansas	111	36.0
Louisiana	159	34.0
Texas	574	32.8
New York	450	26.4
Wisconsin	179	25.7
Nebraska	150	24.7
South Carolina	83	22.9
Maine	65	21.5
Rhode Island	62	21.0
New Hampshire	45	17.8

n/a = Not Applicable

National Center for State Courts, 2007

State Rankings of Judge & Attorney Survey Results



Juror Questions to Witnesses

Percent of respondents who reported that jurors were permitted to submit questions in writing to witnesses.

State	Sample Size	% of Respondents
Arizona	161	91.3
Indiana	274	86.1
Colorado	176	62.5
New Mexico	97	58.8
New Jersey	168	35.1
Wyoming	47	34.0
Washington	165	33.9
Oregon	393	28.0
Wisconsin	179	27.4
Vermont	57	26.3
Kentucky	211	24.6
Utah	406	24.4
Idaho	68	23.5
Hawaii	69	23.2
California	446	22.9
DC	107	22.4
Tennessee	181	21.5
Nevada	140	18.6
Massachusetts	197	18.3
Florida	405	14.6
Alaska	225	14.2
Ohio	255	14.1
Arkansas	45	13.3
South Dakota	213	12.2
Michigan	799	12.1
Virginia	226	11.5
Maryland	347	9.2
New Hampshire	45	8.9
Nebraska	150	6.7
Montana	66	6.1
New York	450	4.9
Rhode Island	62	4.8
Connecticut	170	4.7
Alabama	57	3.5
North Dakota	154	3.2
Oklahoma	173	2.9
Kansas	111	2.7
Minnesota	345	2.6
West Virginia	90	2.2
Georgia	392	2.1
Texas	574	1.7
Maine	65	1.6
Iowa	168	1.2
Missouri	348	1.1
Illinois	781	1.0
Pennsylvania	748	0.8
Louisiana	159	0.6
Delaware	41	0.0
Mississippi	126	0.0
North Carolina	245	0.0
South Carolina	83	0.0

n/a = Not Applicable

National Center for State Courts, 2007

Appendix G

Proposed Change to Practice Book § 42-12
(Referenced in Voir Dire Recommendation II)

PROPOSED CHANGES TO PRACTICE BOOK § 42-12

Sec. 42-12. ---Voir Dire Examination

Each party shall have the right to examine, personally or by counsel, each juror outside the presence of other prospective jurors as to qualifications to sit as a juror in the action, or as to interest, if any, in the subject matter of the action, or as to relations with the parties thereto. If the judicial authority before whom such examination is held is of the opinion from such examination that any juror would be unable to render a fair and impartial verdict, such juror shall be excused by the judicial authority from any further service upon the panel, or in such action, as the judicial authority determines. The judicial authority shall not abridge the right of such examination [shall not be abridged] by requiring counsel or the defendant to put questions [to be put] to any juror in writing and [submitted] submit them in advance of the commencement of the trial.

COMMENTARY: The reason for the above change arises from the fact that recently defense counsel have taken the position that the provision bars the court from submitting a written questionnaire to the jurors as part of its prescreening function. The court's prescreening authority, however, is well settled. See, e.g., *State v. Faust*, 237 Conn. 454, 462-63 (1996); General Statutes sec. 51-217a (b); Practice Book Sec. 42-11. Use of a written questionnaire by the court saves time for the court, counsel, and jurors, preserves peremptory challenges for counsel, provides additional information about jurors and, in general, makes jury selection much easier. The new language effectuates more clearly the intent of the provision, which was to prevent the court from requiring counsel to use written questionnaires, rather than prevent the court from using its own questionnaire.

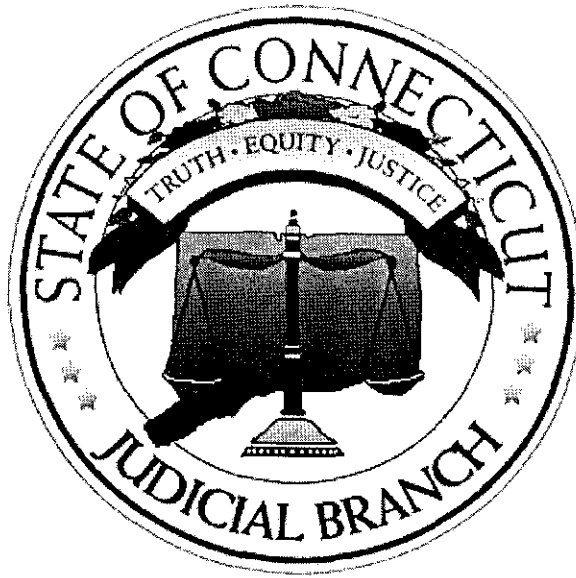
Appendix H

This report contains a recommendation to create a new jury video for Connecticut. The following video may be of interest.

Oregon's Juror Experience Video

The Oregon Judicial Department released a juror video titled, "Justice for All." It features Chief Justice Paul J. De Muniz giving a brief explanation of the history of jury trials in this country and the importance of each individual juror. The majority of the video depicts jury service from the perspective of actual jurors. Jurors are shown entering the courthouse, being called in the juror waiting room and moving through the entire process. While viewers watch the film clips, actual juror commentary is audible during which jurors describe their positive and apprehensive feelings toward the process. There are also clips of interviews with actual jurors. This video could be used for either juror orientation or community outreach. It is one of the best, if not the best, juror videos available. The video is available for downloading in two formats with high and low speed versions for each. The link is:

<http://www.ojd.state.or.us/jurorinfo/jurorVideo.htm>.



PUBLIC SERVICE AND TRUST COMMISSION

PROBLEM SOLVING IN FAMILY MATTERS

2009 INTERIM REPORT

Introduction

The Problem Solving in Family Matters Committee was formed as a result of the need “to provide effective, uniform and consistent delivery of services by enhancing the management of court practices,” as stated in the Judicial Branch’s Strategic Plan, Goal III - Delivery of Services. The purpose of the committee is to help coordinate community services for families, particularly obligors, who have matters in the Family Support Magistrate Court. Specifically, the committee was charged with exploring the feasibility of creating a problem solving justice model to assist these families by linking the obligors to community services that will help them achieve the needed stability to meet their support obligations.

The members of the committee are Judge Lynda Munro, Chair, Chief Administrative Judge, Family Division; Chief Family Support Magistrate Sandra Sosnoff Baird from New Haven Superior Court; Family Support Magistrate Linda Wihbey from Fairfield J.D. Family Support Magistrate Court; Family Support Magistrate John Colella from Hartford J.D. Family Support Magistrate Court; Mr. Richard Burt, Public Assistance Consultant, Department of Social Services; Mr. Andrew Clark, Administrator from the Institute for the Study of Crime & Justice at Central Connecticut State University; Mr. Brian Coco, Chief Probation Officer II - CSSD; Mr. Patrick J. Deak, Program Manager, Technology Support; Mr. John Dillon, Program Supervisor for the Connecticut Department of Social Services Bureau of Child Support Enforcement; Mr. Joseph DiTunno, Program Manager – CSSD; Ms. Barbara Geller, Director of Department of Mental Health and Addiction Services (DMHAS) Statewide Services; Mr. Stephen Grant, Director of Family Services-CSSD; Mr. Joseph Greelish, Program Manager,

Support Enforcement Services; Mr. Greg Halzack, Deputy Director of Adult Probation and Bail Services-CSSD; Ms. Michelle Hayward, Counselor Supervisor for the Department of Correction, Atty. Charisse Hutton, Director of Support Enforcement Services; Mr. David Iaccarino, Deputy Director for Family, Support & Juvenile Matters, Court Operations Unit; Ms. Debra Kulak, Regional Manager-CSSD, Atty. David Mulligan, PA Consultant for the Department of Social Services; Ms. Dalia Panke, Deputy Director of Support Enforcement Services; Dr. Brett Rayford, Adolescent and Transitional Services for the Department of Children and Families (DCF); Mr. Edgar C. Young, Public Assistance Consultant, Department of Social Services (DSS), Bureau of Child Support Enforcement; Ms. Bernice Zampano, Operations Coordinator, Department of Labor. The large committee met on January 12, 2009, February 23rd, 2009, March 23, 2009, and is scheduled to meet on May 18th, 2009.

At the first committee meeting, held on January 12th, 2009, the committee decided that the most helpful methodology would address the charge at two levels. Consequently, two work groups were formed. Their work would help to incorporate transferable pieces of a model for problem solving court, similar to Community Court and Drug Court. The two workgroups were:

- The Identification, Assessment, and Recommendations work group; and
- The Overlap work group

The *Identification, Assessment, and Recommendations work group* was charged with identifying and assessing the challenges of inmates who will be re-entering society, in terms of meeting their responsibilities as parents; identifying the resources currently available in DOC, or with partners, to address the challenges, and making

recommendations regarding the resources yet to be provided, or that need to be further supported, and the proper delivery systems (entities and programs) to provide those needed resources. The workgroup's members are: Chief Family Support Magistrate Baird, as ex officio; Family Support Magistrate Wihbey (Co-chair); Ms. Panke (Co-chair); Mr. Coco; Ms. Geller; Mr. Greelish, as ex officio; Mr. Halczak; Ms. Hayward; Ms. Kulak; Dr. Rayford; Mr. Young; Ms. Zampano. The workgroup met on February 18th, 2009, March 16th, 2009 and April 27th, 2009.

The *Overlap work group* was charged with examining where the population at issue is likely to have overlapping experiences with the courts. That is, appearing in more than one venue, whether it is Magistrate Court, with probation, in criminal (particularly DV and Drug) court and Family Court; and identifying methods of reaching the population effectively with services in a manner that is streamlined and likely to result in their success in supporting their children. The workgroup's members are: Chief Family Support Magistrate Baird, as ex officio; Mr. Iaccarino (Chair); Family Support Magistrate Colella; Mr. Deak; Mr. Dillon; Mr. DiTunno; Mr. Grant; Mr. Greelish; Ms. Panke, ex officio. The workgroup met on February 4th, 2009, March 11th, 2009, and April 15th, 2009.

The *Funnel work group*, a third work group added, was charged with reviewing the information received by the *Identification, Assessment, and Recommendations work group* and the *Overlap work group* in order to make comprehensive recommendations to the Problem Solving in Family Matters Committee. The members are: Chief Family Support Magistrate Baird (Chair); Mr. Patrick Deak; Mr. Joseph DelCiampo; Mr. John Dillon; Ms. Geller; Mr. Greelish; Ms. Hayward; Mr. Iaccarino; Ms. Kulak; Mr. Mulligan;

Ms. Panke and Ms. Zampano. The workgroup met on June 8th, 2009 and will meet again on June 25th, 2009.

It is anticipated that recommendations will be forthcoming from the Funnel Workgroup for the consideration of the Problem Solving Committee. It is anticipated that the Problem Solving Committee as a part of its final report will forward concrete recommendations to the Judicial Branch for the integration of problem solving principles into the work of the Family Support Magistrate Court, consistent with financial resources available, in hopes of significantly enhancing the likelihood that obligors will be able to meet their obligations as members of families that seek services in that court. As a result of 2009 legislation, the judicial authority presiding over Family Support Magistrate Court possesses the authority to make orders for the utilization of resources identified as available for obligors and their families. It is anticipated that the Judicial Branch will report to the legislature on the progress of this effort as required by this enabling legislation.

EXECUTIVE SUMMARY

I. IDENTIFICATION, ASSESSMENT, AND RECOMMENDATIONS WORK GROUP

The group identified five main challenges/barriers that inmates face when re-entering society: employment, housing, education, individual, and parenting; existing resources in the Department of Correction; and additional resources and proper delivery methods. The group has paid particular attention to understanding the cascading effect of the different services available through community organizations as inmates are transitioning into the community, and making recommendations to improve on those services.

The group continues to assess and seek a better understanding of the different areas such as education needs, and individual needs (i.e. psychiatric needs and mental health services). In addition, the group members continue to identify proper delivery systems such as the Court Service Centers, and the Volunteer/Intern program.

Preliminary recommendations are attached to this document. (*see Attachment 1*)

II OVERLAP WORK GROUP

This group's work includes identifying where the target population has overlapping experiences with the court, and with different agencies and/or units. The group has strategized methods of reaching that population and tapping into available resources. The main recommended strategy is the use of technology which will facilitate the exchange of information.

The group identified the different computer systems that contain information about this population and separated them into the following categories: judicial, non-judicial, and non-judicial with limited access. They also discussed challenges such as legal limitations or confidentiality requirements.

In order to continue its work, the group has found that it must follow two paths: to study the information to be provided to the clerks in order to *coordinate scheduling* and; to study the information to be provided to Support Enforcement Support and non-judicial entities in order to *coordinate services*.

The work group has not made formal recommendations to the large committee. The members will continue the in-depth assessment of each relevant computer system and will make formal recommendations to the larger committee on what are the most suitable strategies.

A detailed description of the Overlap work group's evaluation and assessment is attached along with preliminary recommendations. (*see Attachment 2*)

III FUNNEL WORK GROUP

This Work Group was formed to assimilate the information and recommendations

of the other two workgroups and to present comprehensive recommendations based on the information gathered. This workgroup, facilitated by Chief Family Support Magistrate Baird has had one meeting in which it reviewed the work of the other two groups. It is expected to meet once more prior to the meeting of the Problem Solving in Family Matters Committee meeting, whereupon the final recommendations will be presented and considered by the Committee for ratification.

ATTACHMENTS

Attachment 1

PROBLEM SOLVING IN FAMILY MATTERS
2009 INTERIM REPORT

Identification, Assessment, and Recommendations Work Group Summary 5/09

I. Inmates reentering meeting responsibilities as parents:

A. Identified Programs available at DOC facilities:

- The Workgroup has identified Master list of programs available and facility listing provided by DOC to inmates.

“Programs Manual. The Director of Offender Programs and Victim Services shall develop a Programs Manual which shall outline program services, program descriptions, lesson plans, and program goals and objectives for the Department. The manual shall be reviewed on an annual basis by the Director of Programs and Treatment (Division) and updated as required.”

The Programs Manual is currently undergoing an update by DOC.

Work Group recommendations:

- Recommend that in every Offender Accountability Plan there be provision for Father hood program participation or parenting education for inmates with IV-D child support cases;
- Require DOC intake and Assessment include self report of existence or possibility of child support obligation;
- Recommend that the DOC Fatherhood programs (excluding the program managed by Family In Crisis) be deemed certified by the Department of Social Services for purposes associated with the Arrears Adjustment Program;
- Recommend education of 6 certified sites regarding acceptance of program participation at facility;
- Recommend that DOC establish a participant priority scheme to increase access to certain programming for inmates with child support orders and/or IV-D child support cases.
- Recommend that SES proactively match data with DOC to allow SES initiation of communication regarding modification while incarcerated;
- Recommend that payment coupons include docket information or other case identifying information;
- Recommend that each person released from a facility with continued DOC monitoring identify if child support order and process to modify;
- Develop means for DOC and SES capias cross check and process for addressing capias while incarcerated;

PROBLEM SOLVING IN FAMILY MATTERS
2009 INTERIM REPORT

- Public capias information: website or lodging location: like the Judicial Branch web site;
- Develop link with Probation to check if outstanding capias and provide information on how to resolve;
- Develop education informational session with probation to address capias turn ins;
- Develop written materials/ handouts on capias turn in with contact information: for clerk's office and marshal information;
- Develop policy on procedure if obligor on probation;
- Consult with SES if they wish to be point of capias turn ins and policy for instructing on procedure.
- Recommend education and communication to DOC and other partners concerning regulations for adjustment and liquidation.

2. Housing:

The Workgroup has identified the various programs for housing assistance available in the State. It is noted that many assistance programs are made available on a regional or district level. Restrictions on assistance are imposed on those with felony backgrounds. Additionally, if eligible for assistance, the housing options are simply not available or there exists a significant wait time.

- Recommendation: Enter into communications between DSS for RAP certificates and other state section 8 funding.
- Recommendation: Utilize an intern based system of identifying and collating local housing options and make available to local resources, such as court service centers or SES.

3. Personal Issues/ Barriers:

Health and Addiction:

The Work Group has identified that when someone is incarcerated their benefits are taken away and there is no identifier in place to alert DSS to re-activate the benefit.

DOC has been meeting with Health Services and Social Services concerning a methodology to help folks who leave the system to obtain health care benefits. A proposal has come forward to make some changes to the OBIS system to add information to DOC tables.

A DSS client ID and a SAGA Identifier are looking to be added to the DOC system. This will enable inmate benefits to be re-instated a day after they are released. Change Control discussed and are in favor of this change.

The Work Group identified DMHAS as a resource for persons with mental health and addiction issues. DMHAS and DOC have existing relationship.

PROBLEM SOLVING IN FAMILY MATTERS
2009 INTERIM REPORT

- Recommend to explore and develop communication for referrals to DMHAS for mental health and addiction through SES intake, Court services centers, or other;
- Recommend and develop means to resume benefits (SSI - federal) or state (SAGA) upon release through DOC and Social Security and DSS;
- Recommend direct referrals to DMHAS for mental health and addiction through SES intake, Court services centers;
- Recommend to identify services available for "Food Stamp" eligible person and disseminate to SES intake and Court Services Centers.

4. Employment:

- Clarify terms of probation that may prohibit computer access or online job application process;
- Recommend to link DOL and DOC;
- Recommend Uniform Referral Form and possible Link between DOL and Court.

Additional Areas to be addressed

- a. Establishment of Orders
- b. Measurement of Outcomes
- c. Recommendations to Work Group II (Overlap)
- d. Participants' recommendations for additional resources and delivery of services
- e. Legal issues:

1. If in custody or control of DOC -- are they still considered "in the custody of DOC" for purposes of "shall use actual earnings" (see 46b-215e)

2. Modifications on then existing orders, not "re-instatement upon release" what does release mean?

3. From DSS: Definition " Administration of the IV-D Program (in the context of the question -- is more open data sharing which can provide useful information for a problem solving court be considered aiding the "administration of the IV-D Program"

4. Recommend Review and evaluation of Arrearage Adjustment Regulations (in the context of broadening the number of certified programs and increase overall access to the program.

General: Develop Uniform follow-up for compliance and performance.

Attachment 2

PROBLEM SOLVING IN FAMILY MATTERS
2009 INTERIM REPORT

Overlap Work Group

The Overlap Work Group was created to examine the challenges that the population in Family Support Magistrate Court faces and the tools that are available to assist them. This would be accomplished by gathering information regarding this population's interaction with the various courts and strategize how to utilize the available resources.

The Work Group is made up of the following individuals:

David Iaccarino – Facilitator
John E. Collela – Family Support Magistrate
Patrick J. Deak – Court Operations
Joseph Del Ciampo – Legal Services Unit
Joseph DiTunno – Court Support Services Division
Joseph Greelish – Support Enforcement Services

In an ex officio capacity, Chief Family Support Magistrate Sandra Sosnoff Baird has attended Work Group meetings, as has Dalia Panke from Support Enforcement Services and John Dillon from Bureau of Child Support Enforcement. Johanna Greenfield from Court Operations staffs the Work Group.

Formal recommendations have not yet been made by this Work Group to the Problem Solving in Family Matters Committee, but its work has included the following thus far:

- The courts with which the target population may interact were identified and include:
 - Family Court
 - Family Support Magistrate Court
 - Criminal Court
 - Civil Court
 - Housing Court
 - Probate Court
 - Juvenile Court
 - Small Claims

- The different agencies and units with which the target population may interact were identified and include:
 - Department of Correction
 - Parole
 - Department of Children and Families
 - Probation
 - Rehabilitation Facilities
 - Family Relations
 - Workers Compensation
 - Department of Social Services
 - Department of Mental Health and Addiction Services

1 – 6/12/2009

PROBLEM SOLVING IN FAMILY MATTERS
2009 INTERIM REPORT

- o Department of Motor Vehicles

In strategizing methods for tapping into the resources available, the Work Group has identified technology as a primary method for the exchange of information among the various courts and agencies with which the target population may have contact. Recognizing that information may not necessarily be readily obtained from some of these computer systems due to legal limitations or confidentiality requirements, the Work Group has identified the following systems as relevant:

- o Judicial Branch
 - Case Management Information Systems (CMIS)
 - Protection Order Registry (POR)
 - Forecourt
 - Small Claims
 - Civil/Family (CV/FA)
 - Paperless Re-Arrest Warrant Network (PRAWN)
 - Criminal/Motor Vehicle (CRMV)
 - Child Protection (CP)
- o Non-Judicial
 - Chief Child Protection Attorney (CCPA)
 - Connecticut On-Line Enforcement Communications Teleprocessing (COLLECT)
 - National Crime Information Center (NCIC)
 - Department of Motor Vehicles (DMV)
 - Department of Labor (DOL)
 - Department of Correction (DOC)
 - Department of Mental Health and Addiction Services (DMHAS)
 - Eligibility Maintenance System (EMS)
- o Non-Judicial With Limited Accessibility
 - Connecticut Child Support Enforcement System (CCSES)
 - Offender Based Tracking System (OBTS)
 - Federal Case Registry (FCR)

To better detail these systems, Joseph Greelish created preliminary diagrams and tables, which have been expanded upon by other members of the Work Group. These tables include such factors as who has access, what data elements are available and useful to the judicial authority for cross-referencing, and whether there is any memorandum of agreement or understanding for either full or limited access by Judicial for any of these computer systems.

Though it was discussed that identification of services was a necessary step in the work of the larger Committee, it was ultimately decided that it was a more appropriate task for the Work Group on Identification, Assessment and Recommendation (Work Group 1).

PROBLEM SOLVING IN FAMILY MATTERS
2009 INTERIM REPORT

There are now two tracks that seem most relevant directing the group's work at this juncture. The first is information for the clerk in the coordination of scheduling. The other is information for SES and perhaps other agencies for the coordination of services.

The Work Group will continue to assess the information and data elements available in each relevant computer system and when it concludes this review, will make the following recommendations to the greater Committee:

Remove Barriers to Accessing Information that is Helpful for Decision Making in the Problem Solving Court Process

- 1) Review Memoranda of Agreements, statutes, etc., to assess the type, and the degree, of access each agency has to other agencies' information.
- 2) Identify obstacles each agency has to access information of other agencies.
- 3) Pursue additional Memoranda of Agreements that will provide agencies with access to other agencies' information.
- 4) Explore the possibility of an agency permitting access to its information based on a disclosure form that has been signed by an individual who agrees to follow the problem solving pathway.
- 5) Review existing law and ethical standards and develop a procedure or mechanism consistent therewith to make information available to the Judicial Authority for decision making where appropriate.

Increase Access to Court Through the Improved Coordination and Awareness of Case Scheduling

- 6) Continue to collect and analyze data of parties crossing-over to determine in which courts, and in what frequency, the overlapping of experience is likely to occur.
- 7) Develop a mechanism to improve the scheduling of cases by having a greater awareness of the parties' cases scheduled in other courts to minimize inconvenience to the parties and avoid competing or conflicting orders.
- 8) Provide scheduling information on the public internet site related to printed and write-on Family Support Magistrate matters to increase awareness, attendance, and compliance.

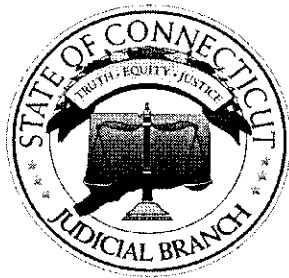
**Utilize Existing Resources with Little or No Additional Cost, While
Minimizing Disruption to Present Dockets and Services**

- 9) Identify and utilize local court options for evaluation services that are relevant and available.
- 10) Create a pilot program to formally refer parties from the Family Support Magistrate docket to existing resources. Perhaps an invitation from the Community Court in Hartford to utilize services might be helpful.

Continue to Review and Evaluate Relevant Information Systems

- 11) Continue to survey additional judicial authorities to determine the data elements that might be helpful in decision making.
- 12) Extend the Committee's work by the formation of a work group to further research, implement, and assess on-going problem solving methods. Representatives from the principal agencies within the Committee would be valuable to this effort.

State of Connecticut Judicial Branch



Public Service and Trust Commission

Report of the Committee on Self-represented Parties

Honorable Elizabeth A. Bozzuto, Chair
Honorable Raymond R. Norko, Chair

TABLE OF CONTENTS

Introduction	2
Executive Summary.....	3
Subcommittee on Forms.....	3
Subcommittee on Training	4
Subcommittee on Support Services.....	4
Subcommittee on Technology.....	5
Subcommittee on Legal Services	6
General Recommendation	6
Discussion.....	7
Subcommittee on Forms.....	7
Subcommittee on Training	7
Subcommittee on Support Services.....	8
Subcommittee on Technology.....	9
Subcommittee on Legal Services	10
Conclusion.....	10
Minority Report of the Committee on Self-represented Parties.....	12
Appendix A.....	17
Appendix B.....	22
Appendix C.....	26
Appendix D.....	31
Appendix E.....	33
Appendix F.....	37
Appendix G.....	38
Appendix H.....	39
Appendix I.....	41
Appendix J.....	53
Appendix K.....	55
Appendix L.....	56
Appendix M.....	57
Appendix N.....	62

Public Service and Trust Commission
Committee on Self-represented Parties

Final Report
June 2009

GOAL: **Delivery of Services: The Judicial Branch will provide effective, uniform and consistent delivery of services by enhancing the management of court practices.**

Introduction

In June 2008, the Judicial Branch adopted a Strategic Plan which identified five broad outcome goals and called for the development of an implementation plan which contained thirty-six separate initiatives. These initiatives primarily addressed the areas of access to the courts, delivery of Branch services, and accountability. Acknowledging the overwhelming nature of undertaking such a large number of initiatives all at once, the initiatives were prioritized and the Committee on Self-represented Parties was one of seven new committees created under the Chief Court Administrator's initial implementation plan.

The goal of the Committee on Self-represented Parties is to improve the clarity of court procedures and information so that individuals without legal representation may more effectively participate in the court process. To this end, the Committee considered increasing the number of available plain language forms and instructions; creating educational tools to assist self-represented parties in navigating the court system; and increasing support services for self-represented parties through the Court Service Centers.

The Committee on Self-represented Parties explored ways to enhance the guidance and assistance provided to *all* self-represented parties. The Committee recognized that not all self-represented parties are indigent and, in fact, many who have the means to retain counsel choose instead to represent themselves. Similarly, the work of this Committee recognized the broad impact the economic downturn has had on the courts and, most profoundly, on court patrons. Patrons who would have historically retained the services of counsel can no longer afford to do so and are turning instead to the courts for much needed guidance and assistance. The work of this Committee sought to assist all self-represented parties *equally*, regardless of their socio-economic background.

The Committee on Self-represented Parties is a 27 member committee chaired by the Honorable Elizabeth A. Bozzuto and the Honorable Raymond R. Norko. The Committee's membership is varied and is comprised of members from the Superior Court bench, representatives from the legal aid community, Judicial Branch staff, as well as representation from local bar associations, Small Claims and Family Support Magistrates.

The members of the Committee on Self-represented Parties are as follows:

Hon. Elizabeth Bozzuto (chair), Hon. Raymond Norko (chair), Ms. Priscilla Arroyo, Ms. Desiree Biggs, Attorney Janice Chiaretto, Hon. Henry Cohn, Attorney Anthony DiPentima, Attorney Jeffrey Dowd, Attorney Steven Eppler-Epstein, Attorney Timothy Fisher, Hon. Stephen Frazzini,

Ms. Krista Hess, Attorney Daniel Horwitch, Mr. David Iaccarino, Attorney Norman Janes, Hon. Clarence Jones, Attorney Patricia Kaplan, Dean Hugh Macgill, Hon. John Nazzaro, Hon. Christopher Oliveira (FSM), Hon. Barry Pinkus, Attorney Susan Reeve, Attorney Mark Shea, Hon. Jonathan Silbert, Hon. Mary Sommer, Hon. Sandra Sosnoff-Baird (Chief FSM), and the Hon. Cynthia Swienton.

The Committee and its subcommittees met twenty-one times from December 2008 to May 2009. In addition, the chairs of each of the five subcommittees met twice via teleconference on January 21, 2009 and February 18, 2009, respectively.

Just as the initial implementation phase of the Strategic Plan was too voluminous and complex to undertake all at once, the Committee on Self-represented Parties also recognized the broad scope of its charge, and, as a result, created five separate subcommittees, each charged with exploring a different facet of the Committee's overall charge.

The five subcommittees are:

- **Forms** (Hon. Elizabeth Bozzuto, Chair), Attorney Daniel Horwitch, Hon. John Nazzaro, Attorney Mark Shea
- **Training** (Hon. Jonathan Silbert, Chair), Hon. Cynthia Swienton, Ms. Krista Hess, Attorney Susan Reeve, Hon. Clarence Jones, Hon. Mary Sommer
- **Support Services** (Dean Hugh Macgill, Chair), Ms. Priscilla Arroyo, Hon. Barry Pinkus, Hon. Christopher Oliveira (FSM), Attorney Norman Janes, Attorney Anthony DiPentima, Ms. Krista Hess
- **Technology** (Hon. Raymond Norko, Chair), Ms. Desiree Biggs, Mr. David Iaccarino, Attorney Patricia Kaplan, Ms. Janice Chiaretto, Hon. Steven Frazzini, Attorney Jeffrey Dowd
- **Legal Services** (Hon. Henry Cohn, Chair), Hon. Sandra Sosnoff-Baird (Chief FSM), Attorney Janice Chiaretto, Attorney Steven Eppler-Epstein, Attorney Timothy Fisher

Executive Summary

The bullets below reflect a summary of the Committee on Self-represented Parties' final recommendations. Detailed information about each of the Committee's recommendations may be found in the individual Subcommittee reports attached to this report. The Subcommittee reports are labeled as Appendices A through E. Additionally, several materials were developed in support of the Subcommittee's recommendations. Where applicable, these resource materials are referenced throughout this report as Appendices F through L.

Subcommittee on Forms (Appendix A)

- Bundle, or organize, forms by subject matter in all clerk's office and court service center locations, as well as on the Judicial Branch website.
- Rename the Quick Link on the Judicial Branch homepage from "Court Forms" to "Forms" to provide greater access to forms and allow self-represented parties to locate

forms on-line with greater ease. This recommendation was referred to the Judicial Branch Web Board for consideration at the March 6, 2009 meeting, and was subsequently approved. The change to the website Quick Links has been made. See **Appendix F**

- Convert the most commonly used Judicial Branch forms and publications to plain language, and expand access to these publications to include non-judicial facilities.
- Create a plain language hand-out regarding the short calendar marking procedures and provide a copy to all self-represented parties when they obtain their writ, summons and complaint. A brochure regarding short calendar procedures is in the process of being developed by E-Services for distribution to Clerk's Offices and Court Service Centers.
- Apply plain language and readability principles to the Connecticut Practice Book so it is clearer and more easily understood by self-represented parties. The Subcommittee on Forms recognizes the enormous undertaking this may be, and therefore, recommends that this be a long-term goal for the Judicial Branch to pursue.

Subcommittee on Training (Appendix B)

- Create a letter to all self-represented parties. The purpose of this letter is to provide self-represented parties with contact information for local legal aid and lawyer referral services, and to make self-represented parties aware of the court's available resources and services. Two versions of the letter were drafted; one intended for distribution through Clerk's Offices, law libraries and court service center locations, and the other to be automatically computer generated to all appearing parties and counsel of record each time an appearance is filed in a case. See **Appendix G & H**
- Create a video-taped family support magistrate advisement of rights in English and Spanish. The advisement would run in a continuous loop in a designated area in the courthouse. Meriden JD is under consideration as the pilot site. See **Appendix I**
- Create a small number of brief (five minutes or so) "how-to" videos, accompanied by easy to follow checklists that will guide self-represented parties through some of the basic procedures involved in civil and family litigation.
- Continue to provide quality and ongoing training for judges and staff in delivering the highest quality of service to the public, especially in the area of dealing with self-represented parties. To that end, the Subcommittee will refer this recommendation to the committee(s) to be created under the Training goal in the Strategic Plan.

Subcommittee on Support Services (Appendix C)

- Create a pilot program for Advice Days in a judicial district family court location to be determined where volunteer attorneys will provide legal advice to self-represented parties in court.
- Create a pilot docket dedicated to self-represented parties to be implemented only under optimal staffing conditions. The administration of the dedicated dockets would be done in concert with Court Service Center and Family Relations staff.

- Recommending that the Branch not pursue the implementation of dedicated clerks at the trial and appellate levels; but instead, establish a Court Service Center and/or a Public Information Desk in every court location that lacks one now.
- Create a pilot courthouse greeter program to be implemented in one courthouse, where congestion and intake delays are particularly burdensome. The greeter (or greeters) may be veteran clerk's office staff, e.g., the chief clerk or his or her designee, or some other court employee who is very familiar with the courthouse and the court's business. This pilot program should be evaluated for its effectiveness in reducing delay, congestion and confusion not later than the end of one year's operation.
- Create an effective marketing plan to better promote existing mediation programs so that self-represented parties are aware of available mediation options at the earliest possible stage.
- Create, where applicable, plain language publications about new and existing mediation programs to be displayed in all Judicial District clerk's office, Court Service Center and law library locations, as well as in non-judicial facilities such as local libraries, senior centers and community centers.
- Create a link called "Mediation Programs" to be added to the Judicial Branch Home Page under Quick Links thereby providing self-represented parties with the ability to access information about mediation programs from their home computers or from any Court Service Center or law library computer.
- Expand the mediation services administered by the Community Mediation, Inc., formally known as Fair Haven Community Mediation Center, Hartford Area Mediation and the Dispute Settlement Center to include an increased number of Geographical Area court locations, where feasible.

Subcommittee on Technology (Appendix D)

- Permit the Legal Services network to access the Judicial Branch website, and in turn, the Judicial Branch shall be permitted to link to the legal services' website. This collaborative effort will assist self-represented parties in gaining access to educational tools, as well as informing parties of available services and how to best access those services.
- Form an ongoing Technology workgroup to continue the work of the legal services' web project. This project will not be completed within the life of the Committee and the success of the web project is an important step in helping to ease the plight of the self-represented individual. The work of the Technology workgroup shall continue until the completion and implementation of the Legal Services web project.
- Establish a Court Service Center and/or a Public Information Desk in every court that lacks one now. Every court, including all Judicial District and Geographical Area courthouses, and all Juvenile Court facilities new and existing, shall be equipped with a Center and/or Desk as space and resources allow. In all court locations where space is at a premium, form and/or pamphlet walls are recommended to assist self-represented

parties. This recommendation is made with the support of the Chief Administrative Judge for Juvenile Matters, Christine E. Keller. **See Appendix J**

- Make wireless access readily available in courthouses and upgrade infrastructure and equipment for all Court Service Center and Public Information Desk locations.
- Create a handout for judges outlining the role of the Court Service Centers and Public Information Desks by explaining the types of services the Centers and Desks can and cannot provide. This publication has been submitted to and approved by the Judicial Branch Legal Services and External Affairs Divisions. **See Appendix K & L**
- Create a poster for distribution and display in all Clerk's Office, Court Service Center, Public Information Desk and law library locations outlining the role of the Court Service Centers and Public Information Desks by explaining the types of services the Centers and Desks can and cannot provide. Both the handout and the poster will be created utilizing the web pages located at <http://www.jud.ct.gov/csc/services.htm> and <http://www.jud.ct.gov/pjd/services.htm>. This publication has been submitted to and approved by the Judicial Branch Legal Services and External Affairs Divisions. The posters have been referred to the Judicial Branch Court Interpreter's Office for Spanish translation. **See Appendix K & L**

Subcommittee on Legal Services (Appendix E)

- Develop a very limited unbundling pilot project (in the area of family law, and in one court) with a strong evaluation component to explore both what unbundling could do for self-represented parties, courts, and lawyers, and what unintended consequences may result and need to be addressed. An ongoing unbundling work group will be formed to plan the family pilot project and push for any necessary rule changes. An in-depth discussion of the composition of the unbundling work group can be found in the final Subcommittee on Legal Services report.
- Develop a second unbundling pilot project in the area of foreclosure law. An unbundling work group will be formed to plan a pilot project and push for any necessary rule changes. The pilot project will assist self-represented parties, on a limited basis, with filing an appearance in the foreclosure and negotiating the debt. An in-depth discussion of the composition of the unbundling work group can be found in the final Subcommittee on Legal Services report.
- The Committee is concerned about the huge reduction in funding for Connecticut's legal aid network that took effect January 1, 2009. The Committee recommends that the Branch do everything it can to support funding for legal aid.

General Recommendation

The Committee on Self-represented Parties believes that the Judicial Branch should establish an ongoing collaborative relationship with Probate Court administration to discuss ways both entities can continue to improve resources and services available to self-represented parties.

The Committee recommends the formation of a Probate Court work group with representatives from the Judicial Branch and Probate Court administration. The work group

will be charged with creating long term plans and improvements to new and existing Judicial Branch and Probate Court services.

Discussion

Subcommittee on Forms

The Subcommittee on Forms met four times to develop recommendations specific to its charge. The Subcommittee reviewed the Judicial Branch's website for content specific to plain language and readability and identified areas for improvement such as access to forms and publications, plain language and the grouping of forms on-line.

In developing its recommendations, the Subcommittee reviewed websites from the States of Indiana and New Jersey to determine areas where Connecticut's website could be improved. The Subcommittee recognized that many self-represented parties may have difficulty navigating the website and may not be able to locate a particular form or publication because the links may not be readily accessible. The Subcommittee utilized the survey results from the survey conducted by the LEP (Limited English Proficiency) Committee of all Court Service Center staff to determine which forms and publications were most frequently requested by self-represented parties. For example, if a self-represented party requested the small claims writ, they would also be given the small claims process publication, providing the individual with a more comprehensive set of resource materials.

The Subcommittee identified the grouping of forms as an important priority for self-represented parties, and maintains that a key enhancement to the accessibility and navigation of the website for self-represented parties is the grouping of forms and publications. For example, if a self-represented party is trying to locate the forms necessary to commence a custody application, all of the required forms and publications would be grouped together electronically on the website and in hardcopy at all Court Service Center locations. The Subcommittee realizes that the grouping of forms may not provide for all types of cases and all scenarios, and believes that the availability of Court Service Center and Public Information Desk staff will serve to assist self-represented parties who have questions or require more in depth assistance.

The Subcommittee engaged in an ongoing dialogue with the Judicial Branch's Web Board on several proposed recommendations that concerned the Judicial Branch's website. The Web Board approved the Subcommittee's request to rename the link under Quick Links from "Court Forms" to "Forms." The rationale was that web users instinctively search for familiar 1-word keywords when browsing sites for information. Renaming the link reflects the work of the subcommittee and the goal of making forms easier to locate and more accessible on the Judicial Branch website. **See Appendix F**

Subcommittee on Training

The Subcommittee on Training met two times to develop recommendations specific to its charge. In order to best determine which areas were in need of training materials such as videos and written publications, the Subcommittee conducted a survey of Judges, Family Support Magistrates, Small Claims Magistrates, Court Service Center and Public Information Desk staff, Foreclosure Mediators, Housing Specialists and Chief Clerks. The survey asked each group to identify and rank problematic areas for self-represented parties. Additionally, the respondents were asked to suggest up to three things the Judicial Branch could do to enhance the ability of

self-represented parties to represent themselves efficiently and effectively in civil, family and family support magistrate cases. **See Appendix M**

During the Subcommittee discussions and based upon the survey responses, a determination was made that information delivered by a “live” person versus in writing, would have a greater impact on the person receiving it. The Subcommittee also discussed the need to produce videos in English and Spanish due to the growing number of Spanish-speaking parties and the shortage of interpreters. Videos from Indiana and Washington State were viewed as models for the types of videos produced by other states, and consideration was given to the potential cost of creating and producing such videos. The Subcommittee contacted Judicial Branch Program Manager, Mike Emons, who indicated that the videos were able to be produced at little or no additional cost to the Branch.

Drawing upon the results of the survey once again, the Subcommittee on Training identified the area of Family Support Magistrate law as an area where there is a large concentration of self-represented parties that could benefit from additional tools and assistance. Court patrons who come to Family Support Magistrate court often do so multiple times and find themselves spending the better part of their day in court waiting for their matter to be heard. In an effort to try and minimize the amount of time spent in court and away from work or child care obligations, the Subcommittee made it a priority to create Spanish and English versions of the Family Support Magistrate video advisement of rights. The advisement would provide for a more efficient use of time since the Magistrate would not need to continuously repeat the advisement and, similarly, litigants would not need to listen to the advisement each time they came to court.

On behalf of the Committee on Self-represented Parties, Judge Norko and Judge Bozzuto wish to extend their most sincere thanks and appreciation to Judge Antonio Robaina and Family Support Magistrate Katherine Hutchinson for their willingness to contribute their time and energy to the Committee on Self-represented Parties in the recording of the Spanish and English video advisements.

Subcommittee on Support Services

The Subcommittee on Support Services met seven times to develop recommendations specific to its charge. The Subcommittee focused on identifying the areas where services for self-represented parties were lacking, and formulated realistic recommendations for improvement in the services currently provided to self-represented parties. Specifically, the Subcommittee engaged in lengthy discussions about the lack of support services currently available for the self-represented, and the impact the lack of services has had on self-represented parties, court business and court staff. The Subcommittee agreed that the Court Service Centers and Public Information Desks provide an invaluable service to all court patrons, including the self-represented, attorneys, and members of the public.

Additionally, the Subcommittee discussed the impact the looming legal aid crisis and the economic downturn have had as contributing factors in the rising numbers of self-represented parties in our courts. In developing the recommendation for an advice days pilot program, the subcommittee stressed the importance of proper training for the attorneys with respect to what was expected and also, the need for clear provisions regarding the scope of the legal advice. In addition, the Subcommittee felt it was equally important that attorneys who volunteered their time were assigned to provide assistance in areas of law in which they were competent.

In developing its recommendation for advice days, the Subcommittee dedicated a tremendous amount of time discussing and debating the merits of the Branch providing malpractice and liability insurance versus a provision of immunity for volunteer attorneys. Ultimately, the Subcommittee concluded that the provision of a malpractice and liability insurance policy by the Branch would serve to protect both the volunteer attorney and the party receiving the advice. This recommendation to provide coverage should be implemented by the Branch for both the volunteer attorney and the self-represented party.

The Subcommittee believes the advice day program will have a broad and lasting impact not only on self-represented parties, but on court staff and judges, as well. In providing the limited assistance of an attorney to a self-represented person who would otherwise be unable to benefit from the assistance of counsel, the Subcommittee believes the positive effects will be felt in all areas of the court, from the clerk's office to the courtroom.

The Subcommittee inquired about the feasibility of a dedicated clerk for self-represented parties at the Appellate level. The Subcommittee was advised by Subcommittee member Attorney Susan Reeve that the Supreme and Appellate Courts have a case manager system in place which assigns a clerk to each appeal and pre-appeal motion as it is filed. A letter notifying counsel and the self-represented party of the clerk/case manager's name and telephone number is sent when the appeal is given an Appellate docket number. In keeping with the Judicial Branch's trend towards uniformity and plain language, the Appellate system has begun using "self-represented litigant/party" in lieu of "pro se" in all correspondence. The subcommittee agreed that the comprehensive nature of the appellate case manager system negates the need for a dedicated self represented clerk.

The Subcommittee also engaged in discussions regarding creating a dedicated clerk at the trial court level. The challenges and obstacles of creating such a clerk were discussed and factors such as the overwhelming volume of cases assigned to one clerk, and the potential problems with providing legal advice to self-represented parties were just a few of the issues that were raised. The Subcommittee agreed that the volume of cases would be overwhelming for a dedicated clerk and potentially unmanageable at the trial court level. The Subcommittee further agreed that the focus should be on the Court Service Centers to offer such assistance in lieu of a dedicated clerk.

Subcommittee on Technology

The Subcommittee on Technology met two times to develop recommendations specific to its charge. The Subcommittee had extensive discussions about the Connecticut Legal Aid Community Website Development Project. The website is going to be designed for people with basic to low literacy skills. It will include a lot of visual material, including videos, to provide self-represented parties with legal information and other resources. This project benefits all self-represented parties, including those who are indigent and who may not have access to a home computer, and those who have low to basic computer skills. Individuals may utilize the public access computers available in all Court Service Center and law library locations where they can also benefit from the personal assistance provided by Court Service Center and law library staff. Connecticut Legal Services would like to build this website in cooperation with the Connecticut Judicial Branch. The Subcommittee agreed that the web project should be a collaborative effort between the two entities.

In seeking to provide effective and efficient assistance to self-represented parties, the Subcommittee on Technology focused on clarifying the role of the Court Service Centers and Public Information Desks. To this end, the Subcommittee recommended that the webpages

located at <http://www.jud.ct.gov/csc/services.htm> and <http://www.jud.ct.gov/pid/services.htm> be made into a handout for distribution to judges, and additionally, be made into larger posters for distribution and display in all Clerk's Office, law library, Court Service Center and Public Information Desk locations. The Subcommittee believes these statements will serve to clearly define the role of the Court Service Centers. All of the Subcommittee's recommendations focus on enhancing the services and resources provided to the self-represented and shall serve to improve the court experience for all court patrons.

Subcommittee on Legal Services

The Subcommittee on Legal Services met three times to formulate recommendations specific to its charge. The Subcommittee researched what other states were currently doing regarding unbundling and which states may have the most advanced models. A proposal for a pilot unbundling program in Connecticut courts in the area of family law was drafted utilizing the Massachusetts program as a guide. The Subcommittee gave consideration to any structural changes such as amendments to statutes, rules or court practices that may be required to implement an unbundling project. The Subcommittee agreed that other potential pitfalls or sentiments of reluctance to unbundling of legal services should be researched so that the Subcommittee's proposal will include ways to minimize those concerns.

The Subcommittee received a proposal from Legal Services Subcommittee member Attorney Steven Eppler-Epstein to expand the proposed unbundling project to include foreclosure law. The area of foreclosure law was identified as an area where a large number of self-represented defendant homeowners might benefit from limited scope representation. Historically, these homeowners have been unable to retain the services of counsel, mainly due to the out-of-pocket expense of hiring an attorney. These homeowners were not only faced with the very real prospect of losing their homes, but also the harsh reality of having to act as their own attorney in defending a foreclosure action.

The Subcommittee remains extremely concerned about the huge reduction in funding and maintains its recommendation that the Branch do everything it can to support funding for legal aid. While recommendations are made and legislative proposals are considered, the Subcommittee remains in contact with members of the Chief Court Administrator's Office and Legislature to share information and discuss recent updates.

Conclusion

The Committee on Self-represented Parties was charged with improving the clarity of court procedures and information so that individuals without legal representation may more effectively participate in the court process. At the conclusion of this project, there were a few lasting impressions worth noting in this report:

In developing all of its recommendations, the Committee gave strong consideration to the potential costs associated with any of its proposed initiatives. These initiatives draw their depth and strength from the Judicial Branch's most valuable resources – existing Branch staff. These staff include, but are not limited to, Judges, Magistrates, Clerks, Court Service Center and law library staff. Utilizing these existing resources has provided the Committee on Self-represented Parties with the ability to consider a full range of options in developing its recommendations. Without the benefit of Judicial Branch staff, these recommendations would have otherwise been impossible and cost-prohibitive, but are instead, feasible and cost-effective.

Also, the Committee on Self-represented Parties acknowledges the work of other committees in the Implementation Plan, such as the Committee on Expectations of the Public, which has developed certain tools, such as brochures and videos, to assist self-represented parties. These tools will work in tandem with some of the recommendations proposed by the Committee on Self-represented Parties. We believe the work of these two Committees will complement one another and shall serve to form the foundation for a comprehensive set of resources and tools for self-represented parties.

Finally, the Committee on Self-represented Parties has paid careful attention to the financial crisis which has befallen our legal aid community. The partnership between the Branch and the legal aid community is important and unique and the preservation and success of this partnership relies in part upon the sustained efforts of both entities. The Committee on Self-represented Parties believes the continuation of this unique relationship is paramount to continued success in this changing legal culture.

Public Service and Trust Commission

**Minority Report of the
Committee on Self-represented Parties**

Honorable Cynthia K. Swienton

I applaud the Judicial Branch and the Committee on Self-represented Parties for dealing with and addressing ways to improve the clarity of court procedures and information for self-represented parties (SRLs). I agree with many of the recommendations of the committee, however, I disagree with some of those recommendations so strongly that I am compelled to submit this minority report. Thank you for the opportunity to do so. The comments that follow are limited to those recommendations with which I disagree.

Before I address the individual subcommittee recommendations, I have an overarching concern having to do with insufficient consideration of the role of the bar in these recommendations, whose cooperation the recommendations require. While I am mindful of the ever increasing numbers of SRLs, having presided over family matters for the last five years in two of the largest judicial districts in the state, and mindful of economic and other factors which have caused a dramatic increase, the recommendations which have the effect of being lawyer unfriendly will only drive lawyers out of the system which could result in further compounding the problem. It is unfair to the practicing bar and to their clients. The appearance of impartiality is a sustaining cornerstone of our judicial system, so when we adopt policies which even unintentionally have the effect of favoring one party over another, or classes of parties, i.e., favoring SRLs over parties with counsel, we weaken confidence in the courts.

Subcommittee on Forms:

I agree that the forms should be simplified and bundled, and in fact, some court service centers do so already. My concern is that terms of art, which have been defined by decades of case law, could be lost, and care should be taken to ensure that the legal concepts survive this simplification. This is even more of a problem for the Connecticut Practice Book, which has been developed by countless hours of effort by members of the Rules Committee and judges of the Superior Court. They are not designed to make the process inaccessible, but to make the practice clear to the people who have the legal training necessary to understand the concepts.

Subcommittee on Training:

My concern, which I continue to voice, is being very mindful of crossing the line between giving forms or information and the dissemination of legal advice. (See my comments below regarding “advice” days.) The Branch should be aware of an appearance of assisting SRLs, when the opposing side may have begged and borrowed to come up with funds to hire an attorney, not to mention possible Judicial Code Canon violations. There also may be a perception of unfairness when the SRL is “helped” and the other party is not. There should be more training of judges in techniques to deal with SRLs, and at the same time, the training videos to the SRLs should emphasize the need to have proper courtroom decorum and respect for all persons in the courtroom, something which is not only required, but demanded of members of the bar.

Subcommittee on Support Services:

Mediation: The sub-committee did not mention the extensive and often successful mediation programs that currently exist through the Office of Family Relations.

Advice Days: I would support a system where there are information days and not “advice days,” and volunteer lawyers would be available to inform SRLs about various aspects of the process, possibly engaging the various local bar associations. It is unethical for the courts to give advice to litigants, and any system where people think they are coming to the courthouse and getting court-sanctioned advice is exactly that. This is typically true if the Branch is going to be providing malpractice insurance to the participating lawyers – which is part of the recommendation of this subcommittee. There is a myriad of other problems with this. Lawyers typically give “advice” to clients. Does this mean that everybody who comes to these sessions is a client? What about conflicts? How do you insure that the same lawyer is giving “advice” to both parties to the litigation? What happens when the SRL is unsuccessful in court? Parties tend to hear what they want to hear. Can they sue the Branch when a judge hearing a case disagrees with the “advice” given by the lawyer? Lastly, if we adopt lawyer unfriendly policies, how can we expect to call on their assistance in these matters?

Courthouse greeter: We already have in virtually every courthouse either a court information center or a court service center. The marshal can direct parties to these facilities. Until we have adequate staffing throughout the Branch to perform core functions required to adjudicate cases, this is simply something we cannot afford.

Dedicated Docket: This recommendation is conditioned upon adequate staff resources, which at this moment we do not have and cannot afford. Although there is no completely

dedicated docket for SRLs, we presently provide some of the support recommended, for example, law students who assist with restraining orders, family relations who assist with mediation, court staff who have developed check lists to assist SRLs in uncontested dissolution matters. A special SRL docket would also create a two tier system – the have and the have nots.

This would be an extremely burdensome assignment and would cause even fewer judges to be willing to take a family assignment, which already is not thought of as highly desirable, and some judges flatly refuse those assignments because they admittedly lack the patience required. This should only be implemented if **all** superior court judges are required to regularly rotate through this docket.

Subcommittee on Legal Services:

Although only in a few districts does legal aid appear in family matters, there is no question that legal aid is very important, and the reduction in funding is a very serious problem. But I question whether it is appropriate for the Branch to engage in any lobbying efforts on their behalf. Obviously, individual judges can, through the Bar Foundation, lend their support to more funding, but judges are not permitted to solicit money, and I question whether the Branch can be lobbying the legislature or any other group regarding any entity. Again, the Branch cannot appear to be favoring one side or a group of lawyers over another.

Omissions:

The majority report does not deal with the contributions to be made by adequately trained marshals. Because SRLs are often disruptive and fail to observe proper courtroom decorum, the judge spends significant time and energy just keeping order. While obviously the judge is responsible to maintain order in the court, by admonishing a party repeatedly, a perception of

prejudice may develop. Therefore, I suggest that the marshals be trained to deal with people who are overly volatile or emotional.

The report also does not adequately address the contributions and services currently made by the Office of Family Relations, a division of Court Support Services Division. Any effort to provide some of the suggested services which would diminish family relations would be counterproductive. In handling and processing family cases, they are the most important cog in the wheel.

Conclusion:

The goals of the committee are important and worthy. I would hope that my comments would be considered in any implementation of enhanced support of self-represented litigants.

Respectfully submitted,

Cynthia K. Swinton
Judge, Superior Court
Member, Committee on Self-represented Parties

**Public Service and Trust Commission
Committee on Self-represented Parties**

Subcommittee on Forms

Recommendations

Areas for consideration

This Subcommittee shall explore all the options for making forms and literature accessible to all those who may need them.

Recommendation #1: Bundling Forms

The Subcommittee recommends the bundling of forms in all clerk's office and court service center locations, as well as on the Judicial Branch website.

- The Subcommittee will consider the survey results from the Subcommittee on Training and the LEP (Limited English Proficiency) survey results in determining which areas/case types to bundle. However, in the interim, the Subcommittee has made recommendations for the bundling of family forms. (See attached)
- The Subcommittee will also consider bundling publications related to the most frequently requested forms. For example, if a self-represented party requested the small claims writ, they would also be given the small claims process publication.
- Forms will be bundled by case type and for multiple scenarios within each case type.
- The Subcommittee recognizes that while it is probably not feasible to envision every scenario in a case, it is best to be over-inclusive.
- Forms will be bundled on the Judicial Branch website just as they are in clerk's office and court service centers.

Recommendation #2: Forms link on Judicial Branch website

The Subcommittee recommends the link to forms be clearer and more prominently displayed on the Judicial Branch website in order to provide greater access to forms and allow self-represented parties to locate forms on-line with greater ease.

- The Subcommittee recommends that the Quick Link on the Judicial Branch be renamed from "Court Forms" to "Forms" to assist self-represented parties in finding the necessary forms on line. This recommendation was referred to the Web Board for consideration at the March 6, 2009 meeting, and was subsequently approved. The change to the website Quick Links has been made.

Areas for consideration:

This Subcommittee shall study the feasibility of increasing the number and availability of forms in plain language, so new and existing forms can be easily understood by all.

Recommendation #3: Plain Language Forms and Publications

The Subcommittee recommends that the most commonly used Judicial Branch forms and publications be converted to plain language, and that access to these publications be expanded to include non-judicial facilities.

- In determining which forms to translate into plain language, the Subcommittee will utilize the survey results from the Subcommittee on Training and the survey results from the LEP (Limited English Proficiency) Committee to identify problem areas for self-represented parties as well as the most commonly requested forms.
- The Subcommittee also recommends that lengthy Judicial Branch publications and “how-to” guides be condensed into tri-fold, bulleted pamphlets using plain language.
- These publications will be made available at non-judicial locations such as libraries, senior centers and community centers.
- The Subcommittee believes the short calendar marking process can be very confusing to self-represented parties. The Subcommittee recommends a plain language hand-out regarding the short calendar marking procedures be provided to all self-represented parties when they obtain their writ, summons and complaint.

Recommendation #4: Plain Language – Practice Book

The Subcommittee on Forms acknowledges that the Connecticut Practice Book, in its current format, is difficult for self-represented parties to understand. The Subcommittee recommends that as a long-term goal, plain language and readability principles be applied to the practice book so it is clearer and more easily understood by self-represented parties.

Proposed bundling packages for family cases

1. FILING A DISSOLUTION OF MARRIAGE ACTION

- (a) Summons, Family Actions JD-FM-3
- (b) Divorce Complaint JD-FM-159
- (c) Notice of Automatic Orders JD-FM-158
- (d) Motion For Orders Before Judgment JD-FM-176
- (e) Application For Waiver of Fees/Appointment of Counsel JD-FM-75

2. DEFENDING A DISSOLUTION OF MARRIAGE ACTION

- (a) Appearance Form JD-CL-12
- (b) Dissolution Answer JD-FM-160
- (c) Divorce Cross Complaint JD-FM-159
- (d) Motion For Orders Before Judgment JD-FM-176

3. FILING A DISSOLUTION OF CIVIL UNION

- (a) Summons, Family Actions JD-FM-3
- (b) Dissolution Of Civil Union Complaint JD-FM-159A
- (c) Notice of Automatic Orders JD-FM-158
- (d) Motion For Orders Before Judgment JD-FM-176
- (e) Application For Waiver of Fees/Appointment of Counsel JD-FM-75

4. DEFENDING A DISSOLUTION OF CIVIL UNION ACTION

- (a) Appearance Form JD-CL-12
- (b) Dissolution Answer JD-FM-160

(c) Dissolution of Civil Union Cross Complaint JD-FM-159A

(d) Motion For Orders Before Judgment JD-FM-176

5. FILING A CUSTODY APPLICATION

(a) Order To Attend Hearing And Notice To Respondent JD-FM-162

(b) Custody Application JD-FM-161

(c) Notice of Automatic Orders JD-FM-158

(d) Affidavit Concerning Children JD-FM-164

(e) Financial Affidavit JD-FM-6

(f) Application For Waiver of Fees/Appointment of Counsel JD-FM-75

6. DEFENDING A CUSTODY ACTION

(a) Appearance Form JD-CL-12

(b) Financial Affidavit JD-FM-6

7. FILING A VISITATION APPLICATION

(a) Order To Attend Hearing And Notice To Respondent JD-FM-162

(b) Visitation Application JD-FM-161

(c) Notice of Automatic Orders JD-FM-158

(d) Affidavit Concerning Children JD-FM-164

(e) Application For Waiver of Fees/Appointment of Counsel JD-FM-75

8. DEFENDING A VISITATION ACTION

(a) Appearance Form JD-CL-12

9. FILING A MOTION FOR MODIFICATION (POST JUDGMENT)

- (a) Appearance Form JD-CL-12
- (b) Motion For Modification JD-FM-174
- (c) Affidavit Concerning Children JD-FM-164
- (d) Financial Affidavit JD-FM-6
- (e) Application For Waiver of Fees/Appointment of Counsel JD-FM-75

10. DEFENDING A MOTION FOR MODIFICATION (POST JUDGMENT)

- (a) Appearance Form JD-CL-12
- (b) Financial Affidavit JD-FM-6

11. FILING A MOTION FOR CONTEMPT (POST JUDGMENT)

- (a) Appearance Form JD-CL-12
- (b) Motion For Contempt JD-FM-173

12. DEFENDING A MOTION FOR CONTEMPT (POST JUDGMENT)

- (a) Appearance Form JD-CL-12
- (b) Financial Affidavit JD-FM-6

**Public Service and Trust Commission
Committee on Self-represented Parties**

Subcommittee on Training

Recommendations

Areas for consideration

The Subcommittee shall determine which areas would most benefit from educational workshops. The sub-committee shall examine the need to create training, instructional and “how-to” manuals for self-represented parties to assist them in navigating the court system.

Recommendation #1: Letter to Self-represented Parties

- The Subcommittee recommends the creation of a letter to all self-represented parties. The purposes of this letter is to encourage self-represented parties to seek counsel where practicable, to give them contact information for local legal aid and lawyer referral services, to make them aware of the court’s available resources and services while also educating them about the role of the court and some of the restrictions on the court’s role. Two versions of the letter were drafted, one intended for distribution through Clerks’ Offices, law libraries, etc, and the other to be automatically system-generated to all appearing parties and counsel of record each time an appearance was filed in a case. This mechanism for distribution would ensure that all appearing parties in a case would receive the letter at the earliest possible point in the case (when they become an appearing party).
- After consultation with the e-filing program manager, the Subcommittee learned that the Branch’s existing mainframe system could not generate and mail this letter to all parties upon receipt of an appearance. That system, however, is gradually being phased out and will be replaced by the new civil/family e-filing system in late 2010/2011. This new system will be technologically equipped to generate such an automated letter.
- In the interim, the Subcommittee discussed having the letter distributed by alternative means. 1. The letter may be made available at all clerk’s offices and court service center locations. 2. The letter may be attached to or distributed with each writ, summons and complaint and each appearance. Distribution of the letter as part of the writ, summons and complaint, however, would require prior approval from the Chief Court Administrator. 3. Copies of the letter could be made available in law libraries, public libraries and other suitable locations.

For the present, the letter to self-represented parties should be made available at all clerks’ offices, law libraries and court service center locations. Additionally, the Committee should request that the Chief Court Administrator consider a method of distribution with all writ, summons and complaints and/or distributed with all

appearance forms. The Committee should also consider making copies available at local public libraries.

In the future, when system generated notices can be accommodated, the subcommittee recommends the letter be sent each time an appearance is filed in a case, just as the status of appearance JDNO currently is. This mechanism for distribution would ensure that all appearing parties in a case would receive the letter at the earliest possible point in the case.

Recommendation #2: Family Support Magistrate Video Advisement

The Training subcommittee recommends the creation of a video-taped family support magistrate advisement in English and Spanish. Videos for the following calendars will be recorded:

1. Paternity and Support
 2. Contempt
 3. Modification of Child Support (includes modification, wage withholding, and contempt)
 4. Generic advisement for all matters
 5. Custody and visitation
- As a result of the survey distributed by the Subcommittee on Training, and after consultation with the Chief Family Support Magistrate, we propose the creation of a videotaped family support magistrate Advisement of Rights. This video would run in a continuous loop on a designated television in the courthouse.
 - The Advisement should be accompanied by a written bulleted summary of the Advisement being proposed by the Committee on Expectations of the Public, Subcommittee on Support Enforcement Services and Family. The Subcommittee on Support Enforcement Services and Family will use the same advisement text for the written summary as utilized in the video, whereby creating a uniform set of written and video tools for self-represented parties.
 - The Subcommittee agreed the video Advisement would make for a more efficient use of everyone's time. 1. The magistrate would not need to repeat the Advisement each time he/she took the bench, or when a party missed the opening of court, and could therefore begin and complete the docket more promptly; and 2. Litigants would not need to listen to the Advisement each time they came to court, whereby minimizing their time in court and by extension, the amount of time missed from work or child care obligations.

On behalf of the Committee on Self-represented Parties, Judge Noriko and Judge Bozzuto wish to extend their most sincere thanks and appreciation to Judge Antonio Robaina and Family Support Magistrate Katherine Hutchinson for their willingness to contribute their time and energy to the Committee on Self-represented Parties in the recording of the Spanish and English video advisements.

Recommendation #3: Creation of written and video materials

The Subcommittee on Training recommends that the Branch explore the preparation of a small number of brief (five minutes or so) pilot “how-to” videos, accompanied by easy to follow checklists that will guide self-represented parties through some of the basic procedures involved in civil and family litigation. These might include such topics as “Writing a Divorce Complaint”; “Writing a Civil Complaint”; “Service of Process”; “Filing the ‘Answer’”; and “Courtroom Behavior.”

- The Subcommittee’s survey showed that most respondents felt that written material would be somewhat more effective than videos, although judges tended to have the opposite view.
- The Subcommittee also considered, in accordance with its charge, the possibility of holding workshops for pro se parties, or assigning a judge trial referee to provide basic assistance in drafting complaints, but these notions were all rather quickly rejected as either not cost effective, not likely to be effective at all, or likely to create ethical issues and other problems.
- The Subcommittee felt strongly that visual aids would be at least as effective as written ones, but that the coordinated use of both with respect to discrete topics would be most effective. Members also expressed concern that the limited reading ability of some self-represented litigants would limit the effectiveness of written materials alone.
- Both video and written materials would need to be reviewed to assure that they avoid legal jargon, except to the extent necessary to identify the names of procedures and pleadings, etc., and that they should be presented in “Plain English.”
- The Subcommittee has explored the cost of the preparation of such materials. Other than the person-hours of existing Branch personnel, plus the cost of paper and ink, there should be little or no cost to the Branch.

Areas for consideration

The Subcommittee shall determine the extent to which staff in addition to court service center staff, are trained on the psychology of dealing with frustrated and often irate self-represented parties.

Recommendation #4: Training for all Branch Staff on Dealing with Self-represented Parties

The Subcommittee on Training recognizes that self-represented parties may encounter a unique set of hurdles and problems when they come to court. Their frustrations in dealing with these obstacles, in turn, create difficulties for staff and judges that call for a degree of patience and understanding that may go beyond what is normally required in cases where the parties are represented by counsel.

The Subcommittee on Training recommends that the Branch continue to provide quality and ongoing training for judges and staff in delivering the highest quality of service to the public, especially in the area of dealing with self-represented parties. For example, Superior Court Operations offers a variety of training programs through the Standing Committee on Public Service (SCOPS), Public Service Excellence (PSE), and the Judicial Marshals participate in Positive Interaction/Positive Performance (PIPP). The Subcommittee on Training believes that any training in dealing with self-represented parties should be a consistent message across divisions of the Branch. The training should be comprehensive, ongoing, and open to all personnel including judges. To that end, the Subcommittee will refer this recommendation to the committee(s) to be created under the Training goal in the Strategic Plan. According to the Strategic Plan, a committee will be formed to make recommendations to address: the enhancement and expansion of judge training; the expansion of staff training; and the consolidation and coordination of the Branch's training resources. The Branch should make all reasonable attempts to execute this goal.

**Public Service and Trust Commission
Committee on Self-represented Parties**

Subcommittee on Support Services

Recommendations

Areas for consideration

This Subcommittee will consider the feasibility of implementing “advice days” for self-represented parties utilizing the services of volunteer attorneys.

Recommendation #1: Advice Days

The Subcommittee recommends the creation of a pilot program for “Advice Days” in a judicial district family court location to be determined where volunteer attorneys will provide legal advice to self-represented parties in court.

- The Subcommittee considered Proposed Bill No. 724, LCO No. 2060 “An Act Concerning Immunity for Certain Volunteers” and made preliminary recommendations to amend the proposed bill to include language more specific to providing immunity for volunteer attorneys who participate in the program of advice days for the Judicial Branch. The Subcommittee learned that this proposed bill never made it out of the Judiciary Committee, so other alternative approaches to this issue were considered by the Subcommittee.
- The Subcommittee also explored the issues of immunity for volunteer attorneys and discussed amending sec. 4-165(b) of the statutes, adding subparagraph G or an amendment subparagraph E to include attorneys volunteering advice.
- If it is economically feasible, a malpractice and liability insurance policy would be purchased by the Judicial Branch and coverage extended to the volunteer advice day attorneys. Unlike the offer of immunity, malpractice insurance would provide protection to both the attorney providing advice and the self-represented party who receives it.
- The Subcommittee recommends that the pilot program for advice days be launched in a judicial district family court location to be determined.
- The Subcommittee further recommends that the advice days pilot be held on a family short calendar or case management day and further be designed to work in concert with the pilot program for dedicated dockets. That is, the volunteer attorneys will be available on the same designated date, time and place as the dedicated docket for self-represented parties, whereby increasing the availability of resources and services while minimizing the burden on court staff.

Areas for consideration

This Subcommittee shall evaluate new and inventive ways to meet the needs of self-represented parties by assessing the feasibility of creating dedicated dockets specifically for the self-represented.

Recommendation #2: **Dedicated Dockets**

The Subcommittee recommends the creation of dedicated dockets for self-represented parties provided that said dockets are adequately supported with staff resources.

- The Subcommittee obtained information from John Greacen at the National Center for State Courts who explained that family self-represented dockets only succeed under optimal staffing conditions which were described as follows:
 1. Staff review files in advance of the calendar, noting the status of the case and missing or incomplete documents.
 2. Staff goes into the courtroom at the calendar start time, call out the cases for which they are responsible and discuss the cases with the party or parties who appear.
 3. Staff determines the extent of agreement between the parties and assesses the likelihood that full agreement on all issues can be achieved with minimal staff effort. If the answer is yes, staff then work with the parties to reach a full agreement, reduce the agreement to writing for presentation to the court, and assist the parties in completing other paperwork.
 4. The objective is to complete the divorce or other matter at the first appearance. If this is not possible, the parties are returned to the courtroom.
 5. As most of the cases are handled by staff, the judge has time to help the parties move the case forward and to explain in detail what has to happen next.
- In addition, the Subcommittee learned that dedicated dockets may also be effectively supported by law students, volunteer attorneys or mediators rather than court staff.
- The absence of adequate staffing for these dockets would render such an endeavor ineffective and would result in a significant waste of time and court resources.
- The Subcommittee recommends the creation of a pilot dedicated docket implemented only under optimal staffing conditions as explained by John Greacen from the National Center for State Courts. The administration of the Dedicated Dockets would be done in concert with the Court Service Centers and Family Relations staff.
- The Subcommittee recommends the pilot program be implemented in a family court location, to be determined, on a short calendar or case management day. The dedicated docket should coincide with the location and schedule of the advice days pilot program.

- The Subcommittee recommends that the time of these dockets be staggered so as to avoid unnecessary over-crowding and minimize competition for court resources and services.
- The Subcommittee recommends the published short calendar or case management docket be sub-divided to create a dedicated self-represented docket through an announcement made by the clerk at the commencement of the calendar. This announcement will notify direct named self-represented cases/files to report to another previously designated courtroom for adjudication.

Areas for consideration

This Subcommittee shall evaluate new and inventive ways to meet the needs of self-represented parties by examining the need for designated self-represented clerks to assist self-represented parties at trial and appellate levels.

Recommendation #3: Dedicated Self-represented Clerks at the Trial and Appellate level

The Subcommittee has determined there is not sufficient demand at the appellate level to warrant dedicated clerks for self-represented parties, and there is simply too much demand at the trial level to designate one self-represented clerk. This need is currently being met by the Court Service Centers and Public Information Desks which are extremely effective and valuable.

- The Subcommittee discussed the need for creating a dedicated clerk at the trial and appellate courts. Self-represented Parties Committee member, Attorney Susan Reeve from the Appellate Clerk's Office was contacted regarding whether there was a need for such a clerk at the Appellate level. After consultation with Chief Appellate Clerk, Michele Angers, Attorney Reeve reported that there wasn't a need for a dedicated clerk for self-represented parties at the Appellate level. Attorney Reeve explained that the Appellate Court has a case manager system which assigns a clerk to every appeal and every pre-appeal motion that is filed, so the self-represented party has a contact name and telephone number for a clerk at the Appellate Court. The subcommittee agreed that the comprehensive nature of the Appellate Court's case manager system negated the need for a dedicated self-represented clerk at the Appellate level.
- The subcommittee also engaged in a discussion regarding creating a dedicated clerk at the trial court level. The challenges and obstacles of creating such a clerk were discussed and factors such as the overwhelming volume of cases assigned to one clerk, and the potential issues of providing legal advice to self-represented parties were just a few of the issues that were raised. The subcommittee agreed that the volume of cases would be overwhelming for a dedicated clerk and potentially unmanageable at the trial court level. The subcommittee further agreed that the focus should be on the Court Service Centers to offer such assistance in lieu of a dedicated clerk.

Areas of consideration

This Subcommittee shall evaluate new and inventive ways to meet the needs of self-represented parties by assessing the feasibility of implementing a courthouse greeters program to welcome and direct all courthouse patrons as they enter the facility.

Recommendation #4: Courthouse Greeters

- The Subcommittee recommends that a pilot courthouse greeter program be implemented in one courthouse, where congestion and intake delays are particularly burdensome. The greeter (or greeters) may be, veteran clerk's office staff, e.g., the chief clerk or his or her designee, or some other court employee who is very familiar with the courthouse and the court's business. The Subcommittee recommends that the greeter be stationed at the metal detector during the busiest days and hours of the court day (e.g. mornings 8:30am-10:00am and afternoons from 1:30-2:00pm, depending on the business of the court).
- This pilot program should be evaluated for its effectiveness in reducing delay, congestion and confusion not later than the end of one year's operation. The Subcommittee recommends a pilot courthouse greeter program to gauge if such a program will serve to lessen the burden of long lines at the clerk's office, reduce congestion at the metal detectors (fewer people asking marshals where to go, etc.), minimize confusion and anxiety for self-represented parties, and assist self-represented parties in navigating the courthouse without getting lost. The greeter will instantly serve as a friendly, welcoming face to greet the patron and direct them to the appropriate office or person.

Areas for consideration

This Subcommittee shall evaluate new and inventive ways to meet the needs of self-represented parties by examining a variety of methods to make mediation services more readily available to self-represented parties.

Recommendation #5: Mediation

The Subcommittee discussed the recommendation regarding mediation and proposes that the Judicial Branch more effectively market and promote existing mediation programs, so that self-represented parties are aware of available mediation options at the earliest possible stage. The Subcommittee further recommends, where applicable, the creation of plain language publications to be displayed in all Judicial District clerk's office and court service center locations, as well as in non-judicial facilities such as local libraries, senior centers and community centers.

Additionally, the Subcommittee recommends that a link called "Mediation Programs" be added to the Judicial Branch Home Page under Quick Links, whereby providing self-represented parties with the ability to access information about mediation programs from their home computers or from any court service center or law library computer.

The Subcommittee discussed the mediation models administered by the Fair Haven Community Mediation Center, Hartford Area Mediation and the Dispute Settlement Center. These facilities provide mediation services in a limited number of Geographical Area courthouses and the Subcommittee recommended that these mediation services be expanded to include other Geographical Area court locations, if feasible.

Specifically, the Subcommittee recommends that the Mediation Programs link contain information on the following mediation programs:

- Court-Annexed Mediation
- Foreclosure Mediation
- Other mediation programs, as suggested

**Public Service and Trust Commission
Committee on Self-represented Parties**

Subcommittee on Technology

Recommendations

Areas for consideration

This Subcommittee shall explore different ways of cooperating with the legal services network in the development of an interactive website.

Recommendation #1: Legal Services web project

The legal services network in Connecticut is establishing a web-based system for making legal information available to their client communities. The system will include a user-friendly website through which legal services organizations can provide information to individuals who cannot be taken on as clients because of limited funding and other resources. The system will allow users to find information about their problems, link to the Judicial Branch website and locate other services such as hotlines, pro bono networks, and lawyer referral services.

- The Subcommittee envisions a reciprocal partnership between the Branch and the legal services network in order to effectively serve the growing client population.
- The Technology Subcommittee recommends that the legal services network be permitted to access the Judicial Branch website, and in turn, the Judicial Branch shall be permitted to link to the legal services website.
- This collaborative effort will assist self-represented parties in gaining access to educational tools, as well as informing parties of available services and how to best access those services.

Recommendation #2: Formation of Technology Committee

Form an ongoing Technology Committee to continue the work of the legal services web project. This project will not be completed within the life of the Committee and the web project's success is needed to help ease the plight of the self-represented individual. The work of the Technology Committee shall continue until the completion and implementation of the Legal Services web project.

This collaborative web project comes at a critical time for legal services, as they face massive budget cutback and layoffs. The effect of fewer legal services attorneys during an economic downturn is easy to understand.

Recommendation #3: Court Service Centers

- Recommendation that all existing courthouses be equipped with a Court Service Center and/or a Public Information Desk.
- All new courthouses should be equipped with a Court Service Center and/or a Public Information Desk.
- Every court, including all Judicial District and Geographical Area courthouses, and all Juvenile Court facilities new and existing, shall be equipped with a Center and/or Desk as space and resources allow. In all court locations where space is at a premium, form and/or pamphlet walls are recommended to assist self-represented parties. This recommendation is made with the support of the Chief Administrative Judge for Juvenile Matters, Christine E. Keller.
- The subcommittee recommends the availability of wireless access for courthouses and upgraded infrastructure and equipment for Court Service Center and Public Information Desks.

Recommendation #4: Clarifying the role of the Court Service Centers

In clarifying the role of the Court Service Centers, the Subcommittee on Technology recommends the creation of a handout for judges outlining the role of the Court Service Centers and Public Information Desks and explaining the types of services the Centers and Desks can and cannot provide. The Subcommittee recommends that the web pages located at <http://www.jud.ct.gov/csc/services.htm> and <http://www.jud.ct.gov/pid/services.htm> be made into a handout for distribution to judges, and additionally, be made into larger posters for distribution and display in all Clerk's Office, law library, Court Service Center and Public Information Desk locations. The Subcommittee believes these statements will serve to clearly define the role of the Court Service Centers.

**Public Service and Trust Commission
Committee on Self-represented Parties**

Subcommittee on Legal Services

Recommendations

Areas for consideration

This Subcommittee shall assess the impact of unbundling legal services on various bar groups, including, but not limited to legal aid, the business process of the courts, and self-represented parties.

Recommendation #1: Unbundling

The Subcommittee believes that unbundled legal services could benefit low-to-moderate income clients who at present do not have access to attorney representation. Unbundling could help the courts, because lawyers would more often appear at crucial junctures in cases. We also believe that unbundled services could provide an improved revenue stream for lawyers, because rather than proceeding wholly pro se, clients would pay for what they can afford, and the ongoing relationship with a lawyer would create new limited-scope representation work based solely on actual payment.

We believe there are two aspects of unbundled services:

- Encouraging clients to go to lawyers for support in representing themselves at every step of a legal proceeding;
- Encouraging/allowing lawyers to represent clients at specific proceedings without being obligated to the subsequent case.
- The Subcommittee believes Connecticut should follow the lead of other states that have developed successful unbundled services initiatives and start a very limited pilot project with a strong evaluation component to explore both what unbundling could do for clients, courts, and lawyers, and what unintended consequences may result and need to be addressed.
- The Subcommittee would like to establish a working group to plan the pilot project and push for any necessary rule changes for unbundling of services in family law. The membership of the working group should include representatives from the following groups:
 1. Judicial Branch: Family court Judges; Court Operations staff; a representative from the Court Service Centers; and others to be determined.

2. Attorneys: appointed by the Connecticut Bar Association, including both leadership, a representative of the family law section, legal aid, a representative from the Attorney General's Office and law offices of varying sizes and types.
 3. Consumer representatives: (for example the Connecticut Women's Education and Legal Fund; possibly a union-based legal assistance program).
 4. Other groups to be determined.
- The Subcommittee would like to establish a working group to plan a pilot project and push for any necessary rule changes for unbundling of services in foreclosure law. The pilot project will assist self-represented parties, on a limited basis, with filing an appearance in the foreclosure and negotiating the debt. The membership of the working group should include representatives from the following groups:
 1. Judicial Branch: Superior Court Judges specifically in Housing and Civil Matters; Court Operations staff within Housing Matters and the Foreclosure Mediation Program; a representative from the Court Service Centers; and others to be determined. The subcommittee recommends that the Foreclosure Mediation Program be responsible for managing the project, including coordinating all of the entities and groups that will be involved to ensure the success of the project.
 2. Attorneys: appointed by the Connecticut Bar Association, including both leadership and Chairman or members of the Pro Bono Committee, legal aid attorneys, a representative from the Attorney General's Office, and attorneys from law offices of varying sizes with extensive knowledge in foreclosure law.
 3. Consumer representatives: HUD Certified Counseling Centers and community-based foreclosure assistance programs
 4. Other groups to be determined.

Areas for consideration

This Subcommittee shall explore ways to enhance the relationship between the Judicial Branch and the legal aid community through the formation of a work group to consider the full range of options available in developing a plan to supplement and stabilize funding sources for legal aid.

Recommendation #2: Funding the Legal Aid Network

The Subcommittee is extremely concerned about the huge reduction in funding for Connecticut's legal aid network that took effect January 1, 2009. We urge the full Committee to recommend that the Branch do everything it can to support funding for legal aid.

Without adequate levels of legal aid funding:

- a. There will be increased barriers to justice. Fundamentally, the mission of the Branch is to deliver efficient and just decisions for the people of Connecticut. Legal aid lawyers are an essential component of the legal structure; if funding is not available, people will have less access to court and less information about their rights.
- b. More people will appear in court unrepresented, making it harder for judges to deliver just results. Legal aid lawyers marshal facts and research/present legal issues so that judges and other court staff are adequately informed in their decision-making. If legal aid funding is significantly reduced, there will be more cases in which relevant facts or law are not presented to the court.
- c. People appearing in court unrepresented will be more likely to be floundering without the benefit of advice or guidance. Legal aid lawyers, striving to maximize their impact, already counsel large numbers of self-represented parties. If legal aid cannot be maintained, more people will be appearing in court unprepared to represent themselves and more likely to take up the time of court personnel.
- d. Court staff (already in short supply) will be increasingly burdened by uninformed litigants. Clerks and staff at Court Service Centers regularly refer people to legal aid for advice and information. If these referrals are not available, clerks and Court Service Center staff will be stretched even thinner, and people who need information will not receive it.
- e. The current library of self-represented legal information will not be maintained. Many self-represented parties (and even lawyers) rely on the large library of self-help materials created and maintained by legal aid lawyers, and distributed in print and available on-line. Often people inform themselves of legal procedures using these materials before coming to court; others upon coming to court are referred to these materials by the Court Service Centers. They have become an efficient means of educating litigants.

- f. There will be a widening ripple of pressure on the entire system resulting from the reduced numbers of people whose situations are being improved by legal aid. For example: Fewer people getting access to government supports and subsidies will increase the number of summary process cases that cannot be resolved. Fewer people being helped escape domestic violence will increase the number of intractable family law matters. And (perhaps most dramatically in recent news): Not having legal aid lawyers to identify and pursue tenant protections in federal foreclosure law would result in many more evictions being filed, because legal aid lawyers are successfully developing claims and structures that will protect tenants in good standing from eviction after foreclosure.

- The Subcommittee recommends that the Judicial Branch do everything it can to fully support funding for legal aid.



- Attorneys >
 - Case Look-up >
 - Courts >
 - Directories >
 - Educational Resources >
 - E-services >
 - Español >
 - Frequently Asked Questions >
 - Jury Information >
 - Online Media Resource Center >
 - Opinions >
 - Opportunities >
 - Self-Help >
- SEARCH

Latest News and Updates

Notice: All state courthouses and Judicial Branch facilities will be open on Friday, May 22, 2009.

05/14--[State of the Judiciary, Chief Justice Chase T. Rogers](#) | [En español](#) **NEW!**

05/11--[Notice Regarding the 2009 Client Security Fund Fee](#) **NEW!**

05/01--[Law Day Ceremonies 2009](#)

[Mandatory Electronic Filing of Short Calendar Claims and Reclaims](#)

[Superior Court For Juvenile Matters Pilot Standing Order for Public Service & Trust Commission Plans](#) | [Strategic](#) | [Implementation](#)

[More News...](#)



A Connecticut Courthouse


Upcoming Meetings and Events


- 05/20/09 [Jury Committee Before Court Appearance Subcommittee](#)
- 05/20/09 [Family Commission](#) Cancelled
- 05/21/09 [Executive Committee of the Superior Court Judges](#)
- 05/21/09 [Committee on Limited English Proficiency](#) Rescheduled to 05/05
- 05/29/09 [Uniformity of Court Procedures Family Subcommittee](#)
- May 2009 [Statewide Grievance Committee Public Hearings](#)
- 06/01/09 [Rules Committee of the Superior Court](#)
- 06/03/09 [Client Security Fund Committee](#)

Quick Links

- [Americans with Disabilities Act \(ADA\)](#)
- [Bidding Opportunities](#)
- [Child Support](#)
- [Committees & Commissions](#)
- [Court Rules | Statutes](#)
- [Court Service Centers](#)
- [Directions & Phone Numbers](#)
- [Foreclosure Mediation Program](#)
- [Forms | Fees](#)
- [Job Openings | Judicial Employees](#)
- [Judicial Branch Recovery Initiative](#)
- [Law Libraries](#)
- [Publications/Videos | en español](#)
- [Victim Services](#)
- [Violation of Probation - Outstanding Arrest Warrants](#)

Attorney Quick Links

 **e-filing available for all Tort, Contract, and most Property Cases | [How-to-Guide to e-services and e-filing](#)**

[Judicial Branch Recovery Initiative](#) 

Mission Statement - The mission of the State of Connecticut Judicial Branch is to serve the interests of justice and the public by resolving matters brought before it in a fair, timely, efficient and open manner.

[Attorneys](#) | [Case Look-up](#) | [Courts](#) | [Directories](#) | [Educational Resources](#) | [E-Services](#) | [Español](#) | [FAQ's](#) | [Jury Information](#) | [Media](#) | [Opinions](#) | [Opportunities](#) | [Self-Help](#)

[Common Legal Words](#) | [Contact Us](#) | [Related Links](#) | [Site Map](#) | [Topic Search](#) | [Website Awards](#) | [Website Policies](#)
Copyright © 2009, State of Connecticut Judicial Branch.
Request permission to use copyrighted material.

**NOTICE TO SELF-REPRESENTED PARTIES
IN THE NEW HAVEN JUDICIAL DISTRICT**

You have filed what is called a “pro se” (PRO-SAY) appearance. You have decided to act on your own behalf instead of having a lawyer represent you. It is important that you know your rights and responsibilities in representing yourself.

The Superior Court Clerk’s Office is responsible for handling all the paperwork filed in your case and acts as the communication between you and the officials that will make decisions in your case. **We are not permitted to give legal advice to you or anyone else.**

We	Explain and answer questions about how the court works.	We	Tell you whether or not you should bring your case to court.
We can	Provide you with the number of the local lawyer referral service, legal services program, and other services where you can get legal information.	We cannot	Recommend a lawyer for you,
We can	Give you general information about court rules, procedures, and practices.	We cannot	Tell you what to say in court or tell you what words to use in your court papers.
We	Provide court schedules and information on how to get a case scheduled.	We	Give you an opinion about what will happen if you bring your case to court.
We	Provide you information from your case.	We	Talk to the judge for you.
We	Provide you with court forms and instructions that are available and give	We	Let you talk to the judge outside of court.
We can	Usually answer questions about court deadlines and how to compute them.	We cannot	Change an order signed by a judge.

Other Sources of Information:

Court Service Center: located on the first floor of the courthouse. There is a staff person to provide assistance and answer questions about filling out court forms, as well as many pamphlets and other written material to help explain some of the procedures. There is also a computer with internet access and a copying machine.

Law library: located on the seventh floor and open to the public from 9:00 a.m. to 5 p.m. A law librarian may be able to help you to find books and other resources for you, but is **not permitted to give you any legal advice.**

Legal aid and lawyer referral services: If it is at all possible, you should try to have a lawyer to represent you. You may contact the **New Haven Legal Assistance Association** at 203-946-4811 to see if you qualify for free legal services. If you need help in finding a paid attorney, you may contact the **New Haven County Bar Lawyer Referral Service** at 203-562-5750.

Superior Court Clerk’s Office
New Haven Judicial District

NOTICE TO SELF-REPRESENTED PARTIES:
WELCOME TO THE NEW HAVEN SUPERIOR COURT CLERK'S OFFICE!

You have filed what is called a "pro se" (PRO-SAY) appearance. This means that you have decided to represent yourself in this case instead of having a lawyer represent you. This notice is to tell you about your rights and responsibilities as a self-represented party.

The Superior Court Clerk's Office. Our office processes all paperwork that comes into this courthouse about your case. Our staff monitors everything that is filed in court to make sure it follows the court's rules, and we will follow your case from the beginning to the end.

Our office also makes sure that papers that you file get to the Judge, Family Support Magistrate or other judicial official who will make the decisions in your case. We will also try to help you understand court procedures, but it is important to remember that **the Clerk's Office staff is not permitted to give legal advice to you or anyone else.**

You should know that the court system can be very confusing and that it is a good idea to get a lawyer if you can. If you cannot afford a lawyer, you may contact the **New Haven Legal Assistance Association** at 203-946-4811 to see if you qualify for free legal services. If you need help in finding a paid attorney, you may contact the **New Haven County Bar Lawyer Referral Service** at 203-562-5750. The Lawyer Referral Service can give you the names of attorneys in your area who may be willing to handle your case and sometimes talk with you for no fee or a reduced fee.

What You Should Expect If You Represent Yourself. While you have the right to represent yourself in court, you should not expect any special treatment, help, or attention from the court. You must still follow the Rules of the Court, even if you do not know them. This is a list of some things the court staff can and cannot do for you. Please read it carefully before asking the court staff for help.

We can	Explain and answer questions about how the court works.	We cannot	Tell you whether or not you should bring your case to court.
We can	Provide you with the number of the local lawyer referral service, legal services program, and other services where you can get legal information.	We cannot	Recommend a lawyer for you,
We can	Give you general information about court rules, procedures, and practices.	We cannot	Tell you what to say in court or tell you what words to use in your court papers.
We can	Provide court schedules and information on how to get a case scheduled.	We cannot	Give you an opinion about what will happen if you bring your case to court.
We can	Provide you information from your case file.	We cannot	Talk to the judge for you.
We can	Provide you with court forms and instructions that are available and give you guidance on how to fill out these forms	We cannot	Let you talk to the judge outside of court.

We can	Usually answer questions about court deadlines and how to compute them.	We cannot	Change an order signed by a judge.
-------------------	--	----------------------	------------------------------------

Other Sources of Information: There is a **Law Library** on the Seventh Floor of this Courthouse. It is open to the public from 9:00 AM to 5:00 PM every day that the courthouse is open. A Law Librarian may be able to help you to find books and other resources relevant to your case. Remember, however, that like our Clerks, the Law Librarians are not permitted to give you any legal advice; they may only help you find law books or other materials that might help you with your case.

There is also a **Court Service Center** on the First Floor of this Courthouse: The center is well stocked with pamphlets and other written material that may help to explain some of the common procedures in our courthouse. The Center also has a computer with internet access and a copying machine that you may use for limited periods of time to help you with your case. The Center's staff members are also very knowledgeable about court procedures and can provide assistance and answer questions about filling out court forms. Remember, like the Clerk's Office and the Law Librarians, Court Service Center staff are not permitted to give you any legal advice about your case.

We know that representing yourself in court can be difficult. We in the Clerk's Office are committed to doing whatever we are allowed to do in order to make your experience as productive as possible.

**Superior Court Clerk's Office
New Haven Judicial District**

ADVISEMENTS OF RIGHTS (Start Here for All Cases)

The following are samples of advisements to be read when court is first convened. They set forth the rights of parties to the various types of cases that are heard in the FSM. If you are hearing a limited docket, you may want to tailor these to the specific proceeding. There will be other advisements that must be given individually, such as a waiver to the right of counsel, as each case progresses and they are noted in the foregoing discussions.

SCRIPT ONE – PATERNITY AND SUPPORT PETITIONS

OPENING ADVISEMENT

Before we start court today, I am required to tell each of you of your rights in the Family Support Magistrate Division of Superior Court. If you have any questions about any part of what I say, please let me know when your case is called. Generally speaking, all persons who have cases in this session are entitled to hire a lawyer to represent them. If you need a continuance, in other words, if you want to have your case heard on another day so that you can have your attorney with you, let the assistant attorney general know so that we can deal with that right away. If you are under the age of 18, or if you need an interpreter, please tell the interviewer and the court.

Paternity

If you are here on a paternity petition and you have been named a father in a paternity petition, you have three important rights:

1. You are entitled to an attorney, which includes the right to a court appointed attorney if you cannot afford to hire your own attorney. You may submit an application for a court-appointed attorney to be paid for by the State of Connecticut. If the court finds that you can't afford to pay for an attorney or that you are indigent the court will appoint an attorney for you.
2. You also have the right to genetic testing. The genetic test, also referred to as a DNA test, is a simple test that will determine to a high degree of probability whether or not you are the father of the child. Genetic testing is in the best interests of all concerned, so that there is never a question as to paternity. If the test is negative, it can be used as evidence in the case to help prove that you are not the father. On the other hand, if the test is positive,

those results can be used to help prove that you are in fact the father of the child. If you want to have genetic tests done, you have to ask for and pay for the tests. If your income falls within a certain range in the child support guidelines and qualifies you as a "low-income obligor", the cost of genetic testing will be paid by the state. If you want genetic testing and do not meet the qualification of being a "low-income obligor", you will have to pay the cost of the tests.

3. You also have the right to ask for a full trial by a magistrate. The state will have to prove that you are the father of the child in question At a trial, you have the right to have the mother of the child be in court and to hear her testimony, call witnesses and present other evidence that you are not the father.

Before deciding paternity, the court will ask you on the record if you want any or all of these rights. Do not give up, or waive any rights unless you understand what I am saying. If the court finds that you are the father of the child in question, there are many rights and obligations that are created, not the least of which is to pay for some of child's support.

(For paternity, continue to the support advisement below)

Child Support and Arrears (Paternity and Support Petitions)

If you have been summoned to this court because of a support petition, and you have been found to have an obligation to support the child in that petition, please listen to this part about your rights.

Child Support

The child support obligation is an amount you will be ordered to pay every week, until the child is age 18, unless the child continues to be a full time high school student. If the child continues to be a full time high school student at age 18, you will have to pay child support until the child graduates from the twelfth grade or turns 19, whichever happens first. You may also have to pay support for higher education such as college. Child support is based on the parties' net incomes as calculated under the Connecticut Child Support and Arrearage Guidelines. The parties' net income does not include state assistance. If you do not agree with the amount set out in the guidelines, you may ask to have the amount ordered be either higher or lower. The guidelines allow limited circumstances in which the court can

change the guideline amount. I will listen to your reasons and, if I find cause, I may order an amount different from the amount in the guidelines.

Arrears – Arrears is money you owe because you did not pay it in the past.

A child support arrears to the state or the other party may also be requested. That arrears can go back three years from the date the petition was filed or the date of birth of the child, whichever period of time is less. The arrears are based upon your ability to pay during past periods of time calculated under the Connecticut Child Support and Arrearage Guidelines. You will be ordered to pay a weekly amount on those arrears.

OTHER ORDERS

Medical

You may also be ordered to pay for medical, dental and orthodontic insurance and/or to contribute to out of pocket medical expenses. The court recognizes that most of the children involved in this court proceeding receive HUSKY insurance. These court orders for medical insurance do not affect your child's participation in HUSKY.

Child Care

If the other parent is working, you may also be ordered to pay the other parent for childcare for the child so that the other parent can work.

Income Withholding

The law requires that I order an immediate income withholding unless I find cause, or a reason not to. You have the right to offer any evidence as to why an immediate withholding order should not be ordered. Income withholding means money is taken directly from your paycheck as a payroll deduction, subject to certain federal and state exemptions which you have the right to claim. The federal and state law requires that you be left with a minimum amount of money. State law applies in most cases. Under our state law, you must be left with at least 85% of the first \$145 of your disposable earnings. If the entire amount of the child support orders you must pay is not taken from your wages, you must pay the difference between the amount owed and the amount which is taken from your pay.

When an income withholding is ordered, it usually takes 3-6 weeks to get the withholding in place with your employer. You should make each support payment under the order yourself until you see that the full weekly payments are being taken from your paycheck. It is your responsibility to check your pay stub every single week to be sure the full weekly payment is being taken, and if it is not, you must make up the difference every week by sending it directly to support enforcement. You must also let support enforcement know if you change jobs because the wage withholding will NOT automatically follow you from one job to the next. You must make your support payments even if you are between jobs.

Modification

All parties to a support order have a right to ask for a change to, or a modification of the order if there has been a substantial change in the circumstances of either party or upon a showing that the order for child support is substantially different than the child support guidelines. The motion to change, or modify the child support order must be filed with the court and properly delivered, or served (by a person authorized to do so), on the other parties. After delivery, or service, of the motion on the other parties, the original motion must be returned to the court clerk's office before the court date. If all of the procedures are not followed, your motion may not be heard by the court. You are reminded that unless and until your motion is heard and granted, you can not to change the amount of your weekly payments.

SCRIPT TWO—CONTEMPT MATTERS

OPENING ADVISEMENT

Before we start court today, I am required to tell each of you of your rights in the Family Support Magistrate Division of Superior Court. If you have any questions about any part of what I say, please let me know when your case is called. Generally speaking, all persons who have cases in this session are entitled to hire a lawyer to represent them. If you need a continuance, in other words, if you want to have your case heard on another day to have your attorney with you, let the assistant attorney general know so that so we can deal with that right away. If you are under the age of 18, or if you need an interpreter, please tell the interviewer and the court.

Contempts

For those people who have been cited for contempt of court, for not obeying a court order to pay child support, there is the possibility that you are going to jail. If there is an immediate threat of going to jail, you are entitled to the services of an attorney. If you have not had a chance to hire your own attorney or to get your attorney here today, please let the court know when your case is called. If you cannot afford an attorney, you can ask that the court appoint an attorney to represent you. If the court finds that you cannot pay, that you are indigent for that purpose, an attorney will be appointed by the court to represent you. That attorney will be paid for by the state of Connecticut. You can also give up, or waive your right to an attorney and you can represent yourself.

Some cases will be postponed to other dates in the future. It is extremely important that you come to court for all of your court dates.

The most serious result of your not being here is that a *capias* will be ordered. A *capias* is a civil arrest warrant for the state marshal to pick you up and bring you to court. When a *capias* is ordered, a cash bond amount is set by the court. That means if you are picked up at a time when court is not in session, you will be held in the Community Correctional Center, perhaps overnight or over the weekend, until court is in session unless you can post the amount of the cash bond.

Also, if you were given papers to be here today or previously ordered to be here today, you must stay here until your case is heard and disposed of and you are told by the court that you can leave. If you do not do so, a civil arrest warrant, also known as a *capias*, can be ordered for your arrest.

If you have posted an appearance bond and do not return to court on a court date in the future you will lose the bond money and it will be credited toward your child support arrears obligation. If you return to court as ordered, you may ask the court to give the bond money back to the person who posted the bond.

Income Withholding

The law requires that I order an immediate income withholding unless I find cause, or a reason not to. You have the right to offer any evidence as to why an immediate withholding order should not be ordered. Income withholding means money is taken directly from your paycheck as a payroll deduction, subject to certain federal and state exemptions which you have the right to

claim. The federal and state law requires that you be left with a minimum amount of money. State law applies in most cases. Under our state law, you must be left with at least 85% of the first \$145 of your disposable earnings. If the entire amount of the child support orders you must pay is not taken from your wages, you must pay the difference between the amount owed and the amount which is taken from your pay.

When an income withholding is ordered, it usually takes 3-6 weeks to get the withholding in place with your employer. You should make each support payment under the order yourself until you see that the full weekly payments are being taken from your paycheck. It is your responsibility to check your pay stub every single week to be sure the full weekly payment is being taken, and if it is not, you must make up the difference every week by sending it directly to support enforcement. You must also let support enforcement know if you change jobs because the wage withholding will NOT automatically follow you from one job to the next. You must make your support payments even if you are between jobs.

**SCRIPT THREE - MODIFICATION OF CHILD SUPPORT
(INCLUDES MODIFICATION, WAGE WITHHOLDING AND
CONTEMPT ADVISEMENT)**

Modification

All parties to a support order have a right to ask for a change to, or a modification of the order if there has been a substantial change in the circumstances of either party or upon a showing that the order for child support is substantially different than the child support guidelines. The motion to change, or modify the child support order must be filed with the court and properly delivered, or served (by a person authorized to do so), on the other parties. After delivery, or service, of the motion on the other parties, the original motion must be returned to the court clerk's office - before the court date. If all of the procedures are not followed, your motion may not be heard by the court. You are reminded that unless and until your motion is heard and granted, you can not change the amount of your weekly payments.

In deciding your request to change or modify your support order, the court will look at the child support guideline amount and your requests for a higher or lower amount than is in the child support guidelines. The child support guideline amount is based upon the parties' net incomes as

calculated under the Connecticut Child Support and Arrearage Guidelines. The parties' net income does not include state assistance. You may ask that the amount be either higher or lower. The guidelines provide for limited circumstances in which the court can change the guideline amount. I will listen to your reasons, and if I find cause, I may order an amount different from the amount in the guidelines.

If the amount of child support ordered is changed, any amount ordered on the child support arrears, that is, unpaid child support that is owed, may also be changed along with the percentage orders for unreimbursed medical expenses and work-related childcare costs, all of which are according to the child support guidelines.

Income Withholding

The law requires that I order an immediate income withholding unless I find cause, or a reason not to. You have the right to offer any evidence as to why an immediate withholding order should not be ordered. That means money is taken directly from your paycheck as a payroll deduction, subject to certain federal and state exemptions which you have the right to claim. The federal and state law requires that you be left with a minimum amount of money. State law applies in most cases. Under our state law, you must be left with at least 85% of the first \$145 of your disposable earnings. If the entire amount of the child support orders must pay is not taken from your wages, you must pay the difference between the amount owed and the amount which is - taken from your pay.

When child support is increased, it usually takes 3-6 weeks to get the withholding in place with your employer. You should make each support payment under the order yourself until you see that the full weekly payments are being taken from your paycheck. It is your responsibility to check your pay stub every single week to be sure the full weekly payment is being - taken, and if it is not, you must make up the difference every week by sending it directly to support enforcement. You must also let support enforcement know if you change jobs because the wage withholding will NOT automatically follow you from one job to the next. You must make your support payments even if you are between jobs.

Contempt

For those people who have been cited for contempt of court, for not obeying a court order to pay child support, there is the possibility that you are going to jail. If there is an immediate threat of going to jail, you are entitled to the services of an attorney. If you have not had a chance to hire your own attorney or to get your attorney here today, please let the court know when your case is called. If you cannot afford an attorney, you can ask that the court appoint an attorney to represent you. If the court finds that you cannot pay, that you are indigent for that purpose, an attorney will be appointed by the court to represent you. That attorney will be paid for by the state of Connecticut. You can also give up, or waive your right to an attorney and you can represent yourself.

Some cases will be postponed to other dates in the future. It is extremely important that you come to court for all of your court dates.

The most serious result of your not being here is that a *capias* will be ordered. A *capias* is a civil arrest warrant for the state marshal to pick you up and bring you to court. When a *capias* is ordered, a cash bond amount is set by the court. That means if you are picked up at a time when court is not in session, you will be held in the Community Correctional Center, perhaps overnight or over the weekend, until court is in session unless you can post the amount of the cash bond.

Also, if you were given papers to be here today or previously ordered to be here today, you must stay here until your case is heard and disposed of and you are told by the court that you can leave. If you do not do so, a civil arrest warrant, also known as a *capias*, can be ordered for your arrest.

If you have posted an appearance bond and do not return to court on a court date in the future you will lose the bond money and it will be credited toward your child support arrears obligation. If you return to court as ordered, you may ask the court to give the bond money back to the person who posted the bond.

SCRIPT FOUR - SHORT ADVISEMENT (ALL MATTERS)

Before we start court this morning, I would like to tell each of you of your rights in the Family Support Magistrate Division of the Superior Court. All

persons who have matters pending in this court have the right to be represented by an attorney.

If you are here because you are cited for contempt for not obeying your court order, there may be a possibility of incarceration. Anytime there is a possibility of incarceration, that is, of you going to jail, you have the right to an attorney.

In that case, you may request more time, or a continuance, to hire your own attorney, or if you cannot afford your own attorney, please let the court know and the court will hold a hearing to decide whether or not you can afford an attorney or qualify as indigent.

If the court finds that you cannot afford an attorney and are indigent and if you ask, the court will appoint an attorney to represent you.

You may also give up, or waive, your right to an attorney and you can represent yourself.

If you do not return to court as ordered, the court will order a *capias* for your arrest, which means a state marshal may pick you up and bring you to court in custody and you will not be allowed to leave custody until you post a cash bond. If you post that bond, your case will be postponed and moved to another court date. If you come to court on that next court date, you may ask to have the bond money be given back to the person who posted it, if you do not come back to court, you will lose the bond money and it will be given to the state to pay what you owe your support order.

It is important that you appear in court on all ordered dates.

Any person with a child support arrearage, that is, who owes support money that they did not pay in the past, or a delinquency, that is, is late on their payments, may be subject to several enforcement actions including a possible tax intercept. If you are late, your driver's license may be suspended or revoked, any professional or recreational licenses you may have may be suspended or revoked, and you may have liens put on your property.

All parties to a support order have the right to ask for a modification, or a change of the amount, of the order. In order to obtain a modification, a motion to modify must be filed with the court. You may do this on your own

or hire an attorney to help you. If you do it yourself, you must follow very carefully the procedures required for the filing of a motion to modify. If you do not follow all of the procedures, your by the court.

If you have been ordered to come to court because of a paternity petition, you have three important rights: first, you have the right to have an attorney including the right to a court-appointed attorney if you cannot afford one or are indigent; second, you have the right to ask for genetic testing, if you cannot afford to pay for the test, you have the right to ask to have the State pay for the cost of the test. You can give up or waive your right to have the genetic test ordered, but you should also know that if you waive your right to DNA testing, that the Court will carefully question you to make sure that you're giving up your right is voluntary.

Third, in paternity matters you also have the right to a full trial on the issue of paternity. You have the right to call witnesses and question the witnesses called by the State.

Once the issue of paternity is decided either as a result of a trial or through an admission or acknowledgment of paternity (if you have been ordered to come here because of a support petition) you should know that you will be charged with the support of the child in question until that child is 18, unless the child continues to be a full time high school student at age 18, in which case, support will continue until age 19 or the child finishes twelfth grade, whichever happens first. Support orders and arrears, or past due support in this court are set under the Child Support and Arrearage Guidelines which have been set up by the State of Connecticut. Copies of the Guidelines are available in the clerk's office free of charge.

Along with support orders issued by the court, by law, are orders for income withholding. Income withholding means that money is taken directly from your paycheck as a payroll deduction, subject to certain federal and state exemptions.

KYH comment: I know this is the short form, but I suggest the language from above regarding income withholding be used as the statute is quite specific about what needs to be included. Even the language from above is a bit "skimpy" if you look at the actual requirements of General Statutes § 52-362 (a) (8) (b).

Other Advisements, Scripts

SCRIPT FIVE (optional) - CUSTODY AND VISITATION MATTERS

Finally, please note that this magistrate court deals generally with child support only and does not have authority to decide visitation and custody matters. However, this court can order or modify visitation or custody if there is a written agreement of the parties, both parties are present, and the court finds the agreement to be in the best interests of the child.

Also, this court can order either or both parents to attend the Parenting Education Program, if the court finds that it would be in the best interests of the child. Please note that this has been required for several years in all divorce cases.

(In Hartford only: Through a pilot program here in Hartford only, I can refer parties to the Family Relations Division for purposes of mediating, that is, for helping the parties decide on their own, visitation or custody issues in the best interests of the child. A Family Relations Officer usually is available on the 3rd floor of this building on Monday and Friday mornings and Wednesday afternoons. Their phone number is 706-5170.)

WAIVER OF RIGHT TO AN ATTORNEY (possible questions)

- How old are you?
- How far did you go in school?
- Do you understand that if you had an attorney, the attorney would be able to provide you with legal advice and defend you against this contempt charge?
- Do you understand that you are not going to have that legal advice and assistance?
- Do you understand that if you are found in contempt, you are subject to incarceration, or going to jail?
- Are you giving up your right to counsel freely and voluntarily?
- The Court finds the respondent has the intelligence and capacity to appreciate the consequences of representing himself/herself, is aware of the nature of the proceedings and the consequences of waiving the right to counsel.
- The waiver is accepted.

See sections 25-63 and 25-64 of the Connecticut Practice Book

SELF REPRESENTED PARTY ADVISEMENT

Good Morning (**Mr. /Ms. INSERT NAME**). I see that you have decided to represent yourself in these proceedings. You understand that you had, throughout these proceedings, the right to be represented by an attorney of your choice, and by deciding to represent yourself, you are taking on the duties and responsibility of an attorney.

In representing yourself, you will be held to know the rules of procedure and the law. You will have to deal with objections to the admissibility of evidence and be prepared to argue points of law. I am not allowed, under the Code of Judicial Conduct, to help you. You have taken on a serious responsibility.

You have taken on the job of persuading me through the presentation of relevant evidence. You must present your case through witnesses and items that you place in evidence. The questions that you ask do not count. - Repeating a question is usually not persuasive and won't help you. Most people will hear the evidence the first time.

OATHS

General Statutes § 1-25. Forms of oaths. The forms of oaths shall be as follows, to wit:

...

FOR WITNESSES.

You solemnly swear or solemnly and sincerely affirm, as the case may be, that the evidence you shall give concerning this case shall be the truth, the whole truth and nothing but the truth; so help you God or upon penalty of perjury.

...

FOR AN INTERPRETER IN COURT.

You solemnly swear or solemnly and sincerely affirm, as the case may be, that you will interpret accurately the oath to be administered to the witness and all questions that the witness may be asked under direction of the court in a language the witness can understand and speak; that you will interpret accurately the answers of the witness to the court (or to the court and jury) in English; and that you will make all interpretations to the best of your skill and judgment; so help you God or upon penalty of perjury.

Public Information Desk locations:

GA 1 – Stamford
123 Hoyt Street
Stamford, Ct 06905

GA 2 – Bridgeport
172 Golden Hill Street
Bridgeport, CT 06604

1061 Main Street
Bridgeport, CT 06604

GA 4 – Waterbury
400 Grand Street
Waterbury, 06702

300 Grand Street
Waterbury, CT 06702

GA 9 – Middletown
1 Court Street
Middletown, CT 06457

GA 14 - Hartford
101 Lafayette Street
Hartford, CT 06106

GA 15 – New Britain
20 Franklin Square
New Britain, CT 06051

GA 19 - Rockville
20 Park Street
Rockville, CT 06066

GA 20 - Norwalk
17 Belden Avenue
Norwalk, CT 06850

GA23 – New Haven
121 Elm Street
New Haven, CT 06510

As of 10/28/08

GA locations **without** PIDs

GA 3 - Danbury
146 White Street
Danbury, CT 06810

GA5 - Derby
106 Elizabeth Street
Derby, CT 06418

GA 7 - Meriden
54 West Main Street
Meriden, CT 06451

GA 10 – New London
112 Broad Street
New London, CT 06320

GA11 - Danielson
120 School Street
Danielson, CT 06239

GA 12 – Manchester
410 Center Street
Manchester, CT 06040

GA 13 – Enfield
111 Phoenix Avenue
Enfield, CT 06082

GA 17 – Bristol
131 N. Main Street
Bristol, CT 06010

GA 18 – Bantam
80 Doyle Road
Bantam, CT 06750

GA21 – Norwich
1 Courthouse Square
Norwich, CT 06360

GA 22 – Milford
14 West River Street
Milford, CT 06460

Judicial District locations with Court Service Centers

Bridgeport SES Building
One Lafayette Circle
Bridgeport CT 06604
(203) 576-3602

Milford J.D.
14 West River Street
Milford, CT 06460
(203) 283-8260

Danbury J.D.
146 White Street
Danbury, CT 06810
(203) 207-8766

New Britain J.D.
20 Franklin Square
New Britain, CT 06051
(860) 515-5153

Fairfield J.D.
1061 Main Street
Bridgeport, CT 06604
(203) 579-7210

New Haven J.D.
235 Church Street
New Haven, CT 06510
(203) 503-6819

Hartford J.D.
90 Washington Street
Hartford, CT 06106
(860) 706-5064

Norwich J.D.
1 Courthouse Square
Norwich, CT 06360
(860) 823-0857

Meriden J.D.
54 West Main Street
Meriden, CT 06451
(203) 238-6499

Stamford J.D.
123 Hoyt Street
Stamford, CT 06905
(203) 965-5297

Middlesex J.D.
1 Court Street
Middletown, CT 06457
(860) 343-6499

Tolland J.D.
69 Brooklyn Street
Rockville, CT 06066
(860) 896-4945

Waterbury J.D.
300 Grand Street
Waterbury, CT 06702
(203) 591-3308

Judicial District locations without Court Service Center locations

Litchfield JD
15 West Street
Litchfield, CT 06759
(860)-567-0885

Windham JD
155 Church Street
Putnam, CT 06260
(860) 928-7749



COURT
SERVICE
CENTERS



Connecticut
Judicial Branch

Court Service Centers

[Court Service Centers](#)

*"Making a difference
in Connecticut
communities"*

For additional information, please visit or contact one of the [Court Service Center locations](#), or one of the Connecticut Judicial Branch [Law Libraries](#).

This is a list of some things the Court Service Center staff <i>can</i> and <i>cannot</i> do for you.			
We can	explain and answer questions about how the court works.	We cannot	tell you whether or not you should bring your case to court.
We can	give you contact information for local legal services and programs, and other services where you can get legal information.	We cannot	tell you what words to use in your court papers. (However, we can check your papers for completeness. For example, we can check for signatures, notarization, correct Judicial District, correct case number, and presence of attachments.)
We can	give you general information about court rules, procedures, and practices.	We cannot	tell you what to say in court.
We can	give you court schedules and information on how to get a case heard by the court.	We cannot	give you an opinion about what will happen if you bring your case to court.
We can	give you information about your case file.	We cannot	talk to the judge for you.
We can	give you work space, where available, to prepare your forms and documents.	We cannot	let you talk to the judge outside of court.
We can	usually answer questions about court deadlines and how to compute them.	We cannot	change an order signed by a judge.
<p>For additional information, please visit or contact one of the Court Service Center locations, or one of the Connecticut Judicial Branch Law Libraries.</p>			

[Court Service Centers](#)



Public Information Desks

[Public Information Desks](#)

This is a list of some things the Public Information Desk staff *can* and *cannot* do for you.

We can	explain and answer questions about how the court works.	We cannot	tell you whether or not you should bring your case to court.
We can	give you with contact information for local legal services and programs, and other services where you can get legal information.	We cannot	tell you what words to use in your court papers. (However, we can check your papers for completeness. For example, we can check for signatures, notarization, correct Judicial District, correct case number, and presence of attachments.)
We can	give you general information about court rules, procedures, and practices.	We cannot	tell you what to say in court.
We can	give you court schedules and information on how to get a case heard by the court.	We cannot	give you an opinion about what will happen if you bring your case to court.
We can	give you information about your case file.	We cannot	talk to the judge for you.
We can	give you work space, where available, to prepare your forms and documents.	We cannot	let you talk to the judge outside of court.
We can	usually answer questions about court deadlines and how to compute them.	We cannot	change an order signed by a judge.

For additional information, please visit or contact one of the [Public Information Desks](#), or one of the Connecticut Judicial Branch [Law Libraries](#).

Public Service and Trust Commission
 Committee on Self-represented Parties
 Sub-committee on Training

Superior Court Judges, Senior Judges and Judge Trial Referees

Q = Please rank in order of most to least, which areas you believe are most problematic for self-represented parties and would most benefit from written or video instructional materials?

	I= Most	11= Least	<u>Written</u>	<u>Video</u>
Family:				
(FA) Modifications	_____	_____	_____	_____
(FSM) Modifications	_____	_____	_____	_____
TROs	_____	_____	_____	_____
Uncontested Dissolutions	_____	_____	_____	_____
Custody issues	_____	_____	_____	_____
Emergency Exparte Orders	_____	_____	_____	_____
(FA)Contempts	_____	_____	_____	_____
(FSM)Contempts	_____	_____	_____	_____
Paternity	_____	_____	_____	_____
Child Support	_____	_____	_____	_____
Marshal's Service	_____	_____	_____	_____
Other: _____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Civil:				
Foreclosures	_____	_____	_____	_____
Contract Collections	_____	_____	_____	_____
(i.e.credit card debt collections)				
Personal Injury	_____	_____	_____	_____
Other: _____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Q = Please suggest up to three (3) things the Judicial Branch could do to enhance the ability of self-represented parties to represent themselves efficiently and effectively in *civil* cases.

1. _____
2. _____
3. _____

Q = Please suggest up to three (3) things the Judicial Branch could do to enhance the ability of self-represented parties to represent themselves efficiently and effectively in *family* cases.

1. _____
2. _____
3. _____

Public Service and Trust Commission
 Committee on Self-represented Parties
 Sub-committee on Training

Court Service Center and Public Information Desks

Q = Please rank in order of most to least, which areas are most problematic for self-represented parties and would most benefit from written or video instructional materials?

	1= Most	8= Least	<u>Written</u>	<u>Video</u>
Family:				
(FA) Modifications		_____	_____	_____
(FSM) Modifications		_____	_____	_____
TROs		_____	_____	_____
Uncontested Dissolutions		_____	_____	_____
Custody issues		_____	_____	_____
Emergency Exparte Orders		_____	_____	_____
(FA)Contempts		_____	_____	_____
(FSM)Contempts		_____	_____	_____
Paternity		_____	_____	_____
Child Support		_____	_____	_____
Marshal's Service		_____	_____	_____
Other: _____		_____	_____	_____
_____		_____	_____	_____
Civil:				
Foreclosures		_____	_____	_____
Contract Collections		_____	_____	_____
(i.e.credit card debt collections)				
Personal Injury		_____	_____	_____
Other: _____		_____	_____	_____
_____		_____	_____	_____

Q = Please suggest up to three (3) things the Judicial Branch could do to enhance the ability of self-represented parties to represent themselves efficiently and effectively in *civil* cases.

1. _____
2. _____
3. _____

Q = Please suggest up to three (3) things the Judicial Branch could do to enhance the ability of self-represented parties to represent themselves efficiently and effectively in *family* cases.

1. _____
2. _____
3. _____

Public Service and Trust Commission
Committee on Self-represented Parties

Sub-committee on Training

Foreclosure Mediation Program mediators and Housing Specialists

Q = In your day to day work, which areas do you believe are most problematic for self-represented parties and would benefit most from written or video instructional materials?_

Q = What types of educational vehicles do you think would be most helpful to self-represented parties (i.e. written, video, one-on-one, etc) _____

Q = Please suggest up to three (3) things the Judicial Branch could do to enhance the ability of self-represented parties to represent themselves efficiently and effectively in *civil* cases.

1. _____
2. _____
3. _____

Public Service and Trust Commission
 Committee on Self-represented Parties

Sub-committee on Training

Family Support Magistrates

Q = Please rank in order of most to least, which areas you believe are most problematic for self-represented parties and would most benefit from written or video instructional materials?

	1= Most	8= Least	<u>Written</u>	<u>Video</u>
Family:				
(FA) Modifications		_____	_____	_____
(FSM) Modifications		_____	_____	_____
TROs		_____	_____	_____
Uncontested Dissolutions		_____	_____	_____
Custody issues		_____	_____	_____
Emergency Exparte Orders		_____	_____	_____
(FA)Contempts		_____	_____	_____
(FSM)Contempts		_____	_____	_____
Paternity		_____	_____	_____
Child Support		_____	_____	_____
Marshal's Service		_____	_____	_____
Other: _____		_____	_____	_____
_____		_____	_____	_____

Q = Please suggest up to three (3) things the Judicial Branch could do to enhance the ability of self-represented parties to represent themselves efficiently and effectively in *family support magistrate* cases.

1. _____
2. _____
3. _____

Public Service and Trust Commission
Committee on Self-represented Parties

Sub-committee on Training

Small Claims Magistrates

Q = In your day to day work, which areas do you believe are most problematic for self-represented parties and would benefit most from written or video instructional materials?_

Q = What types of educational vehicles do you think would be most helpful to self-represented parties (i.e. written, video, one-on-one, etc) _____

Q = Please suggest up to three (3) things the Judicial Branch could do to enhance the ability of self-represented parties to represent themselves efficiently and effectively in *small claims* cases.

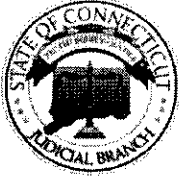
1. _____
2. _____
3. _____

The following bullets are recommended strategies and activities received from the various focus groups, public hearings and surveys conducted during the information gathering phase of the Strategic Plan. These bullets were assigned to the Committee on Self-Represented Parties. The notes are a report of the items addressed by the committee.

- **Instructions/"how-to" manuals to navigate court system – Not Addressed** – the Committee on Self-represented Parties did not address this bullet. Issues concerning providing clear and consistent information on what to expect or do in court are being addressed by the Committee on Expectations of the Public.
- **Accessible literature – Addressed – Subcommittee on Forms** – recommending Judicial Branch publications be converted to plain language and access to these publications be expanded to include non-judicial facilities. Also, recommending short calendar marking procedure handout for self-represented parties.
- **Have clear practice book provisions – Addressed – Subcommittee on Forms** - recommends that as a long-term goal, plain language and readability principles be applied to the practice book so it is clearer and more easily understood by self-represented parties.
- **Interactive website – Addressed – Subcommittee on Technology** – recommends the formation of a Technology committee to continue its work until the completion and implementation of the legal services web project
- **More education of litigants (divorce experience workshop and parenting education courses) in which judges participate – Addressed – Subcommittee on Training** – recommending creation of short educational "how-to" videos utilizing judges to provide information to self-represented parties on basic civil and family procedures. The videos will be accompanied by easy to follow written checklists.
- **Guidelines and forms in lay terms – Addressed – Subcommittee on Forms** – recommending most commonly used Judicial Branch forms and publications be converted to plain language. Also recommending the creation of a plain language hand out explaining the short calendar marking procedures for self-represented parties.
- **Develop programs to assist Pro ses – Addressed – Subcommittee on Support Services** – recommending pilot Advice Days program; recommending pilot Dedicated Docket program; recommending the creation of a Family Support Magistrate video advisement in English and Spanish.
- **Requires more training on the psychology of dealing with angry (frustrated) untrained pro ses – Addressed – Subcommittee on Training** –

- **Set up “advice days” in courts, using volunteer attorneys – Addressed – Subcommittee on Support Services** – recommending pilot program for advice days in a judicial district family court location to be determined where volunteer attorneys will provide legal advice to self-represented parties.
- **Increase number of pro bono attorneys – Addressed – Subcommittee on Support Services** – recommending pilot program of advice days utilizing the services of volunteer attorneys.
- **Define role of court service center – Addressed – Subcommittee on Support Services and Subcommittee on Technology** - The Subcommittee recommends that the webpage located at <http://www.jud.ct.gov/csc/services.htm> be made into a handout for distribution to judges, and additionally, be made into larger posters for distribution and display in all Clerk’s Office, Court Service Center and Public Information Desk locations.
- **Market self-help information better – Addressed – Subcommittee on Forms and Subcommittee on Training** – recommending the Quick Link on the Judicial Branch homepage be renamed from “Court Forms” to “Forms”; recommending Judicial Branch publications be displayed in non-judicial facilities; recommending the creation of a letter to self-represented parties to provide information on the availability of court resources and services.
- **Determine what is the goal –are we anti pro se or not? – Addressed – by all five (5) subcommittees and full Committee on Self-represented Parties** - This Committee explored ways to enhance the guidance and assistance provided to *all* self-represented parties. The Committee recognized that not all self-represented parties are indigent and, in fact, many who have the means to retain counsel choose instead to represent themselves. The work of this Committee served to assist self-represented parties from all socio-economic backgrounds.
- **Create pro se clerks, at trial and appellate levels –Addressed – Subcommittee on Support Services** – recommending that the Branch **not** pursue the implementation of dedicated clerks at the trial and appellate levels.
- **Unbundled legal services – Addressed – Subcommittee on Legal Services** – recommends that Connecticut implement two limited unbundling pilot projects (one in the area of family and one in the area of foreclosure). The subcommittee recommends the establishment of two ongoing work groups to plan the pilot unbundling projects and push for any necessary environmental /rule changes.
- **Separate pro se dockets – Addressed - Subcommittee on Support Services & Single courtroom for pro ses – Addressed – Subcommittee on Support Services** – recommending the creation of a pilot dedicated docket implemented only under optimal staffing conditions. The administration of the dedicated dockets would work in concert with Court Service Center and Family Relations staff.

- **Greeters in the courthouse – Addressed – Subcommittee on Support Services**
– Create a pilot courthouse greeter program to be implemented in one courthouse, where congestion and intake delays are particularly burdensome.
- **Increase funding for legal aid agencies – Addressed – Subcommittee on Legal Services** – recommending the Judicial Branch do everything it can to support funding for legal aid.
- **Increase in number of court service centers and public information desks & More Court Service Centers - Addressed – Subcommittee on Technology and Subcommittee on Support Services-** Establish a Court Service Center and/or a Public Information Desk in every court that lacks one now including all Juvenile Court facilities new and existing.



**Superior Court Operations Division
State of Connecticut Judicial Branch**

REPORT OF THE BENCH/BAR SMALL CLAIMS COMMITTEE

April 1, 2009

I. Introduction

In May of 2008, Chief Court Administrator Barbara Quinn established the Bench/Bar Small Claims Committee to examine current small claims practices, including backlogs, and to recommend changes to improve the system and service. Knowing that diversity of membership would provide valuable insight and recommendations for the future success of Connecticut Small Claims Courts, the committee members were chosen specifically to represent all court users.

The Committee was comprised of judges, magistrates, court personnel, members of the creditors' and consumers' bars, as well as legal service providers, all having broad experience and knowledge of the small claims process. Judge Quinn appointed Superior Court Judge Clarence Jones to be the committee chair. Judge James Abrams, formally a small claims magistrate, was also appointed as a member of the Committee. Together they were uniquely positioned to assist in making positive changes to a struggling court system.

The Committee was charged with reviewing Practice Book Rules, recommending uniform practices throughout the state, as well as considering legislative proposals, and examining whether any changes should be made in the small claims process.

Some of the challenges facing the small claims court are the increasing rate of filings, due to a declining economy and the recent change in the jurisdictional limit from \$3500 to \$5000, the decreased availability of personnel, and the dependency on an outmoded case management system. Equally important is the perception that the small claims court can no longer be described as the "peoples' court".

The initial concept of small claims was to allow two parties to settle disputes before an impartial third party without the need for the services of an attorney. This has not been true for many years, as attorneys represent 80% of plaintiffs while only 4% of defendants have lawyers. Debt-buying has exploded and every economic indicator suggests that this trend will continue.

The Committee recognized that simplicity is essential to the continued success of the small claims procedure. One of its goals was to clarify and improve a process by which a vast number of disputes have been resolved in a just, expeditious, and inexpensive manner. Discussions on balancing the needs of the plaintiffs' attorneys with those of the self-represented litigant came up repeatedly and were a primary concern to all members. The Committee also sought to protect the integrity of the judicial process with changes intended to reduce the number of defendants who fail to respond to the small claims complaint and to assure that judgments, especially default judgments, are entered only when there is an adequate level of proof.

To address the myriad issues put forward at the first meeting in June of 2008, three subcommittees were established:

Honorable James Abrams, Subcommittee on Access & Quality of Service, Chairperson
Attorney Maureen P. Finn, Subcommittee on Operational Process, Chairperson
Attorney Joanne Faulkner, Subcommittee on Legal Issues, Chairperson

Primary topics discussed included: notice to litigants of all hearings, service of process, proffering a prima facie case upon filing a suit, magistrate announcements and canvassing guidelines, fair scheduling of hearings, post-judgment procedures and availability of instructional materials. In making their recommendations, the subcommittees sought to improve, but not to complicate, the small claims process for resolving disputes, keeping in the spirit of a true people's court.

We believe that the Committee, through collaborative effort, has met its goal to develop recommendations that will have a positive and substantial impact on the attorneys and litigants accessing our small claims courts, and that the expectations of the public for a court process that exemplifies professionalism, fairness, integrity, and respect can be achieved.

II. Members of the Bench/Bar Small Claims Committee

Honorable Barbara M. Quinn, Chief Court Administrator
Honorable Patrick L. Carroll, III., Deputy Chief Court Administrator
Honorable Clarence J. Jones
Honorable James W. Abrams
Magistrate Elaine Bruffman
Attorney Marshall R. Collins
Attorney Joseph D. D'Alesio
Magistrate Sydney W. Elkin
Attorney Natalie K. Erickson
Attorney Joanne S. Faulkner
Attorney Maureen P. Finn
Attorney Kevin R. Hennessy
Attorney Nancy L. Kierstead
Attorney Karen Lahey
Attorney Adam Olshan
Magistrate Joseph J. Patchen
Attorney Robert L. Peat
Attorney Raphael Podolsky
Attorney Sarah Poriss
Attorney William G. Reveley
Magistrate Michael Ross
Attorney Kenneth Rozich
Attorney Richard A Terry

III. Recommendations from the Subcommittee on Legal Issues

1. Allow any small claims action to be filed in the Centralized Small Claims Office, and clarify venue for filing claims.

Problem:

The Practice Book has never been amended to incorporate the changes in filing location that have resulted from the centralization of the small claims system. Housing Session small claim actions can be filed only with the clerk of the housing session for the judicial district where venue exists. All other small claims actions may be filed with the Centralized Small Claims Office. In addition, existing Practice Book venue provisions for small claims actions are not clear. (Practice Book Revisions are Appendix A.)

Recommendation:

Revise Practice book Rule Sec. 24-4 to permit any small claims action to be filed in the Centralized Small Claims Office.

Revise Sec. 24-4 to identify venue specifically for actions involving consumer transactions, housing matters, and all other small claims cases.

2. Require plaintiff to state the basis for knowledge of defendant's current address and to provide at least two methods of address verification.

Problem:

Some defendants may not receive the mailed *Small Claims Writ and Notice of Claim* when the case is initiated. This can result in the erroneous default judgment against the defendant, negatively impacting the defendant's credit report, and may cause the defendant's property to be inappropriately seized. This can also result in the performance of additional tasks by small claims personnel and plaintiffs, leading to further processing delays. Currently most filings are delivered to the small claims office for processing and mailing to the defendants.

Recommendation:

Revise Practice Book Rule Sec. 24-9 to require that the plaintiff verify that the address provided for each defendant is current. The verification shall include confirmation by at least two methods made during the six months prior to filing the writ, and the plaintiff, under oath in the writ, shall so state and identify which methods were employed. The methods shall include verification from at least two of the following:

- Municipal records;
- Department of Motor Vehicles;
- Receipt of correspondence from the defendant with the return address;
- Other verification from the defendant that the address is current;
- Mailing a letter to the defendant by first class mail, at least four weeks prior to the filing of the small claims action, that has not been returned by the postal service;
- Online database, other than white pages or other unpaid general telephone directories; or

- Independent verification from an additional source specifically described by the defendant.

Default judgment shall not enter in the absence of the required verification or if it is apparent that the defendant did not reside at the address at the time of service.

3. Include in complaint the date of last payment or other basis to show that the statute of limitations has not expired.

Problem:

Without presentation of sufficient information within the small claims writ, actions may be filed and judgments may be ordered erroneously, which would otherwise have been prevented from going forward, due to the expiration of time as set forth in statute of limitations.

Recommendation:

Revise Practice Book Rule Sec. 24-9 to require that the plaintiff state in the writ the date of the defendant's last payment, the charge-off date or other basis to demonstrate that the statute of limitations has not expired.

4. Repeal requirement that the military affidavit accompany the writ.

Problem:

It is more difficult for unrepresented plaintiffs to obtain a military affidavit since they normally do not have a defendant's date of birth or social security number and are therefore unable to use the Department of Defense Manpower Data Center to determine military status. An affidavit as to military status is not needed if the defendant answers the claim. Requiring the affidavit at the time of judgment, later in the process, also reduces the risk that the affidavit will be stale.

Recommendation:

Revise Practice Book Rule Sec. 24-9 to remove the requirement that a military affidavit accompany the small claims writ and notice of suit upon filing of the claim.

5. Extend the outer range for the date by which the defendant must file an answer to the claim to forty-five (45) days after the notice and writ are returned to the court.

Problem:

Increased caseload necessitates that answer dates be further in the future than the thirty-day limit currently permits.

Recommendation:

Revise Practice Book Rule Sec. 24-12 to change from thirty (30) to forty-five (45) days the maximum parameter for the answer date, and further modify the language so that the parameters apply "after the writ and notice of suit are returned to the court", consistent with other changes proposed in Sec. 24-10 in regard to service of the claim.

6. Expand allowable methods for providing notices of hearing and provide hearing notices to all parties, even when an answer has not been received from a defendant.

Problem:

Current language in the Practice Book Rules limits the methods of providing notices of hearing. Other methods for providing notice, such as electronic notice, may be contemplated in the future.

Currently there is no requirement to send a hearing notice to a defendant who has failed to submit an answer. There may be just cause why a defendant failed to submit answer (e.g. did not receive notice of the suit). Failure to send a hearing notice to a defendant may preclude the defendant from the right to be heard. It should be the policy of the small claims system to avoid defaults and encourage defendant participation whenever possible.

Recommendation:

Revise Practice Book Rule Sec. 24-14 to state that the clerk shall "send" (rather than "give or mail") to each party or representative a notice of the time and place set for hearing. Further revise Sec. 24-14 and Sec. 24-25 to require that notices of all hearings be sent to all parties, without regard to whether an answer has been filed.

7. Require defendant to send a copy of the answer to the plaintiff.

Problem:

Answer notices from defendants currently are mailed to the plaintiffs by the small claims court personnel. The procedure could be more efficient and prevent unnecessary delay if the defendant were required to mail a copy of the answer to the plaintiff as well as the small claims court.

Recommendation:

Revise Practice Book Rule Sec. 24-16 to require that the defendant send a copy of the answer to each plaintiff and to certify on the answer form that he or she has done so, including the address(es) to which a copy has been mailed. It is the intent of the Committee that the defendant's failure to comply with this requirement will not prevent the defendant's answer from being heard but will entitle the plaintiff to a continuance if the plaintiff is caught by surprise. See also the recommended change to Sec. 24-25.

8. Clarify that the filing of a timely motion to transfer prevents default for failure to answer.

Problem:

A default judgment could be entered when a timely motion to transfer is pending.

Recommendation::

Revise Practice Book Rule Sec. 24-16 to add new language that prohibits the entry of a default judgment when a timely motion to transfer is pending.

9. Allowable filings

Problem:

The Practice Book Rules do not specify which types of filings are permitted in small claims actions. Plaintiffs may be confused about what filings are allowable.

Recommendation:

Revise Practice Book Rule Sec. 24-17 to list the allowable filings in small claims actions. The recommended list of allowable filings is as follows:

1. Small Claims Writ and Notice of Suit
2. Continuation of Parties
3. Motion to Waive Fees and Costs
4. Motion to Amend
5. Motion to Dismiss
6. Motion to Transfer
7. Motion to Appear Pro Hac Vice
8. Motion for Continuance
9. Motion to Extend Time
10. Motion to Implead
11. Motion to Withdraw Appearance
12. Appearance
13. Answer
14. Counterclaim
15. Reply to Counterclaim
16. Setoff
17. Subpoena
18. Stipulation
19. Decision of Magistrate
20. Motion for Stay
21. Withdrawal
22. Satisfaction
23. Motion to Modify
24. Motion to Open
25. Motion for Order
26. Motion for Articulation

27. Motion for Satisfaction
28. Post Judgment Remedies – Interrogatories
29. Petition For Examination of Judgment Debtor/Notice of Hearing
30. Executions – Wage, Financial Institution and Property
31. Property Execution Proceedings, Claim For Determination of Interests
32. Claim for exemption or modification – Execution
33. Application For Hearing On Exempt Status of Funds
34. Affidavit RE: Exempt Status of Funds
35. Capias

10. Clarify the procedure for requesting documents from the opposing party.

Problem:

When a party refuses to honor a request from the opposing party for copies of documents that may be necessary for the presentation of a case, the requesting party may bring the request to the judicial authority's attention for a decision. The timing and manner for bringing such a request to the judicial authority's attention is unclear.

Recommendation:

Revise Practice Book Rule Sec. 24-20A to state that the requesting party, rather than bringing the request to the judicial authority's attention, may file a motion for order.

11. Extend the amount of time permitted to file a motion to transfer after the granting of a motion to open, and clarify transfer language in accordance with the centralization of small claims processing.

Problem:

Five (5) days from the date the notice granting the motion to open was sent may be an insufficient amount of time for a party to file a motion to transfer to the regular civil docket. A party could be prevented from transferring a case if notice granting the motion to open was not received timely.

The Practice Book rule has not been updated since the processing of small claims matters was centralized. Current language should be revised to reflect the transfer process envisioned with a centralized small claims office.

Recommendation:

Revise Practice Book Rule Sec. 24-21 to extend from five (5) days to fifteen days, after the notice granting the motion to open is sent, the time limit for filing a motion to transfer to the regular docket or regular housing docket. Clarify the transfer process in light of the centralization of small claims matters.

12. Allow the defendant to file an answer at a hearing for damages.

Problem:

A defendant may not receive the mailed *Small Claims Writ and Notice of Claim* when the case is initiated or may not understand what to do once the form has been received. When a hearing in damages is scheduled and no attempt is made to notify the defendant of the scheduled hearing, the result could be an erroneous default judgment against the defendant, negatively impacting a defendant's credit report, and possibly causing a defendant's property to be inappropriately seized.

Recommendation:

Revise Practice Book Rule Sec. 24-25 to provide that notice of hearing be sent to each plaintiff and defendant when a matter is scheduled for a hearing in damages. See also the Committee's proposed changes to Sec. 24-14. Further revise Sec. 24-25 to state that if a defendant files an answer at any time before a default judgment has been entered, including at the time of a scheduled hearing in damages, the default shall be vacated automatically. If the answer is filed at the time of a hearing in damages, the judicial authority shall allow the plaintiff a continuance if requested by the plaintiff. This section does not authorize the filing of a late counterclaim.

13. Send notice of dismissal under the small claims dormancy program.

Problem:

Small claims cases, which have not gone to judgment within one year from the date of the institution of the action, are dismissed upon order of the chief court administrator during the months of January and July each year. No notices of dismissal are sent. Cases may be dismissed in error, resulting in the performance of additional and otherwise unnecessary tasks by small claims personnel and parties to the cases.

Recommendation:

Revise Practice Book Rule Sec. 24-27 to require the court to send notice of dismissal under the small claims dormancy program. The timing of the dormancy program would be discretionary.

14. Require a written decision to state the reasons for the decision in matters in which a contested hearing is held.

Problem:

Written decisions in matters in which a contested hearing is held do not necessarily state the reasons for the decision. This can cause confusion and be unsettling for the non-prevailing party.

Recommendation:

Revise Practice Book Rule Sec. 24-29 to require magistrates to state reasons for the written decision after a contested hearing.

15. Require that a stay of execution be in effect during compliance with an order for payment, and require that, upon satisfaction of judgment, a written notice of satisfaction be filed with the clerk within ninety (90) days.

Problem:

A defendant who is in compliance with an order of payments is nevertheless subject to the filing of a property or bank execution during the period of compliance. This can be unfair to a defendant who in good faith is complying with the court order.

Written notice of satisfaction of judgment is required to be filed with the clerk, but there is no stated timeframe within which the notice of satisfaction is to be filed.

Recommendation:

Revise Practice Book Rule Sec. 24-30 to state that, unless otherwise ordered, the issue of execution and other supplementary process shall be stayed during compliance with the order for payment. The stay would automatically be lifted by a default in post-judgment court-ordered payments by the judgment debtor.

Revise Sec. 24-30 to require that written notice of satisfaction be filed with the clerk within ninety days.

16. Remove the time limit for opening judgments for lack of actual notice, and clarify language related to contested hearings.

Problem:

A party may not receive actual notice of a judgment rendered, and have no recourse with the court if the four-month time limit to file a motion to open has expired.

Language in the Practice Book concerning the opening of a judgment rendered after a hearing on the merits does not specifically state that it applies to a *contested* hearing.

Recommendation:

Revise Practice Book Rule Sec. 24-31 to remove the four-month time limit for filing a motion to open for lack of actual notice to a party. The four-month time limit remains for opening judgments for other reasons.

Revise Sec. 24-31 to clarify that subsection (b) refers to a contested hearing.

17. Strengthen provisions requiring the sufficiency of affidavits filed including any charge-off balance, interest claimed, chain of title, and date of last payment by defendant, before any judgment may be rendered.

Problem:

The existing practice for entering judgments, and especially for default judgments, fails adequately to assure that the plaintiff has presented a prima facie case. As a result, judgments may be entered without the minimal level of proof to establish the indebtedness of the defendant. For example, in light of the frequent assignment and reassignment of commercial paper, the plaintiff may not actually own the debt or have the right to sue. Similarly, if an affidavit of debt is not sufficiently itemized, it is impossible for the judicial authority to determine whether the plaintiff is entitled to the type of damages claimed (e.g., interest) or whether the amount claimed complies with statutory and contractual requirements.

Recommendation:

Revise Practice Book Rule Sec. 24-24 to require that affidavits must have been filed by the plaintiff in order for the judicial authority to render any judgment and that an affidavit of debt be sufficiently itemized. Debts with charge-off balance must state that balance and must itemize any additional damages claimed.

The affidavit shall also state the manner in which additional interest is calculated and the authority upon which the claim for interest is based. Interest claimed on a debt arising out of services provided at a hospital, if awarded, shall not exceed the maximum rate permitted by subsection (b) of section 37-3a of the Connecticut General Statutes.

If the plaintiff is not the original party with whom the contract or instrument was made, the plaintiff shall swear to the purchase of debt from the last owner or seller and attach the most recent bill of sale or (b) attach all bills of sale for subsequent transfers of the original debt.

The affidavit shall also state the date of the last actual payment by the defendant, the date of charge-off, or some other basis to demonstrate that the statute of limitations has not expired.

If the plaintiff has claimed any lawful charges based on a provision of the contract, the plaintiff shall attach to the affidavit of debt a copy of the portion of the contract containing the provided terms for such charges and the amount claimed. In cases that involve a charge-off balance, this requires the plaintiff to itemize such damages that accrued after charge off.

18. Adopt a Small Claims Judgment Checklist for Magistrates

Problem:

Without uniform standards, the court cannot ensure consistency in practice and in meeting evidentiary norms before judgment is rendered. A lack of consistency can breed the perception of unfairness with the public, a perception in contraposition to the mission of the Judicial Branch.

Recommendation:

Require the institution of the proposed 'Small Claims Judgment Checklist' for Magistrates which sets forth a tickler series of questions for Magistrates to review and verify before judgment is rendered. The use of the Checklist helps ensure that expected standards for evidence are being met and that the public can be confident that they are being served with consistency and fairness. (The checklist is attached as Appendix B).

Incorporate plaintiff default cases in which the plaintiff fully provides all information required by checklist. The working group suggests that judgment would ordinarily be entered for the amount claimed unless facts and/or circumstances lead the magistrate to believe that the matters should be set down for hearing or that the claim dismissed.

19. If service by the plaintiff is not adopted, then (a) require the plaintiff to provide the clerk with sufficient copies of the complaint for each defendant [Sec. 24-9], (b) prohibit the use of an indifferent person to serve the writ [Sec. 24-10 and 24-11], and (c) require a marshal making abode service to state an independent basis for the belief that the address is correct [Sec. 24-11 and 24-13 (b)].

Problem:

(a) Small claims filers often do not provide the requisite number of copies needed for the court to make service, necessitating that either the filing be returned to them for correction or that the court make copies for the filer. Either way results in an additional expense for the court.

(b) Magistrates have noted abuses in the use of indifferent persons for service.

(c) When service by mail is returned as undeliverable, marshals often make abode service at the same address with no verification of the address.

Recommendation:

(a) Incorporate the form instruction requiring the filer to supply the appropriate number of copies into Sec. 24-9.

(b) Prohibit the use of indifferent persons for service of the writ.

(c) Require a marshal to state an independent basis for the belief that the address is correct when making abode service at an address from which mail service was returned as undeliverable.

20. Inform self-represented plaintiffs how to prepare a military affidavit.

Problem:

Non-attorney filers are unfamiliar with the requirements of the Service members Civil Relief Act, resulting in unnecessary delay.

Recommendation:

Provide greater instruction to self-represented parties litigants to increase understanding and compliance with the requirements of the Act.

21. Adopt a uniform stipulation to judgment form.

Problem:

There is no uniformity in the context of information presented in a stipulation for judgment. Key data for processing the stipulation or for the benefit of the defendant may be missing.

Recommendation:

Develop and implement a uniform stipulation form in carbon triplicate, with detailed information including the docket number, due date, amount agreed upon, contact telephone numbers, et al. (See Appendix C.)

22. Revise notice of judgment form

Problem:

The format of the judgment form and the information provided needs to be clearer. Repetition should be eliminated. (See Appendix D.)

Recommendation:

Revise the judgment form to clarify the format and the information provided and eliminate repetition of information.

23. Increase use of \$100 sanction authorized under Practice Book Sec. 24-33 to discourage plaintiffs, and especially large filers, from failure to comply with small claims rules designed to protect defendants from improper judgments

Problem:

The majority of small claims matters are filed by attorneys who represent corporate debt collectors. The majority of defendants in those matters are self-represented litigants. When such an imbalance between the parties exists, there is a special need to insure that the integrity of the system is preserved and the rights of all parties are protected.

Recommendation:

Magistrate training should include instruction in regard to standards for use of the sanctioning power set forth in Practice Book Section 24-33, specifically in regard to the discretionary award of costs not to exceed \$100.00.

IV. Recommendations from the Subcommittee on Operational Process

1. Send copy of defendant's answer to plaintiff upon receipt.

Problem:

Small Claims office procedure has been to send a copy of the defendant's answer to the plaintiff along with the notice of hearing once the hearing has been scheduled. Earlier receipt of defendant's answer could lead to stipulation or other agreement without the need to schedule a hearing.

Recommendation:

The recommendation has been accepted and the change in procedure has been implemented.

2. E-Filing for Small Claims.

Problem:

The small claims court faces an increasing rate of claims filed and the economic environment limits the State's ability to provide adequate resources to process the claims in a timely manner. E-filing for small claims, currently in effect for civil, provides a solution to meet this challenge.

Document retention procedures by plaintiffs will be impacted by the implementation of e-filing for small claims.

Recommendation:

The Judicial Branch should give top priority for implementation of an automated bulk e-filing system designed in a judicial format that makes data entry by judicial personnel for processing small claims cases unnecessary.

Begin with voluntary use of the bulk e-filing system. After twelve (12) months, require plaintiffs and attorneys who file more than 50 cases per year to use bulk e-filing.

Require plaintiffs to begin retaining affidavits until judgment is satisfied, the action is withdrawn, or judgment expires by operation of law.

3. Filings and notice to all non-appearing defendants

Problem:

Some defendants may not receive the initial small claims writ and notice of suit, and therefore would be unable to respond to the claim or to provide a defense to the claim. Sending copies of other filings and hearing notices to non-appearing defendants

helps to ensure that the defendant has an opportunity to respond to the small claims action.

Recommendation:

Require plaintiffs to send copies of all filings to non-appearing defendants. Require the small claims court to send hearing notices to non-appearing defendants. (Refer to recommendation 6. by the Subcommittee on Legal Issues.)

4. Docket Scheduling

Problem:

Large filers may be required to attend hearings in different parts of the state and at various times of the day. Scheduling conflicts can lead to more continuances, which can be burdensome to defendants and plaintiffs, as well as small claims office personnel.

Recommendation:

The small claims office should make every effort to schedule all cases of large filers in each court on a single docket, to be heard after unrepresented party cases. Recommended scheduling order is as follows: (1) single-party unrepresented plaintiffs; (2) single-party large filers; (3) multiple-party unrepresented plaintiffs; (4) multiple-party large filers.

5. Entry of defaults on trial dates

Problem:

Security lines at the entry to the courthouse may cause a litigant who has arrived on time at the building to be late for the call of the calendar. Some defendants or plaintiffs may be unexpectedly delayed for court dates and unable to contact and notify the court. A case may be called and judgment entered before the party to a case has arrived.

Recommendation:

Preclude entry of default on a case for a minimum of 20 minutes after the calendar is called.

6. Hearings on payment

Problem:

Hearings may be scheduled that are unnecessary when the purpose of the hearing is to set a payment order and no recommendation by either party has been made for payment other than the standard weekly minimum payment. Unnecessary hearings waste valuable time for defendants and plaintiffs, as well as small claims court personnel and resources.

Recommendation:

Eliminate hearings on amounts for weekly payments orders when the defendant admits liability and does not propose an alternative to the \$35 standard weekly payment order. Include a procedural notice to this effect on the defendant's answer form.

7. Credit card payments

Problem:

The small claims court faces an increasing rate of claims filed and the economic environment limits the State's ability to provide adequate resources to process the claims in a timely manner. Case processing could be significantly streamlined if filers could pay the entry fees online.

Recommendation:

Allow ALL fees to be paid by credit card and develop pre-paid accounts for large filers against which entry fees can be credited.

8. Housing cases

Problem:

Housing cases, which make up about 5% of the small claims cases, present a unique profile and are in many ways different from other small claims cases. They are more likely to involve self-represented parties and small business litigants; there are a larger number of consumers who are plaintiffs; the default rate in housing cases is much lower than in other small claims cases; they require hearings (either trials or hearings in damages) in all cases; and they benefit from being linked to the housing courts. These cases are an example of what you would find in a more classic "peoples court". The slower processing times that followed centralization have had a particularly adverse impact on the landlords and tenants who are involved in housing cases. Housing cases may not get the special attention they need when they become 'lost' in the larger shuffle of all small claims actions filed. Also, some housing court cases are scheduled and held in court buildings that are separate from the housing session clerk's office.

Recommendation:

Small claims housing cases should either (a) be returned to the housing courts or (b) separated from other cases upon filing and fast-track them for processing. If housing cases cannot be heard in a Housing Session, they should be held at least be held in the same building as the Housing Session clerk's office.

9. Enhance the magistrate evaluation and review process

Problem:

Small claims is not a court of record nor are appeals permitted from small claims judgments. Magistrates should meet appropriate standards in regard to fairness, legal knowledge and ability, and decorum. The complaint process should be reviewed and standardized.

Recommendation:

The receipt of three formal complaints, in a twelve-month period against a magistrate shall trigger a review process in which a reviewing party will observe a magistrate at a docket of at least ten matters. The review is to be conducted using a pre-approved checklist. However, nothing prohibits the review process from taking place in response to any single complaint.

10. Open bulk e-filing to all volume filers.

Problem:

Non-attorney volume filers cannot participate in bulk e-filing.

Recommendation:

Provide a user number or other mechanism so non-attorneys can participate in bulk e-filing.

11. Create a settled but withdrawn list.

Problem:

There is a need for an improved categorization and management of cases that are not yet fully disposed but do not need a future court event.

Recommendation:

Create a settled but not withdrawn list so these cases can be kept off the active dockets but managed to a complete disposition by withdrawal or dismissal.

V. Recommendations from the Subcommittee on Access and Quality of Service

1. Magistrate's opening remarks script

Problem:

Unrepresented defendants who are unfamiliar with the small claims court and practices may not understand the roles of the magistrates and the plaintiff attorneys and may perceive that they are at a disadvantage.

Recommendation:

Adopt a standard magistrate script for opening court which makes clear that the plaintiff attorneys are not magistrates and that a settlement is not required. Post the magistrate script on the internet and provide copies for litigants in court. (The script is attached as Appendix E.)

2. Magistrate canvass of settlements

Problem:

Unrepresented defendants may be unfamiliar with stipulations. The court does not require uniform standards of content and format of stipulations. Also, unrepresented defendants may not be aware of certain rights they have with respect to hospital cases.

Recommendation:

Adopt standards for magistrate canvass of stipulations and mandate and include reference to hospital cases. (Canvass is attached as Appendix F.)

3. Magistrate checklist

(This matter was referred to the Subcommittee on Legal Issues. Refer to that subcommittee's recommendation **18**.)

4. Explanation of Magistrate decisions

Problem:

Written decisions that do not contain an adequate explanation of the decision can cause confusion and be unsettling to the non-prevailing party in the case.

Recommendation:

Require reasonable explanations of decisions reached and written by magistrates. (This matter was referred to the Subcommittee on Legal Issues. Refer to that subcommittee's recommendation **14**.)

5. Magistrate Complaint Process

Problem:

There is no clear instruction available to litigants as to how to file complaints against magistrates concerning the handling or conduct of a hearing or other aspects of the small claims process, and the process for resolving those complaints is not clear. Litigants with complaints feel that no consideration is given to them.

Recommendation:

Place information on the website in the 'Frequently Asked Questions' section on how to file a complaint, and make complaint forms available in the clerks office. Require that the complainant receive notice of the result of the investigation. (this is attached as Appendix G.)

6. Review of Magistrate Training Binders

Problem:

There is no formal process in place for conducting a periodic review of the materials and documents contained in the magistrates' training binders. Information contained within may not be current or complete.

Recommendation:

Replace the magistrate training binders with a more extensive magistrate bench book, containing procedures, forms, scripts, authority, and case law, including substantive case law on frequent small claims issues.

Establish a committee specifically to develop a magistrate bench book. Include members of the public on the committee.

7. Website for Magistrates only

Problem:

Since magistrates perform their services on a part-time basis and are not in the court buildings on a daily basis, they may not have ready access offsite to resources that would be helpful in fulfilling their unique responsibilities.

Recommendation:

Establish a judicial website specifically for magistrates that would include procedures, forms, and other information for their access only. Review the recommendation with the Legal Services unit.

8. Website section for Small Claims information

Problem:

Some members of the public have difficulty locating small claims information on the judicial branch website and may not find the information that they seek.

Recommendation:

Create easier access to links for small claims information on the judicial branch website. Add a separate judicial branch website section for small claims forms. Improve the small claims related information available, including the 'Frequently Asked Questions' section. Add to website, "Tips when you are sued". (This is attached as Appendix H.)

9. Online tutorial

Problem:

Unrepresented plaintiffs who are unfamiliar with the small claims process have questions about completing the necessary paperwork properly. It is often inconvenient for the unrepresented plaintiff to go to a small claims office for assistance or to call and reach small claims personnel during normal business hours.

Recommendation:

Create an online tutorial on how to file a small claims case. With internet access, anyone can download the forms and complete them using the online tutorial, without leaving home and without a need to contact small claims personnel.

10. Interpreters for Small Claims

Problem:

Some unrepresented litigants may require the services of an interpreter. Oftentimes family and friends may accompany the litigant to assist them during a scheduled hearing. Members of the public providing interpreting services may not understand the responsibilities they have to the court while performing such services.

Recommendation:

Permit the use in small claims court of family members and friends as interpreters, but require any member of the public who engages in performing interpreting services for a litigant during a court hearing to be sworn to take the Interpreter's Oath as set forth in Connecticut General Statutes Sec. 1-25. Include in the judicial branches website Q&A a question on "What if I don't speak English?"

11. Revisions to the Small Claims Process booklet

Problem:

Litigants may have difficulty using the Small Claims Process booklet and not understand the information as presented. There is limited information on housing matters small claims. The only version available is in English.

Recommendation:

Revise the Small Claims Process booklet. Add more user-friendly sections and text. Combine sections in the booklet and include more housing matters small claims information.

Create a Spanish version of the Small claims Process booklet.

12. Mediation by Pro Bono Attorneys

Problem:

Small claims litigants do not have the opportunity to attempt to mediate their cases as other litigants do in civil cases. Small claims cases that could be mediated would reduce the increasing demands on valuable court time and space and permit cases to be processed in a timelier manner.

Recommendation:

Allow the option for small claims cases to be mediated on a pro bono basis utilizing the services of retired judges, attorneys, a mediation panel or small claims mediators. Begin with a pilot program.

13. Fee Waiver form

Problem:

Unrepresented plaintiffs may not be familiar with their right to apply for a fee waiver when initiating a small claims case. In some instances the cost of a filing fee could discourage an unrepresented plaintiff from pursuing a legitimate claim with the court.

Recommendation:

Include a fee waiver form in the small claims forms section of the judicial branch website and strengthen reference in other informational sections on the web and in the Small Claims Process booklet.

14. Small Claims Answer form

Problem:

Unrepresented defendants may find the small claims answer form to be confusing and may be deterred from completing and submitting the form. There are also questions as to whether it is fully legally accurate.

Recommendation:

Revise the answer form to clarify the information requested. Include the answer form on the judicial branch website. (See Appendix I.)

15. Financial Institution Executions and Wage Executions

Problem:

Certain unchecked practices, such as issuing a financial institution execution during compliance with a payment order or while a wage execution is in effect, are unfair to some defendants and may impede their ability to fulfill the payment responsibilities which were otherwise being met. A weekly wage execution order may be set higher than what had determined to be an appropriate weekly payment when case judgment was first entered.

Recommendation:

Prohibit financial institution executions from issuing during compliance with payments. (This matter was addressed by the Subcommittee on Legal Issues. Refer to that subcommittee's recommendation 14.)

Prohibit the issuance of one type of execution (e.g. financial institution execution) at the same time that another execution (e.g. a wage execution) is in effect.

16. Pilot program of separate courtrooms for trials and stipulations

Problem:

Because of the large proportion of small claims cases that are business collection cases, few of which are contested, small claims court has lost the feel of being a "people's court." Those litigants who come to court for a trial of a classic small claims case must wait while a parade of stipulations are processed.

Recommendation:

Develop a pilot in a courthouse with two available courtrooms in which two magistrates are assigned to the same docket. In one courtroom hear only stipulations and other non-contested cases. In the other courtroom hear only contested cases requiring a trial. When the first magistrate is finished, he or she can then take any remaining contested trials. The purpose of the pilot is to explore whether this separation of cases would change the atmosphere of the court for those with contested cases.

17. Disposition forms

Problem:

Unrepresented parties may be confused by the small claims disposition form and not understand what they are supposed to do.

Recommendation:

Revise the small claims disposition form to include plainer language.

18. Who should bare the burden of service?

The Committee voted to make no recommendation on this issue, but provide supporting and opposing sides of this issue and that the views be reflected in the final report. (See Appendix J & K.)

**Report of the Bench/Bar Small Claims Committee
Appendix-Table of Contents**

Appendix A:	Practice Book Revisions	(page 3)
Appendix B:	Small Claims Judgment Checklist	(page 10)
Appendix C:	Motion for Judgment by Stipulation	(page 12)
Appendix D:	Notice of Judgment or Disposition	(page 12)
Appendix E:	Small Claims Magistrate Script	(page 17)
Appendix F:	Magistrate Canvass	(page 17)
Appendix G:	Frequently Asked Questions	(page 18)
Appendix H:	Tips when you are sued	(page 19)
Appendix I:	Answer Form	(page 21)
Appendix J:	Small Claims Service of Process-Opposition	(page 22)
Appendix K:	Small Claims Service Of Process- In favor	(page 22)

APPENDIX A

SUPERIOR COURT—PROCEDURE IN CIVIL MATTERS

CHAPTER 24

SMALL CLAIMS

- 24-1. In General
- 24-2. Allowable Actions
- 24-3. Institution of Actions
- 24-4. Where Claims Shall Be Filed
- 24-5. Venue
- 24-6. Definition of “Representative”
- 24-7. What Constitutes File
- 24-8. Institution of Small Claims Actions; Beginning of Action
- 24-9. Preparation of Writ
- 24-10. Service of Small Claims Writ and Notice of Suit
- 24-11. Further Service of Claim
- 24-12. Answer Date
- 24-13. Alternative Method of Commencing Action
- 24-14. Notice of Time and Place of Hearing
- 24-15. Scheduling of Hearings; Continuances
- 24-16. Answers; Requests for Time to Pay
- 24-17. [Prohibition of Certain Pleadings] Allowable Filings
- 24-18. Plaintiff to Inquire as to Answer Filed [Repealed]
- 24-19. Claim of Setoff or Counterclaim
- 24-20. Amendment of Claim or Answer, Setoff or Counterclaim;
Motion to Dismiss
- 24-20A. Request for Documents; Depositions
- 24-21. Transfer to Regular Docket
- 24-22. Hearings in Small Claims Actions; Subpoenas

- 24-23. Procedure
- 24-24. Judgments in Small Claims; When Presence of the Plaintiff or Representative is Not Required for Entry of Judgment
- 24-25. Failure of the Defendant to Answer
- 24-26. Failure of a Party to Appear before the Court when Required
- 24-27. Dismissal for Failure to Obtain Judgment
- 24-28. Finality of Judgments and Decisions
- 24-29. Decision in Small Claims; Time Limit
- 24-30. Satisfying Judgment
- 24-31. Opening Judgment; Costs
- 24-32. Execution in Small Claims Actions
- 24-33. Costs in Small Claims

For previous Histories and Commentaries see the editions of the Practice Book corresponding to the years of the previous amendments.

Sec. 24-1. In General

(a) The general purpose of these rules is to secure the prompt and inexpensive hearing and determination of small claims by simplified procedure designed to allow the public maximum access to and use of the court in connection with such claims. Any comments as to the operation of the small claims court should be directed to the office of the chief court administrator.

(b) All proceedings shall be simple and informal. The services of an attorney at law are permissible but not obligatory. Notice to the representative for a party shall be equivalent to notice to such party.

(P.B. 1978-1997, Sec. 547.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

Sec. 24-2. Allowable Actions

(Amended June 26, 2000, to take effect Jan. 1, 2001.)

These rules shall apply to actions claiming money damages only, including actions against a non- resident defendant if he or she owns real or personal

property in this state and actions against in- state and out-of-state corporations. Actions of libel and slander are not permitted under these rules. In no case shall the damages claimed exceed the jurisdictional monetary limit fixed by statute, including attorney's fees and other costs of collection, but exclusive of interest and costs.

(P.B. 1978-1997, Sec. 548.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

Sec. 24-3. Institution of Actions

Actions may be instituted at the option of the claimant by the procedure herein provided for, or by writ and complaint returnable to the regular civil docket of the superior court.

(P.B. 1978-1997, Sec. 549.)

(REVISED) Sec. 24-4. Where Claims Shall Be Filed

Claims shall be filed in the Centralized Small Claims Office or in the clerk's office serving the small claims area designated by the chief court administrator where venue exists, as set forth in General Statutes §§ 51-345, 51-346 and 51-347, except that claims concerning housing matters, as defined by General Statutes § 47a-68, which are filed in a judicial district in which a housing session has been established shall be filed with the clerk of the housing session for that judicial district or in the Centralized Small Claims Office. [Unless (1) the defendant resides or is doing business, (2) the plaintiff resides, or (3) in housing matters, the premises is located within the small claims area where the claim is to be filed, or within the judicial district if the claim is to be filed in the housing session, the plaintiff, or representative, shall include in the statement of the claim the town where the transaction or injury occurred or other statement as to the basis for venue. (See General Statutes § 51-27a.)] The plaintiff shall include in the statement of the claim a statement of facts that provide the basis for venue in accordance with General Statutes Sec. 51-345(d), Sec. 51-345(g) and such other statutes as are applicable. (1) In actions involving consumer transactions, venue shall be in the small claims area for the town where (a) the consumer resides or (b) the transaction occurred (See General Statutes 51-345(d)). (2) In housing matters, venue shall be in the small claims area or, if in a housing session, in the judicial district for the town in which the premises are located (See General Statutes 51-348). (3) In actions not involving consumer transactions, venue shall be in the small claims area for the town where (a) the plaintiff resides, if the plaintiff is a natural person, (b) the defendant

resides or is doing business or (c) the transaction or injury occurred (See General Statutes Sec. 51-345(g)).

(P.B. 1978-1997, Sec. 550.) (Amended June 29, 1998, to take effect Jan. 1, 1999.)

REASONING: Amend the rule to reflect the creation of the Centralized Small Claims Office and to clarify the applicable venue provisions.

Sec. 24-5. Venue

The venue for small claims shall be in accordance with the General Statutes.

(P.B. 1978-1997, Sec. 551.)

Sec. 24-6. Definition of "Representative"

(a) Except as hereinafter limited, the word "representative" as used in this chapter shall mean: an attorney at law; one of a number of partners; one of a number of joint plaintiffs acting for all; an officer, manager or local manager of a corporation; an employee of an unincorporated business which is not a partnership; the commissioner of administrative services or his or her authorized representative while acting in an official capacity; the chief court administrator or his or her authorized representative while acting in an official capacity. The word "representative" shall not mean a consumer collection agency as defined in chapter 669 of the General Statutes or an individual acting pursuant to a power of attorney.

(b) It is prohibited for one who is not an attorney at law to receive a fee for the representation of any party.

(P.B. 1978-1997, Sec. 552.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

Sec. 24-7. What Constitutes File

(Amended June 26, 2000, to take effect Jan. 1, 2001.)

The file shall consist of the small claims writ and notice of suit, documents relating to the service of the writ, allowable pleadings and motions, and documents relating to postjudgment proceedings. All continuances granted pursuant to Section 24- 15 shall be documented.

(P.B. 1978-1997, Sec. 553.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

Sec. 24-8. Institution of Small Claims Actions; Beginning of Action

The signature by the plaintiff, or representative, on the small claims writ and notice of suit, and the filing of the writ with the clerk, together with the payment of all required fees, shall be deemed the beginning of the action. Any plaintiff or representative who wishes to obtain a judgment pursuant to the provisions of Section 24-24 shall also file the affidavits required by that section.

(P.B. 1978-1997, Sec. 556.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

(REVISED) Sec. 24-9. —Preparation of Writ

The small claims writ and notice of suit shall be on a form prescribed by the office of the chief court administrator. The plaintiff, or representative, shall state the nature and amount of the claim on the writ in concise, untechnical form and shall state the date of defendant's last payment, the charge-off date or other basis to show that the statute of limitations has not expired. The [said] writ is to be signed by either the plaintiff, or representative, under oath [, together with an affidavit as to the military status of the defendant]. The oath shall provide that the signer has read the claim, and that to the best of the signer's knowledge, information and belief there is good ground to support it. If the claim [involves items of] is more than a convenient length for entry on the writ in full, the plaintiff, or representative, shall attach [to the writ a list of such items] additional pages as needed. The plaintiff, or representative, shall also state on the writ the plaintiff's and the defendant's places of residence or other addresses. The plaintiff shall not use an address for service that it knows is not the defendant's current address. Prior to filing any writ, the plaintiff shall verify that the address provided for each defendant is current. Such verification shall include confirmation by at least two of the following methods made during the six months prior to the filing of the writ. The plaintiff shall state under oath in the writ which methods of verification were employed within the last six months and that each method confirmed the accuracy of the address submitted. The methods shall be drawn from the following list: (1) Municipal record verification (e.g., from a street list or tax records); (2) Verification from the Department of Motor Vehicles; (3) Receipt of correspondence from the defendant with that return address; (4) Other verification from the defendant that the address is current; (5) The mailing by first class mail, at least four weeks prior to the filing of the small claims action, of a letter to the defendant at such address, which letter has not been returned by the United States Postal Service; (6) Verification of the defendant's address from an online database, other than

white pages or other unpaid general telephone directories; (7) Verification of the defendant's address by obtaining independent verification from an additional source specifically described by the plaintiff. No default judgment shall enter in the absence of such verification or if it is apparent that the defendant did not reside at the address at the time of service.

(P.B. 1978-1997, Sec. 557.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: Language has been added that requires the plaintiff to provide information regarding the age of the claim and verification of the defendant's address and that generally strengthen notice provisions. The revision also removes the requirement that the military affidavit is to be filed with the writ. An affidavit as to military status is not needed if the defendant answers the claim. It is also more difficult for pro se plaintiffs to obtain a military affidavit as they normally do not have a defendant's date of birth or social security number and so are unable to use the Department of Defense Manpower Data Center to determine military status. Requiring the affidavit later in the process also reduces the risk that the affidavit will be stale.

(REVISED) Sec. 24-10. — Service of Small Claims Writ and Notice of Suit
(Amended June 26, 2000, to take effect Jan. 1, 2001.)

(a) Except as provided in subsection (b) of this section, the clerk shall send the writ and notice of suit and answer form by first class mail separately to each defendant who is not an out-of state corporation to one or more of the addresses supplied by the plaintiff. The clerk shall document the mailing date, and the nondelivery of the notice if any. On or before the date the clerk mails the writ and notice of suit to each such defendant, the clerk shall send notice to each plaintiff or representative of the docket number and answer date.

(b) For each defendant who is an out-of-state corporation, the plaintiff shall cause service of the writ and notice of suit and answer form to be made in accordance with the General Statutes. The officer [or other person] lawfully empowered to make service shall make return of service to the court. The clerk shall document the return of service.

REASONING: The revision eliminates service by an indifferent person in small claims matters.

(P.B. 1978-1997, Sec. 559.) (Amended June 26, 2000, to take effect Jan. 1, 2001; amended June 29, 2007, to take effect Jan. 1, 2008.)

HISTORY—2008: In 2008, in the last sentence of subsection (a), “send notice to” was substituted for “give or mail a copy of such writ and notice of suit to,” and “of the docket number and answer date” was added after “plaintiff or representative.”

COMMENTARY—2008: The changes to this section allow the clerk to send notice of the docket number and answer date by automated systems rather than by the labor intensive procedures required under the prior version of the rule.

(REVISED) Sec. 24-11. —Further Service of Claim

If the writ and notice of suit are returned to the court undelivered, the clerk shall issue a further notice setting a new answer date and give that notice to the plaintiff or representative, to be served by a proper officer [or indifferent person] upon the defendant in the same manner in which a writ of summons is served in a civil action, not less than fifteen nor more than thirty days before the new answer date mentioned in the notice, and make his or her return of service on the writ at least six days before the answer date. If service is not effected within 120 days from the original answer date, the case may be subject to dismissal. This section shall not apply to service made upon a defendant who is an out-of-state corporation.

(P.B. 1978-1997, Sec. 561.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: The revision eliminates service by an indifferent person in small claims matters.

(REVISED) Sec. 24-12. —Answer Date

The answer date shall not be less than fifteen nor more than [thirty] forty-five days after the [date notice is mailed to or service is made on the defendant pursuant to Section 24-10 or after the date service is made on the defendant pursuant to Sections 24-11 or 24-13] writ and notice of suit are returned to the court.

(P.B. 1978-1997, Sec. 562.)

REASONING: The proposed revision retains the minimum parameter so the defendant will have enough time to answer the claim. The maximum parameter has been increased because the increased caseload has necessitated that answer dates be further in the future than the thirty day limit permits. The other changes would be consistent with those proposed for Section 24-10 in regard to service of the claim.

(REVISED) Sec. 24-13. —Alternative Method of Commencing Action

In cases where the plaintiff is represented by an attorney at law, the attorney may, in lieu of proceeding in accordance with the provisions of Section 24-3 and Sections 24-8 through 24-11, proceed in accordance with the following provisions: (1) After obtaining the answer date from the clerk's office, the attorney shall complete a small claims writ and notice of suit in accordance with the provisions of Sections 24-9 and 24-10 and shall sign the writ as a commissioner of the superior court. Before service of the writ and notice of suit is made on the defendant, the attorney shall give or mail a copy of the completed writ and notice of suit to the clerk of the court in which the claim is to be filed accompanied by the appropriate entry fee. (2) If the defendant is not an out-of-state corporation, the writ and notice of suit shall be sent by certified mail, return receipt requested, separately to each defendant or served by a proper officer [or indifferent person] in the manner in which a writ of summons is served in a civil action, not less than fifteen nor more than thirty days before the answer date. If service is made by certified mail, a sworn affidavit stating how service has been made, together with the return receipt and the original writ and notice of suit shall be filed with the clerk as set forth below. In cases where service is made in the same manner in which a writ is served in a civil action, the officer [or indifferent person] shall make return of service to the court.

(3) If the defendant is an out-of-state corporation, service of the writ and notice of suit shall be made in accordance with the General Statutes. The officer or other person lawfully empowered to make service shall make return of service to the court.

(4) After service has been made, the filings required above shall be made at least six days before the answer date specified in the notice in the office of the clerk of the small claims area or housing session wherein the action is to be heard.

(5) When service, return and filing have been completed as aforesaid, the service shall be deemed to be the commencement of the action, except that service made upon an out-of-state corporation shall be effective as of the day and hour specified in the General Statutes.

(6) No attorney at law, or firm or association of attorneys at law, shall specify the same answer date for more than twenty small claims cases.

(P.B. 1978-1997, Sec. 563.) (Amended June 29, 1998, to take effect Jan. 1, 1999; amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: The revision eliminates service by an indifferent person in small claims matters.

(REVISED) Sec. 24-14. — Notice of Time and Place of Hearing

[Except as provided in Section 24-25,] [w] Whenever a hearing is [required] scheduled, the clerk shall [give or mail] send to each party or representative a notice of the time and place set for hearing. This shall include the street address of the court, [the] a telephone number [of the clerk's office] for inquiries, and the room number or other information sufficient to describe the place where the hearing will be held.

(P.B. 1978-1997, Sec. 564.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: The proposed revisions contemplate other methods of sending notice that may be used in the future and also accommodates the centralization of small claims processing in regard to inquiries.

Sec. 24-15. — Scheduling of Hearings; Continuances

(a) A hearing shall be scheduled not less than six and not more than forty-five days after the answer date.

(b) Continuances

(1) In any case where the plaintiff claims prejudice because of an unexpected defense or counterclaim or where either party shows good cause therefor, the judicial authority may postpone the hearing of any claim upon such terms as the judicial authority may order.

(2) A new hearing shall be scheduled within ninety days of the date set for the hearing which was postponed.

(3) Requests for continuances shall be made in writing to the clerk and shall state the reasons therefor. The party requesting the continuance shall first attempt to notify the other party of the request and shall include in the request when such notice was given and whether the other party agreed to the request. Requests for a continuance made prior to the scheduled hearing date shall be decided by the clerk. Requests for a continuance made on the scheduled date shall be decided by the judicial authority. All requests shall be

acted on as soon as possible. Oral requests for continuance shall be permitted by the clerk only in extraordinary circumstances.

(4) The clerk shall notify all parties of the decision on any request for continuance and of the new hearing date.

(P.B. 1978-1997, Sec. 565.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

(REVISED) Sec. 24-16. Answers; Requests for Time to Pay

(Amended June 26, 2000, to take effect Jan. 1, 2001.)

(a) A defendant, unless the judicial authority shall otherwise order, shall be defaulted and judgment shall enter in accordance with the provisions of Section 24-24, unless such defendant shall, personally or by representative, not later than the answer date, notify the clerk in writing of his or her defense to the claim or file a motion to transfer pursuant to Section 21-21. The answer should state fully and specifically, but in concise and untechnical form, such parts of the claim as are contested, and the grounds thereof, provided that an answer of general denial shall be sufficient for purposes of this section. Each defendant shall send a copy of the answer to each plaintiff and shall certify on the answer form that he or she has done so, including the address(es) to which a copy has been mailed. Upon the filing of an answer the clerk shall set the matter down for hearing by the judicial authority [and mail a copy of the answer to the plaintiff or representative].

(b) A defendant who admits the claim but desires time in which to pay may state that fact in the answer, with reasons to support this request, on or before the time set for answering, and may suggest a method of payment which he or she can afford. The request for a proposed method of payment shall be considered by the judicial authority in determining whether there shall be a stay of execution to permit deferred payment or an order of payment. The judicial authority in its discretion may require that a hearing be held concerning such request.

(P.B. 1978-1997, Sec. 567.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: New language prohibits the entry of a default judgment when a motion to transfer is pending. Additional new language shifts the obligation of providing plaintiff with a copy of the answer to the defendant. It is the intention of the drafters that a defendant's failure to send or certify a copy of the answer to the plaintiff will not prevent the acceptance of the answer by the clerk and the scheduling of a hearing. This is also standard

procedure in civil matters; see Practice Book Sections 7-6 and 10-12 through 10-14.

(NEW) Sec. 24-17. – Allowable Filings

No [pleadings] filings other than those provided for [in this chapter] below shall be permitted without permission of the judicial authority.

1. Small Claims Writ and Notice of Suit
2. Continuation of Parties
3. Motion to Waive Fees and Costs
4. Motion to Amend
5. Motion to Dismiss
6. Motion to Transfer
7. Motion to Appear Pro Hac Vice
8. Motion for Continuance
9. Motion to Extend Time
10. Motion to Implead
11. Motion to Withdraw Appearance
12. Appearance
13. Answer
14. Counterclaim
15. Reply to Counterclaim
16. Setoff
17. Subpoena
18. Stipulation
19. Decision of Magistrate
20. Motion for Stay
21. Withdrawal
22. Satisfaction
23. Motion to Modify
24. Motion to Open
25. Motion for Order
26. Motion for Articulation
27. Motion for Satisfaction
28. Post Judgment Remedies – Interrogatories
29. Petition For Examination of Judgment Debtor/Notice of Hearing
30. Executions – Wage, Financial Institution and Property
31. Property Execution Proceedings, Claim For Determination of Interests
32. Claim for exemption or modification – Execution
33. Application For Hearing On Exempt Status of Funds

- 34. Affidavit RE: Exempt Status of Funds
- 35. Capias

(P.B. 1978-1997, Sec. 568.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: This section now reads "No pleadings other than those provided for in this chapter shall be permitted without permission of the judicial authority." The revision is an attempt to make it easier for the filer to determine what filings are permissible in small claims cases.

Sec. 24-18. —Plaintiff to Inquire as to Answer Filed

[Repealed as of Jan. 1, 2001.]

Sec. 24-19. — Claim of Setoff or Counterclaim

The defendant or representative may claim any setoff or counterclaim within the jurisdiction of the small claims court. Such written setoff or counterclaim may be filed at any time on or before the answer date or upon the granting of a motion to open. Upon the making of such claim by the defendant, the clerk shall give notice to the plaintiff by first class mail, of the setoff or counterclaim and shall notify the parties of the new answer date. The defendant's claim shall be answered within the time and in the manner provided by Section 24-16. The original claim, and the claim of setoff or counterclaim, shall be deemed one case.

(P.B. 1978-1997, Sec. 570.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

**Sec. 24-20. —Amendment of Claim or Answer, Setoff or Counterclaim;
Motion to Dismiss**

(Amended June 26, 2000, to take effect Jan. 1, 2001.)

The judicial authority may at any time allow any claim or answer, setoff or counterclaim to be amended. A party may challenge jurisdiction by way of a motion to dismiss.

(P.B. 1978-1997, Sec. 571.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

(REVISED) Sec. 24-20A. —Request for Documents; Depositions

A party may request from the opposing party documents, or copies thereof, that are necessary or desirable for the full presentation of the case. The party requesting such documents, or copies thereof, shall make the request directly to the opposing party or the party's representative. When a party refuses to honor such request, the requesting party may [bring the request to the judicial authority's attention for a decision] file a motion for order. No deposition shall be taken except by order of the judicial authority.

(Adopted June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: The revision clarifies the procedure.

(REVISED) Sec. 24-21. Transfer to Regular Docket

(a) A case duly entered on the small claims docket of a small claims area or housing session court location shall be transferred to the regular docket of the superior court or to the regular housing docket, respectively, if the following conditions are met:

(1) The defendant, or the plaintiff if the defendant has filed a counterclaim, shall file a motion to transfer the case to the regular docket. This motion must be filed on or before the answer date with certification of service pursuant to Sections 10-12 et seq. If a motion to open claiming lack of actual notice is granted, the motion to transfer with accompanying documents and fees must be filed within [five] fifteen days after the notice granting the motion to open was sent.

(2) The motion to transfer must be accompanied by (A) a counterclaim in an amount greater than the jurisdiction of the small claims court; or (B) an affidavit stating that a good defense exists to the claim and setting forth with specificity the nature of the defense, or stating that the case has been properly claimed for trial by jury.

(3) The moving party shall pay all necessary statutory fees at the time the motion to transfer is filed, including any jury fees if a claim for trial by jury is filed.

(b) When a defendant or plaintiff on a counterclaim has satisfied one of the conditions of subsection (a) (2) herein, the motion to transfer to the regular docket shall be granted by the judicial authority, without the need for a hearing.

(c) A case [on the small claims docket of a small claims area court location] which has been properly transferred shall be transferred to the docket of the judicial district [within which the small claims area is located] which corresponds to the venue of the small claims matter, except that a housing case [filed in the housing session and] properly transferred shall remain in or be transferred to the housing session and be placed upon the regular housing docket. A case may be consolidated with a case pending in any other clerk's office of the superior court.

(P.B. 1978-1997, Sec. 572.) (Amended June 29, 1998, to take effect Jan. 1, 1999; amended June 26, 2000 to take effect Jan. 1, 2001.)

REASONING: The revision clarifies the transfer process in light of the centralization of small claims matters and extends one of the filing time limits.

Sec. 24-22. Hearings in Small Claims Actions; Subpoenas

Subpoenas, if requested, shall be issued by the clerk without fee, and may be issued upon the clerk's own motion or by order of the judicial authority. The party requesting the subpoena shall pay the fees for service and witness fees. An application for issuance of subpoena shall not be required in small claims matters.

(P.B. 1978-1997, Sec. 574.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

Sec. 24-23. — Procedure

Witnesses shall be sworn; but the judicial authority shall conduct the hearing in such order and form and with such methods of proof as it deems best suited to discover the facts and to determine the justice of the case in accordance with substantive law.

(P.B. 1978-1997, Sec. 575.)

(REVISED) Sec. 24-24. Judgments in Small Claims; When Presence of the Plaintiff or Representative is Not Required for Entry of Judgment

(a) In any action based on an express or implied promise to pay a definite sum and claiming only liquidated damages, which may include interest and reasonable attorney's fees, if the defendant has not filed an answer by the answer date and the judicial authority has not required that a hearing be held concerning any request by the defendant for more time to pay, the judicial authority may render judgment in favor of the plaintiff without requiring the presence of the plaintiff or representative before the court, provided the plaintiff has complied with the provisions of this section and Section 24-8. Nothing contained in this section shall prevent the judicial authority from requiring the presence of the plaintiff or representative before the court prior to rendering any such default and judgment if it appears to the judicial authority that additional information or evidence is required prior to the entry of judgment.

(b) In order for the judicial authority to render any judgment pursuant to this section at the time set for entering a [default] judgment whether by default, stipulation or other method, the following affidavits must [be] have been filed by the plaintiff:

(1) An affidavit of debt signed by the plaintiff. A small claims writ and notice of suit signed and sworn to by the plaintiff shall be considered an affidavit of debt for purposes of this section only if it is sufficiently itemized. For debts with a charge-off balance, the affidavits shall include the amount of the original charge-off balance and an itemization of any damages [costs], i.e., interest, attorney fees etc., claimed in addition to that balance. Except for an action under the Security Deposit Act, [A] any plaintiff claiming interest shall separately state the interest and shall specify the dates from which and to which interest is computed [and] the rate of interest, the manner in which it was calculated and the authority upon which the claim for interest is based. Interest claimed on a debt arising out of services provided at a hospital, if awarded, shall not exceed the maximum rate permitted by subsection (b) of section 37-3a of the general statutes.

(A) If the instrument on which the contract is based is a negotiable instrument or assigned contract, the affidavit shall state that the instrument or contract is now owned by the plaintiff and a copy of the executed instrument shall be attached to the affidavit. If the plaintiff is not the original party with whom the instrument or contract was made, the plaintiff shall either (1) attach all bills of sale back to the original creditor and swear to its purchase of the debt from the last owner in its affidavit of debt while also

referencing the attached chain of title in the affidavit of debt or (2) in the affidavit of debt, recite the names of all prior owner of the debt with dates of each prior sale, and also include the most recent bill of sale from the plaintiff's seller and swear to its purchase of the debt from its seller in the affidavit of debt. If applicable, the allegations shall comply with section 52-118 of the general statutes.

(B) The affidavit shall state the date [and amount] of the last actual payment made by the defendant, the date of charge-off or some other basis to show that the statute of limitations has not expired. A book transfer or credit is not an actual payment.

[(B)] (C) If the plaintiff has claimed any lawful charges based on a provision of the contract, including reasonable fees for an attorney at law or post-charge-off interest, the plaintiff shall [include in] attach to the affidavit of debt a copy of a portion of the contract containing the terms of the contract providing for such charges and the amount claimed.

[(C)] (D) If a claim for a reasonable fee for an attorney at law is made, the plaintiff shall include in the affidavit the reasons for the specific amount requested. Any claim for reasonable fees for an attorney at law must be referred to the judicial authority for approval prior to its inclusion in any default judgment.

(2) A military affidavit as required by Section 17-21 of the rules of practice.

(P.B. 1978-1997, Sec. 577.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: The revisions clarify the standards of proof for entry of judgment.

(REVISED) Sec. 24-25. – Failure of the Defendant to Answer

If the defendant does not file an answer by the answer date and if the case does not come within the purview of Section 24-24, the clerk shall set a date for hearing and the judicial authority shall require the presence of the plaintiff or representative. Notice of the hearing shall be sent to all parties or their representatives. If a defendant files an answer at any time before a default judgment has been entered, including at the time of a scheduled hearing in damages, the default shall be vacated automatically. If the answer is filed at the time of a hearing in damages, the judicial authority shall allow the plaintiff a continuance if requested by the plaintiff.

(P.B. 1978-1997, Sec. 578.)

REASONING: The revision provides that notice is to be sent to both plaintiffs and defendants when a matter is scheduled for a hearing in damages. It also provides that a default for failure to file an answer shall be set aside when an answer is filed prior to the entry of judgment and that the plaintiff is entitled to a continuance for a filing at the time of hearing.

Sec. 24-26. —Failure of a Party to Appear before the Court when Required

(a) If the plaintiff or representative fails to appear before the court on the hearing date, the judicial authority may dismiss the claim for want of prosecution, render a finding on the merits for the defendant or make such other disposition as may be proper.

(b) If the defendant fails to appear before the court at any time set for hearing, the judicial authority may render judgment in favor of the plaintiff based on such proofs as it deems necessary to establish the amount due under the claim, or make such other disposition as may be proper, provided that the plaintiff has appeared at the hearing.

(P.B. 1978-1997, Sec. 579.)

(REVISED) Sec. 24-27. —Dismissal for Failure to Obtain Judgment

During the months of January and July of each year, small claims cases which, within one year from the date of the institution of the action, have not gone to judgment [shall] may be dismissed upon the order of the chief court administrator. [No notices of dismissal will be sent by the court.]

(P.B. 1978-1997, Sec. 580.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: The revision requires the court to send notices of dismissal under the small claims dormancy program. The timing of the dormancy program will be discretionary.

Sec. 24-28. —Finality of Judgments and Decisions

Except as provided in Section 24-31, the judgments and decisions rendered in the small claims session are final and conclusive. (See General Statutes § 51-197a.)

(P.B. 1978-1997, Sec. 581.)

(REVISED) Sec. 24-29. — Decision in Small Claims; Time Limit

(Amended June 26, 2000, to take effect Jan. 1, 2001.)

(a) A written decision stating the reasons for the decision shall be required in matters in which a contested hearing is held, in which a counterclaim is filed or in which a judgment is entered in an amount other than the amount claimed. Nothing in this section precludes the judicial authority from filing a written decision in any matter when such judicial authority deems it appropriate.

(b) Judgments shall be rendered no later than forty-five days from the completion of the proceedings unless such time limit is waived in writing by the parties or their representative. The judgment of the judicial authority shall be recorded by the clerk and notice of the judgment and written decision shall be mailed to each party or representative, if any, in a sealed envelope.

(P.B. 1978-1997, Sec. 582.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: The proposed revision requires magistrates to state reasons in a written decision after a contested hearing.

(REVISED) Sec. 24-30. — Stay of Execution; Satisfying Judgment

(a) The judicial authority may order that the judgment shall be paid to the prevailing party at a certain date or by specified installments[, and may stay]. Unless otherwise ordered, the issue of execution and other supplementary process shall be stayed during compliance with such order. Such stay may be modified and vacated at any time for good cause. The stay is automatically lifted by a default in post-judgment court ordered payments by the judgment debtor.

(b) When the judgment is satisfied in a small claims action, the party recovering the judgment shall file a written notice thereof within 90 days with the clerk who shall record the judgment as satisfied, identifying the name of the party and the date. An execution returned fully satisfied shall be deemed a satisfaction of judgment and the notice required in this section

shall not be filed. The judicial authority may, upon motion, make a determination that the judgment has been satisfied.

REASONING: The proposed revision to subsection (a) sets forth a general rule that execution on small claims judgments is stayed while there is compliance with the order of payment. It is automatically lifted upon default by the debtor. The revision to subsection (b) adds a time within which a satisfaction is to be filed with the court.

(P.B. 1978-1997, Sec. 583.) (Amended June 26, 2000, to take effect Jan. 1, 2001; amended June 25, 2001, to take effect Jan. 1, 2002; amended June 30, 2003, to take effect Jan. 1, 2004.)

(REVISED) Sec. 24-31. —Opening Judgment; Costs

(a) The judicial authority may, upon motion, and after such notice by mail, or otherwise as it may order, open any judgment rendered under this procedure [, within four months from the date thereof,] for lack of actual notice to a party, or, within four months from the date thereof, for any other cause that the judicial authority may deem sufficient, and may stay and supersede execution; except that the judicial authority may, for the reasons indicated above, open any judgment rendered by default at any time within four months succeeding the date upon which an execution was levied. The judicial authority may also order the repayment of any sum collected under such judgment, and may render judgment and issue execution therefor. Costs in an amount fixed by the judicial authority and not exceeding \$100 may be awarded, in the discretion of the judicial authority, for or against either party to a motion to open the judgment, and judgment may be rendered and execution may be issued therefor; and any action by the judicial authority may be conditioned upon the payment of such costs or the performance of any proper condition.

(b) When a judgment has been rendered after a contested hearing on the merits, a motion to open shall be scheduled for hearing only upon order of the judicial authority.

(P.B. 1978-1997, Sec. 584.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: The revision removes the time limit for opening judgments for lack of actual notice to a party. The four month time limit remains for

opening judgments for other reasons. The revision clarifies that subsection (b) refers to a contested hearing.

Sec. 24-32. Execution in Small Claims Actions

(a) Pursuant to the General Statutes, the judgment creditor or the representative of the judgment creditor may file with the court a written application on forms prescribed by the office of the chief court administrator for an execution to collect an unsatisfied money judgment.

(b) Service of an initial set of interrogatories, on forms prescribed by the office of the chief court administrator relevant to obtaining satisfaction of a small claims money judgment shall be made by sending the interrogatories by certified mail, return receipt requested, to the person from whom discovery is sought.

(P.B. 1978-1997, Sec. 585.) (Amended June 26, 2000, to take effect Jan. 1, 2001; amended June 24, 2002, to take effect Jan. 1, 2003.)

Sec. 24-33. Costs in Small Claims

The actual legal disbursements of the prevailing party for entry fee, witness' fees, execution fees, fees for copies, [fees of an indifferent person] and officers' fees shall be allowed as costs. No costs shall be allowed either party except by special order of the judicial authority. The judicial authority shall have power in its discretion to award costs, in a sum fixed by the judicial authority, not exceeding \$100 (exclusive of such cash disbursements, or in addition thereto) against any party, whether the prevailing party or not, who has set up a frivolous or vexatious claim, defense or counterclaim, or has made an unfair, insufficient or misleading answer, or has negligently failed to be ready for trial, or has otherwise sought to hamper a party or the judicial authority in securing a speedy determination of the claim upon its merits, and it may render judgment and issue execution therefor, or set off such costs against damages or costs, as justice may require. In no case shall costs exceed the amount of the judgment.

(P.B. 1978-1997, Sec. 590.) (Amended June 26, 2000, to take effect Jan. 1, 2001.)

REASONING: Fees for service by an indifferent person are removed to be consistent with other revisions proposing elimination of service by an indifferent person in small claims matters.

Appendix B

SMALL CLAIMS JUDGMENT CHECKLIST FOR MAGISTRATES

This small claims checklist is to establish uniform minimum evidentiary norms, improve fairness, and enhance the public perception of the small claims court. (C.G.S. § 51-15) Magistrate does not have to award judgment if violates law or if the stipulation is against the interests of justice PB 24-24, 24-26

Is there reason to believe that the plaintiff, and particularly a plaintiff that is a frequent user of the small claims court, is repeatedly failing to comply with small claims rules and procedures designed to protect defendants from improper judgments or is coming to court unprepared? If so, you should seriously consider dismissing the action and imposing sanctions under Practice Book §24-33, which allows you to impose costs of up to \$100 on the offending party payable to the defendant who appears or to the judicial system in the event of nonappearance.

The goal is to get the party to discontinue the practice in all of its cases. Conduct which might justify sanctions in appropriate cases includes the bringing of suits beyond the statute of limitations, the failure to verify addresses as required by the Practice Book or the use of addresses at which the defendant is known not to reside, the failure to report to the court that a mailing was returned by the Postal Service as undeliverable, the filing of improper attorney's fee or interest claims, the failure to file proper military affidavits, the failure to provide required information on an affidavit of debt or the inclusion of claims known not to be awardable, and other similar matters that interfere with the fair administration of justice by the court. PB § 24-26, PB § 24-33

___ Was proper service made?

- The basis for knowledge of defendant's current address; address discrepancies. At least two methods of verification must be documented. Proposed PB § 24-9

The methods shall be drawn from the following list: (1) Municipal record verification (e.g., from a street list or tax records); (2) Verification from the Department of Motor Vehicles; (3) Receipt of correspondence from the defendant with that return address; (4) Other verification from the defendant that the address is current; (5) The mailing by first class mail, at least four weeks prior to the filing of the small claims action, of a letter to the defendant at such address, which letter has not been returned by the United States Postal Service; (6) Verification of the defendant's address from an online database, other than white pages or other unpaid general telephone directories; or (7) Verification of the defendant's address by obtaining independent verification from an additional source specifically described by the plaintiff.

- Is there reason to believe that the defendant did not reside at the address at which the process was served (e.g., in a housing case, that the defendant had vacated the premises before the action was brought)? Proposed PB § 24-9
- Is there a proper military affidavit PB § 24-24(b)(2)

___ Do papers include all material facts and documents? PB § 24-24

- Does the complaint set forth a valid cause of action showing the nature of any cause of action such as utility, credit card, personal loan, and list original creditor? PB § 24-9
- If a check or other negotiable instrument was copy attached? PB § 24-24
 - Does it show the date of last payment or date of the last charge-off? Proposed PB § 24-9, Cf. 17-25(b)

- Does to have the balance at original chargeoff and an itemization of post chargeoff additions? Proposed PB § 24-9, PB § 24-24, Cf. 17-25(b)
- Is the date of chargeoff listed? (note, this will be at least 6 months from date of last payment) Proposed PB § 24-9, PB § 24-24, Cf. 17-25(b)
- The basis for statute of limitations (federal prohibition to bring time-barred suit) Proposed PB § 24-9

___ **Is the affidavit of debt in the proper form?**

- An admissible affidavit showing unbroken assignment of the particular account (standing) CGS § 52-118
- A non-generic affidavit of debt by original creditor or if original creditor not available the affiant must identify self, basis of knowledge, original account number, original creditor, amount of debt, original charge off balance or if balance not charged off, how it was calculated. If affiant not an employee of the plaintiff, state the relationship with the plaintiff and the address of the affiant. PB § 24-24, Cf. 17-25
- Itemization of amounts requested after chargeoff PB § 24-24
- In consumer cases and only where there is a signed contract, attorney's fees are limited to 15%, CGS 42-150aa

___ **Is the proper amount of interest claimed, if any?**

- Interest if claimed before beginning of action PB § 24-24

The interest award is discretionary. There is a ten percent limit with some exceptions CGS §37-3a
 There is an eight percent limit if there is no agreement for interest. CGS § 37-1
 Loans are limited to 12% CGS § 37-4
 There is a 12% limit for use or forbearance* of money or credit** CGS § 36a-573

*Forbearance is "a refraining from the enforcement of something (as a debt, right, or obligation) that is due"

**described as all-encompassing language in Rhodes v. Hartford, 201 Conn. 89, 99 (1986).

NB. There are exceptions for federal bank exemption and other statutory rates

- Was there an agreement signed by defendant, or citation to statute, that supports any claimed recovery of interest in excess of 10%, fees, stating period covered and rate claimed. PB § 24-24

Items to consider when entering judgment

- Is there reason to believe that the defendant's financial circumstances renders the "nominal order" excessive in the circumstances? If so, what weekly order should enter?
- If the defendant's financial circumstances are such that a stay of a particular type of wage or property execution should issue, what stay do you order?

- If a claim for medical bills, no judgment should enter for a medical service provider if on Medicaid 42 U.S.C. § 1396a(a)(25)(C).

Appendix C

MOTION FOR JUDGMENT BY STIPULATION

JD-HM-13 Rev. 1-09

STATE OF CONNECTICUT
SUPERIOR COURT

www.jud.ct.gov



<input type="checkbox"/> Judicial District at _____ <small>Name of Case</small>	<input type="checkbox"/> Housing Session at _____	<input type="checkbox"/> Geographical Area Number _____	Docket Number _____
--	---	---	---------------------

Motion

The parties move for judgment in accordance with the following stipulation.

Stipulation

By agreement of the parties, judgment ~~for possession~~ will enter in favor of the plaintiff ~~with a stay of execution~~

IN THE AMOUNT OF
~~through until~~ _____ based on the following conditions (*The blank space*

below is to be filled in by the parties):

Signed (Plaintiff/Plaintiff's Attorney)	Date Signed
Signed (Defendant/Defendant's Attorney)	Date Signed
Order <input type="checkbox"/> The above motion for judgment is granted in accordance with the stipulation above.	<i>FOR COURT USE ONLY</i>
	File Date
By the Court (Judge/Assistant Clerk)	Date

Distribution: Original - Court File Copy 1 - Plaintiff Copy 2 - Defendant

**MOTION FOR JUDGMENT
BY STIPULATION**

Appendix D



State of Connecticut - Superior Court
Centralized Small Claims
80 Washington Street
Hartford, CT 06106-

Toll Free in Connecticut (866) 383-5927
Fax: (860) 756-7805

Local Hartford Area (860) 756-7800
www.jud.ct.gov

63502

December 9, 2008

WILLIAM MARTOVICH
29 GILYARD ST
SEYMOUR, CT 06483-3037

Notice of Judgment or Disposition

RE: Docket #: SCC-63502 CAVALRY SPV 1, LLC AS ASSIGNEE OF SPRINT VS. MARTOVICH
Defendant WILLIAM MARTOVICH

On 08/16/2007 Judgment for the Plaintiff after Default without Hearing in Damages

THE COURT FOUND JUDGMENT IN FAVOR OF THE PLAINTIFF(S). This means that the Defendant(s) lost the case and must pay the Damages and Costs as follows:

The defendant(s) owes \$812.17 Damages and \$35.00 Costs for a total of **\$847.17**

Payments of \$35.00 Weekly starting on 9/15/2007 have been ordered by the court. This means that, starting on the above date, the defendant(s) must pay the above amount Weekly.

DO NOT SEND ANY PAYMENTS TO THE COURT.
IF PAYMENTS ARE NOT MADE AS ORDERED YOUR WAGES, BANK ACCOUNT OR OTHER PROPERTY MAY BE ATTACHED. IF YOU HAVE ANY QUESTIONS CALL OR VISIT THE SMALL CLAIMS CLERK AT THE ADDRESS ABOVE.

Judgment was entered for the Plaintiff against you. It is important that you read this notice carefully.

- 1) You are ~~obligated~~ ^{ORDERED} to pay the amount shown above to the Plaintiff or the Plaintiff's attorney (address below) in the manner indicated. If you fail to do so by the date or dates shown the Plaintiff is entitled to seek an EXECUTION against ~~you~~ ^{YOUR WAGES} on this judgment.
- 2) An EXECUTION is an order to pay the debt owed the plaintiff as well as the marshal's fees. If an order for payments was entered against you, your failure to make these payments may result in a WAGE EXECUTION. A wage execution requires your employer to deduct ~~your~~ ^{UP TO 25% OF} portion of the debt owed ~~from~~ your paycheck until the debt and the marshal's fees are paid.
- 3) As long as you pay the judgment in accordance with the court's order no wage execution will be granted by the court. If there is a serious reason why you cannot pay the judgment in the manner ordered by the court, you can request a change in the terms of payment. You should contact the clerk if this becomes necessary.
- 4) Please be advised that postjudgment interest continues to accrue until the debt is satisfied in full.

Payments to be made to:

ANNE MARGARET THOMAS, THOMAS LAW OFFICES PLLC 7 SKYLINE DR 1ST FLOOR HAWTHORNE, NY 10532- , ()-

Appendix E

Small Claims Magistrate Script -Opening Remarks

Welcome to the Small Claims Court for the _____ District. I am Magistrate _____. I will be hearing small claims cases today. Please listen carefully to the following information.

In Small Claims court you have a number of choices as to what happens to your case. One choice is that you can have a trial in front of me and I will decide the case. Another choice is that you and the other side can try to work out an agreement. If you try to come to an agreement but are not able to, then I will hear and decide your case.

In any trial in front of me, you will be able to explain your side of the case to me. The person on the other side of the lawsuit has the same right. You do not have to be a lawyer to argue your case in front of me. After both parties have presented their arguments, I will review the case and any documents which either side has presented and I will make a decision. The decision will not be announced today. In a few days you will receive written notice in the mail informing you of the decision.

You can also resolve your case by working out an agreement with the other side. If you and the other side want to try to work out an agreement, you should get together outside the courtroom and try to settle your case. You do not have to agree to anything --you have a right to a trial before me. But if you can work out an agreement, it saves time for everyone. However, if you make an agreement and I accept it, then the agreement is final and enforceable and cannot be appealed. Please keep in mind that if you are working out an agreement and the other side is represented by an attorney, that attorney's obligation is to act in the best interests of the other side. The attorney is not acting for me or for any other court officer.

Don't make an agreement unless you agree that you owe the money. If you agree that you owe some of the money but not all of it, you have a right to have me decide how much you owe. If you agree on the amount, make sure that you also agree on when you will make the payments and how much they will be. If the other side wants you to make payments that are more than you can afford, you can return to the courtroom and I will make the decision as to what the payment amount and the payment timetable will be.

If you make an agreement with the other side, do not leave the courthouse. It is important that I review your agreement while you are still here. Please return to the courtroom and wait for your case to be called. Please tell the Clerk that you have an agreement for the Magistrate to review. When your case is called, I will ask questions to satisfy myself that you understand the agreement and that it is fair and reasonable. I will then enter the agreement as the decision of the court.

All Small Claims Court decisions are final. This means that once an agreement or order is entered, this is the end of the case. There is no appeal from a decision in Small Claims Court.

In a moment the Clerk will call the names of today's cases. Please Answer "Present" when you hear your name. If you do not hear your name read, please tell the Clerk.

Appendix F

MAGISTRATE CANVASSING SCRIPT AND STANDARDS

To the magistrate:

It is to everyone's advantage to resolve small claims cases by the mutual agreement of the parties, but it is also important to be sure that the agreement is voluntary and that one party has not been unduly pressured into the agreement. This is especially important if one side is represented by an attorney and the other side is a self-represented party. It is not unusual for self-represented parties being sued on debt to feel pressured into consenting to judgments that they do not agree with or to payment plans on which they are likely to default. One responsibility of the magistrate in entering judgments by agreement is to satisfy himself or herself that the parties have truly agreed, that the agreement is voluntary, and that the stipulation is reasonable. For that reason, it is expected that the magistrate will conduct a canvass of the parties before entering a negotiated agreement as a judgment of the court, with a special focus on assuring that any self represented party understands the key provisions of the agreement and their consequences and is in fact voluntarily choosing to enter into the agreement. A defendant should not be in a worse position for having agreed to a judgment than if the judgment had been entered by default.

Introduction

You should introduce the canvass with a statement to the defendant such as this:

"You are agreeing to have judgment enter against you and to a periodic payment schedule. Before entering judgment, I want to ask a few questions to confirm that you understand the nature of the agreement."

Canvass

You should conduct a canvass that covers the following areas:

(1) Does the defendant agree that he owes money to the plaintiff? If the original debt was with a different entity than the plaintiff, you should satisfy yourself that the plaintiff is in fact the party to which the defendant is liable.

(2) Does the defendant agree that the amount in the agreement is the correct amount? You should review both the "charge-off principal balance" and any collateral subsequent charges that are being assessed.

(3) In regard to fees and charges assessed after charge-off, does the defendant dispute any of the collateral items that are incorporated into the agreement (interest, late fees, attorney's fees, etc.)? Be alert to items that cannot legally be claimed (e.g., attorney's fees when there is no written contract for them or where they exceed 15% of the amount of

judgment -- which is not allowed in regard to a consumer contract) or that seem excessive or unreasonable.

(4) Does this case involve the collection of a hospital bill? If so, you should make sure that there has been compliance with C.G.S. 19a-673d. That statute requires hospitals (including attorneys for hospitals) to put a hold on collection activity (which will prevent them from requesting judgment) if the hospital "becomes aware" or "receives information" that the debtor is eligible for hospital bed funds, free or reduced-price hospital services, or any other program that would eliminate or reduce liability, and it requires that the file be referred to the hospital for a determination of eligibility. The fact that the defendant has an unpaid hospital bill is sufficient basis for you to inquire as to whether or not the hospital should be conducting such an eligibility review, especially if it has not previously done so. If an eligibility review is required, judgment should not be entered.

(5) Does the defendant agree to the payment schedule? Make sure that the defendant can realistically afford to make the payments. In some circumstances, you may want to insist that the payment schedule be changed.

(6) You should warn the defendant that, if an order is entered and he fails to make the payments, the plaintiff may be able to attach his wages, his bank account, or other property.

(7) You should make sure that the defendant understands to whom the payments are to be sent. They will ordinarily be sent to either the plaintiff or the plaintiff's attorney. They are not to be sent to the court.

(8) You should inform the parties that exempt income is not subject to attachment, including Social Security payments in a bank account and the first \$320 per week of wages (\$330 after January 1, 2010). If you have reason to believe that all of the defendant's income is exempt, you should remind the plaintiff's attorney that it is improper to attempt to attach exempt funds.

(9) You should consider entering an order staying the issuance of a bank account or other property execution as long as the defendant complies with the payment schedule. Existing statutory law prevents the issuance of a wage execution if the defendant is in compliance with a payment order but other executions are stayed only if the magistrate so orders. Practice Book 24-30 authorizes such stays.

(10) You should remind the defendant as to the importance of maintaining a correct address with the court and plaintiff's counsel.

Appendix G

Small Claims -(10/25/085)

1. What is Small Claims Court?

A part of Superior Court where you can sue for amounts of up to \$5000.

~~There is one. The only exception to the \$5000 limit. In some circumstances, a is a renter is allowed to sue for double the amount of suit brought for the return of a security deposit that was not returned. Such a renter may bring the suit in small claims court. In this situation ONLY, the plaintiff may sue for double the amount of the security deposit, plus accrued interest, even if the doubled amount brings the claim over the \$5000 jurisdictional limit.~~

You do not need a lawyer an attorney.

Magistrates (specially appointed lawyers) hear the cases.

Simple rules of evidence apply, instead of complex rules.

No right to appeal the outcome.

Addresses and Telephone Numbers of Connecticut Small Claims Areas -(PDF)

2. What issues belong in Small Claims Court?

unpaid bills debts;

breaches of a written or verbal contract;

consumer complaints against businesses;

back rent and damage to the premises;

return of security deposit;

injuries and broken or damaged property damage from automobile accidents and other forms of negligence;

doctor/hospital bills for treatment of personal injuries; and,
all other claims for issues valued at less than \$5000.

3. What issues do not belong in Small Claims Court?

libel or slander;

damage to your reputation;

name calling; or,

all claims for issues valued at more than \$5000, unless you agree to waive the part of the claim that exceeds \$5000.

4. How long do I have to start a small claims lawsuit? (Called the statute of limitations)

Six years -if your claim is based on a written contract

Three years -if your claim is based on a verbal agreement

Most statutes of limitations can be found in Chapter 926 of the Connecticut General Statutes.

5. How do I start a small claims case?

Use the court form "**Small Claims Writ and Notice of Suit,**" **JD-CV-40**. The form, sometimes referred to as a "small claims complaint," has space for you to provide the name and address of each

defendant, the reason you are bringing the lawsuit, and the amount of money you are seeking. You may also attach documents to the complaint.

If there are more than two plaintiffs or if you are suing more than two defendants, you must also complete and attach Form JD-CV-67, "Continuation of Parties."

File with the clerk, by mail or in person, the original Writ and Notice with all the attachments (including any documents and including the instructions to the defendant) AND ALSO an additional copy of everything you filed for each defendant you are suing.

The forms are available on-line and in any court location that handles small claims cases. Find your town and the court location that handles small claims, court address and telephone number. (PDF)

Type or legibly print (with black or blue ink) your information on the forms.

5a. What do "plaintiff" and "defendant" refer to?

- The person bringing the action is called the "plaintiff," the person being sued is called the "defendant." If a judgment is entered for the plaintiff, the party who recovers the judgment is the called the "judgment creditor" and the one who is ordered to pay the judgment is called the "judgment debtor."

6. How do I research the defendant to determine if the defendant is a corporation, limited liability company (LLC) or a partnership?

Call the Secretary of the State at 860-509-6002 to find out if it is a corporation or an LLC and to get the address. You can get this information on the internet at www.concordsofs.ct.gov/CONCORD/online?sn=InquiryServlet&eid=99.

If it is not a corporation or LLC, contact the town clerk's office where the company is located to get the name of the business owner.

7. Must I use the defendant's complete name?

Yes, use the exact, complete name of the person or business.

Do not abbreviate any part of the name.

If you leave out any part of the name, you may not be able to collect your money if you win the case.

8. What if the defendant is an individual who resides out of the state of Connecticut?

You may file against an individual who resides the out-of-state resident-only if he or she owns real or personal property in the state of Connecticut.

You must include in your complaint a A statement indicating that the out-of-state individual owns property in Connecticut must be included in the claim.

9. What if the defendant is an out-of-state corporation?

First you must find out if the corporation has an agent for service by contacting the Secretary of the State at 860-509-6002.

Once you file the case with the court, the paperwork will be sent back to you for service by a marshal or other proper officer. Give the information to the marshal regarding the agent for service.

109. Can an out-of-state individual or business file a claim in Connecticut?

- Yes, however, the individual or business may be required to attend court hearings if the defendant contests any of the proceedings or if the court determines that the business or individual's presence is necessary. Once you file the case with the court, the paperwork will be sent back to you for service by a proper officer. Give the information to the proper officer regarding the agent for service.

10a. Who notifies the defendant of the small claims case?

The clerk's office mails a copy of the small claims complaint to each defendant by regular first-class mail. You must provide the clerk with a good current address.

There is an exception if you are suing an out-of-state corporation. In that case, you must arrange for a marshal or other proper officer to serve the defendant (see Question #9 above).

10b. What if the mail comes back?

- If the notice is returned by the U.S. Postal Service, the clerk's office will notify you and return the complaint to you. You will have to arrange for it to be served by a marshal or other proper officer.

10c. Can I just mail the complaint to the defendant myself or hand him a copy if I see him?

- No. All service must be through the clerk's office or, in certain circumstances, by a marshal or other proper officer.

11. How much does it cost to start a small claims case?

The filing fee There is a \$35.00 filing fee.

If you are required to have a proper officer serve any paperwork, the proper officer will charge you a fee pursuant to the Connecticut General Statutes.

You must pay the court clerk with cash or a check or money order made out to "Clerk of the Superior Court." If you pay in person, you may also pay by MasterCard or Visa.

If you hand-deliver the claim to the court, and you plan to pay with a personal check, bring a photo I.D., or your photo driver's license.

If you win your case, the filing fee will be added to the judgment against the defendant.

If you are required to have a proper officer serve any paperwork, the proper officer will charge you a fee pursuant to the Connecticut General Statutes.

11a. Can the filing fee be waived?

The court can waive the filing fee if you cannot afford to pay the fee. There is a presumption in favor of waiving the fee if you receive public assistance (such as state welfare, SSI, or food stamps) or if your household income is below 125% of the Federal Poverty Level.

In order to apply for a waiver of fees, you must file Form JD-FM-75, "Application for Waiver of Fees." The form can be downloaded at <http://www.jud2.ct.gov/webforms/forms/fm075.pdf>.

12. Where do I go to file a small claims case?

Any small claims case may be filed at the Centralized Small Claims Office at 80 Washington Street, Hartford, CT 06106. New filings may be mailed or delivered by hand. If you wish to file at a local court, click

on the link below.

For landlord-tenant matters -at the Centralized Small Claims Office or in the court location where the property is located. Click on link below.

For other matters, click on link below.

Find out which small claims facility serves your town

Addresses and Telephone Numbers of Connecticut Small Claims Areas (PDF)

13. How do I defend against a small claims case?

File an Answer on or before the Answer Date that appears on the Notice of Suit.

If you disagree with the claim or the amount of money, check the box that says you disagree and explain briefly in writing why you believe you do not owe the money.

You may also file a motion to transfer to the regular docket. **See Practice Book Section 24-21.**

13a. Why would I want to transfer a case to the regular docket?

The transfer of a case to the "regular docket" takes the case out of small claims court. By filing the case in small claims court, the plaintiff has consented to the case being heard there. The defendant, however, has a right to remove the case from small claims court. To transfer a case, however, a substantial filing fee must be paid.

Small claims court is simpler, less formal, less expensive, easier to participate in without a lawyer, and usually faster than the regular docket. Only a small percentage of cases are transferred out of small claims court.

- Small claims court is an informal court in which some procedural rights do not exist. To get those rights, the case would have to be transferred to the regular docket. The most important differences are:
 - o Small claims decisions are final and binding. There is no right to appeal a small claims decision.
 - o There is no right to jury trial in small claims cases.
 - o Small claims procedures are less formal than those on the regular docket.
 - o Small claims jurisdiction is limited to \$5,000. If the defendant wants to raise a counterclaim for more than \$5,000, the case has to be transferred to the regular docket.

A motion to transfer a case to the regular docket must be filed no later than the Answer Date. After that, the defendant is considered to have waived the right to transfer.

13b. When will a trial be held?

- The Answer Date is not the date of the trial or hearing. It is the date by which your answer must be filed so that a default is not be entered against you.

After your answer has been filed, the clerk's office will notify you in writing of the date of the trial.
-

13c. What should I bring to the trial?

Bring any documents that support your claim, such as receipts, letters, contracts or leases. Make enough copies so that you will have an original, a copy for the court, and a copy for each other party.

Bring any witnesses who you would like to have testify.

If you need a witness who will not come voluntarily, you should ask the clerk to issue a subpoena. You will have to arrange for a marshal or other proper officer to serve the subpoena on the witness. Be sure to

give the clerk enough time to issue the subpoena, because subpoenas must be served on the witness at least 18 hours before the hearing.

14. Can When should I file a counterclaim if the plaintiff owes me money?

A "counterclaim" is a claim by the defendant against the plaintiff alleging that the plaintiff owes money to the defendant. The Magistrate hearing the case will hear both the plaintiff's claim and the defendant's counterclaim at the same hearing.

The counterclaim must be filed on or before the Answer Date. It can also be filed if or upon the granting of a motion to open judgment is granted.

If you think the plaintiff owes you money, say so in the Answer and label your reasons "Counterclaim."

15. May I request a jury trial?

There are no jury trials in small claims.

To obtain You may, however, request a jury trial, only if you must file a motion to transfer the case to the regular docket. See #13a above.

16. Can I appeal the judgment?

A judgment in small claims cannot be appealed.

To appeal a small claims judgment, you must file a motion to transfer the case to the regular docket. Because of the deadline for filing a motion to transfer, you would have to file the motion long before you know whether you have won or lost the case. See #13a above.

176. Are small claims matters heard by judges?

No. Small claims matters are heard and decided by Magistrates, who are lawyers appointed by the Chief Court Administrator to hear small claims cases. See C.G.S. § 51-193l.

In some cases, if the parties agree, small claims matters may be heard by a Commissioner who has been approved by the Chief Court Administrator to hear such matters. See C.G.S. § 52-549a.

187. How do I collect money on a judgment?

When a small claims judgment is entered, the Magistrate will usually enter a weekly order of payments. The defendant will be told to make payments to you or to your lawyer or other representative.

The court does not collect the money for you. If the defendant does not pay the order, but you can ask request that the clerk to issue an "execution," which is a court paper that authorizes a proper officer to seize money or property from the defendant.

An execution can be used to attach the non-exempt portion of the defendant's wages or bank account or to seize certain other non-exempt property. To obtain an execution, you must cComplete an application for wage, property or financial institution execution and file it with the clerk of the court where the judgment was entered.

The following fillable forms are available on this website: Wage -JD-CV-3; Financial Institution JD-CV-24; Property -JD-CV-5. An execution authorizes a proper officer to attach the debtor's wages, his or her nonexempt personal property or the debtor's bank account. (This does not include real estate.)

There is a \$35.00 fee for each application for wage, property or financial institution execution.

A judgment may be enforced up to 10 years from the date of judgment.

18a. What property is exempt from execution on a judgment?

The law provides that certain basic property of a judgment debtor cannot be taken by a judgment creditor. See C.G.S. § 52-352b, 52-361a, and 52-367b.

- The most common exemptions are:
 - o Weekly wages equal to 40 times the minimum wage.
 - o Government benefits, such as Social Security, SSI, and state welfare.
 - o Pension payments.
 - o The first \$3,500 of equity value in a car.
 - o The first \$75,000 of equity value in the defendant's home.

18. Can I appeal the judgment? ~~A judgment in small claims cannot be appealed.~~ **119. Could a small claims judgment against me (the judgment debtor) affect my credit rating or appear on my credit report?**

Small claims judgments are public information and could appear on your credit report, affecting your credit rating. The laws governing Consumer Credit Reports are contained in C.G.S. § 36a-695 et seq. If you need documentation to dispute an item on your credit report, you may get copies from the court file in your case for a fee of \$1.00 per page at the Small Claims office where your case was decided.

If you have a specific complaint about a Consumer Credit Reporting Agency you may make such a complaint to the Connecticut Banking Department, Consumer Credit Division, 260 Constitution Plaza, Hartford, CT 06103-1800. See C.G.S. § 36a-695.

20. When may a judgment lien be placed on real property (real estate)?

Pursuant to C.G.S. 52-380a, a judgment lien may be placed on the land records in the town clerk's office in the town where the real property is located when a money judgment is unpaid.

A judgment lien certificate must be signed by the judgment creditor or the judgment creditor's attorney.

From the time of the recording of the judgment lien certificate, the money judgment shall be a lien on the judgment debtor's interest in the real property described.

The judgment lien shall expire twenty years after the judgment was rendered unless the party claiming the lien commences an action to foreclose it within that period of time and follows the remaining requirements of the statute. For more complete information, see C.G.S. § 52-380a.

21. Must I advise the court when the judgment owed to me is paid in full?

- Yes. This is called a satisfaction of judgment and is a written notice that must be filed with the court when full payment has been made. See Practice Book section 24-30.

22. Where can I get more information?

Review the booklet, "The Small Claims Process" -JD-CV-45, available in every Court Services Center and in some clerks' offices that handles small claims cases. From time to time information in this booklet may change, such as fees, court locations and phone numbers. Please check this website in those specific areas to be sure that you have the most current information or contact the local small claims office.

Ask the small claims court clerk for information. The clerk CAN give you information. The clerk CANNOT give you legal advice.

Consult an attorney. Check the Yellow Pages or call your local Lawyer Referral Service (run by the local Bar Association). If you are a low income individual, The Statewide Legal Services of Connecticut, Inc. may be able to provide assistance. Its ~~Their~~ toll-free number is 1-800-4533320.

23. How can I find out information on a small claims case?

Case information from Small Claims Courts is available, at http://www.jud2.ct.gov/Small_Claims/. Small

Claims case information may be searched by: docket number, party name, court calendar, attorney case list, attorney calendar, and attorney search.

24. What information can I look -up on a small claims matter?

~~On this website, you can find for each small claims case the name and docket number of the case and a list of each event that has occurred in the case, such as the filing date, the date of hearing, and the date that judgment is entered. The data available displays information from Small Claims cases including all actions, except libel and slander, where the money damages claimed are not in excess of \$5,000, or, in the case of security deposit claims only, a doubled amount not in excess of \$10,000. This case information is updated at the close of business each day and, therefore should it includes all information entered as of the previous workday. It is possible that some documents filed with the clerk may not yet have been entered into the Look-up. Check the Look-up at the end of the day today or tomorrow for the next update.~~

[Back to Top](#)

25. How do I file a complaint against a small claims magistrate?

Please submit your complaint in writing with some specificity to:

Director of Court Operations
Attention: Small Claims Complaint
225 Spring Street, 2nd floor
Wethersfield, CT 06109

Appendix H

Tips on What to do if You are Contacted by a Collection Attorney

As of November 2007 the American public had a total of \$2.5 trillion in outstanding debt – almost one-third of the national debt level.

While most of this debt will be repaid in a timely manner, as the economy slows and economic pressure on many American families increases, so will delinquencies. Those whose payments are delinquent will usually be contacted first by their creditor, then often by a collection agency if the matter is not resolved.

For delinquencies that remain unpaid, creditors often hire collection law firms to contact consumers to resolve the debts. Collection attorneys are held to high standards and must comply with laws governing debt collection practices.

The National Association of Retail Collection Attorneys (NARCA) offers consumers the following tips when working with debt collection law firm:

When you receive a letter or phone call, respond.

The matter can't be resolved if you don't respond. The attorney wants to work with you – help them by initiating an open dialogue. This is your opportunity to present your viewpoint.

Keep good records.

Your records are vital to issues of your identity and payment history when discussing a delinquent bill. Keep files of your bank records, history of places lived and worked, and copies of correspondence concerning your debts.

If the amount of the debt is incorrect, you will need to be able to show that you have made payments that were not credited or some other reason why the amount claimed is not what you really owe. Having good records and communicating with the collection attorney are very important to resolve this issue.

Be honest about what you can afford.

Even if you are unable to pay the full amount at once collection attorneys will work with you to come up with an achievable payment plan. Be sure to agree only to a plan that you can stick with, to avoid further collection efforts.

“Many times collection attorneys will set up debt repayment plans for consumers. A successful plan can help consumers get out of debt,” said Bob Markoff, president of NARCA.

Speak up if the debt is not yours.

This is where good records come in handy. You have the right to request further information if you are contacted about a debt that you do not recognize. If the debt truly is not yours and you are the victim of identity theft, be prepared to explain your situation to the collection attorney. The attorney may want to see a police report if you have filed one. If you have any information as to whose debt it is, share that information with the attorney.

If you have a lawyer, have them contact the collection attorney.

Once this step is taken, the collection attorney can only communicate with your attorney, not directly with you. Be sure to give the collection attorney the name, address and phone number of your attorney so they can be in contact.

Don't ignore a summons from a court.

A summons from a court means that you have only a certain time to respond to the suit. The paperwork with the summons may contain a court date or instructions on what to do if you dispute the claim. If you think you don't owe the debt, pay close attention to these papers. If you do owe the debt contact the law firm that filed the case right away – they want to work with you on a payment plan.

Be involved – the outcome is in your hands.

If you do not appear in court and do not contact the attorney about repayment, a judgment may be entered against you. Efforts will be made to collect the judgment amount from you, which, depending on your circumstances and what state you live in, can lead to severe consequences including wage garnishment, bank account attachment and liens on your property. It is important to try and resolve your debt before these actions are taken.

Communication is critical to resolving debt collection issues. "An attorney collecting debt is going to work with you to find a solution so the amount owed is paid. It is important to follow these tips and respond to collection efforts. Also, you need to educate yourself about credit so you can successfully manage your finances in the future," said Markoff.

Appendix I

State of Connecticut – Superior Court
Centralized Small Claims
80 Washington Street
Hartford, CT 06106

Toll Free in Connecticut (866) 383-5927
Fax: (860) 756-7800

Local Hartford Area (860) 756-7800
www.jud.ct.gov

10000

Docket No: SCA123456789 Jane Doe vs. John Doe
Hearing Location:

Answer

TO ANSWER THIS CLAIM, COMPLETE THIS FORM AND RETURN IT BY MAIL, FAX OR HAND DELIVERY ON OR BEFORE:
September 17, 2008
PLEASE READ THE INSTRUCTIONS INCLUDED WITH THE ATTACHED CLAIM.

IN RESPONSE TO THE ENCLOSED CLAIM FOR THIS AMOUNT, plus court costs, if any this is my answer: (check all boxes that apply)

[Empty box for amount]

I disagree with the claim because: (State below why you disagree, be brief but specific. At trial you will be able to explain your defense and submit documentation.)
____ The debt is paid ____ I do not owe any money to this company.
____ The debt is not mine ____ This debt was included in a filing of bankruptcy.
____ Other

I admit I owe part of the debt. (State why you do not owe the entire amount.) You will be assigned a hearing with a magistrate to determine what you owe.

I admit I owe the claim but need more time to pay (You may suggest a timetable for and amount of deferred payments). DO NOT SEND PAYMENT(S) TO THE COURT. MAKE ALL PAYMENTS DIRECTLY TO THE FOLLOWING:

Counterclaim: The plaintiff owes money to me in the amount of \$ _____ for the following reasons:

Signed		Print Name and Title of Person Signing		Date Signed	
Address (No., Street, Town, Zip Code)			Telephone No. ()		Juris No.

- YOU DO NOT HAVE TO COME TO COURT ON THE ABOVE ANSWER DATE EXCEPT TO SUBMIT A WRITTEN ANSWER IF YOU HAVE NOT DONE SO BY THAT DATE. It is not the date of trial. If you have filed an answer contesting the claim the clerk will schedule a date for the trial and will send you a written notice of the date and time to come to court.
- If you do not answer by the answer date, judgment could enter against you. If the plaintiff(s) win the case and you do not pay the judgment, the plaintiff(s) may try to collect the money owed by getting permission from the court to have the money taken from your wages, financial accounts or property.

Appendix J

TO: Nancy Kiersted, Director of Court Operations
FROM: Karen Lahey, Esq, Adam Olshan, Esq. and Richard Terry, Esq.
RE: Small Claims service of process
Date: March 13, 2009

We have been asked to summarize the opposition to amending the various Connecticut Practice Book sections, as well as the Connecticut General Statutes, so that the plaintiff becomes responsible to effectuate service of the small claims writ upon the defendant.

We understand that the Judicial Department wants this to happen as it believes that such a reduction of work for court staff will allow the state to eliminate many small claims clerk positions. On the contrary, this modification would result in more net staffing as it would cripple the likelihood of effective automated bulk e-filing. Perhaps more notably, this modification would be incredibly unfair to the consumer defendant.

The State should instead do everything that it can to begin automated bulk e-filing of small claims suits as soon as possible as that would truly result in vast resource gains for the State.

We have summarized our many objections to the change below:

1- The goal of the committee initially was to recommend changes to fix a small claims process that was horribly broken and delivering unfair results for all parties . After twenty-four months, the Small Claims Centralized clerk's office ("SCC") still had not effectively solved the challenges of consolidation. To make a wholesale change like placing service on the plaintiff, just as the SCC is pulling out of the dark - will add more years of inefficiency that will lead to more unfair results for all parties (plaintiffs and defendants).

2- If SCC truly wants to be more efficient and involve less staff while delivering top service to the community, it should make automated bulk e-filing a reality for the volume filers as soon as possible - rather than save time by outsourcing service to plaintiffs. Since the State has already done all of the necessary programming, the SCC would benefit far more by doing what it takes to reach automated bulk e-filing this year . Automated bulk e-filing would save staff from keying in nearly 95,000 suits annually and it would lead to even greater staff savings when it is introduced post-judgment . However with service of process moved to the plaintiff, this becomes meaningless and these vast efficiencies will be lost

3- The new procedure would be extremely confusing to consumers and it will directly cause additional huge volumes of phone calls daily to SCC by these defendants.

Currently, SCC receives a prepared writ, with an affidavit of debt and exhibits from the plaintiff which it inputs into its database. The clerk's office then mails the writ out with

an answer date and answer form by first class mail to the defendant(s). The writ is mailed in an envelope that bears the Centralized Small Claims office with the seal of the State of Connecticut. The defendant can respond immediately to the complaint that it has received.

If PB 24-10 is amended to have plaintiff mail the complaint, this procedure would be radically changed and would cause extreme confusion to the parties that are being sued. In addition, it will place collection attorneys (the largest volume filers in the state system) in jeopardy of violating the federal Fair Debt Collection Practices Act. Under the revised rule, plaintiff would mail a writ with exhibits to the defendant by delivery confirmation or certified mail/return receipt. According to Judicial Operations, the writ will not contain an answer date or answer form. The envelope will bear the address of the plaintiff only and cannot show any indication on the outside of the envelope that a notice of suit is enclosed. In the event of a plaintiff law firm sending this envelope, the likelihood of the defendant ignoring the mail or tossing it in the garbage is extremely high. This service could also imply to the least sophisticated consumer a false impression that the plaintiff is affiliated with or sanctioned by the court or government.

If the defendant does open the envelope, the only thing in there will be a complaint and exhibits. SCC would not enable plaintiffs' to assign an answer date or enclose an answer form in the envelope. The defendant, most likely, will not receive an answer date or answer form from SCC for several weeks after they have received the complaint because of processing delays.

This will undoubtedly lead to confusion among parties being sued as to what to do next. This will lead to dozens of telephone calls directly to pro se plaintiffs, attorneys' offices representing the plaintiff or to the SCC office itself. For plaintiffs that are represented by counsel, this new procedure would place that attorney in the unethical position of having to render legal advice concerning how to handle the writ that they have just received. For collection attorneys that are required to comply with the FDCPA, this rule change will place those attorneys in jeopardy of violating the Act and expose them to being sued because the mailing, in and of itself, is deceptive, misleading and confusing. And, any time that SCC believes it will save in mailing out the complaint to the defendants will be absorbed by the telephone calls that it will be receiving from angry, confused and upset defendants.

Given the likelihood that mail received directly from a plaintiff or plaintiff's attorney will be ignored by the defendant, this will lead to a greater number of default judgments entering against defendants.

4 – The new procedure would give unethical plaintiffs a systemic opportunity to abuse defendant consumers. To avoid the expenditure of court costs, these plaintiffs may have the small claims writ mailed to the defendant and then pummel the defendant with phone calls and additional letters in order to leverage a payment-in-full or settlement. The suit could then be filed sixty days later (or the outer limit of the rule – sixty days was suggested by SCC) only if the plaintiff decides to proceed to incur that cost.

While we believe this practice would be unfair and unethical, the new procedure would be ripe for such abuse of Connecticut's consumer defendants.

There are more efficient ways to save staff resources for the SCC. There are more fair ways to save staff resource for the SCC. To so amend both the General Statutes and the Practice Book will result in another extended period of procedural disarray for the SCC and for Connecticut's small claims litigants while also greatly reducing the levels of participation in the process by defendants. The committee, in its efforts to encourage consumer participation in the small claims process, included: plaintiff confirmation of the defendant's address using the 2 of 7 formula, extending the answer dates for defendants, notice to non-appearing defendants of hearing in damages, the ability to file answers in court during a hearing in damages and an unlimited ability to reopen judgments for lack of actual notice. We believe that the creditor bar and the majority of magistrates at the meeting agreed with these points. We also believe that some of the consumer bar is nervous that this specific amendment would "chill" consumer defendant participation in the process. Had this gone to a substantive vote on March 3rd, we believe that the recommendation would have been to leave service with the SCC for the above reasons.

We would be pleased to further discuss this matter at any time. Thank you for the opportunity to express our thoughts as to how this statutory and practice book modification would be counterproductive for the State and for both plaintiffs and defendants.

Appendix K

Service of Process in Small Claims Matters

The Judicial Branch has proposed amending the rules of practice to require the plaintiff to make service of the claim for the following reasons:

1. Service by the plaintiff is the norm in other civil and family matters, many of which are filed by self represented litigants. Service by the court creates the appearance that the court is an arm of the plaintiff. Defendants do not receive a comparable benefit from the court.
2. The cost of service by first class mail is now borne by the court. In addition, the labor associated with organizing documents for service is extensive; the original paperwork and copies submitted by the filer must be separated correctly and envelopes prepared and stuffed, weighed and posted. With annual filings of over 90,000 cases, staff must devote many hours to this process each week.
3. Five law firms account for 64% of the cases filed by businesses which, in turn, file 85% of small claims matters. The disproportionate benefit to such a small group of filers undermines the neutrality of the court.
4. Service by a marshal is currently required for suits against out-of-state corporate defendants and for any mail service returned as undeliverable by the post office. Approximately 10% of all claims served on defendants are returned as undeliverable, necessitating that the court then mail the original writ to the plaintiff, instructing them to hire a marshal to perform service. The court must keep a copy of the writ in case of loss and keep the file for four months awaiting a return of service. The majority of these cases end up being dismissed because defendants cannot be located. If proof of service is required prior to filing, volume will be reduced and tasks associated with marshal service will be eliminated.
5. The proposal gives filers three methods to perform service: by first-class mail with delivery confirmation, certified mail, return receipt requested, or by a proper officer in the manner in which a writ of summons is served in a civil action. The first two are relatively low cost options and costs are recoverable if the filer prevails.

6. Approximately 75% of small claims matters are disposed by default as defendants do not answer the claim. Under the proposed changes, defendants would receive two notifications of the suit; the first from the service by the filer and a second automated notification from the court advising the parties of the docket number and answer date. This may serve to increase the response rate by defendants.
7. The Centralized Small Claims office has been beset by staff shortages coupled with increased volume since it opened in May 2006. The current budget shortfalls in the state will likely further limit resources. The office has been successful in streamlining many tasks and creating new efficiencies but must advocate all possible means to reduce tasks so that cases may be processed in a timely manner.

Technology Plan

For

Infrastructure

**Information Technology Division
April 2009**

TABLE OF CONTENTS

EXECUTIVE SUMMARY	Pages 1-3
INTRODUCTION TO THE PLAN ITEMS	Pages 4-23
SCHEDULING OF TECHNOLOGY PLAN ITEMS	Pages 24-32
CONCLUSION.....	Page 33
APPENDICES TITLE PAGE	Page 34
Appendix A—List of Deferred Existing Infrastructure Items	Pages 35-36
Appendix B—List of Deferred New Infrastructure Items	Pages 37-38
Appendix C—List of Prioritization Drivers	Page 39
Appendix D—List of Current Initiatives	Page 40
Appendix E—Definition of Acronyms.....	Page 41
Appendix F—Summary of Technology Plan Implementation Sequence.....	Page 42
Appendix G—Technology Plan Implementation Sequence.....	Page 43
Appendix H—Spreadsheet Notes Concerning Costs.....	Page 44

EXECUTIVE SUMMARY

Background and Purpose

One of the initiatives in the Implementation Plan from the work of Chief Justice Rogers' Public Service and Trust Commission was a charge to the Branch's Information Technology Division (ITD) to develop a three-year technology plan that addresses infrastructure requirements. The purpose of such a plan is to ensure that the technical infrastructure is in place to support on-going Branch operations as well as any new initiatives anticipated over the next three to five years. This charge necessitated identifying areas in the present technical infrastructure requiring replacement or upgrade and determining what new infrastructure needed to be acquired. It also meant prioritizing the work—deciding what infrastructure upgrades or acquisitions had to be completed, or at least started over the next three years, and what could be deferred. Finally, it meant deciding the appropriate sequence for bringing in these changes to ensure as much as possible that the staffing and funding needed would be available and that any disruption to Branch business would be minimized. Therefore, the resulting three-year plan, starting in July 2009, provides a road map for:

- upgrading existing technical infrastructure;
- acquiring new technical infrastructure necessary to support on-going Branch operations; and
- laying the foundation for future strategic efforts.

Process

Over the course of two months, beginning in December 2008, workshops and meetings were held with key ITD staff to identify the existing and new infrastructure that needed to be included in the Plan. Staff participating represented these areas of our division: applications, Internet services and database support, projects and planning, network and system services, desktop services, standards and architecture, training, administration and the Commission on Official Legal Publications (COLP). Initially, more than 90 infrastructure items for upgrade or acquisition were identified in a brainstorming session. The technical and business categories addressed by these items included Applications, Software, Hardware, Network, Business Continuity, Directory Services, Contracted Services and Process Improvement.

These infrastructure items were then assessed as to their importance. Was the upgrade or acquisition of the item: critical to Branch operations over the next three years, desirable in order to provide significant enhancement to our technical capabilities, nice to have or not essential at this time? Thirty existing infrastructure items and eleven new infrastructure items were assessed as critical, while the balance of the items were assessed as desirable, nice to have or not essential now. These latter items were moved to a list of deferred items—available for re-evaluation at a later time if necessary.¹

Because we knew that implementing 41 infrastructure projects during a three-year period was not possible, work on describing, defining and prioritizing these critical infrastructure items continued. Our first workshop in December included the creation of a list of technical and business drivers for prioritizing infrastructure items.² The drivers describing the “why” an infrastructure item was needed were applied to the 41 critical items in order to further assess the importance of each item. Added weight was given to infrastructure items that met one or more of the key “why” prioritization drivers such as capacity urgency, technology obsolescence, legislatively mandated, business continuity or business urgency. Additionally, each of the items was evaluated to ensure it was essential for doing our job to preserve and protect Branch assets (data, applications, servers, PCs, etc.) and to provide a secure and responsive computing environment. Finally, each item was also evaluated to determine if it more correctly belonged on the current initiatives list (that is already funded and in progress).³ Ultimately, we reduced the list to 20 items (13 existing infrastructure items and seven new infrastructure items) for inclusion in the Technology Plan. Each item fell into one of eight categories: Applications, Software, Hardware, Network, Business Continuity, Directory Services, Contracted Services or Process Improvement.

The final step in putting the Plan together involved determining an implementation schedule for these items that would not significantly overburden staff or financial resources and took into account any prerequisites to implementation and the most critical

¹ See Appendix A for the list of deferred existing infrastructure items and Appendix B for the list of deferred new infrastructure items.

² See Appendix C for the list of prioritization drivers.

³ See Appendix D for the list of current initiatives.

areas of need. The resulting Plan reflects a schedule for at least initiating all 20 items during the three-year period but because of the constraints of time and resources anticipates the completion of 13 of the items during the plan period with the remaining seven continuing on beyond the summer of 2012.

INTRODUCTION TO THE PLAN ITEMS

The following pages provide descriptions of the 13 existing infrastructure items for upgrade and the seven new infrastructure items for acquisition through this Technology Plan. Each description explains what the item is and why it is needed.

Existing Infrastructure Items

Judicial Branch Data Center - Upgrades to Network Infrastructure

The Judicial Branch Data Center is where all of the Branch's application logic, electronic data storage and data transfer take place. It also serves as the connection hub for every Judicial Branch location in the state. To put it simply—everything “rides” the network. The Data Center network currently supports hundreds of applications, servers, databases and storage devices. All of the services and hardware are connected by a complex system of enterprise level routers and switches. The capacity this network supports has grown rapidly over the past few years. To meet the needs of this growth, ITD has consistently been required to add capacity to the switches and routers but has not been able to address the older technology in them. Proper network planning and management requires that the existing infrastructure of the network not be neglected. Interconnection speed between routers and switches needs to increase as the amount of data passing through them increases. While our Data Center equipment has been expanded to meet these needs, most of the routers and switches still contain original parts that must be upgraded. These critical improvements will provide the following:

- Faster access for users accessing applications;
- Better response times for applications making database queries;
- Less network congestion while doing server backups and rebuilds;
- More reliability with updated hardware;
- Improved functionality through the ability to run the latest software;
- Support for the latest security features mandated by the Federal Government for COLLECT and for enhanced security required for our own Internet connection;
- More effective and efficient management of the Data Center network.

Virtualization/Server

Virtualization allows a single physical hardware platform to host multiple individual operating system environments. In a virtual environment, servers are no longer represented by discrete physical processor boxes, in effect, one box, one server. Rather,

many virtual servers can operate independently on a single physical processor box. In a virtualization model it is one box, many servers.

There are two important advantages to this approach:

- Virtualization allows multiple applications on multiple servers to share a single physical processor box making the most efficient use of its resources. System administrators are able to allocate just the right amount of resources to applications so they are not wasted.
- Virtual servers, and their applications, can be moved between physical processor boxes without impacting availability regardless of the location of the boxes relative to each other. The movement of virtual servers is done through software commands and therefore can be done remotely by an administrator from any place that has a network or Internet connection. Virtual servers running on one physical processor box in the main Data Center can be instantaneously moved to another one or to a processor box in the Alternate Processing Center (APC) and continue running. This capability is key to testing and executing Data Center disaster recovery plans regularly. It will also allow for routine shifting of applications between physical processor boxes so they can be taken down for maintenance during normal business hours.

Currently, every individual non-Alpha platform application in the Judicial Data Center runs on its own dedicated Windows or Linux server. As a result of our strong growth in new applications this decade, the number of physical servers in the Data Center exploded from about 20 servers in year 2000 to over 170 today. If that rate were to continue, we would run out of space for new servers in our Data Center by 2012. Our current Data Center resides at the Department of Information Technology (DOIT) in East Hartford. A few years ago, DOIT staff gave us a cost estimate of about \$8 million to expand our Data Center. This cost included a space fee, construction, extensive upgrades to the uninterruptible power system, environmental system and fire suppression system.

Virtualization will allow more efficient use of our servers thus allowing us to consolidate

servers, conserve space and power, and delay expanding the physical Data Center for several more years.

Last, but not least, server virtualization will allow much faster deployment of servers since it will no longer necessarily involve acquiring and installing new hardware and network connections.

Upgrade/Replace All Field Switches

The Judicial Branch network reaches over 80 locations statewide. These locations include Criminal, Civil, and Juvenile Courthouses as well as administrative buildings and probation offices. Every computer, laptop, and printer requires a data network connection. In addition, services such as card access systems, phone and voice mail systems and lock-up camera systems have come to rely on our data network. The Branch has many locations that are in urgent need of upgrades to support these connections. Many sites have local area network (LAN) switches that are unsupported by the manufacturer and represent a liability if they were to fail. Furthermore, these older switches are less secure in that they cannot be configured to restrict access to only authorized Judicial Branch equipment. Unauthorized PCs often create major problems such as introducing computer viruses into the Judicial network if they are allowed to connect. The new switches can recognize unauthorized PCs and prevent them from connecting. The new switches are smaller and more efficient, process data faster and provide the added security necessary to protect the integrity of the Judicial Branch network and its data. The advanced remote management capabilities of the new switches allow our network staff to respond to problems and change requests much quicker while reducing the time and expense required to travel to remote sites. LAN switches are a crucial part of the infrastructure and need to meet our standard. To summarize, some key benefits that upgraded switches provide:

- Faster data throughput;
- Significantly more reliable hardware;
- Security features to protect against unauthorized access;
- Ability to segregate and manage data traffic;

- Easier remote management;
- Ability to integrate with centralized logging and troubleshooting systems.

Enterprise Storage Area Network (SAN)

An enterprise SAN is a large-scale electronic storage system optimized for speed and primarily used for containing data stored in databases where fast transaction response times are needed. A NAS (network-attached storage) is a similar system except that it is optimized for capacity over speed and used to store electronic documents and files of all different types including audio, video and photograph files.

In recent years, the requirement for storage of electronic information has grown dramatically, driven by the need to store more information and new types of information including audio proceedings of courtroom hearings and electronic images of documents. To meet the requirements for these types of files and for mandatory e-filing, a NAS has already been purchased for the main Data Center and a second redundant NAS will soon be purchased for the APC. The APC NAS will maintain an exact replica of data stored on the Data Center NAS so that data is still available in case of a Data Center disaster. However, as important as the NAS storage systems are, they cannot address our ever-increasing database storage needs. Recognizing that our present database storage system is inadequate to meet present and future needs, ITD staff has issued an RFP for the purchase of two Enterprise SANs to replace existing storage arrays. The funding for one SAN has been identified and that SAN will be housed in our main Data Center in East Hartford. However, the source of funding for the second smaller SAN needed for the APC in Waterbury to contain a real time copy of mission-critical data, has not yet been identified. In summary, the purchase and installation of redundant data storage systems is critical for these reasons:

- It will be impossible to provide business continuity for mission-critical applications if the electronic information kept on storage systems at the main Data Center is not also kept on like storage systems at the APC.
- During non-emergency business operations, having two sets of storage systems will enable the balancing of workloads and the continuous testing of

the storage infrastructure to ensure it will operate correctly in the event of an emergency.

At this time, the installation of the SAN pair at the APC is scheduled for FY 2010-2011.

Identity Lifecycle Manager (Software Upgrade)

One of the major responsibilities of the ITD Platform Unit is the assignment and management of the user IDs and passwords that enable access to Branch applications and data for Branch employees and, when approved, such access for employees from agencies outside of the Branch. A software program called Identity Lifecycle Manager is used by the Platform Unit to help automate and efficiently manage the thousands of IDs and passwords and their relationships to the many Branch applications. Our current identity management product maintains consistency of user data throughout our directory structures, including synchronizing passwords between environments so that a different user ID and password is not required for each application accessed. We are currently using an older version of the Identity Lifecycle Manager program and need to update to the current version. This newer version has additional enhancements including a fully automated Access Request process and a Password Reset portal for user self-service or supervisor password resets.

Migration to "For the Record" (FTR) Version 5.2

During the past eight years that the Judicial Branch has been using digital courtroom recording technology, we have installed only one major upgrade and one minor upgrade to the FTR software. The currently installed version, which has served the Branch well for many years, is no longer sold by FTR, and official FTR support will end at some point in the future. Therefore, the Judicial Branch is now purchasing FTR 5.2 licenses for new installations of FTR and approximately one to two percent of owned licenses are for the new version of this software. Though the Branch can continue to use the older FTR 2.2 software until FTR ends support of the older product, there are additional compelling reasons to pursue the migration to version 5.2. For example, FTR 5.2 has video recording capability which is not available with FTR 2.2. Additionally, for the sake of consistency and for ease of training and support, it is best to have just one version

of an enterprise software product in use, not the mixed environment that we have now and will continue to have until this migration can occur. The other good news about this migration is that FTR 5.2 does not require any upgrade of the PCs currently running the older version.

Beyond the benefits already described, migration to FTR 5.2 offers other significant improvements to digital courtroom recording which include:

- A single, consolidated interface including log notes, record and playback functions;
- Tabbed log notes for more efficient playback of prior testimony;
- Spell Check capability;
- Built-in CD/DVD creation capability, eliminating separate third party CD software (Roxio);
- Ability to archive audio and notes together (rather than just audio);
- 508 Compliance for visually impaired issues;
- Capability of inserting additional information in existing notes;
- More recording indicators;
- Increased archiving choices;
- Compatibility with all new FTR products, including the Record Manager and the software mixer, which is useful for providing a separate channel for Interpreters or for the Supreme Court, where it may be helpful to isolate each Justice on a separate, independent channel;
- A "Seal File" function (with the Record Manager add-on product) which allows the ability to seal entire cases or portions of cases.

Wide Area Network (WAN)

Each day, a substantial amount of data passes from the Judicial Branch Data Center to our 80-plus locations. Access to and from applications such as Edison, CMIS, Civil E-filing, POR, e-mail, CRMVS and the Civil/Family system takes place over Wide Area Network circuits that are leased from AT&T and monitored and maintained by ITD network engineers. Branch employees depend heavily on the network, so reliability and near 100 percent up-time are imperative. Yet, it's not only the reliability and availability but also the speed of these connections that has become critical. Changes in the way the

Judicial Branch does business have driven the need for faster connections. Centralization of stored data, large file transfers, attachments to e-mail and applications that provide large amounts of information such as the Condor scanning application and Edison require fast connections to the servers in the Data Center. A slow network can bring the function of the court or an administrative office to a grinding halt. Employees throughout the Branch are doing more of their business electronically and at a faster pace than ever before. Our Wide Area Network connections must all be able to keep pace with the work our employees must do. Over the past 10 years we have tried to stay ahead of the ever-growing needs of our staff and, consequently, many of our locations have been configured with high speed data circuits. However, many sites remain on the slower circuits and older technology. This infrastructure improvement item is directed toward ensuring that all of our network connections and technology are upgraded to meet current and anticipated needs for the next several years.

Alternate Processing Center (APC) Phase II Servers and Software

In addition to a SAN, NAS and a Virtual Tape Library for storing duplicate and backup copies of electronic information, the APC must have servers and software to support the processing of that information. Funding has been identified for the relocation of existing servers from the temporary APC in East Hartford to the permanent APC in Waterbury. These relocated servers support several mission-critical applications including CRMVS, CIB, Payroll, Juror Selection, Child Protection and Victim Notification. However, additional funding is required for the purchase and installation of servers for the remaining mission critical applications including: POR, PRAWN, Civil/Family E-filing, CMIS including Juvenile, e-mail and Juror Processing. These purchases are critical because without additional servers and software, there will be no backup for these mission-critical applications and these applications would not be available during a loss of service at the main Data Center.

At this time, the installation of the servers at the APC for the remaining mission-critical applications is scheduled for FY2010-2011.

Windows Server Software Upgrade

Our current server operating system is Windows Server 2003. Last year, Microsoft released Windows Server 2008. Windows Server 2008 contains features we require in order to support a fine-grained password policy that is necessary to ensure the security of Branch data stored on Windows servers. But that is not the sole reason to move to the newer operating system. Windows Server 2003 is scheduled to transition from Microsoft mainstream support to extended support in 2010, at which time no new “non-custom” updates will be provided except for those pertaining to security. Another drawback to staying with an older software version of an operating system is that Microsoft, like all vendors, will be focusing its prime resources on its latest software products while gradually reducing support of older versions. Over time, quality support will become more expensive as well as difficult and time-consuming to obtain for older versions, which will result in a delay in the resolution of problems.

At some point, Microsoft will completely end support for Windows Server 2003. That is likely to occur around 2015, but we must be transitioned to Windows Server 2008 long before that—for the security of our data and to ensure the best support possible for our operating systems. We anticipate that, because of the underlying impact of the server operating system on the applications that run on it, it will take at least two years, minimally, to test and make adjustments to all applications affected by this change. It is important, therefore, to at least initiate this transition during the next three years.

Alpha Rewrite on Integrity SAS/VMS

The Alpha/OpenVMS platform is a nine year-old enterprise-class system hosting Judicial Legacy applications including CRMVS, all of the JASMIN administrative applications, the Barmaster and CIB. The Alpha platform was discontinued by Hewlett-Packard (HP) in 2008. HP’s minimum commitment to supporting Alpha platforms runs through 2013. Although historically HP has supported discontinued platforms for more than the five year minimum period, it nonetheless strongly encourages its customer base to migrate to the Integrity technology. As Alpha customers migrate to other platforms over time, quality support from HP will be increasingly more difficult to obtain as resources are

shifted to more profitable systems. The effects on its remaining Alpha customers will be lengthier problem resolution times and lack of support for integrated systems.

There are other important reasons for migrating as well. New versions of OpenVMS, our current Alpha platform operating system, will be required to keep pace with the integration programs used to interface and feed data to external systems such as CJIS-OBTS, POR and PRAWN. Now that production of Alpha platforms has ceased, third party software companies will gradually stop producing versions of their applications to be compatible with the Alpha platform. This will have an adverse effect on our ability to continue supporting interfaces to external systems. Lastly, the Integrity platform would require about 67 percent less footprint than the current Alpha platform conserving valuable computer room space in the main Data Center and the Alternate Processing Center.

It is important to note that the scope of the Alpha Rewrite will be greatly reduced if a decision is made to rewrite or replace the CRMVS and/or CIB systems with a Windows-based application. Were that decision to be made prior to the Alpha Rewrite, then CRMVS and CIB would be removed from the list of applications requiring extensive testing for transition from the Alpha to Integrity platform. Under that scenario, CRMVS and CIB would remain on the Alpha platform until completion of their rewrite or replacement.

On-Going Server Replacement

As server hardware ages, it becomes unreliable, unsupported and more costly to maintain. Old hardware often will not run updated versions of applications because of insufficient resources. The typical server lifespan is five to seven years after which it should be replaced with a newer model to prevent the problems described earlier. One approach to easing the expense and effort involved in server replacement is virtualization. This plan includes a project to expand the use of virtual servers. However, not every server can be virtualized. Database servers and servers containing unique hardware components cannot be consolidated onto virtualized platforms. Such servers must be refreshed through a

five-to-seven-year replacement cycle and this infrastructure item is intended to begin to address that need.

“For the Record” (FTR) Statewide Deployment

General Statutes of Connecticut Section 51-61 requires the official Court Reporter and designees to attend court and make accurate records of all proceedings in court. Further, the official Court Reporter and designees are required to furnish transcripts of proceedings when requested. In recent years, the Judicial Branch has relied increasingly on audio recording, rather than stenography, to make records of court proceedings.

The Judicial Branch conducts Superior Court business in 226 courtrooms and 44 hearing rooms in courthouses throughout Connecticut. In order to record court proceedings, all 270 of these rooms must have audio recording equipment. In the past eight years, the Branch has installed digital audio recording in approximately 41 percent or 112 out of the 270 courtrooms statewide. The software used to provide this digital audio recording is called “FTR”. FTR is installed in 100 percent of juvenile courtrooms, in the Supreme Court, and in at least one courtroom in all 13 Judicial Districts. This means that 158 courtrooms and hearing rooms still rely on older analog tape recording.

The Branch is approaching the time when the analog systems will be incapable of meeting the court’s needs. A dwindling number of manufacturers make the preferred “instant start” tape cassettes. Tapes from recent providers have presented an unacceptable number of technical problems, ranging from stretching, breaking, tangling, failure to start, and poor sound quality. Further, the provider of the Branch’s analog recording machines, Sony, has stopped production of this line of equipment. Although at least one other company continues to produce courtroom tape recording and playback equipment, it is not possible to predict how much longer that equipment will be available.

Digital audio recording provides:

- Overall better sound quality;
- Easier access to courtroom recordings from any location;
- Central archiving;

- More efficient use of limited storage space;
- Improved service for the Judges;
- Quicker transcript production;
- Improved security and disaster recovery for transcript data.

Because of these features, Superior Court Operations has been converting courtrooms from analog tape recording to digital audio recording as a long-range project. However, the recent difficulties with the analog systems require this conversion process to be accelerated in the immediate future.

FTR also has been tied into the Video Conferencing project and now audio recordings of video proceedings are being captured by FTR at video conferencing locations such as 90 Washington Street in Hartford and 123 Hoyt Street in Stamford. The most recent version of FTR also introduces the capability to record video, if desired. Finally, an FTR web application is being developed which will facilitate the sharing of data between FTR and other applications, such as E-Filing or E-Services in the future.

Replacement of the Criminal Motor Vehicle System (CRMVS)

The CRMVS was developed by Judicial Branch programmers in the 1980s to support criminal and motor vehicle case tracking, scheduling and reporting in all GA and JD courts in Connecticut. Since its inception, the CRMVS functionality has expanded greatly to include daily updates to other Branch applications (like CMIS, POR and PRAWN) and many criminal justice agencies such as DMV, DOC and State and Local Police. This application is also the primary contributor of data to the Criminal Justice Information System's Offender-based Tracking System (CJIS-OBTS). Additionally, changes in court procedures and annual legislative mandates require constant update to this application. Because it was developed using what is now decades-old technology, it is becoming increasingly difficult and time-consuming to make changes to CRMVS and to ensure that staff is available with the skills necessary to maintain such outdated technology. Replacing the CRMVS with an application developed using state-of-the-art technology would provide the following advantages:

- Improved ability to make changes and enhancements to the application in a timely manner;
- Improved ability to share ITD staff from other areas as workload demands;
- More seamless integration with other web-based applications (i.e. OBTS, CIDRIS, SAVIN, SOR) using Federal and State standard protocols (XML, GJXDM, NIEM) and web services;
- Improved ability to share data in a real-time fashion, rather than through a nightly batch feed;
- Larger pool of developers to select from when hiring staff or consultants, thus allowing us to select the best person for the job;
- Increased availability of training for state-of-the-art technology;
- Ability to reduce the size of the legacy platform which would yield a sizeable savings in annual support and maintenance costs.

Replacement of the Centralized Infractions Bureau (CIB) System

The CIB system was developed by Judicial Branch programmers in the 1980s to support the receipt, tracking, payment and reporting of criminal and motor vehicle infractions and violations issued throughout the state of Connecticut. Its functionality has also been expanded to include transfer of case data to GA courts and updates to other agencies including DMV and the State and Local Police. Additionally, changes in procedures and annual legislative mandates require constant update to this application. Because it was developed using what is now decades-old technology, it is becoming increasingly difficult and time-consuming to make changes to CIB and to ensure that staff is available with the skills necessary to maintain such outdated technology. Replacing the CIB with an application developed using state-of-the-art technology would provide the following advantages:

- Improved ability to make changes and enhancements to the application in a timely manner;
- Improved ability to share ITD staff from other areas as workload demands;
- More seamless integration with other web-based applications (i.e. OBTS, CRIM, E-Citations, CIDRIS) using Federal and State standard protocols (XML, GJXDM, NIEM) and web services;
- Improved ability to share data in a real-time fashion, rather than through a nightly batch feed;

- Larger pool of developers to select from when hiring staff or consultants, thus allowing us to select the best person for the job;
- Increased availability of training for state-of-the-art technology;
- Ability to reduce the size of the legacy platform which would yield a sizeable savings in annual support and maintenance costs.

Note: Consideration may also be given to replacing CRMVS and CIB with a single in-house developed or “custom-off-the shelf” package. Clearly a single application would facilitate not only interfaces between CRMVS and CIB but also the cross-training and usage of staff at ITD and the Superior Court Operations Division. However, these advantages would have to be weighed against the increased complexity and effort that might result from combining the requirements.

New Infrastructure Items

Contract Vendor for Security Auditing Services

The ITD Network and Security Services Unit provide in-depth network security management to the best of its ability. However, it is an industry best practice to audit the security environment on a regular basis using an outside entity. Companies that provide this service are unbiased, thorough and expert at performing the auditing process. The information gathered provides a security team with critical data that enables them to ensure that their network, their servers and their data are properly protected. Attacks on the Judicial network happen each day and so a regular assessment of its environment is a critical part of our security plan. Some of the services that security auditing companies provide are:

- Reviewing and developing security policies;
- Determining enterprise security needs and developing security plans;
- Assessing technical weaknesses by testing current network security ;
- Analyzing routers, switches, firewalls, and other security controls to look for security shortcomings in operating systems, legacy equipment, databases, and network security services;
- Auditing systems to determine how well they comply with government regulations or industry standards.

An RFP will be developed and issued not only to find a security auditing vendor but also to implement an annual process for third party analysis and recommendations regarding the security of our infrastructure.

Video Conferencing in all Locations

Video conferencing technology was first used in the Branch over 10 years ago but never really caught on beyond a single courtroom. In 2007, Bridgeport became the pilot site for a new and exciting initiative to use video conferencing for modification of support hearings. The Family Support Magistrate in Bridgeport began using the technology in May of that year and since then the Branch has expanded its use to five courtrooms. The success of the project and the technology behind it has received much attention lately.

The cost savings to the state in Correction Department and Judicial Marshal overtime has been substantial. The reduced strain on staff to move prisoners from various prisons into court has been a huge part of the success of the program. Perhaps most important is the positive impact on public safety. While this benefit cannot be measured in dollars, it is clear that bringing incarcerated persons out of the prison to appear in court presents a risk to the public that is eliminated with video conferencing. The number of case types that have hearings using video conferencing technology will continue to grow. Recently, Probation Officers have successfully used video conferencing to conduct pre-release interviews and Juvenile Courts will also begin using this technology soon, as well. To meet these increasing needs, it is necessary to implement a video conferencing solution in each region of the state. A plan to install video conferencing equipment in each Judicial District Courthouse and each Juvenile Courthouse should be put in place. This regional approach will put the technology within reach of all of our courts and its users. The Branch will eventually see a return on its investment through improved efficiency, reduced travel and a reduction in personnel expenses.

Securing the Judicial Network and Protecting Judicial Information

To ensure the security of Branch data and information, access to the Judicial Branch network is currently managed in a manpower-intensive fashion. Software tools scan the network every six hours and display devices connected to the network, but only provide minimal information about the devices. Additional manual scanning of the devices must be performed to determine whether or not the devices are approved to be connected to the Judicial Branch network. These methods are extremely time consuming and manpower intensive. Replacing the old LAN switches with new ones that enable technicians to control network ports remotely is a step in the right direction. However, an unauthorized PC containing a virus can infect a network in seconds. Even remote intervention takes too long to stop a damaging virus from being introduced. A technology has been identified which will work in conjunction with the new LAN switches to automate the network access process and provide additional granular control as to the identity of the devices. Technology known as Network Access Control (NAC) is available that provides

end-to-end network registration and enforcement allowing network administrators to authenticate, authorize, evaluate, and remediate end-user machines prior to allowing them onto the network. This advanced network security technology will:

- Recognize users, their devices, and their roles in the network. This first step occurs at the point of authentication, before malicious code can cause damage.
- Evaluate whether machines are compliant with security policies. Security policies can vary by user type, device type, or operating system.
- Enforce security policies by blocking, isolating, and repairing noncompliant machines. The machines are redirected into a quarantine area, where remediation occurs at the discretion of the administrator.
- Apply posture assessment and remediation services to all devices, regardless of:
 - Device type—NAC technology can enforce security policies on all networked devices, including Windows, Mac, or Linux machines; laptops; desktops; personal digital assistants (PDAs); and corporate assets, such as printers and IP phones.
 - Device ownership—NAC technology can apply security policies to systems owned by the corporation, employees, contractors, and guests.
 - Device access method—NAC technology can apply network admission control to devices connecting through the LAN, WLAN, WAN, or VPN.

A final benefit of NAC technology is its ability to enforce policies for all operating scenarios without requiring separate products or additional modules.

Portal - Self Service (Internal/External)

A portal is a gateway web page. It displays links or shortcuts to features, functions and information arranged in a logical way and expected to be of primary interest and usefulness to the visitor. A self-service portal for internal and external users will enable the automation and streamlining of common user support functions that currently must be done by technical support staff through a series of manual processes. For example, the portal will contain a built-in automated password reset function which will allow self-service password resets by end-users. Password resets generate the greatest number of calls to the ITD HelpDesk by far during regular business hours. Further, as the trend toward applications use outside of normal business hours continues, this self-service

capability takes on increasing importance. Using the portal, self-service capability will be available during the overnight and weekend hours when the HelpDesk is not staffed. The portal will also be designed to automate the access request process to Branch applications. Our current paper-based access request forms are prone to being misplaced and lost in transit resulting in delays in getting requests fulfilled. Receiving access requests electronically through a portal will allow electronic routing and tracking of requests—making it virtually impossible to lose them. The improved legibility of electronic forms versus handwritten ones should also reduce errors. Additionally, it is our plan to establish workflow and user authentication through the Portal's interface with the Identity Lifecycle Management software. This will reduce the amount of validation needed when setting up user IDs. Currently, that manual process often requires multiple phone calls between the ITD security administrator, end-users, requestors and data owners. Finally, the portal can provide a centralized view of access rights and user identities which will be ideal for responding to internal audit requests.

Statewide Wireless Implementation

The use of wireless technology has only recently been tried in the Judicial Branch. A pilot program to install wireless network access points (APs) serving the lockup areas in the Hartford, New Britain and Waterbury courthouses is complete. These network APs provide CSSD Bail Officers with the ability to enter bail interview data directly into CMIS while conducting interviews in the cells. So far, the program has been successful.

The next areas where wireless connectivity may become a requirement are in the courtroom and other areas where court staff can use wireless laptops to access Judicial applications and where attorneys might require access to the Internet or connectivity back to their law offices. Wireless connectivity is made available in a building by installing APs throughout the areas needing coverage. The range of the AP and physical structure of the building are factors that have to be considered when implementing a wireless solution that ensures signal quality throughout the coverage area. These factors are also key in determining the cost of each implementation. The Judicial Branch is at a point where, to meet our own needs and in order to keep pace with the needs of attorneys and

the advancing technology, a statewide wireless deployment for all courts is necessary. Attorneys, self-represented parties and the general public have come to expect wireless connections to be available and in our effort to make the courts more open and to serve the public, the time is right to invest in this useful technology.

Automated Regression Testing Tools

The Judicial Branch applications are currently a mixture of older mainframe systems and recently developed technology. Several of the Branch's older systems are in the process of being rewritten to new technology. Currently three mission-critical systems applications are subjects of rewrite projects in progress: Appellate Case Management System, Civil E-Filing, and CMIS. All three are long-term projects that have taken an iterative approach to software development. Each iteration requires a test cycle that will need to be re-executed manually for every subsequent iteration. For example, the Civil E-Filing project developed, tested and released Version 1.0 in 2004; the team had a set of 120 tests with predetermined results that it manually executed to confirm that the application was ready for release. For every subsequent release, the test team must re-execute 100 percent of those 120 tests in order to ensure that changes made for a current release do not impact work done for previous releases. This is called regression testing. The Civil E-Filing test set for 3.0 release included 9,624 tests. With each new Civil E-Filing release, the allotment for the test phase continues to grow exponentially to accommodate the manual regression test execution. Automated Regression Testing would provide the following advantages:

- Reduction in the resources needed to perform the regression phase of testing for each release;
- Improved quality of releases;
- Decreased test time resulting in improved turnaround on changes.

Tutorial Development Software

Classroom presentations are currently the learning format in the Branch for most technology and soft skill-related training sessions. Costs associated with classroom training include curriculum development, upkeep of the training facility, travel

reimbursement for participants, missed work time because of travel time to and from the training facility and the time at the training sessions. Tutorial software will allow training staff to develop e-learning curriculum on any subject and publish it on the web so that employees can be trained at their desks. With e-learning, students won't have to physically attend classes, seminars or training programs, thereby eliminating costs associated with out-of-the-office training.

E-learning delivers the same core point to everyone and, through assessments and questions, can check for the student's understanding and ability to apply the points on the job. The more consistent the learning experience, the lower the risk of producing errors on the job. E-learning is available on demand and the program allows the learner to control the pace. Students can stop the tutorial and go back to listen to it. Sections can be revisited whenever learners need to refresh their knowledge.

E-learning is also designed to be far shorter and more concise than classroom training so the likelihood of fatigue and drop-off in attention span and retention levels is reduced. E-learning also allows for more participants than traditional learning methods since the number of participants is not limited by classroom size. E-learning modules can be easily revised and updated. This is more cost effective and faster than retraining staff and reprinting books and manuals.

SCHEDULING OF TECHNOLOGY PLAN ITEMS

Factors Considered

A number of factors were considered in the scheduling of infrastructure upgrades and acquisitions in the Technology Plan.⁴ One factor considered was the criticality of the acquisition or upgrade. If an infrastructure item was near end-of-life or its upgrade or acquisition a prerequisite to moving forward on other initiatives in the Plan, then the infrastructure item was placed at or near the top of the Plan.

Any requirement for additional permanent staff was another factor considered in the placing of items in the Plan. Two-thirds of the items in the Plan will be implemented using existing permanent staff. Of the remaining one-third, all but one of those items is scheduled to begin at least a year into the Plan and further out if possible with the hope that hiring constraints will ease up over the Plan's three-year time frame. That one item, the expansion of video conferencing, was placed at the start of the Plan even though an additional permanent staff member is ultimately required to complete this effort. This scheduling recognizes the importance of video conferencing and acknowledges that its rollout can continue for some time with current staff.

Another factor affecting the sequencing of items in the Plan was the availability of current staff to support the various initiatives. Many ITD staff members will have multiple assignments resulting from the implementation of the Technology Plan in addition to their on-going responsibilities for day-to-day operations and other current initiatives. Scheduling of Plan items had to be staggered to account for all of these responsibilities.

A final factor that was given some consideration was the cost of the upgrades or acquisitions. As the spreadsheet reflects, the cost to fully implement this Technology Plan is well over \$17 million. Many of the items will roll out over several years and can be done incrementally—that is funding is not required “upfront”. Therefore, funding was not a significant factor in their scheduling. But two of the items which involve

⁴ See Appendix D for the Technology Plan Implementation Sequence spreadsheet

replacement of the CRMVS and the CIB systems, will require just over 40 percent of the estimated funding for the Plan, a large portion of which will be needed to initiate those efforts. For that reason, it was felt that the cost of those items necessitated moving them toward the end of the plan period.

A summary table, detailed spreadsheet and related notes concerning the Plan's implementation sequence can be found on pages 42, 43 and 44 respectively.

Resulting Schedule

July 2009

The backbone of all technology infrastructure is the network, so the Plan schedule begins in July 2009 with two items that address the integrity and the security of the network: Data Center router and switch upgrades and a network security audit. All Branch data runs through the network that commences at our Data Center. The upgrade of Data Center routers and switches is critical for two reasons: the age of that existing equipment and the increasing need for faster access, better response times and reduced network congestion. Though these upgrades can be implemented over the course of the Plan's three years, they need to begin immediately as the implementation of other items in the Plan will further stress these key infrastructure components. The network security audit will determine whether or not our increasingly complex network environment and the growing exposure of our data to the outside world are compromising the security of Branch information. If that is the case, then the audit will identify areas to be improved so that we can take the steps necessary to address them.

There are other infrastructure improvements, upgrades or acquisitions that are scheduled to be initiated at the beginning of the Plan. One improvement is the virtualization of servers that is critically needed to reduce the number of physical servers in our Data Center, to increase efficiency in the use of existing systems, to aid in testing and executing Data Center disaster recovery plans and to provide more flexibility for moving applications around for maintenance during normal business hours. Currently, all non-emergency server maintenance must be performed during non-business hours, resulting in many ITD staff members working nights and weekends regularly. Virtualization will reduce this need significantly while providing all of the other benefits enumerated above.

The upgrade/refresh of all field switches is a critical network infrastructure item that will be addressed over the life of the Technology Plan starting in July 2009. Some upgrade or refresh of LAN switches has occurred over the last several years as funding was available, but we are now at the point where many sites have switches that are unsupported by the manufacturer. Additionally, the potential for serious security

problems grows with older switches because they cannot be configured to restrict access to only authorized Branch equipment. Newer switches also mean faster flow of data through the network and more reliable hardware—key features of a network destined to support statewide video conferencing, for example, over the next several years. Though the cost to upgrade all aging switches is high, it will be spread out over the life of the Plan. Upgrades can be targeted for locations with older switches as they are taking on new technology initiatives like video conferencing and wireless access.

The final infrastructure item to be addressed beginning in July 2009, is the expansion of video conferencing. The benefits of implementing this technology include significant savings in the cost of prisoner transport and staff time as well as enhanced public safety. It seems that almost daily, another beneficial use is found for this technology. Implementing video conferencing statewide may well extend beyond the three years of this Plan, but rolling it out to new locations can begin right away. For sites requiring no network upgrades, only the funding for the video conferencing technology will be required. For locations where network improvements to switches and/or circuits is required, additional funding beyond the cost of the video conferencing equipment will be necessary. Ultimately, there will come a point in time during the rollout of this technology when an additional, dedicated, permanent staff member will be needed in the Network Services unit to complete the statewide implementation of video conferencing and provide on-going operational support. But that requirement does not need to delay the start-up of this statewide initiative.

April 2010

Another important initiative will start in April of 2010 when the work to install, test and implement the enterprise SAN for the APC in Waterbury begins. Once operational, the SAN will provide not only business continuity for mission-critical applications in the event of a disaster but also, during non-emergency business operations, will enable the balancing of workloads and continuous testing of the storage infrastructure.

July 2010

Four more infrastructure acquisitions or upgrades are scheduled to begin in July of 2010. The first one is a new infrastructure acquisition to help secure the Branch network and protect our information. Currently there is a great deal of manual labor involved in monitoring devices that access the network to ensure all are on the network legitimately. Implementation of a Network Access Control appliance will provide an automated end-to-end network registration and enforcement solution that will enable our network administrators to authenticate, authorize, evaluate and remediate users and their devices before they are allowed on the network. Another upgrade scheduled to initiate in July 2010, is the acquisition and installation of the latest version of the Identity Lifecycle Management program. This program enables the Platform Unit to automatically and efficiently manage the thousands of IDs and passwords that are used to access the many Branch applications. The latest version of this software provides further enhancements to its capability including the ability to implement a fully automated Access Request process and a Password Reset portal for user self-service or supervisor password resets. With the availability of many Branch applications extending beyond an eight-hour window to almost 24 hours per day for some, self-service for password resets will help to ensure that users can continue to be productive outside the normal window for HelpDesk support when passwords are the issue.

An upgrade to the FTR software for digital audio recording, which is presently deployed in 112 courtrooms, is scheduled to initiate in July 2010, also. This upgrade to FTR version 5.2 provides many enhancements over the currently deployed version 2.2. It's also important to convert existing FTR courtrooms to the new version before the deployment of digital audio recording continues in the remaining 158 courtrooms in the Branch. The last infrastructure upgrade to initiate in July 2010 involves our wide area network circuits which are leased from AT&T and provide the paths through which data passes to and from all Branch locations and our Data Center servers. The need for increased bandwidth has occurred because of centralization of stored data, large file transfers, attachments to e-mail and the deployment of applications that provide large

amounts of data such as the Condor scanning application and Edison. While several locations have been configured with high speed data circuits already, many others still remain on slower circuits and older technology. The upgrade of these slower circuits will occur over the last two years of this Plan and they will be sequenced to coincide with a location's need for increased bandwidth such as when video conferencing is being installed there.

January 2011

In January 2011, an infrastructure acquisition involving the further build-out of the APC will commence. This acquisition involves acquiring, installing, testing and implementing the remaining servers needed to support these mission-critical applications: POR, PRAWN, Civil Family E-filing, CMIS including Juvenile, e-mail and Juror Processing. A second infrastructure upgrade will also begin in January 2011. This involves an upgrade from our present server operating system, Windows Server 2003, to the latest server operating system, Windows Server 2008. While this upgrade is essential to avoid having our servers running an unsupported operating system, it will take considerable time to make this transition. All applications currently running on Windows Server 2003 will need to be tested on Windows Server 2008 and possibly adjusted to continue working properly. Also, in January 2011, following the completion of the upgrade to the Identity Lifecycle Manager, the project to create and implement the self-service portal can begin. Upon its completion six months later, the portal will provide near round-the-clock self-service for password resets and submission of access request forms.

July 2011

Several infrastructure initiatives are scheduled to begin in July 2011. One of these infrastructure upgrades is a replacement of the ALPHA hardware platform with the next generation Integrity platform. The ALPHA platform currently hosts legacy applications including the CRMVS, all of the JASMIN administrative applications, the Barnmaster and the CIB. This platform was discontinued by Hewlett-Packard in 2008 but HP will continue to support existing installations of it through at least 2013. Accommodating this upgrade means either migration to HP's Integrity technology which replaces the ALPHA

technology or migration to an entirely different technology from another vendor such as Microsoft. The former is a significant effort, but HP is likely to provide tools to facilitate that transition. However, the latter entails a complete rewrite of an application moving to a new platform. Either approach, or a combination of both, will require several years to complete. For that reason, this upgrade must begin during the three-year period that this Plan covers and could extend well beyond the Plan's timeframe. It is also clear that decisions will need to be made as to how to proceed before this infrastructure item can be addressed—such as whether or not to replace or rewrite the CRMVS and CIB on a Windows platform. Such decisions will affect how long it will take to complete this upgrade.

Another infrastructure upgrade to be initiated in July of 2011 is the continuation of the server replacement initiative. Aging servers must be replaced, preferably within their typical lifespan of five to seven years. (Production servers, in particular, should be replaced every five years.) In part, we are addressing this need through virtualization of servers, but that approach cannot work for all types of servers so this Plan item is directed toward replacing older database and specialized servers that cannot be virtualized. A third infrastructure item to be addressed beginning in July 2011 is the implementation of wireless technology. A pilot program using wireless connections in a courthouse lock-up is operational in three JD locations. Other places in a courthouse where the flexibility and convenience of a wireless connection may be desirable include courtrooms, public areas and other courthouse meeting areas. While there is considerable expense and effort involved in the rollout and on-going support of wireless access points in courthouses across the state, this initiative can be implemented when a need is identified and funds are available. As with video conferencing, there will come a point in time when the number of wireless installations will require the assignment of an additional permanent staff person to support existing and future installations of wireless access points.

The fourth infrastructure upgrade to be started in July 2011, is the further deployment of FTR digital recording in 158 courtrooms across the state. This effort is scheduled to begin as the upgrade of existing digital recording installations to the latest version of FTR is concluded. The state wide rollout of digital recording represents another initiative

where an additional permanent staff member will be required to provide on-going support. The final infrastructure acquisition to be addressed beginning in July 2011, is the purchase and implementation of an automated testing tool. The sheer volume of testing that must occur for the developing and constantly evolving applications such as CMIS, E-filing and the Appellate Case Management System quickly overwhelms the staff assigned to these tasks. Purchasing and implementing an automated testing tool requires a significant investment in dollars and new staff resources. However, the benefits to be gained over the next several years in terms of improved testing capability, more accurate applications and significantly reduced staff time for testing more than merit the investment.

January 2012

The last items on the schedule initiate in January 2012, in the final six months of the Plan. The first of these is the implementation of Tutorial Development software. Like the Automated Testing Tool, Tutorial Development software has the potential to bring both process improvement and substantial dollar savings into the Branch. This item is also initiated near the end of the Plan because an additional permanent staff person will be required to support this tool. Tutorial Development software will enable Branch staff to author curriculum on any subject and publish it on the web so that employees can be trained at their desks. The savings to be realized also include courseware cost and travel time and expense costs which ultimately will help offset the cost of the investment in this software and the expense of an additional staff person.

Last, but not least in the Plan, is the replacement of the CRMVS and the CIB systems with a single new application or the replacement of the CRMVS only. Clearly the former is the more ambitious and more costly undertaking, but the interrelationships between the two applications, the commonalities between them and the desirability of having one application to support rather than two are strong reasons for replacing them with a single application. Additionally, if the decision were to be to replace CRMVS only, then significant effort would still be required to ensure that the new CRMVS and old CIB continued to interface correctly as needed. Eventually, CIB would have to be replaced.

Whatever is decided, either approach is very costly in terms of dollars (for the purchase of hardware and software) and the need for increased staffing—both permanent and temporary. Also, either of these items would be barely initiated by the end of the three-year Plan period. Each are multiple-year efforts that will extend well beyond June 2012.

CONCLUSION

This three-year Technology Plan is ambitious, not only for the effort involved in seeing it to completion but also for its cost. Nevertheless, it's vitally important. The Plan addresses necessary infrastructure upgrades and acquisitions aimed at ensuring that the proper foundation is in place to support the Branch's on-going and new technology needs for the next several years. While new technology is expensive, so is older technology as it becomes less reliable, less flexible in meeting new requirements and more difficult to maintain. Our technology infrastructure supports much of the core business of the Branch; we cannot allow it to become so outdated that it inhibits rather than helps us fulfill our mission.

It's important to note that the benefits of implementing this Plan go well beyond updating an aging infrastructure and making it more secure. The Plan also supports the implementation of technology that helps to make the Branch workforce more efficient: for example, video conferencing around the state, statewide wireless access and automated testing capability for some of the Branch's most complex applications will improve how we perform important business processes. Some of these initiatives also provide benefits to those outside the Branch as well—video conferencing is very important to DOC and also addresses a public safety concern while wireless connectivity will be essential for courtroom attorneys as we move toward a paperless world. Consequently, even though this Plan represents a significant investment of dollars and effort, its value extends well beyond the needs of the Branch.

Is it possible that Branch priorities will change relative to technology over the life of this Plan? It's not only possible, but likely. Still, such changing priorities will not negate the value of this Plan. Whatever directions the Branch chooses to move in, a solid, reliable, secure, updated infrastructure will always be required. Completing the upgrades and acquisitions in this Plan will position the Branch to address its evolving technology needs for several years and to continue to fulfill its mission to serve the interests of justice and the public by resolving matters brought before it in a fair, timely, efficient and open manner.

Appendices
A through H

LIST OF DEFERRED EXISTING INFRASTRUCTURE ITEMS

I. APPLICATIONS

- a. Revenue Accounting System
- b. Alcohol Education/Bail
- c. CSSD Alchemy
- d. Barmaster
- e. JASMIN
- f. Replace Cash Registers

II. COLLABORATION

- a. Sharepoint - Management/Recovery

III. CONTRACTED SERVICES

- a. Translation Services

IV. TRAINING

- a. Team Foundation Server

V. BUSINESS CONTINUITY

- a. Secure wiring closets with electronic card access

VI. FACILITY

- a. Facility Expansion–ITD

VII. HARDWARE

- a. Information Lifecycle Management Tools
- b. Archiving e-mail and Retrieval
- c. Expand Content Addressable Storage for Data Mining
- d. Exchange Software Upgrade (including Supreme/Appellate Court)
- e. Monitoring Tools/Infrastructure

VIII. PUBLICATIONS

- a. Web and Print Formats XML
- b. Document Management
- c. Increased Digital Print Capabilities

IX. NETWORK

- a. Development/Staging Network
- b. Network Equipment Refresh

X. DESKTOP/TECHNOLOGY REFRESH

- a. Refresh Monitors with Flat Panel Technology
- b. PCs and Laptops Refresh
- c. Desktop Operating System Software
- d. Software Licenses/Microsoft Office Suite

LIST OF DEFERRED NEW INFRASTRUCTURE ITEMS

I. DIRECTORY SERVICES

- a. Charge Back Software (Infrastructure)
- b. Private Key Infrastructure and Digital Signatures (Branch-wide Support)
- c. Enterprise Single Sign-on (ESSO)

II. SOFTWARE NEW

- a. Enterprise Management Platform for PDAs and Mobile Smart Phones
- b. Security Tools

III. NEW APPLICATIONS

- a. Electronic Pen and Paper Technology
- b. Phase-out printed notices and replace with electronic notification
- c. Specialty Courts and Dockets
- d. Tracking and Scheduling Interpreters
- e. ADR Scheduling
- f. Electronic display of Court Dockets
- g. Admin Data Warehouse

IV. DESKTOP - NEW INITIATIVES

- a. Customization of Desktop Images
- b. Tablet Computing Alternatives
- c. Remote Printer Management Software
- d. Migrate to Virtual Desktop

V. NETWORK AND SECURITY SERVICES - NEW INITIATIVES

- a. Mass Notification Service
- b. FTR w/Video
- c. Integration of Voice and Data
- d. Elmo-like device

VI. PROCESS IMPROVEMENT

- a. 24x7 IT Shop
- b. Biannual Assessment of Existing Applications (Quality Measurement/End of Life Recognition)
- c. Equipment Review—Annually

VII. FUNDING

- a. Deposit Commission on Official Legal Publications (COLP) Revenues to DP Revolving Fund
- b. Allocate a portion of court fees to DP Revolving Fund
- c. Consistent Revenue Stream for IT Projects

LIST OF PRIORITIZATION DRIVERS

WHY:

A1 – Capacity Urgency
A2 – Technology Obsolescence
A3 – Legislatively Mandated
A4 – Business Continuity

B1 – Business Urgency
B2 – The Number of Initiatives the Item Meets

C1 – Sequencing of Infrastructure
C2 – Easy-to-Do (Quick Win)

HOW: (What's needed to implement the Item)

Staffing
Practice Book Rule or Statute Change Required
Coordination with other Divisions
Training
Funding
Sponsorship
Cost
Change Management (ITD Only)
Vendor Support
Risk
Estimated Effort

Note: The urgency to include an item with, for example, multiple A level 'Why' drivers, may be mitigated under further examination by the constraints of the 'How' requirements for that item.

LIST OF CURRENT INITIATIVES

- I. **APPLICATIONS**
 - a. Supreme/Appellate Court Case Management Rewrite
 - b. CMIS Rewrite
 - c. E-filing Expansion (mandatory initiatives, replacement of old CV/FA)
 - d. Replace Restitution
 - e. E-brief Upload
 - f. SAVIN
 - g. CRIM
 - h. CIDRIS
 - i. Judicial VPN

- II. **COLLABORATION**
 - a. Intranet Search Capability

- III. **CONTRACTED SERVICES**
 - a. Teleconferencing

- IV. **TRAINING**
 - a. Learning Management Systems

- V. **BUSINESS CONTINUITY**
 - a. Backup Virtual Tape Library
 - b. APC—Phase I (Mission Critical Applications)

- VI. **FACILITY**
 - a. Computer Room with Redundancy—APC for Supreme/Appellate

- VII. **HARDWARE**
 - a. SAN RFP and Acquisition—Main Data Center
 - b. Supreme/Appellate Redundant Servers—75 Elm Street
 - c. Supreme/Appellate Servers—231 Capitol Avenue

- VIII. **NETWORK**
 - a. Internet Project
 - b. FTR Expansion to Supreme/Appellate Court

- IX. **DESKTOP / TECHNOLOGY REFRESH**
 - a. Dot Matrix Printers—Remove and replace with laser printers

- X. **SOFTWARE NEW**
 - a. Storage Deduplication Software [included in virtual tape library purchase]

Definition of Acronyms

ACRONYM	DEFINITION
ADR	Alternate Dispute Resolution
AP	Access Point
APC	Alternate Processing Center
CIB	Centralized Infractions Bureau
CIDRIS	Connecticut Impaired Driver Records Information System
CJIS-OBTS	Criminal Justice Information System-Offender-Based Tracking System
CMIS	Case Management Information System
COLP	Commission on Official Legal Publications
CRIM	Criminal Image Management
CRMVS	Criminal Motor Vehicle System
DMV	Department of Motor Vehicles
DOC	Department of Correction
DOIT	Department of Information Technology
ESSO	Enterprise Single Sign-on
FTR	For the Record
GJXDM	Global Justice XML Data Model
ILM	Identity Lifecycle Manager
IP	Internet Protocol
ITD	Information Technology Division
JASMIN	Judicial Administrative Services Management Information Network
LAN	Local Area Network
NAC	Network Access Control
NAS	Network Attached Storage
NIEM	National Information Exchange Model
OBTS	Offender-Based Tracking System
PC	Personal Computer
PDA	Personal Digital Assistant
POR	Protective, Restraining, No Contact Order Registry
PRAWN	Paperless Rearrest Warrants Network
RFP	Request for Proposal
SAN	Storage Area Network
SAVIN	Statewide Automated Victim Information and Notification System
SOR	Sex Offender Registry
VPN	Virtual Private Network
VTL	Virtual Tape Library
WAN	Wide Area Network
WLAN	Wireless Local Area Network
XML	Extensible Markup Language

SUMMARY OF TECHNOLOGY PLAN IMPLEMENTATION SEQUENCE

Seq	Start	Project Description	End
1	Jul 2009	Network - Data Center	Jun 2012
2	Jul 2009	Contracted Services – Contract Vendor for Security Audit	Oct 2009
3	Jul 2009	Hardware - Virtualization / Server	Jun 2011
4	Jul 2009	Network - Upgrade/Refresh All Field Switches	Jun 2012
5	Jul 2009	Hardware - Video Conferencing in all locations	Jun 2012*
6	Apr 2010	Business Continuity - SAN(s) & NAS for APC	Dec 2010
7	Jul 2010	Software - Network Security & Information Protection	Jun 2012
8	Jul 2010	Software - Identity Lifecycle Manager	Dec 2010
9	Jul 2010	Network - Migration to FTR Version 5.2	Jun 2011
10	Jul 2010**	Network - Wide Area Network (WAN)	Jun 2012
11	Jan 2011	Business Continuity - APC Phase II (servers & software)	Jun 2012
12	Jan 2011	Hardware - Windows Server Software Upgrade	Jun 2012*
13	Jan 2011	Directory Services - Portal Self-Service (internal/external)	Jun 2011
14	Jul 2011	Hardware - Alpha Rewrite on Integrity SAS / VMS	Jun 2012
15	Jul 2011	Hardware - On-Going Server Replacement	Mar 2012
16	Jul 2011	Hardware - Statewide Wireless Implementation	Jun 2012*
17	Jul 2011	Hardware - FTR - Statewide Deployment	Jun 2012*
18	Jul 2011	Process Improvement - Automated Regression Test Tool	Jun 2012*
19	Jan 2012	Process Improvement - Tutorial Development Software	Jun 2012*
20	Jan 2012	Applications - Replace CRMVS & CIB	Jun 2012*

Notes:

*Project activity continues beyond end date of implementation plan.

**May change depending on committee decision on video conferencing and start of internet service.

TECHNOLOGY PLAN IMPLEMENTATION SEQUENCE

Seq	Pre-req.	Exist/ New	Project Description	Capital \$	OE \$	PS \$	Staff	Start	End	FY 09-10				FY 10-11				FY 11-12				
										Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
1		Existing	Network - Data Center	\$864,964	\$34,740	\$0	0	Jul 2009	Jun 2012													
2		New	Contracted Services – Contract Vendor for Security Audit	\$0	\$220,230	\$0	0	Jul 2009	Oct 2009													
3		Existing	Hardware - Virtualization / Server	\$91,559	\$108,427	\$0	0	Jul 2009	Jun 2011													
4		Existing	Network - Upgrade/Refresh All Field Switches	\$414,477	\$0	\$0	0	Jul 2009	Jun 2012													
5		New	Hardware - Video Conferencing in all locations	\$1,487,273	\$54,914	\$65,987	1	Jul 2009	Jun 2012*													
6		Existing	Business Continuity - SAN(s) & NAS for APC	\$203,100	\$19,500	\$0	0	Apr 2010	Dec 2010													
7		New	Software - Network Security & Information Protection	\$418,821	\$9,285	\$0	0	Jul 2010	Jun 2012													
8		Existing	Software - Identity Lifecycle Manager	\$14,109	\$199,648	\$0	0***	Jul 2010	Dec 2010													
9		Existing	Network - Migration to FTR Version 5.2	\$0	\$124,790	\$0	0	Jul 2010	Jun 2011													
10	1	Existing	Network - Wide Area Network (WAN)	\$93,690	\$0	\$0	0	Jul 2010**	Jun 2012													
11		Existing	Business Continuity - APC Phase II (servers & software)	\$231,605	\$150,034	\$0	0	Jan 2011	Jun 2012													
12	3	Existing	Hardware - Windows Server Software Upgrade	\$0	\$389,161	\$0	0	Jan 2011	Jun 2012*													
13	4	New	Directory Services - Portal Self-Service (internal/external)	\$8,756	\$14,085	\$0	0	Jan 2011	Jun 2011													
14		Existing	Hardware - Alpha Rewrite on Integrity SAS / VMS	\$790,820	\$790,773	\$0	0	Jul 2011	Jun 2012													
15	1, 2	Existing	Hardware - On-Going Server Replacement	\$112,978	\$0	\$0	0	Jul 2011	Mar 2012													
16	5	New	Hardware - Statewide Wireless Implementation	\$889,702	\$174,699	\$65,987	1	Jul 2011	Jun 2012*													
17	10	Existing	Hardware - FTR - Statewide Deployment	\$697,238	\$888,332	\$69,206	1	Jul 2011	Jun 2012*													
18		New	Process Improvement - Automated Regression Test Tool	\$11,198	\$476,627	\$167,063	2	Jul 2011	Jun 2012*													
19		New	Process Improvement - Tutorial Development Software	\$2,500	\$23,424	\$79,494	1	Jan 2012	Jun 2012*													
20		Existing	Applications - Replace CRMVS & CIB	\$824,376	\$5,402,472	\$938,968	11	Jan 2012	Jun 2012*													
20		Existing	Applications - Replace CRMVS alone	\$824,376	\$4,489,999	\$807,648	10	Jan 2012	Jun 2012*													

****Totals: \$7,157,167 \$9,081,141 \$1,386,705

Notes:

- *Project activity continues beyond end date
 - **May change depending on committee decision on video conferencing, and start of internet service.
 - ***Use existing consultant.
 - ****Total includes the cost of replacing both the CRMVS and CIB applications, and excludes the CRMVS-alone option (lower cost option)
- Q1 = July - September Q2 = October - December Q3 = January - March Q4 = April - June

Spreadsheet Notes Concerning Costs

Source of Costs Provided

All costs for hardware and software on the Technology Plan Implementation Sequence spreadsheet are based on current price lists or best guess estimates, since it was not feasible to request vendor quotes for every item. Costs will certainly change up or down over the life of this Plan.

Overlapping Costs in the Plan

In the project to implement Video Conferencing statewide there are some locations that require upgrades to the wide area network (WAN) connection. The costs to upgrade the WAN connections to those locations are included in the Video Conferencing project. Another project in the Plan proposes to upgrade WAN connections at locations expected to exceed the capacity of their existing connections in the next few years for other reasons. In a few cases, there is overlap between locations upgraded as part of the Video Conferencing project and as part of the WAN upgrade project.

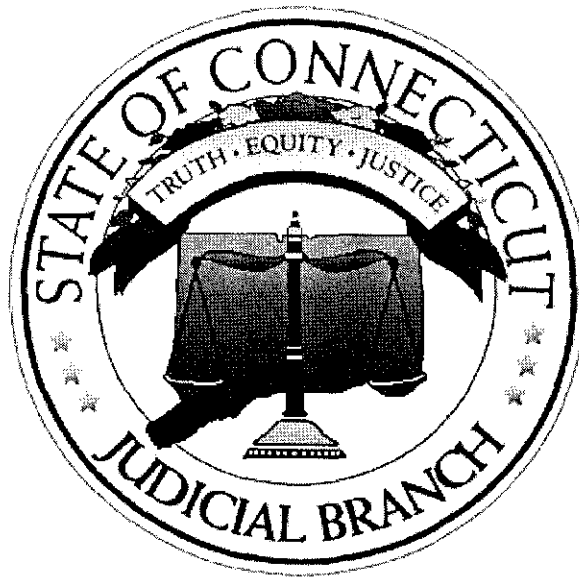
Since the cost of WAN upgrades at certain locations are reflected in both projects, the completion of one project will result in a reduction in cost of the other project since the overlapping sites would have already received upgrades.

Annual Recurring Costs

The spreadsheet does not reflect annual recurring costs for new hardware, software, circuits or personnel. Estimated recurring annual costs for those items are as follows:

Hardware and Software Support	\$1,500,000	(1 year after implementation)
Circuits	\$350,000	(1 year after implementation)
Personal Services	\$1,321,000	(after 7/1/2012)
Total Estimated Annual Recurring Costs	\$3,171,000	

The Plan also reflects that the existing consultant on staff to support Active Directory will continue in that capacity for the implementation of Identity Lifecycle Manager. This was done to delay as long as possible the hiring of a permanent employee for the Plan. However, the preference would be to have a permanent employee in that position and if that were possible, the additional cost to the Plan and in the years following would be \$97,163



PUBLIC SERVICE AND TRUST COMMISSION
COMMITTEE ON UNIFORMITY OF COURT PROCEDURES

2009 REPORT

Table of Contents

INTRODUCTION	3
EXECUTIVE SUMMARY	5
RECOMMENDATIONS ON CIVIL UNIFORMITY	5
RECOMMENDATIONS ON FAMILY UNIFORMITY:.....	6
GENERAL RECOMMENDATIONS.....	7
DISCUSSION.....	8
SUBCOMMITTEE ON CIVIL.....	9
WORK GROUP ON TRIAL MANAGEMENT/PRETRIALS	12
WORK GROUP ON ADMINISTRATIVE APPEALS.....	13
SUBCOMMITTEE ON FAMILY	14
WORK GROUP ON TRIAL MANAGEMENT ORDERS/PRETRIALS	16
CONCLUSION	17
APPENDICES.....	18
<i>Exhibit A</i>	18
<i>Exhibit B</i>	19
<i>Exhibit C</i>	20
<i>Exhibit D</i>	21
<i>Exhibit E</i>	23
<i>Exhibit F</i>	25
<i>Exhibit G</i>	26
<i>Exhibit H</i>	28
<i>Exhibit I</i>	30

Introduction

The Committee on Uniformity of Court Procedures was created as part of the implementation of the strategic plan and was charged with examining practices and procedures in civil, housing, family and juvenile courts in Judicial Districts statewide to facilitate practice in multiple jurisdictions for attorneys and support staff. This charge was derived from the strategic plan outcome goal on Delivery of Services. That goal states:

The Judicial Branch will provide effective, uniform and consistent delivery of services by enhancing the management of court processes.

One of the strategies intended to move the Branch toward the realization of the outcome goal mandates that the Branch “increase the efficiency of case management and court practices.” Although no single activity in the strategic plan specifically addresses the need for uniformity of court practices and case management procedures, the information obtained from focus groups and surveys makes clear that the lack of uniformity and the lack of accessible information about the variations between and among districts impedes efficiency, increases confusion and creates frustration for parties, attorneys, judges, family support magistrates, non-judicial officers and court staff. Increasing uniformity and disseminating information about unavoidable variations in practice and procedure will ensure that the bench, bar and self-represented parties have a clear understanding of policies, procedures and court practices throughout the state.

The Committee on Uniformity of Court Procedures was co-chaired by the Honorable Douglas C. Mintz and Attorney Frederic S. Ury. The members of the committee were: Attorney Barry F. Armata, Attorney David P. Atkins, Attorney Timothy Bates, Honorable Bernadette Conway, Attorney Anthony C. Defilippis, Jr., Honorable James J. Devine, Attorney Leo V. Diana, Attorney Tais Ericson, Attorney Thomas Anthony Esposito, Attorney Lisa A. Faccadio, Atty Michael Fasano, Honorable James T. Graham, Ms. Jane Grein, Honorable Arthur A. Hiller, Mr. David M. Iaccarino, Honorable John J. Langenbach, Attorney Susan E. Malliet, Attorney Joseph R. Mirrione, Honorable Lynda B. Munro, Attorney Norman A. Roberts, Honorable William

B. Rush, Attorney Michael T. Ryan, Honorable Marylouise Schofield, Attorney Carolyn Signorelli, Attorney Christopher J. Smith, Honorable Theodore R. Tyma, and Honorable Christine S. Vertefeuille.

The Committee conducted focus groups with members of the Bar and legal staff in order to identify the specific areas where a lack of uniformity of court practices and procedures is a problem to those who interact with the branch. Focus group participants were solicited through state and local bar associations, the Connecticut Trial Lawyers Association, the Academy of Matrimonial Lawyers, Civil Defense Lawyers Association, and state, regional and local paralegal and legal assistant organizations. A total of three focus groups were conducted: one in Bridgeport, for civil practitioners and legal support staff, one in Wethersfield, for family practitioners and legal support staff, and one in New Haven with the College of American Trial Attorneys. The results from these focus groups were given to the committee members, who then formed two subcommittees, a Subcommittee on Civil and a Subcommittee on Family, to address the identified areas where a lack of uniformity impacted the Bar and litigants in a negative way.

The committee, its subcommittees, work groups and focus groups met separately and together a total of sixteen times from November 2008 to June 2009.

Executive Summary

The recommendations of the Committee are listed in this summary. More detailed information about the recommendations and other items considered by the committee may be found in the discussion section that follows this summary. The exhibits referred to in this summary may be found at the end of this report.

Recommendations on Civil Uniformity

1. A uniform special proceedings process, which will follow the procedures currently in place in New Britain, Waterbury and Hartford, should be adopted. A notice to be attached and served with the case initiation papers has been drafted. (Exhibit B)
2. A three-phase process for civil jury trials should be implemented. That process would include a pretrial conducted early in the process to discuss settlement and select trial dates; a trial management conference conducted within two weeks prior to trial focused on settlement and the basics of trial logistics; and a brief settlement conference conducted on the day of jury selection, if such a conference appears to be warranted.
3. A uniform Courtside Trial Management Orders should be adopted. A Courtside Trial Management Order has been drafted. (Exhibit D)
4. A uniform Jury Trial Management Order should be adopted. A Jury Trial Management Order has been drafted. (Exhibit E)
5. A uniform Land Use Appeals Standing Order should be adopted. A Land Use Appeals Standing Order has been drafted. (Exhibit F)

Recommendations on Family Uniformity:

1. A uniform Case Management Order should be adopted for family matters. A Case Management Order has been drafted. (Exhibit G)
2. A uniform Pretrial Order should be adopted for family matters. A Pretrial Order has been drafted. (Exhibit H)
3. A uniform Trial Management Order should be adopted for family matters. A Trial Management Order has been drafted. (Exhibit I)

General Recommendations

1. The Chief Administrative Judges should discuss orders and procedures to increase awareness of existing uniformity at meetings with the Presiding Judges each year.
2. Court Operation should establish a procedure for monitoring and posting any changes to standing orders to ensure that accurate and current information is provided on the website and made available to the public at all times.
3. The judicial marshals should develop and post a policy on procedures for screening attorneys and legal support staff bringing equipment and exhibits into the courthouse on a daily basis during a trial.
4. Court operations staff should review the advisability of suggesting legislation to invest the Court with discretion in allowing fee waivers in civil causes of action.
5. The form for requesting a transcript (non-appeal) that is contained in the publication on **Procedures for Ordering a Court Transcript** should be developed as an official form and provided online. (Exhibit A)
6. The Notice of Appeal Transcript Order (form JD-ES-38), which is used to request a transcript for an appeal, should also be made available on-line.
7. The current publication, **Procedures for Ordering a Court Transcript** should be displayed online under the Publications link.

Discussion

Each of the subcommittees and work groups of the Committee on Uniformity of Court Procedures reviewed the areas identified by the participants in the focus groups as being problematic for practitioners. Based upon that review, each subcommittee made recommendations and drafted orders aimed at improving the uniformity of court processes and procedures in order to make the experience of those who interact with the Branch less confusing, frustrating and time-consuming. In the course of the subcommittees' work, the bulleted list of issues or ideas from the focus groups that were conducted in the development of the strategic plan and the items in its charge were discussed and addressed. In some cases, an item was discussed and the committee determined that the concerns had already been addressed, such as the uniformity concerns that had been raised with respect to short calendar proceedings. With the changes to the short calendar procedures in February of this year, most of the concerns raised in the focus groups were addressed. In other cases, such as the lack of uniformity in the handling of juror voir dire or juror orientation, another committee had been formed and charged specifically with addressing the issue. For example, the Jury Committee is making recommendations on the voir dire process and on juror orientation, among other recommendations. In certain limited situations, the committee discussed the issues and determined that no recommendations would be made. For example, the variation in the amount of time it takes a motion to appear on the short calendar will vary from one district to another because of staffing issues, not because of procedures.

The work of the subcommittees and work groups is described in the following sections.

Subcommittee on Civil

The subcommittee on Civil focused on short calendar procedures, special proceedings procedures, procedures for handling discovery disputes, standing orders, courthouse security and entry, and clerk's office issues. These areas were the ones singled out by the focus groups as being problematic in terms of uniformity.

After a review of the existing procedures, the subcommittee determined that the issues in connection with short calendar procedures were largely addressed by the changes implemented on February 28, 2009. Those changes, in part, were a result of the information obtained from the focus groups conducted in 2008. The changes included standardizing the designation of motions as arguable and non-arguable, standardizing the meaning of short calendar markings, and standardizing the contents of calendars (foreclosures, special proceedings, and family matters), and making the on-line marking of civil and family short calendar matters mandatory for all cases. Certain other suggestions, such as identifying the party who filed the motion, will be incorporated in the new case management system that is being developed. At a future date, the concept of having a single short calendar clerk to whom questions could be addressed might merit consideration, but it did not appear feasible at this time. The subcommittee concluded that given the restrictions of the current systems and staffing levels, the changes made to the short calendar procedures addressed the concerns of the bar to the extent possible.

The subcommittee discussed the notices and procedures regarding special proceedings in each judicial district. These matters currently are handled differently in different districts, resulting in confusion for the attorneys and parties, multiple trips to court for parties and witnesses, increased costs, and wasted court time. After a discussion of the processes in different districts, there was considerable support for adopting the approach taken in the New Britain, Waterbury and Hartford districts. The procedures in those districts included the clerk's office attaching a preprinted notice to the papers at the time the date of the hearing is assigned. That notice informs the defendant that a status/settlement conference will occur on the first date, but no hearing. This notice eliminates the confusion over whether or not witnesses must appear on the initial date. Also, many application resolve without a hearing, although in extraordinary situations, the need for an immediate hearing could be addressed and orders to protect

the status quo could be entered. These procedures save time for the parties, witnesses, counsel and the court and reduce unnecessary appearances and expense. The subcommittee approved a draft notice that is based on the notice from New Britain and Waterbury. (Exhibit B)

A variety of issues associated with courthouse security and building entry as they impacted members of the Bar were also discussed. To a large extent, the concerns of the bar have been addressed by the development of a form and a process to obtain permission to bring audio-visual equipment into the courts and by the opening of courthouses at 8:30 AM. Issues with storing expensive equipment and exhibits for cases and requests for access to courtrooms early in the morning and during lunch were discussed, but the committee concluded that security concerns mandate the locking of courtrooms during lunch and court recesses. For example, in many older courthouses, access to a courtroom also provides access to the Judges' chambers and other offices within the courthouse. Locking the courtroom is, therefore, a necessary security precaution.

With respect to the screening of attorneys and staff upon entry to the courthouse, the subcommittee concluded that it would be helpful for counsel and legal support staff to know what to expect when they came to court with equipment and exhibits for trials. Attorneys and their staff experience different treatment from different marshals, making it difficult to gauge the time they should be in court or what they should be prepared to do. In addition, screening large amounts of materials when people are unprepared causes substantial delays for other people entering the courthouses. To resolve both these problems, the subcommittee is recommending that the Judicial Marshals develop and publicize the procedures to be followed for screening counsel and support staff bringing in equipment, files and exhibits during the course of a trial. These procedures could be as simple as providing an earlier time for arrival or an alternative entrance for use by counsel and staff.

The subcommittee also discussed the need for expeditious handling of discovery disputes. The group concluded that the current policy of handling discovery disputes, which permits a telephone call or a faxed request for a hearing to the presiding judge results in a virtually immediate hearing for matters that are within six months of a trial, is effective. Currently, a party seeking resolution of a deposition dispute can request assistance via teleconference with the presiding judge of the judicial district or a designee, by contacting the caseflow coordinator for the district. These options have

provided a means of addressing discovery disputes quickly and effectively. A Discovery and Deposition Dispute Order, setting out both these options, was revised and posted on the website in April 2009. A copy of that order is attached to this report as Exhibit C.

Issues with respect to the clerk's offices, including such items as the different procedures for obtaining copies or pulling files, were also considered. Although the subcommittee recognized that procedures did vary in different offices, it determined that most of the variations resulted from staffing constraints and work loads in individual offices. The subcommittee members also identified the expansion of e-filing as a means of addressing many of these issues. It was determined that the subcommittee's focus was better directed to other issues.

Work Group on Trial Management/Pretrials

To fully address the concerns of the Bar with respect to trial management orders and the scheduling of pretrials, the subcommittee formed a work group to address trial management orders for civil courtside and civil jury trials. The work group reviewed existing trial management orders, including the various provisions from the judicial districts statewide. The members of the work group discussed ways of making the pretrial process more effective and efficient for both the Bench and the Bar. Members also discussed the need to ensure that the judicial authority has necessary material at each phase of the process, but counsel and self-represented parties are not burdened unnecessarily.

With this goal in mind, the work group developed a three-phase process for jury trials with specific requirements for the production of documents and materials at each phase. The work group also drafted a uniform trial management order for civil courtside trials (Exhibit D) and a uniform trial management order for civil jury trials (Exhibit E). In developing these orders, the work group was guided by the existing trial management orders, the input from the Bench and the Bar and a concern for avoiding unduly burdensome and costly requirements. The requirements set forth in these orders will provide all parties and the judicial authority with necessary information and documents and permit flexibility in those cases where variation from the requirements is appropriate.

Work Group on Administrative Appeals

The work group on administrative appeals was formed to address specific issues of trial management presented by administrative appeals. This work group discussed at length the types of administrative appeals and determined that the issues with administrative appeals center on land use appeals. The work group found that although the system for handling land use appeals is not “broken,” and functions reasonably well, it could be improved.

The members of the group reviewed the procedures in different districts throughout the state, obtained additional input from members of the land use appeal bar, and had extensive discussions. The benefits and detriments of having a call of cases was discussed, along with the scheduling of a pretrial, when and how pre-hearing motions should be heard, and the assignment and hearing of administrative appeals. After thorough consideration and review, the work group drafted a standing order on land use appeals that addressed the concerns of the land use bar in these areas and is recommending its adoption. (Exhibit F)

Subcommittee on Family

The subcommittee on family considered several issues, including access to family relations officers, the benefits and detriments to a calendar call, acceptance of markings at the call, the handling of citations, appearances and continuance requests, enforcement of discovery requests, and current case management, pretrial and trial management orders.

After extensive discussions, the subcommittee came to the conclusion that the decision on whether or not to have a calendar call should be left to the discretion of the presiding judge in a location with the understanding that information regarding the call will be posted for each location to be certain that everyone knows what to expect in any district. The attorneys on the subcommittee spoke in favor and against the calendar call, but the issue was not whether or not to have the call, but rather with whether or not parties knew there would be a calendar call at a particular court.

In addition, no changes with respect to access to family relations will be made at this time because of concerns about budget issues and the impact those issues may have on the staff. Pending any future changes to the procedures, utilizing the option of meeting with family relations earlier in the week prior to the calendar date would reduce the amount of time an attorney would have to spend on the day of the calendar. Also, it was suggested that self-represented parties should be encouraged to utilize the assistance of the court service center in filling out the necessary paperwork in order to reduce the amount of time they spend at court.

On the issue of handling short calendar matters with citations, the subcommittee drafted proposed language for inclusion on the family calendars. The language states:

If a party is served by a Marshal pursuant to a citation which was issued by the judge and the party served is ordered to appear by the Court, the parties should not contact the court to mark the matter READY or OFF: all such matters are READY and will go forward on that date unless specifically granted a continuance by the judge.

This change was not made a part of the recommendations of the committee because Judge Munro, chief administrative judge of family, indicated that the calendar

notices would be changed once the language has been approved by the chief court administrator and the Legal Services unit.

Work Group on Trial Management Orders/Pretrials

To address the concerns of the Bar with respect to trial management, the subcommittee formed a work group to review and develop uniform trial management orders and processes, including the documents needed for case management conferences and pretrials and the number and type of pretrial conducted. Like the civil work groups, the family work group reviewed existing trial management orders and processes in the judicial districts. The unanimous consensus of the group was that developing uniform orders would be helpful to the Bar.

The group had extensive discussions about the contents of the case management order, pretrial order and trial management order. Whether clients should sign case management orders in all cases; if required documents for pretrials should vary depending on whether a special master or a judge conducts the pretrial; whether compliance dates should be set for an earlier date; and whether additional information on assets and liabilities should be included in pretrial standing order were some of the issues that the work group considered in its review and drafting of the uniform orders. The orders seek to ensure that counsel and self-represented parties are apprised of their obligations at all stages of the process and that all necessary information is provided in a timely manner to the counsel and self-represented parties and the judicial authority.

The work group drafted a uniform Case Management Order (Exhibit G), Pretrial Order (Exhibit H) and Trial Management Order (Exhibit I).

Conclusion

The Committee on Uniformity of Court Procedures included presiding judges, practicing attorneys, legal support staff and court operations staff with experience and knowledge in the civil and family areas. The committee was charged with the task of examining practices and procedures in the civil and family courts in judicial districts statewide to facilitate practice in multiple jurisdictions for attorneys and support staff. To be sure that the problem areas were addressed, the members of the committee sought input by conducting several focus groups with a broad range of attorneys and legal support staff to identify specific areas where the lack of uniformity impacts practitioners. Guided by the information obtained, the committee developed recommendations, including the adoption of uniform trial management orders, pretrial orders and case management orders, to address the lack of uniformity. The recommendations of the committee will ensure that the bench, bar and self-represented parties have information on policies, procedures and court practices throughout the state, thereby improving the delivery of services by the Branch.

Appendices

Exhibit A

TRANSCRIPT ORDER FORM - Non-Appeal*
SUPERIOR COURT STATE OF CONNECTICUT
COURT REPORTER'S OFFICE

Today's date: _____
Title of Case: _____
Docket No. (if known): _____
Date(s) matter was heard in court: _____

Portions(s) of proceedings requested (i.e., a witness, entire day, orders only, etc.):

Name of Judge/Magistrate/Arbitrator: _____
Name of court reporter/monitor (if known): _____
Name of Ordering Party: _____
Address: _____

Telephone Number: _____

Please indicate your preference below and call the reporter's office for the estimated delivery date:

- ____ Expedited - available by 5 p.m. on the 5th business day @ \$4.75 per page
____ Overnight - available by 5 p.m. on the next business day @ \$6.35 per page
____ Regular or standard - processed in order of receipt @ \$3 per page

MY SIGNATURE BELOW SIGNIFIES ACCEPTANCE OF FINANCIAL
RESPONSIBILITY FOR THIS TRANSCRIPT ORDER.

Signature of Ordering Party: _____

Please mail, fax, or hand deliver this order form to the court reporter's office in the district where the case was heard.

*If you need a transcript for appeal purposes, obtain a form JD-ES-38 from the Office of the Chief Clerk.

For office use only:

To: _____ Initials: _____ Date: _____

Exhibit B

Notice to Defendant(s) Regarding Hearing

A hearing has been scheduled for this matter on the date and time shown on the attached order, which has been signed by the judge or a clerk of the court. You must appear, either in person or by your attorney, on the date and time shown in the order if you wish to be heard in this matter.

On the initial hearing date, the Court will conduct a status/settlement conference. **No evidentiary hearing will take place on this initial hearing date unless otherwise ordered in advance.** If the matter is not resolved at the status/settlement conference, the Court will assign the matter for an evidentiary hearing, usually within two weeks of the status/settlement conference.

If you do not appear at the court, either in person or by your attorney, on the date and time shown on the attached order, the Judge will make a decision based on the papers submitted by the plaintiff/applicant.

Exhibit C

Discovery and Deposition Dispute Order

Revised April 29, 2009

When a case has been assigned for trial, any Practice Book Chapter 13 motion directed to discovery or deposition issues filed within six months of the trial date shall be heard by the presiding judge of the judicial district or a designee. The party seeking resolution of a discovery or deposition dispute shall promptly notify the caseflow coordinator so that the matter may be scheduled for a hearing forthwith; the motion shall not be placed on the short calendar.

Any such motion shall be accompanied by an affidavit of counsel certifying that bona fide attempts have been made to resolve the matter(s) at issue and counsel have been unable to reach an accord. The affidavit shall detail the communications held or attempted in an effort to resolve the issue including the date, time and participants in each such communication.

The party seeking resolution of a deposition dispute may request assistance with the resolution of the dispute via teleconference with the presiding judge of the judicial district or a designee, by contacting the caseflow coordinator for the district. If, after discussion of the matter with the presiding judge or a designee, the parties are unable to resolve the dispute, a hearing shall be held as soon as possible.

The judicial authority may make any appropriate order including the imposing of sanctions pursuant to Connecticut Practice Book Section 13-14. Failure to abide by such orders shall subject the offending party to nonsuit or default. Outstanding discovery or depositions shall not delay the commencement of trial.

Barbara M. Quinn
Chief Court Administrator

Arthur A. Hiller
Chief Administrative Judge, Civil Division

Exhibit D

NO.

SUPERIOR COURT

JUDICIAL DISTRICT OF _____

AT _____

VS

_____, 2009

CIVIL COURT TRIAL MANAGEMENT ORDER

Counsel and self-represented parties in this matter are ordered to attend a Trial Management Conference before the undersigned judge in the _____ Judicial District Courthouse, _____, at _____. Counsel and self-represented parties should come prepared to engage in settlement negotiations and should have their clients and/or decision makers available by phone. Plaintiff's counsel shall bring an updated pretrial memorandum to the trial management conference.

At the beginning of the Trial Management Conference, counsel and self-represented parties are to provide the court with a joint trial management report, including:

1. A list of legal and factual issues in dispute.
2. A list of witnesses with an identifier for each one (party, expert, witness). Witnesses not listed shall not be permitted to testify at trial, except for good cause shown.
3. A list of pending and anticipated motions that need to be heard before evidence starts, including motions in limine.
4. A statement as to any anticipated scheduling problems.
5. An estimate of the amount of time necessary to try the case.

On the first day of trial or as otherwise ordered by the Judge at the Trial Management Conference, counsel and self-represented parties must provide the court with:

1. A brief legal memorandum containing statements of law and legal theories in the case.
2. A list of exhibits reasonably expected to be introduced by each party, indexed by "P" plus number for plaintiffs and "D" plus letter for defendants, with a brief description of each exhibit, indicating whether any party objects to the admission of the exhibit. Counsel and self-represented parties must pre-mark all exhibits as full or for identification only, before the commencement of evidence. Exhibits not listed will not be admissible at trial, except for good cause shown.

3. Any joint stipulations of fact, in writing.
4. Copies of the operative pleadings (complaint, answer, special defenses, and counterclaims) and disclosure of expert witnesses.

Failure to comply with this order may result in the imposition of monetary sanction, exclusion of evidence, or the entry of a nonsuit, default or dismissal.

Exhibit E

NO.

SUPERIOR COURT

JUDICIAL DISTRICT OF _____

AT _____

VS

_____, 2009

CIVIL JURY TRIAL MANAGEMENT ORDER

Counsel and self-represented parties in this matter are ordered to attend a Trial Management Conference before the undersigned judge in the _____ Judicial District Courthouse, _____, at _____. Counsel and self-represented parties should come prepared to engage in settlement negotiations and should have their clients and/or decision makers available by phone. Plaintiff's counsel shall bring an updated pretrial memorandum to the Trial Management Conference.

At the beginning of the Trial Management Conference, counsel and self-represented parties are to provide the court with a joint trial management report, including:

6. A brief, non-argumentative description of the case.
7. A list of all witnesses reasonably expected to be called with an identifier for each one (party, expert, witness). Witnesses not listed shall not be permitted to testify at trial, except for good cause shown.
8. A list of pending and anticipated motions that need to be heard before evidence starts, including motions in limine.
9. A list of legal and factual issues in dispute.
10. An estimate as to the amount of time required for jury selection.
11. An estimate of the amount of time necessary to try the case.
12. A statement as to any anticipated scheduling problems.

On the first day of evidence or as otherwise ordered by the court at the Trial Management Conference, counsel and self-represented parties must provide the court with:

5. A list of exhibits reasonably expected to be introduced by each party, indexed by "P" plus number for plaintiffs and "D" plus letter for defendants, with a brief description of each exhibit, indicating whether any party objects to the admission of the exhibit. Counsel and self-represented parties

must pre-mark all exhibits as full or for identification only, before the commencement of evidence. Exhibits not listed will not be admissible at trial, except for good cause shown.

6. Copies of the operative pleadings (complaint, answer, special defenses, counterclaims) and disclosure of expert witnesses.
7. Proposed verdict forms and jury interrogatories
8. Proposed preliminary requests to charge, which should be submitted on paper and emailed to the Judges' secretary at _____.

Failure to comply with this order may result in the imposition of monetary sanction, exclusion of evidence, or the entry of a nonsuit, default or dismissal.

Exhibit F

Policy and Procedures on Land Use Appeals

Each judicial district shall implement and maintain a separate calendar for land use appeals.

A judge will be appointed to hear each appeal at least a month before the established trial date and the file will be delivered to the appointed judge at that time for review prior to trial.

Standing Order on Land Use Appeals

1. Subject Matter – This order shall apply to all land use appeals, including appeals taken pursuant to the Connecticut General Statutes Chapters 97a (historic district commissions), 124 (zoning), 125a (local land use ordinances), 126 (planning), 127 (regional planning agencies), or 440 (wetlands), or pursuant to Connecticut General Statutes Sections 22a-354q (aquifer protection agencies) or 7-246a (water pollution control agencies). This order shall not apply to administrative appeals taken pursuant to Connecticut General Statutes Chapter 126a (affordable housing) or Connecticut General Statutes Section 4-183.
2. Administrative Appeals Calendar – Between thirty and sixty days after the return date, the administrative appeal will appear on the administrative appeals calendar for the first time.
3. Appearance at the Monthly Calendar Call - The first time that an administrative appeal appears on the calendar, all counsel and self-represented parties must appear. After the initial appearance at the monthly calendar call, counsel and self-represented parties are excused from the call unless either party has a motion on the calendar.
4. Establishment of a Scheduling Order – At the first calendar call, a scheduling order will be established, which will include a pretrial within thirty days of the order, the filing of the return of record, the submission of briefs, and the hearing on the administrative appeal.
5. Monthly Calendar Call - All motions, including motions to supplement the record, motions for an extension of the briefing schedule, motions to dismiss, motions to amend pleadings and motions to settle cases will appear on the administrative appeals calendar. Parties are not expected to attend the monthly calendar call unless either party has a motion on the calendar which requires argument.
6. Settlements/Withdrawals – The parties may request that motions for settlement or withdrawals be placed on the next available short calendar. Procedures for settling planning, zoning, and wetlands cases shall accord with the notice and hearing requirements of Connecticut General Statutes Sections 8-8 and 22a-43 and Practice Book Section 14-7A.

Exhibit G

Case Management Orders

All cases, excluding those for support, paternity or annulment, will be assigned a case management conference date approximately ninety days from the return date. To determine the proper case management date, please review form JD-FM-165A, JD-FM-165B or JD-FM-165C.

Appearance of counsel and parties

- In an uncontested case, if the case management agreement (JD-FM-163) has been filed and the agreement has been approved by the Court, parties and counsel do not have to appear in court on the case management conference date unless the date of the case management conference date has been selected as the date for the uncontested dissolution of marriage.
- In a limited contested case (involves financial and/or property disputes only), if the case management agreement and required documents have been filed and the agreement has been approved by the Court, parties and counsel do not have to appear in court on the case management conference date.
- If the case is fully contested (involves issues regarding custody of and/or access with the minor child), all parties and counsel **must appear** in Court for the conference. The filing of a case management agreement **does not waive** this required appearance.

Note: If the case management agreement is not signed by counsel and/or **all** parties and counsel in a contested case, fails to include the required documents or parties have not agreed on discovery deadlines, parties and counsel **must appear** in Court on the case management date. All discovery deadlines on Section III of the case management agreement must include specific dates. If a specific pretrial date is not included or is unavailable, the Court may assign a date.

Uncontested Cases

- In uncontested cases, the case management agreement must be signed by counsel and filed on or before the case management conference date.

Parties/counsel may review the scheduled court dates displayed on the case detail page on the Judicial Branch website to determine if trial dates have been assigned.

Limited Contested Cases

- In limited contested cases (involves financial and/or property disputes only), the case management agreements must be signed by counsel and filed on or before the case management conference date. The presiding judge in his or her discretion may require the signature of the clients on the case management agreement in a limited contested case. Notice of this requirement will be posted online.

- If the case is limited contested, both parties must file sworn financial affidavits along with the case management agreement.
- If the case is limited contested and there are minor children, a parenting responsibility plan, signed by the parties, must be filed with the case management agreement.

Parties/counsel may review the scheduled court dates displayed on the case detail page on the Judicial Branch website to determine if pretrial and/or trial dates have been assigned.

Fully Contested Cases

- In fully contested cases, the case management agreements must be signed by parties and counsel and must be filed on or before the case management conference date.
- If the case is fully contested (involves issues regarding custody of and/or access with the minor child), both parties must file sworn financial affidavits along with the case management agreement.

On the case management conference date, in addition to the completion of the case management agreement and sworn financial affidavits, cases are subject to referral to the Family Relations Office for screening for services which may include mediation, conflict resolution, evaluation and/or settlement conference. In fully contested custody cases, in the discretion of the judge, guardians ad litem for the minor child(ren) (GAL) or attorneys for the minor child(ren) (AMC), or both, may be appointed with an order for payment of fees. In some cases, parties may be ordered to submit to a private forensic custody and/or mental health evaluation. In fully contested custody cases, a party may be ordered to submit to substance abuse evaluation screening.

Fully contested custody cases may be referred to the Regional Family Trial Docket. The Regional Family Trial Docket is a centrally located statewide contested custody court in Middletown, CT. The court is referred high conflict custody cases from all state judicial districts. The court is presided over by two experienced family court judges. Cases, when referred, must be trial ready with completed discovery, a completed custody evaluation, and either an attorney or guardian ad litem for the child(ren). Upon referral, the cases are expeditiously scheduled a full-day special masters' pretrial with a mediation team comprised of a mental health professional and a family law attorney. If the case does not settle at the pretrial, it is immediately set for trial in Middletown.

If the case management agreement and financial affidavits are not in the Court's file by 9:30 a.m. on the case management date, or counsel and self-represented parties do not appear in Court on the case management date, the case may be dismissed.

Exhibit H

Pretrial Standing Order

All counsel and parties assigned a judicial, family relations or a special master pretrial are ordered to attend and arrive on time. Counsel and self-represented parties are to exchange between themselves, and submit to the pre-trying authority, documents in compliance with these Standing Orders.

Counsel and self-represented parties shall exchange the following documents at least seven (7) calendar days prior to the scheduled pretrial. **These documents shall be submitted to the pre-trying authority at the time of the pretrial:**

1. A non-argumentative memorandum, including jurisdictional facts, statutory authority marital history, the ages of the parties, any information regarding the health, education and employment history of the parties, and a statement as to whether or not fault is at issue in the case.
2. Written proposed orders in accordance with Practice Book Sec. 25-30(c) and (d), which shall be comprehensive and shall set forth the parties' requested relief;
3. The Proposed Parental Responsibility Plan (Form JD-FM-199), if agreed upon, or a Proposed Parental Responsibility Plan indicating the areas of dispute;
4. A list of all pending motions, including motions in limine and motions for protective order;
5. Current sworn financial affidavits, including a detailed income statement, a list of assets and liabilities, the sworn-to value of all assets, current value of all retirement and employment benefits and any proposed distribution;
6. A statement detailing stipulations and remaining disputes as to the value of assets, benefits or liabilities;
7. Appraisals and valuations of real or personal property, or business interests (as may be applicable) for which values are in dispute;
8. Pension valuations, if any, and the last year-end or quarterly pension statements, as may be applicable;
9. Copies of individual federal and state tax returns, W-2 statements and 1099 forms for the past three years;
10. If either party has any ownership interest in a business, copies of business tax returns and K-1 statements for the past three years;
11. If there are minor children, the parties shall prepare an agreed upon executed child support guidelines worksheet. If the parties do not agree, each party shall provide his or her own executed child support guidelines worksheet;

12. An affidavit concerning the children (JD-FM-164) to be provided the day of the pretrial;

Failure to fully comply with this order may subject the offending party to sanctions that may be imposed by the presiding judge.

These orders do not include and are not intended to be addressed to guardians ad litem for minor children.

Exhibit I

Trial Management Order

Counsel and self-represented parties are ordered to submit to the family caseflow office and to exchange between themselves documents in compliance with the Trial Management Order so that they are received by all addresses **not less than ten calendar days** prior to the assigned trial date.

1. Current sworn financial affidavits, including a detailed income statement, a list of assets and liabilities, the sworn-to value of all assets, current value of all retirement and employment benefits and any proposed distribution;
2. A list of all pending motions, including motions in limine and motions for protective order
3. Fully completed child support guidelines worksheet;
4. Written proposed orders in accordance with Practice Book Sec. 25-30(c) and (d), which shall be comprehensive and shall set forth the parties' requested relief;
5. If the Proposed Parental Responsibility Plan is agreed upon, a written stipulation detailing the agreement should be included in the proposed orders.
6. A list of the names of all witnesses reasonably expected to be called by each party as part of their case in chief, as well as any reasonably anticipated rebuttal witnesses, including an identifier (i.e., party, eyewitness, or expert). Include any anticipated scheduling problems. **Note:** This order does not supersede or change the requirements of Practice Book Sec. 13-4 as to the manner and time for expert witness disclosure.
7. A list of exhibits reasonably expected to be introduced by each party, indexed by P plus number for the plaintiff, D plus letter for the defendant, with a brief description of each exhibit, indicating whether any party objects to the admission of the exhibit and if so, include a statement of the grounds for the objection. The actual exhibits shall not be sent to the Caseflow Office but shall be exchanged by the parties as part of the compliance with this order. Counsel and self-represented parties are to report to the courtroom clerk at 9:15 AM in order to complete the marking of exhibits for the trial.
8. Failure to comply with this order may result in the imposition of sanctions, which may include a monetary sanction, exclusion of evidence, or the entry of a nonsuit, default or dismissal.
9. If counsel or parties, as part of their argument at trial intend to submit a computer generated alimony and child support cash analysis, it shall: (1) utilize current tax information; (2) reflect assumptions inputted for the generation of the report; and (3) be exchanged with all counsel and self-represented parties.

Counsel and self represented parties shall provide at the time of trial:

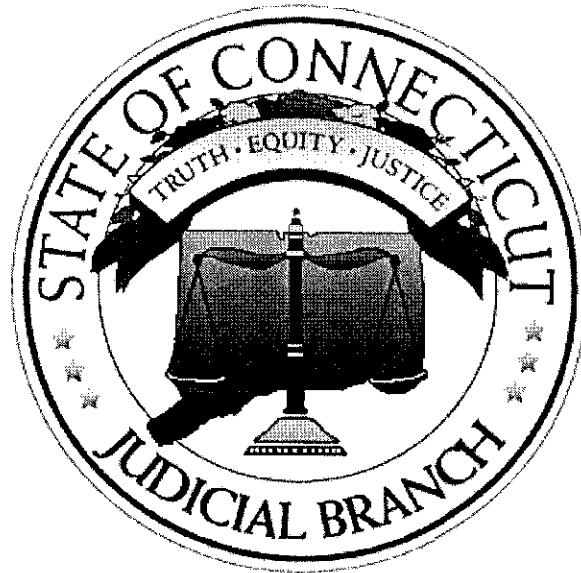
1. An Affidavit Concerning Children (JD-FM-164);

2. A Health Certificate (provided by the plaintiff), where applicable pursuant to the Practice Book.

Failure of counsel or self-represented parties to appear for trial on the trial date will result either in the dismissal of the case with prejudice or in the case proceeding as an uncontested matter.

COLLABORATION

The Judicial Branch will improve its communication and collaboration with the Executive and Legislative branches of government and their agencies, the Bar, other partners, and the public, as well as within the Branch, to better serve the needs of all who interact with it.



PUBLIC SERVICE AND TRUST COMMISSION

CHIEF COURT ADMINISTRATOR/ATTORNEY GENERAL

2009 REPORT

Table of Contents

Introduction	3
Executive Summary.....	4
Recommendations	4
Discussion	5
Conclusion.....	7

Introduction

This initiative was developed in response to a focus group conducted with attorneys from all departments within the Office of the Attorney General, who frequently interact with the Judicial Branch. The information from that focus group highlighted the need for the creation of a mechanism to facilitate ongoing communication between the Judicial Branch and the Office of the Attorney General.

The Chief Court Administrator, the Deputy Chief Court Administrator and Judge DiPentima met for a lunch and discussion with members of the Office of the Attorney General in November to discuss the issues that the attorneys general had encountered in their interactions with the branch. As a result of that initial discussion, a follow-up discussion was held in December to address some of the specific concerns that the assistant attorneys general had raised.

Executive Summary

Through the two sessions conducted between the chief court administrator, the deputy chief court administrator, Judge DiPentima (chair of the Public Service and Trust Commission) and court operations staff, issues were raised and concerns were expressed and discussed. As a result of the discussions, several recommendations were made, some of which have already been implemented.

Recommendations

1. Meetings between the Office of the Chief Court Administrator and the attorneys from the various departments within the Office of the Attorney General should be held twice a year.
2. Issues in connection with the scheduling of short calendar matters and the implementation of a staggered docket should be referred to the Committee on Uniformity of Court Procedures to specifically address issues of uniformity in and among districts.
3. Representatives from the Attorney General's Office should be invited to participate in the focus groups scheduled by the Committee on Uniformity. The invitation was extended to the Office of the Attorney General for the focus groups conducted in January 2009.
4. Issues regarding telephonic/video conferencing should be referred to the Committee on Alternatives to Court Appearances to specifically address issues of standard video conferencing and telephonic conferencing procedures in and among districts.
5. An assistant attorney general should be invited to participate in the Committee on Alternatives to Court Appearances or a subcommittee of the Committee on Alternatives to Court Appearances. Attorney Henri Alexandre was invited to join the committee.
6. Court Operations staff should encourage staff to create write-ins to the calendar in Edison/Eservices so that the write-ins will be displayed on the website.
7. The Civil Commission, Rules Committee and Court Operations should consider the development of a rule or the submission of legislation to permit a judge to review the merits of a lawsuit prior to granting a fee waiver.

Discussion

On December 10, 2008, members of the Court Operation Division met with representatives from the Assistant Attorney General's office to discuss issues regarding uniformity in and among districts involving calendar matters and scheduling matters. Additional concerns included video/telephonic conferencing availability and procedures, information sharing with the assistant attorneys general, reducing the allowance of fee waivers for frivolous lawsuits

One of the issues raised concerned matters involving inmates on civil short calendars. The Attorney General's office expressed concern with regard to the inconsistent practice among districts in notifying an assistant attorney general when a matter involves an inmate that the state has interest in. In at least one district a "prisoner docket" is held consistently and the assistant attorney general can plan accordingly. This concept seems to work well for the assistant attorney general and allows them to allocate their scarce time and resources efficiently. Consideration should be given to such a docket.

Another suggestion from the attorneys general was that staggered dockets be implemented. Where attorneys from the Office of the Attorney General are required to be in several different districts at the same time for Monday short calendar, a staggered docketing approach would assist them in providing the state with adequate and timely representation in each district. These issues involve uniformity and standardization of procedures in order to ensure that there is an efficient use of resources.

In addition, the assistant attorneys general expressed concern over the lack of uniformity and implementation of video/telephonic conferencing on matters involving inmates. This issue not only involved uniformity and standardization of procedures with an emphasis on efficient use of resources but more specifically involved the issue of providing alternatives to court appearances.

The assistant attorneys general also indicated that how and when notice is provided to them in support cases in which the state has an interest is not consistent statewide when a case is a "write-on," a case that is added to the scheduled calendar. Court Operations staff provided a brief demonstration of the scheduling information regarding short calendars, family support magistrate calendars and other scheduled event that is currently available on the Judicial Branch's website. The Branch will be providing training for regarding Eservices, including sections specifically addressing what is available on the Branch website. Currently available information covers a wide range of information that will assist

the attorneys and legal support staff of the Office of the Attorney General. Training sessions should be set up with the Office of the Attorney General. In addition, clerk's office staff should be encouraged to create "write-ins" to the calendar in Eservices/Edison so that they may be displayed and available on the Judicial Branch's website.

The assistant attorneys general also expressed concern over the state courts' inability to screen for potential lawsuits prior to granting a fee waiver for the filing fee. Fee waivers are granted for a substantial number of frivolous lawsuits. The federal court by rule permits a judge to look at the merits of a lawsuit prior to granting a fee waiver, a process that reduces the number of frivolous lawsuits. Currently no rule or statute permits screening on the merits of a potential lawsuit by a state court judge prior to the granting of a fee waiver. In order to reduce the number of frivolous lawsuits, state court judges should have the discretion to review the merits of the underlying lawsuit prior to granting a fee waiver.

On a very practical note, the assistant attorneys general raised a concern regarding their loss of access to computers maintained in the courthouse outside or near the magistrate courts. This concern was referred to the Support Enforcement Unit to coordinate access with the Department of Social Services. That issue was addressed and resolved. In addition, the Support Enforcement Unit continues to work with the Attorney General's office to provide them with sufficient and timely notice of cases involving the Uniform Interstate Family Support Act (UIFSA).

Conclusion

Communication between the Office of the Chief Court Administrator and the Office of the Attorney General, which is one of the largest “law firms” in the state, should be ongoing. These regular communications will provide opportunities for dialogue between the Branch and the Office of the Attorney General so that any problems or concerns can be discussed and addressed in a timely and appropriate manner. Through this collaboration between the branches, the needs of the public will be met more efficiently and effectively.

Chief Court Administrator/Clerks and Bar May 2009

Committee Members: Lorin Himmelstein, First Assistant Clerk
Wendy Kergaravat, First Assistant Clerk
Rose Ann Rush, Court Officer

This committee/working group is charged with improving communication and collaboration with members of the Bar. As part of this initiative, Clerks' Offices in each Judicial District were directed to hold periodic meetings with members of the Bar Associations and members of the Bar as well as legal support staff. These meetings will provide a forum for discussion of local issues, providing information about the implementation of new statutes, Practice Book rules, or policies, and addressing any problems that may arise between the Clerk's Office and members of the Bar.

Legal Exchange

Since this program was being rolled out statewide it was decided that uniformity was essential so the name "Legal Exchange" was created. It also provided name recognition for the Bar and the legal support staff. A legal exchange email address, legalexchange@jud.ct.gov, was created along with a web link on the Judicial Branch website.

Number of meetings held

This working group has met at least weekly by telephone conference since the beginning of November 2008 (22 times). Additionally, this group uses e-mail to communicate almost daily regarding the implementation of the Legal Exchange Program. From early November through February this group developed the tools necessary for the implementation of these meetings. To introduce this initiative a memo from the Hon. Barbara Quinn, Chief Court Administrator was sent to all the Judges (dated December 17, 2008). This group sent a follow-up memo to the Judicial District Chief Clerks introducing themselves and the concept (dated January

6, 2009). Presentations were made to the Administrative Judges on January 8, 2009 and to the Chief Clerks on January 21, 2009 to present developments made regarding this program.

Methodology

This working group created forms/templates and a list of suggested “next steps” to be followed in planning for the Legal Exchange meetings. **See attachment H.** These forms and steps were followed for the pilot program in Bridgeport:

1. The Chief Clerk met with the Administrative Judge to decide on a date. The contact with the local Bar association was notified and made aware of the program. An article was written for the newsletter and members notified via e-mail.
2. A “Save the Date” flyer was created to be posted and distributed throughout the Judicial District. **See attachment A.**
3. There were three (3) memos created to inform staff of the program and to ask for agenda topics. The memos included:
 - a) Memo from the Administrative Judge to the district judges. This memo also included a script for an announcement to be made at Short Calendar. **See attachment B.**
 - b) Memo from the Chief Clerk to the Deputy Chief Clerks. **See attachment C.**
 - c) Memo from the Chief Clerk to the Clerk’s Office staff. **See attachment D.**
4. An e-mail was sent from the Legal Exchange to the local Bar associations and to paralegal associations statewide.
5. An agenda was put together based on the input from the Bar along with suggestions from the Judges. This agenda was updated a few times prior to the date of the event. **See attachment E.**
6. An exit survey was created to gather feedback and information for future programs. **See attachment F.**
7. The presenters were notified of the meeting date and follow-up e-mails to keep them in the loop.

Additionally, all the Chief Clerks are required to report back a summary of these meetings and submit them to the Chief Court Administrator and to the Administrative Office of Court Operations. A template with this format is attached to this report. **See attachment G.**

Results

The pilot for this program was held at the Bridgeport Judicial District on Monday, March 23, 2009. The date was re-scheduled after the original date of March 2, 2009 was canceled due to the weather. First Assistant Clerk Wendy Kergaravat worked with Chief Clerk Donald Mastrony and the Hon. Richard Gilardi, Administrative Judge to develop all aspects of this program. The event at the Bridgeport Judicial District was successful with respect to the number of attorneys/support staff who attended (approx. 70 people) and the variety of information on the agenda.

The following is a summary of dates for all the Legal Exchange Programs. The reports are not attached as they are being submitted directly to Attorney Joseph D'Alesio, Executive Director of Court Operations.

- Wednesday, March 25, 2009, 3:00 PM – New London/Norwich Judicial District
- Monday, March 30, 2009, 2:00 PM – Hartford Judicial District
- Thursday, April 2, 2009, 3:00 PM – Windham Judicial District
- Monday, April 6, 2009, 3:00 PM – Stamford Judicial District
- Thursday, April 23, 2009, 3:00 PM – Middlesex Judicial District
- Tuesday, April 28, 2009, 2:00 PM – Meriden Judicial District
- Friday, May 8, 2009, 1:00 PM – Danbury Judicial District
- Friday, May 15, 2009, 2:00 PM – Litchfield Judicial District
- Monday, June 1, 2009, 2:30 PM – Waterbury Judicial District

Currently this group is still working with the remaining JDs to plan their programs.

It's important to note that every JD had a different agenda because each JD had different issues which needed to be addressed with the Bar. There were two (2) presentations that were required on everyone's agenda. These included presentations by Attorney Janice Calvi (E-Filing Developments) and Program Manager Roberta Palmer (Foreclosure Developments). The specific agenda (if applicable to that JD) will be attached to the report from the Chief Clerk along with any flyer or other materials used for the program.

Recommendations

As this first phase of the Legal Exchange program unfolds this group will learn more about what may work better for future programs. It is anticipated

that the shape of these programs will change over time as the needs of each JD change as well.

The following recommendations are being submitted based on the Legal Exchange(s) held at each JD:

- These programs should be held twice a year, once in the Fall after the October Practice Book and statutory changes go into effect and a Spring session with dates starting in late March/early April.
- Conduct survey/focus group of Bar and legal support staff to assess needs/wants/identify problems in advance of meetings and use to set agenda.
- A specific agenda should be created in each JD and should include topics submitted from the Bar/Legal support staff and from Judges and staff. This will help to establish a framework for discussion and to attract the Bar and legal support staff to the event. Topics on statewide programs/initiatives may be included at all locations, e.g., developments in e-filing.
- Consider scheduling programs based on needs/request of Bar on a specific topic(s) within civil, criminal, family, juvenile or housing to allow for detailed presentations to smaller groups.
- This Committee should work closely with the Uniformity of Court Procedures Committee. The Uniformity Committee and other Committees can use the Legal Exchange, where appropriate, as a forum to disseminate information.
- The goal is to enhance communication and collaboration amongst the Bench, the Bar and the Clerks' Offices; however, there are additional units within the Judicial Branch that are involved in providing services which impact the relationship between the court and the Bar. Participation and input at the Legal Exchanges from these groups could prove to be meaningful. For example, the role of Family Relations would be best addressed by the head of Family Relations in any given JD.
- Consider drafting a letter for the Chief Court Administrator to send to all judges at the beginning of the new term reemphasizing this initiative, to encourage support and involvement of this program.
- As a follow-up to the Legal Exchange Program there should be a portion of the web page on the Judicial Branch internet where "frequently asked questions and answers" can be compiled and posted. Or this type of information can be provided under the "Civil Procedures" section of the web page.

- The use of technology can be helpful at these programs. Prepare a list of aids available to the Chief Clerks when developing future programs. For example, a cordless microphone would be helpful for the presenters and to those asking questions from the audience. Also, the use of live internet can be helpful to those presenting a new initiative.

Attachment A

**Monday,
MARCH 2, 2009
at 3:00 PM**

**Where: Jury Room (7th floor)
1061 Main Street, Bridgeport, CT**

SAVE THE DATE

for a

LEGAL EXCHANGE:

***A meeting between the Bench, the Bar & the Clerk's
Offices (paralegals & support staff are welcome!)***

**RSVP by e-mail to Wendy.Kergaravat@jud.ct.gov
Or to Wendy in the Clerk's Office (1st Floor)**

**Ideas for agenda items are encouraged!
E-mail your suggested topic(s) to:
LegalExchange@jud.ct.gov**

Attachment B

To: Distribution
From: _____, Administrative Judge
Date: _____, 2009

Last year Chief Justice Chase Rogers formed the Public Service and Trust Commission. The Commission's charter is to guide the Judicial Branch over the next three to five years. One of the goals identified by the Commission is as follows:

The Judicial Branch will **improve its communication and collaboration** with the Executive and Legislative Branches of government and their agencies, **the Bar**, other partners, and the public, as well as within the Branch, to better serve the needs of all who interact with it.

To achieve this goal in part, Chief Clerk _____ and I are in the process of organizing the first such meeting with the local Bar which is scheduled to take place in (PLACE)** on (DATE/TIME)**. These meetings will provide a forum for discussing various local issues; communicate information about the implementation of new policies, statutes and Practice Book rules; and address problems that may arise between the Clerk's Office, the Bench and members of the Bar.

Please take a few moments to complete the survey below. Your input is important and necessary for the success of these meetings. Please sign and return the completed survey to me **no later than** _____. Thank you in advance for your anticipated cooperation and support.

I have also attached a "**General Announcement to be Read at Short Calendar Call**" and request that you read this announcement from the bench beginning on _____ up until the date of meeting on _____.

SURVEY re: Meetings with the Bar

1. Are there any issues that you would like addressed at the upcoming meeting? (e.g., inclusion of social security numbers in pleadings; sufficiency of military affidavits). Please attach additional sheet(s) if necessary.

2. Will you attend the meeting on _____ 2009?

Yes _____ No _____

3. If you attend the meeting, would you like to be included on the agenda?

Yes _____ No _____

Signature

Date

GENERAL ANNOUNCEMENT TO
BE READ AT SHORT CALENDAR CALL
FROM THE BENCH

Last year Chief Justice Chase Rogers formed the Public Service and Trust Commission. The Commission's charter is to guide the Judicial Branch over the next three to five years. One of the goals identified by the Commission is as follows:

The Judicial Branch will **improve its communication and collaboration** with the Executive and Legislative Branches of government and their agencies, **the Bar**, other partners, and the public, as well as within the Branch, to better serve the needs of all who interact with it.

To achieve this goal in part, Chief Clerk _____ and Administrative Judge _____ are in the process of organizing the first such meeting with the local Bar which is scheduled to take place on _____ at _____ in _____. These meetings will provide a forum for discussing various local issues; communicate information about the implementation of new policies, statutes and Practice Book rules; and address problems that may arise between the Clerk's Office, the Bench and members of the Bar. Your input is important and necessary for the success of these meetings. You are encouraged to e-mail suggested topics/agenda items to legalexchange@jud.ct.gov or you may contact _____, Chief Clerk regarding this initiative. Thank you.

Attachment C

MEMO TO: **Geographical Area Deputy Chief Clerks**
Housing Matters Deputy Chief Clerks
Juvenile Matters Deputy Chief Clerks
Foreclosure Mediation Specialists

FROM: _____, **Judicial District Chief Clerk**

SUBJECT: **Judicial Branch Clerks/Bar meetings**

One of the Judicial Branch's goals, as set forth in the Strategic Plan is to improve communication and collaboration with the Bar. In furtherance of that goal, the Chief Court Administrator, Judge Quinn, is directing that clerks' offices, under the direction of the Judicial District Chief Clerks, organize periodic meetings with the Administrative Judges, key clerk's office staff, members of the Bar and support staff from local law offices.

These meetings will be used to provide information and address concerns. For example, it is expected that during the first round of these meetings statewide we will be discussing among other things, developments in e-filing and the foreclosure mediation program. This is also an opportunity for you to suggest topics to be covered. If there are particular areas of interest or where you have noticed problems please let me know so we can place it on the agenda. Your role at these meetings will be to answer questions or present information specific to your area of expertise.

Letters have been sent to the Bar associations and paralegal associations around the state informing them of this initiative and requesting their input for topics for discussion. An e-mail account has been set up for this purpose:
LegalExchange@jud.ct.gov

The first of such meetings is planned for Bridgeport for March 2, 2009, followed by meetings in Hartford, Stamford and so forth. Information will be posted on the Judicial Branch website, flyers will be posted in the clerk's offices and announcements which will be read in court are being prepared.

This is an opportunity to improve relationships, services and satisfaction. Our commitment and support is essential to the success of this important initiative.

Attachment D

To: Distribution – Clerk’s Office
From: _____, Chief Clerk
Date: _____

Last year Chief Justice Chase Rogers formed the Public Service and Trust Commission. The Commission’s charter is to guide the Judicial Branch over the next three to five years. One of the goals identified by the Commission is to improve communication and collaboration with the Bar.

To that end, Administrative Judge _____, Chief Clerk _____ and I are in the process of organizing the first meeting with the local Bar which is scheduled to take place on _____, 2009. These meetings will take place at all the J.D.s throughout the state and will provide a forum for discussing various local issues; communicate information about the implementation of new policies, statutes and Practice Book rules; and *address problems that may arise between the Clerk’s Office, the Bench and members of the Bar.*

As “front-line” employees you have insight that is critical to identifying issues that need to be addressed in order to improve communications with the local Bar. Please take a few moments to complete the attached survey. Please complete and return the survey to me **no later than** _____ **2009**. Thank you in advance for your anticipated cooperation and support.

SURVEY re: Meetings with the Bar

1. What is the top reason for returning a document or pleading?

2. List suggestions for a “Top 10 Common Mistakes by the Bar” list below (e.g., defaults with a business: mailing motion to statutory agent & not to business address; mailing pleadings directly to the “foreclosure clerk” or “asbestos clerk”):

3. Do you have any suggested topics that you think should be included in the upcoming meeting that would improve communications with the local Bar? (e.g., coding issues; mailing and faxing issues; copy requests special proceedings issues; defaults for failure to appear/plead; executions; 17-23 motions; courtroom matters, jury and caseflow issues)?

4. Other comments:

Signature

Date

*Please attach additional sheet(s) if necessary.
Thank you for your input.*

Attachment E

PROGRAM for a Legal Exchange

Date: Monday, March 23, 2009
Time: 3 PM – 5 PM
Location: 7th Floor Jury Room, Bridgeport Superior Court
1061 Main Street, Bridgeport, CT

1. Purpose of the Meeting and Introduction of Judges Hon. Richard P. Gilardi, Administrative Judge
2. Introduction of Court Personnel (Civil, Criminal, Family, Housing and Juvenile) Attorney Donald J. Mastrony, Chief Clerk & Attorney Pasquale Spinelli, Deputy Chief
3. Inclusion of personal identifying information (e.g., social security numbers) on pleadings.
4. E-filing developments Attorney Janice Calvi
5. Foreclosure developments and Introduction of Foreclosure Mediation Team
Roberta Palmer, Program Manager
 - General Foreclosure Issues Attorney Robert Wilock II, First Assistant Clerk
 - Committee Motions for Payment Hon. Joseph W. Doherty, Judge
6. Appeal (Appellate and Supreme) Issues Appellate Clerk – To be Announced
7. Upcoming Short Calendar Changes Attorney Jason Lovallo, Assistant Clerk
 - Posting Assignments of Non-Arguable Calendar Hon. Arthur A. Hiller, Civil Presiding Judge
8. Special Proceedings open forum Attorney Jennifer St. John, Assistant Clerk
9. Open Discussion (forms will be available to submit questions in writing).
10. Suggested future topics, distribution of surveys and conclusion.

Attachment F

(Add Your Location)* Superior Court Exchange of Court and Legal Information Program – (DATE)

Thank you for coming to our program. Please take a few minutes and answer the following questions.

1. How did you find out about today's session?
 Newsletter
 Flyer (please specify which courthouse) _____
 Announcement in court (please specify which courthouse) _____
 Other (please specify) _____

2. How would you rate the overall usefulness of today's presentation:
(Circle One)

Poor Fair Good Very Good Excellent

3. What suggestions do you have that would have improved today's presentation?

4. What other topics do you like to see covered in this series?

5. If you would like to be included in any email notices and/or announcements please provide us with your name and email address:

Name _____

Address _____

E-Mail _____

LegalExchange@jud.ct.gov

Attachment G

_____ Legal Exchange Report

Date of Legal Exchange & time	
Location	
Flyer/Advertisement	
Agenda/Program	
List of Hand-outs	
Topics submitted in advance	
Number of questions submitted in Writing at Legal Exchange	
Number of non-judicial attendees	
Number of exit surveys completed	
Total Number of Judges present	
Number of Clerk's Office employees Present	
Appellate Clerks present	
Court Operations & Foreclosure Mediation Team	
Other	

Discussion Highlights:

Follow-up action:

Attachment H

The following is a portion of the text from a February 3, 2009 e-mail sent to all the Chief Clerks.

Suggested "next steps":

1. Confer with your Administrative Judge and select a date and time. Please notify us of the date/time as soon as possible.
2. Send a version of the attached memo to your GA, Juvenile and Housing Clerks, and Foreclosure Mediation Specialists. The memo (re)introduces this initiative and informs them that they will play a role at the meetings.
3. Prepare a "Save the Date" flyer for posting. A copy of the one being used for the 3/2/09 Bridgeport meeting is attached. Suggested posting spots include: public area in clerks' offices; caseload offices; public information counters; law library. E-mail a copy to your local bar association. Please e-mail us a copy as well.
4. Obtain approval from A.J. to send a survey to all judges in your district regarding the program and asking for comments/suggested topics. Also, obtain approval for the "general announcement" to be read at short calendar.
5. Distribute a survey to clerks' office staff asking for comments/suggestions. We suggest a return deadline of at least 2 weeks before the scheduled meeting.

We also have attached a copy of an exit survey for use at the meetings.

We will provide you with a copy of the agenda for the Bridgeport meeting as soon as it is available.

Please contact us with any questions or comments. We are committed to assisting you in any way we can.

Lorin Himmelstein
Wendy Kergaravat
Rose Ann Rush

ACCOUNTABILITY

The Judicial Branch will ensure a judicial system where all participants can expect and experience clear, fair and consistent justice from an independent and impartial judiciary.

GOODWIN SQUARE
225 ASYLUM STREET
HARTFORD, CONNECTICUT 06103-4302
860.522.5175 FACSIMILE: 860.522.2796

LOUIS R. PEPE
Attorney at Law
Lpepe@pepehazard.com
DIRECT: 860.241.2636

March 24, 2009

Honorable Chase T. Rogers
Chief Justice
Supreme Court
231 Capitol Avenue
Hartford, CT 06106

Re: **Public Service and Trust Commission Strategic Plan
/ CBA Standing Committee on Professionalism**

Dear Chief Justice Rogers:

The Connecticut Bar Association's Standing Committee on Professionalism was honored to be invited to assist the Judicial Branch in the implementation of that part of the Public Service and Trust Commission's Strategic Plan dealing with civility/decorum in the courts. You will recall that I met with your Honor and others from the Judicial Branch on October 9, 2008 to discuss how such collaboration might take place, and following that meeting we were delighted to have Judge DiPentima join our Standing Committee as the Branch's representative.

Since that time, the Standing Committee has focused on this issue in an attempt to identify specific steps it could and should take to facilitate "greater interaction between the Branch and the Standing Committee" with the objective of enhancing "civility and courtroom decorum" to the advantage of the bench, bar, litigants and other participants in the judicial process, as set forth in the Strategic Plan. This letter is to report to you on the progress made by the Standing Committee in that regard, as follows:

1. We believe that this objective of the Strategic Plan can only be satisfied with an ongoing cooperative effort between the bench and the bar. As I reported to you when we first discussed this, I believe an excellent relationship already exists between the bench and the bar, and, since it was formed in 2000, the Standing Committee has always enjoyed the complete and full support of the Judicial Branch in all its endeavors, including, but not limited to, its annual Bench/Bar Symposium on Professionalism (see below). We are confident that cooperative relationship provides a strong foundation on which we can build going forward as we address this issue.

March 24, 2009

Page 2

2. The addition of Judge DiPentima to the Standing Committee has proven to be so beneficial, that we think including a trial judge (so we have that perspective) would also be very helpful. Judge DiPentima agreed to suggest some names, and then I will ask the CBA President to make the appointment.
3. The signature event of the Standing Committee has been its annual Bench/Bar Professionalism Symposium conducted in a different Judicial District each year, at which lawyers and judges come together to discuss ways to enhance the level of professionalism, including, but not limited to, the issue of civility. We think we can sharpen the focus of the Symposium by adding a topic on judicial civility -- in addition to attorney civility, which has always been part of the subject matter.

These symposia have always been quite successful, well-received and well attended, and that is due in no small part to the support received from the Judicial Branch. Not only has the Branch made its courthouses available to conduct these programs, but the Chief Court Administrator has always agreed to suspend all but essential activity in that courthouse for that day, thereby maximizing the opportunity for lawyers and judges to attend. We believe that this program provides a useful forum for addressing the civility/decorum objective of the Branch's Strategic Plan, and we look forward to working together on this program in the years ahead.

4. Impressing upon law students the obligations they assume when they become members of the bar, including a duty to maintain and enhance the level of professionalism, has always been an important objective of the Standing Committee and one that fits well with our joint undertaking. We have a subcommittee focused on law schools, and I have asked it to prepare a list of specific proposals on just how our committee members can assist law schools in their efforts to teach professionalism.
5. Expanding upon that idea -- and one we discussed when we met last October -- the Standing Committee intends to arrange a "summit meeting" of the deans of the four area law schools to explore that idea and the notion of inculcating in law students the high ideals of our profession. Judge DiPentima has advised me that you have agreed to attend such a meeting, and we are very grateful for that, because I think the law schools deans should know the importance the Judicial Branch places on this matter. I will try to schedule such a meeting for next month or in May, and I will keep you advised of all developments.
6. I think we would agree that many new admittees to the bar simply do not have a full understanding of just what is expected from them with respect to their dealings with other lawyers and with judges. That is largely because they are never exposed in law school to the customs, usages and other "unwritten rules" of our profession. To

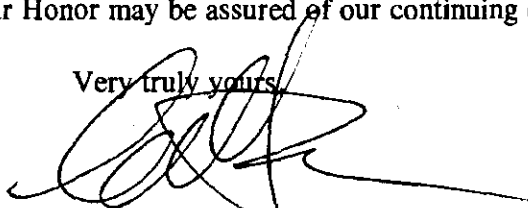
March 24, 2009
Page 3

overcome that, the CBA has been pursuing the idea of a mandatory mentoring program for all new admittees, and the Standing Committee has been working with the CBA Task Force on that topic. It is a significant undertaking that is proceeding more slowly than we wanted, but we are making progress. We hope to have a pilot program in place in one Judicial District within a year, and, if that produces the success or results we expect, we would work to make it statewide thereafter. We are confident that teaching appropriate courtroom behavior (and, indeed, professional behavior in all aspects of the practice) to new admittees will inevitably raise the level of civility and professionalism.

7. Pro se litigants present a different issue regarding civility and decorum in the courtroom. We have discussed this question but are, quite frankly, not certain how to approach it in conjunction with the Judicial Branch. We recognize it should be addressed and welcome any ideas from the Branch on how we might assist in this regard.
8. Finally, because, as suggested above, this is an ongoing effort, the Standing Committee is committed to meet periodically with your Honor or your Honor's appointee to discuss any other undertakings, programs and efforts that would be appropriate to advance the objectives of this Strategic Plan initiative.

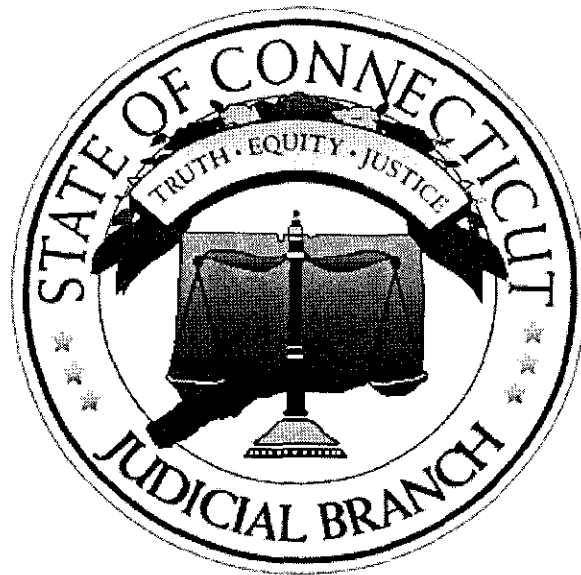
Again, the Standing Committee wishes to thank your Honor for involving it in this important initiative of the Branch's Strategic Plan. Your Honor may be assured of our continuing cooperation.

Very truly yours,



Louis R. Pepe

cc: (via e-mail)
Honorable Alexandra DiPentima
Honorable Barbara M. Quinn
Honorable Patrick L. Carroll
Joseph D. D'Alesio, Esquire



PUBLIC SERVICE AND TRUST COMMISSION

THE COURTHOUSE OBSERVATION AND SIMULATION TEAM

**SUMMARY OF ACTIVITIES
JULY 2008 THROUGH JUNE 2009**

Table of Contents

INTRODUCTION	3
METHOD	4
PRELIMINARY FINDINGS	6
EXHIBITS	8
COURTHOUSE OBSERVATION– JD AND GA COURTS FORM.....	8
COURTHOUSE OBSERVATION– SUPPORT ENFORCEMENT OFFICE FORM.....	10
COURTHOUSE OBSERVATION– TELEPHONE INTERACTION FORM.....	11

Introduction

In July 2008, the executive director of the Superior Court Operations Division chartered the Courthouse Observation and Simulation Team. This was in response to feedback gathered from more than 90 focus groups convened under the auspices of the Public Service and Trust Commission. Focus group members shared their experiences, perceptions, and opinions of the court system and suggested improvements to enhance the quality of services.

One of the trends identified from the work of the focus groups was that the delivery of services varied greatly from one courthouse to another. In an effort to further assess the extent of inconsistent delivery of services, the observation team was launched. The charge was two-fold:

- Note opportunities for improvement of service delivery, and
- Observe staff “doing things right.”

Team members were asked to visit courthouses as if they were members of the public, not Judicial Branch employees. They were encouraged to wear weekend attire during observations. This approach is modeled on the concept of “mystery shopping,” which is commonly used by private sector businesses and corporations to assess the quality of customer service and staff adherence to business practices.

The team is comprised of staff from each of the Superior Court Operations Units, and is facilitated by Alice Mastrony, research attorney, and Jamey Harris, program manager from the Executive Director's Office. Team member identities are known only to a few, thus minimizing the possibility that a staff member will be recognized during a courthouse visit. Approximately 20 staff members have served as observers over the course of the year.

Method

Members followed a protocol for each visit consisting of the following steps:

- Prepare
- Visit
- Document
- Debrief

Prepare: Prior to each visit, team members met to discuss the upcoming observation. They were expected to follow the driving directions posted on the Judicial Branch website rather than known shortcuts or alternate routes. Members also were asked to consider how they would respond if recognized during the observation.

Visit: While conducting all visits, members were encouraged to maintain a circumspect demeanor. They were directed not to challenge or question information given to them by an employee during a simulation. Observers were not charged with making corrections or improvements, only to observe, simulate an interaction, and record their experiences.

Observation and simulation are the two techniques team members employed while conducting visits.

Observation: Members observed the physical environment of the courthouse noting signage outside and within the building. They noted whether the courthouse was free from litter and graffiti, and they quietly observed interactions between courthouse employees and the public.

Simulation: At each courthouse, team members were instructed to ask prescribed questions as they interacted with courthouse staff from the following areas:

- Judicial marshals (at metal detectors)
- Clerks' offices (Housing, Civil, Criminal/Motor Vehicle, Small Claims, and Family)
- Public Information Desks and Court Service Centers
- Jury
- Support Enforcement Unit

Team members interacted with employees from these various offices as if they were courthouse visitors in need of assistance. For example, team members asked for sealed files and noted the responses of the clerks. They asked marshals for directions to various offices within the

courthouse, and they spoke with staff at Public Information Desks about how to file an appearance or waive fees. Team members discreetly recorded all courthouse staff responses.

In addition to in-person simulations, designated team members placed telephone calls to various clerks' offices. Members counted the number of telephone rings prior to answering, reviewed the ease of maneuvering the automated answering system, and posed the same questions to clerks as in the face-to-face simulations.

Document: Checklists and comment forms were developed for use by each team member during all courthouse visits. Over 30 specific observation elements were contained in the following areas:

- Directions
- Facilities/Signage
- Interactions with Staff
- Procedural Responses

The completed checklists and comment forms were summarized by the Executive Director's Office. Copies of these checklists and comment forms are included as exhibits to this report.

Debrief: After each observation, team members met to discuss their findings and share their experiences. This led to improvements in process and documentation.

Preliminary Findings

Approximately 50 visits were conducted at courthouses within the following judicial districts:

- Stamford
- New Haven
- Tolland
- Waterbury
- New Britain
- Middlesex

A brief summary of the four primary observation areas follows:

Directions: Observers discovered significant errors on the website driving directions for three courthouses. Errors included right turns marked as left, and Interstate 84-West listed on the web directions as I-84-East. Corrections were verified and posted to the Judicial Branch website.

Facilities/Signage: Observers were asked to navigate their way around each courthouse by referring to the directories or other signs. In some facilities, victim services advocate's offices were not listed on the building directories, and signage for handicap entrances was not readily apparent. These issues were referred to the Executive Director's office.

Interactions with Staff:

The visits to date have yielded mixed results. The team reported many exemplary interactions with courthouse employees, as well as instances of staff greeting observers as "just another face at the window" or "body through the metal detector." Overall, observers have reported friendly, professional, and courteous interactions with staff. One observer recently noted, "I was very impressed with the level of service provided at the courthouse. All staff that I encountered seemed very willing to help and assist me. As I looked around, it seemed that other members of the public were being treated in a similar manner."

Procedural Responses:

As part of the simulation activities, observers requested forms and sealed files, and asked "how do I..." questions of clerks and information center staff. At one court service center, the observer was particularly impressed when the center staff took the time to "cherry pick" the forms he needed to initiate a divorce. The observer noted that the center staff could have simply referred him to the *Do It Yourself Divorce Guide*, but instead took the extra time needed to assist him. In general, the courthouse responses have been accurate and consistent across the districts.

Additional data collected during the upcoming visits will be factored into these initial findings from which trends will be derived and further appropriate actions taken.

The team is scheduled to complete its first round of visits to the remaining seven judicial districts by December 2009.

Exhibits

Courthouse Observation-- JD and GA Courts Form

Observer Name:				
Date:		Time:		
1. Directions (Judicial Website) (In comments indicate route taken)	Yes	No	N/A	Comments Check Only
(a) Directions to courthouse were accurate				
(b) Directions to parking were provided				
2. Exterior of building/parking area	Yes	No	N/A	Comments Check Only
(a) Free of litter/trash				
(b) Adequate lighting/ Secure area				
3. Entry to the building	Yes	No	N/A	Comments Check Only
(a) Able to locate the entrance from the parking area				
(b) Entrance was clearly marked				
(c) Handicapped access was clearly marked				
(d) Building was open at 8:30 AM				
(e) Line at the metal detector				
(f) Length of wait at the metal detector				
(g) Directions given on metal detector procedure				
4. Navigating around the building	Sign	Map	Pers.	Comments Check Only
LOCATE THE FOLLOWING OFFICES				
(a) Clerk's Office (specify office type)				
(b) Jury Assembly Room				
(c) Victim Services Advocate				
(d) Public Info. Desk/Court Service Center				
(e) Law Library				
(f) Casflow Office				
5. Marshals (metal detector)	Yes	No	N/A	Comments Check Only
(a) Were you able to bring in your laptop, cell phone or camera?				
(b) Did you obtain information on the location of the rest rooms/Support Enforcement Office/ Victim Services Advocate?				
6. Interpersonal Communications (General)	Yes	No	N/A	Comments Check Only
(a) Was the marshal's appearance neat and clean?				
(b) Was the marshal wearing a name tag?				
(c) Was the marshal courteous and professional?				
(d) Did the marshal listen to your request and respond appropriately?				
(e) Were other court visitors treated appropriately?				

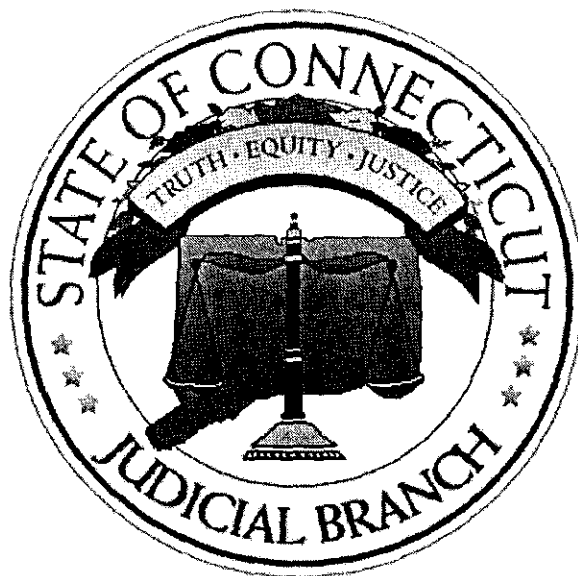
7. Clerk's Office	Yes	No	N/A	Comments Check Only
(a) Were appropriate responses given to general Civil questions? (see list)				
(b) Where appropriate responses given to general Criminal questions (see list)				
(c) Were appropriate responses given to Family questions? (see list)				
(d) Were appropriate responses given to Housing questions? (see list)				
(e) Were appropriate responses given to Small Claims questions? (see list)				
(f) Where appropriate response given to Jury questions? (see list)				
(g) Where appropriate procedures followed when you asked to view files? (see list)				
(h) Did the office appear neat / uncluttered?				
(i) Were staff eating at their desks?				
8. Interpersonal Communications (IDENTIFY CLERK'S OFFICE ON COMMENT PAGE)				Comments Check Only
(a) How long did you wait before a staff member acknowledged you? (minutes and seconds)				
(b) Was the staff member's appearance appropriate for the job, work setting and personal safety?				
(c) How long did it take to complete your business/transaction? (minutes and seconds)				
(d) Did the staff member ask if you needed any further assistance?				
(e) Did the Clerk allow you to enter the Jury Assembly Room?				
(f) Did the Clerk provide you with a referral to the toll-free jury number, or the Judicial website?				
(g) Were other court visitors treated appropriately?				
9. Court Service Center Public Information Desk	Yes	No	N/A	Comments Check Only
(a) Were appropriate responses given to procedural/informational questions? (see list)				
10. Interpersonal Communications (General)	Yes	No	N/A	Comments Check Only
(a) How long did you wait before a staff member acknowledged you? (minutes and seconds)				
(b) Was the staff member's appearance appropriate for the job, work setting and personal safety?				
(c) Did the staff member listen to your request and respond appropriately?				
(d) How long did it take to complete your business / transaction? (minutes and seconds)				
(e) Did the staff member ask if you needed any further assistance?				
(f) Were other court visitors treated appropriately?				

Courthouse Observation– Support Enforcement Office Form

Observer Name:				
Date:		Time:		
1. Directions (Judicial Website) (In comments indicate route taken)	Yes	No	N/A	Comments Check Only
(a) If S.E. Office is not at the Courthouse what was the source for the directions?				
(b) Directions were accurate				
(c) Directions to parking were provided				
2. Support Enforcement Office	Yes	No	N/A	Comments Check Only
(a) My friend has a court date, but he cannot find the paper. Is there a number he can call to get that information?				
(b) Did you receive information on how to modify a child support order?				
(c) Were you told where you should send your child support payments?				
(d) Did you obtain information on how/where to get visitation/custody of a child?				
3. Interpersonal Communications (General)	Yes	No	N/A	Comments Check Only
(a) How long did you wait before a staff member acknowledged you? (minutes and seconds)				
(b) Was the staff member's appearance appropriate for the job, work setting and personal safety?				
(c) Did the staff member listen to your request and respond appropriately?				
(d) How long did it take to complete your business/transaction? (minutes and seconds)				
(e) Did the staff member ask if you needed any further assistance?				
(f) Were other court visitors treated appropriately?				

Courthouse Observation– Telephone Interaction Form

Observer Name:				
Date:		Time:		
1. TELEPHONE INTERACTION	Yes	No	N/A	Comments Check Only
(a) Were you able to obtain information on the availability of interpreter services at the clerk's office?				
(b) Were you told that you could file your small claims action locally?				
(c) Were you able to obtain information about a hearing date in a specific matter?				
(d) Were you given information about how to obtain a copy of the judgment in your dissolution case?				
2. Interpersonal Communications (General)	Yes	No	N/A	Comments Check Only
(a) How long did you wait before a staff member answered the phone? (number of rings)				
(b) Did the staff member answer the phone in a professional manner?				
(c) Did the staff member listen to your request and respond appropriately?				
(d) How long did it take to obtain the information? (minutes and seconds)				
(e) Did the staff member ask if you needed any further assistance?				
(f) Was the automated menu system helpful?				



PUBLIC SERVICE AND TRUST COMMISSION
COMMITTEE ON EXPECTATIONS OF THE PUBLIC

2009 REPORT

Table of Contents

TABLE OF CONTENTS	2
INTRODUCTION	4
EXECUTIVE SUMMARY	6
Recommendations on Criminal/Motor Vehicle Matters	9
Recommendations on Housing Matters.....	10
Recommendations on Juvenile Matters.....	11
Recommendations on Small Claims Matters	12
Recommendations on Support Enforcement/Family Matters	13
DISCUSSION	15
Subcommittee on Criminal/Motor Vehicle Matters	16
Subcommittee on Housing Matters.....	17
Subcommittee on Juvenile Matters	18
Subcommittee on Small Claims Matters	19
Subcommittee on Support Enforcement/Family Matters	20
CONCLUSION	21
EXHIBITS	22
Exhibit A	22
Exhibit B.....	24
Exhibit C.....	26
Exhibit D	28
Exhibit E.....	30
Exhibit F	33
Exhibit H	37
Exhibit I.....	39
Exhibit J.....	41
Exhibit K	42
Exhibit L.....	45

Exhibit M	47
Exhibit N	48
Exhibit O	50
Exhibit P	52
Exhibit Q	53
Exhibit R	54
Exhibit S	55
Exhibit T	56
Exhibit U	60
Exhibit V	64
Exhibit W	67
Exhibit X	71
Exhibit Y	80

Introduction

The Committee on Expectations of the Public was created as part of the implementation of the strategic plan and was charged with examining ways to define and to communicate clear and consistent information about expectations and court processes for and to all who enter Judicial Branch facilities or interact with the Branch. This charge was derived from the strategic plan outcome goal on Accountability. That goal states:

The Judicial Branch will ensure a judicial system where all participants can expect and experience clear, fair and consistent justice from an independent and impartial judiciary.

The first strategy intended to move the Branch toward the realization of the outcome goal mandates that the Branch “establish clear and consistent expectations and processes for all constituents.” The steps toward accomplishing the strategy listed in the plan include making information on the court process readily available and providing information to all who interact with the Branch regarding courtroom decorum and court processes. Providing clear and consistent information on what to expect or do in court ensures that participants have an understanding of the processes, provides them with a sense of predictability and fairness, increases efficiency by reducing multiple court appearances and the amount of time each appearance takes, and fosters the public’s trust and confidence in the judicial system. It is in these two areas that the Committee on Expectations focused its efforts. A third step, displaying expectations of court staff prominently, will be addressed by a subsequent committee, as set forth in the recommendations that follow.

The Committee on Expectations of the Public was co-chaired by the Hon. James W. Abrams and the Hon. Robert E. Beach, Jr. The members of the committee were: , Hon. James M. Bentivegna, Atty. Cynthia Luckart Cunningham, Atty. Regina Dowling, Hon. Mark T. Gould, Atty. Charisse E. Hutton, Atty. Susan Kim, Atty. Stacey Manware, Atty. Peter McShane, Hon. Leslie Olear, Hon. Robin A. Pavia, Atty. Brandon Eric Pelegano, Hon. Richard M. Rittenband, Atty. Roy Smith, Jr., Mr. Frank Rizzo, Mr. Christopher Roy, Hon. Jed N. Schulman, Family Support Magistrate, Hon. Kenneth L. Shluger, Hon. Mark Taylor, Mr. Richard Tynan, and Hon. Dawne G. Westbrook.

The Committee identified areas in which people would most frequently interact with the courts without having had any prior experience with the courts and without the assistance of counsel. These people require more assistance in navigating the court system and understanding what to expect. The members of the committee then formed five subcommittees to examine the identified areas: criminal/motor vehicle matters, housing matters, juvenile matters, small claims matters, and support enforcement/family matters. The committee and its subcommittees met separately and together a total of twenty times from late November 2008 to early May 2009. For each specific area, the subcommittees reviewed the Judicial Branch website and existing Branch programs, services and publications that assist the public and identified ways to improve and expand the information that was provided in order to reduce confusion and anxiety of the public and enhance their understanding of the process. The subcommittees also discussed ways to provide information to the public. As a result of the review and discussions, the subcommittees made recommendations and developed brochures and materials to assist the public.

Executive Summary

The recommendations of the Committee are listed in this summary. Detailed information on these recommendations may be found in the subcommittee reports, which are attached to this committee report as Exhibits A through E. No attachments are included with the individual subcommittee reports because those materials are referenced in these recommendations and attached to this report as Exhibits F through X.

General Recommendations

1. Make Frequently Asked Questions (FAQs) and all other publications available in multiple locations: on the Judicial Branch website, in Court Service Centers and at Public Information Desks, at clerks' offices, in courtrooms, in law libraries and in public libraries. Publications should also be made available through Legal Services, legal clinics at the University of Connecticut, Quinnipiac University and Yale University, and through the 211 information line for the state.
2. Make information available to the public in multiple formats to the greatest extent possible and provide links to all available formats.
3. Group all materials, including relevant forms, publications, and available audiovisual resources, and display them together online to make it easier for the public to locate and access these materials. Consideration should also be given to including a link to the law libraries' "Pathfinder" series.
4. Include links to outside resources, including the Department of Motor Vehicles website so the public has access to related information on such questions as license suspension and assignment of points on a license as a result of a motor vehicle matter and the Department of Social Services website so the public has access to information on paternity, for example.
5. Make Frequently Asked Questions (FAQs) and all other publications available in multiple languages based upon the recommendations from the Committee on Limited English Proficiency, which is analyzing data to determine the language

needs in the state. Currently, only four subject matter areas have FAQs in Spanish: Landlord/Tenant, Jury Duty, Traffic Tickets, and Child Support. Only sixteen out of approximately 70 Branch publications online are available in Spanish, and only one is available in Chinese, one in Polish and one in Portuguese.

6. Review and update the directions to court facilities on the website to ensure that all directions provided are accurate and complete.
7. Review and revise all publications and online information to ensure that material for the public is written at a level and in a way that is understandable for the large percentage of court users, avoiding or explaining court jargon and Latin phrases used in court proceedings.
8. Publish tri-fold brochures in the areas of Criminal/Motor Vehicle Matters, Housing, Small Claims, and Support Enforcement that provide information on what to expect when a person goes to each of these courts, including general information (i.e., what time to get to the court, where to park, what to call a magistrate or judge, and the procedures at the metal detectors) and area-specific information (i.e., how to pay a fine, what a housing specialist does, or why it is important to remain in court until a matter is resolved.) (Exhibit F, G, H and I) Brochures could be distributed in accordance with the first recommendation. In addition, the brochure on family support magistrate court could be distributed through Support Enforcement Services, including being served by Support Enforcement Officers in conjunction with the court documents.
9. Test all draft brochures, notices or other materials to be certain that they are clear, understandable and effective. It is suggested that copies of the draft brochures, for example, be provided through the public information desks, court service centers and clerks' offices in two judicial districts for a two to three week period. Feedback from those who used the brochures could be obtained.
10. Convene a smaller group that includes representation from the Committee on Public Service Excellence to discuss and draft a "Statement of Rights and Responsibilities" for people who interact with the Judicial Branch. The statement should include information on the standards of service and performance that

people can expect when interacting with the Branch and the steps to take when those standards are not met. It should also contain the information regarding the standards of courtroom decorum expected from those who interact with the Branch. The Committee was not able to address this aspect of its charge in the time available, but it recognizes that such a statement is important. It should be posted online, displayed prominently in clerks' offices, court services centers, and at public information desks.

Recommendations on Criminal/Motor Vehicle Matters

1. Review and update the Frequently Asked Questions (FAQs) on Traffic Violations.
2. Review and revise the "Not Guilty" letter for Criminal/Motor Vehicle matters to be certain that the information provided is accurate.
3. Revise the language of the "Not Guilty" letter that is sent to people who plead "Not Guilty" in order to incorporate information on what will happen on the initial hearing date. (Exhibit J)
4. Review the notice of hearing that is sent and consider adding material to assist the public as they come into the motor vehicle court on the day of their hearing.
5. Assess the way that criminal dockets are labeled and displayed in criminal/motor vehicle courts and investigate other methods of providing the information to the public on where a case will be heard.
6. Consideration should be given to developing an informational video presentation on a day in Criminal/Motor Vehicle Court, following a person from the time they enter the courthouse through the metal detector through the meeting with the prosecutor and into the courtroom. This videotape could be run at the courthouse in the Court Service Centers or Public Information Desks, provided to public access television stations for broadcast and accessible from the Judicial Branch website.

Recommendations on Housing Matters

1. Make interpreters available on some basis for Housing Matters, for example, at a designated time and date at a courthouse.
2. Improve signage at Housing Courts to provide clearer direction and information to the public, and to provide signage in multiple languages. This recommendation should be directed to the committee that will be formed to review existing signage and make recommendations for changes.
3. Provide a “Dear Litigants” letter, containing information on what will happen in Housing Court on the day of the hearing, to be given to people when they come to court to file an appearance or on the day of the hearing. (Exhibit K) It should also be made available in accordance with the first recommendation.
4. Implement the reading of a Greeting/Announcement at the beginning of the day by the clerk or a Judge in the Housing Court. (Exhibit L) The announcement would provide an oral overview or roadmap of what would happen during the day in the housing court, emphasizing important points, such as not leaving the court until instructed to do so by a clerk, a Judge, or a housing specialist.
5. Revise the housing court notice of hearing to include language making it clear to litigants that failure to come to court can result in the entry of a judgment.
(Exhibit M)
6. All brochures, letters and notices should be tested at several courts. The drafts, as approved by Legal Services, should be provided to court service centers, public information desks and clerks’ offices in several locations along with a brief survey to assess whether the information is helpful to the public.

Recommendations on Juvenile Matters

1. Develop information packets in a question and answer format on specific topics in the area of juvenile law. Three publications have been drafted by the subcommittee: Emancipation (Exhibit N), Post-disposition Change of Guardianship (Exhibit O), and Juvenile Delinquency and Families with Service Needs Records (Exhibit P). Additional publications should be developed.
2. Provide bus schedule information, where applicable, in the Juvenile Court Clerks' Offices. A guide for obtaining this information has been developed for distribution. (Exhibit Q)
3. Investigate the possibility of implementing a modified children's center, perhaps partnering with a college or school with an early education program.

Recommendations on Small Claims Matters

1. An information sheet entitled "What to Expect on the Day of Your Small Claims Hearing" should be sent to each litigant along with the Notice of Hearing. (Exhibit R) This information sheet should also be available in accordance with the suggestions in the first recommendation.
2. Revise the Notice of Hearing sent to litigants in small claims matters to incorporate plain language principles, emphasize important information, and update or correct court directions. (Exhibit S)
3. Develop a simplified procedure and a fillable form to permit a defendant to request that a satisfaction of judgment be entered by the court in the event that a plaintiff fails to file the satisfaction of judgment with the court.
4. Include questions and answers containing information on the postjudgment process and the consequences of a small claims judgment with the notice of judgment sent by the court in small claims matters. (Exhibit T and Exhibit U) This material should also be available in accordance with the first recommendation.

Recommendations on Support Enforcement/Family Matters

1. Add the following key topics to the Frequently Asked Questions (FAQs) section on the Judicial Branch homepage: Domestic Violence, Family, with subheadings for Divorce, Custody, Visitation or Access, and Paternity. Specific suggestions for each topic are contained in the appendices to this report. (Exhibit V) In general, each topic area should include links to relevant Branch forms, publications, or audiovisual materials.
2. Convene a group of court service center staff and clerks' office personnel to develop a list of the most frequently asked questions and answers in each of these areas. Input from the Court Operations webmaster should also be solicited to identify the questions most frequently asked on the web.
3. Add links to the existing Child Support section for the newly drafted brochure on What Happens When You Go to Family Support Magistrate Court, provide a summary of the main elements of the Advisement of Rights that is read from the bench, add a section called "What to Expect in Family Support Magistrate Court" drawing content from the draft publication, and add a link in the FAQ section on resources for self-represented litigants to the draft publication.
4. Revise the notices generated by the child support automated system (CCSES) served on the defendants at their last known address, two to three weeks before any court date, advising them of the court date, time and place to include information to help litigants better prepare for court and know what to expect from their court experience.
5. Two scripts for videos providing general information on matters that would be heard in family court (short calendar hearings, uncontested dissolutions, contested dissolutions, and contempt hearings) and on matters that would be heard by the family support magistrate (paternity, support, contempt, and modification) were developed by the subcommittee on Support Enforcement/Family Matters. (Exhibit W and Exhibit X) These scripts should be referred to the Committee on Self-represented Parties, which is developing a series of videos about various areas of the law, including family law, for further development and production.

6. Review and revise the following publications on family matters as suggested in Exhibit Y:
 - a. The **Do It Yourself Divorce Guide** (JDP FM 179, Rev. 5-05)
 - b. The **Do It Yourself Divorce Guide Supplement** (JDP FM 180, Rev. 10- 05)
 - c. The **Procedures for Relief from Abuse Process** (JDP-FM 142, Rev. 8-07)
 - d. The **Parenting Education Programs** (JDP-Fm-151, Rev. 6-07)

Discussion

Each of the subcommittees of the Committee on Expectations of the Public reviewed the Judicial Branch website and existing Branch programs, services and publications that assist the public in navigating the court in its specific area. Based upon that review, each subcommittee made recommendations and drafted materials aimed at providing clear and consistent information on court processes and procedures in order to make the experience of those who interact with the Branch less confusing, stressful and intimidating. Additionally, providing clearer information will reduce the number and duration of court appearances. In the course of the subcommittees' work, the bulleted list of issues or ideas from the focus groups that were conducted in the development of the strategic plan and the items in its charge were discussed and addressed. In some cases, the item had already been addressed, such as providing a small card to inform litigants of the next court date. Court Operations has already developed these cards and provided them to the courts statewide. In other cases, such as items related to the development of programs and services to assist or educate the elderly, expanding the Public Service Excellence Program or developing a uniform policy/procedure as to the assignment of and access to interpreters, other committees were charged more directly with addressing the issues. For example, the External Affairs Advisory Board is developing programs and services aimed at specific populations; the Public Service Excellence Committee is developing a four-tier program to enhance public service; and the Committee on Limited English Proficiency is addressing interpreter issues.

The following is a summary of the work of each of the subcommittees.

Subcommittee on Criminal/Motor Vehicle Matters

The subcommittee on Criminal/Motor Vehicle Matters focused on assisting people through the motor vehicle process once they had received a ticket and decided to plead "Not Guilty." Information on this aspect of the motor vehicle process is provided online, on the complaint ticket that people receive from the police, in the "Not Guilty" letter that people receive from the Centralized Infractions Bureau once they return the ticket with a "not guilty" plea, and from court personnel at public information desks. Materials on Traffic Violations are also available online. After a review, the subcommittee identified areas where improvements could be made, including grouping and displaying all related materials together, updating the existing Frequently Asked Questions (FAQs) to incorporate changes to the payment and notification process, and including a link to the Department of Motor Vehicles website to provide ready access to related information on questions such as license suspension and the assignment of points as a result of a motor vehicle matter.

In addition, the subcommittee identified an absence of information on the practical aspects of coming to court on a motor vehicle matter. For example, many people do not know that a ticket is referred to as an infraction by the courts so the terminology can be confusing to them. Also, in most courts, people will have to meet with a prosecutor on the day they come to court, and any hearing on the infraction will not take place on that first day. This information is also not clearly stated in the existing materials. The consequences of not paying a fine or not going to court are also not clearly set out in the existing materials, and as a result, people are often surprised to find their license suspended. People who have never been to the court may not know about the metal detector at the door, what time they should arrive at court or how long they should expect to be at court.

The subcommittee's recommendations are aimed at disseminating this type of information as widely as possible to let the public know what to expect, reduce their anxiety and result in more efficient service to the public. Those recommendations include revisions to the "Not Guilty" letter, the publication of a brochure on what happens when people come to motor vehicle court, and considering the development of an information video presentation on a day in criminal/motor vehicle court. (See Exhibit A)

Subcommittee on Housing Matters

The subcommittee on Housing Matters found that Frequently Asked Questions (FAQs) about landlords, tenants and evictions are online. Guides for landlords and for tenants on summary process, a booklet on entry and detainer and a pamphlet on rights and responsibilities of landlords and tenants are also available online and in clerks' offices and court services centers. Legal assistance is provided by Housing Court clerks and staff at the Housing Courts and by court service center and public information desk staff in all locations. After a review, the subcommittee found that the available publications contain excellent information, but that there is a need to provide the information in multiple languages to address the needs of a diverse population. The subcommittee also found that the diverse population needed interpreters for housing matters and is recommending that interpreters be provided on some basis. This subcommittee is also recommending that the committee that will be formed to review existing signage should improve the signage and directories in Housing Courts to provide clearer direction and information to the public.

This subcommittee also identified a lack of information on the practical aspects of coming to court, on what people should expect and on what is expected of them when they do come to court. For example, people are often unaware of the possible negative consequences of failing to respond to hearing notices or other legal papers or of leaving the courthouse before they are instructed to do so.

The subcommittee's recommendations are directed at enhancing public understanding of the process in housing court and emphasizing the potential negative consequences of ignoring notices or legal papers. Those recommendations include the statewide use of a "Dear Litigants" letter, the reading of a greeting/announcement by the clerk or the Judge at the beginning of the day in Housing Court, revising the notice of hearing to add language making it clear to litigants that the failure to come to court can result in the entry of a judgment, and the publication of a brochure on what happens when a person comes to housing court. (See Exhibit B)

Subcommittee on Juvenile Matters

The subcommittee on Juvenile Matters focused on ways to assist people in the juvenile courts. Many of the people who come into juvenile courts will have court-appointed counsel and obtain information from that counsel; others have already interacted with the Department of Children and Families and have already received information before they arrive at court. Also, the variations in how people come into the juvenile system, the information they would know or need, and the logistics in the juvenile facilities are quite extensive. These factors make developing publications with universally-applicable information quite difficult.

Nevertheless, the subcommittee did identify several areas where changes could be made to assist people in juvenile courts. The subcommittee is recommending that the committee that will be formed to review existing signage should improve the signage and directories in Juvenile Courts to provide clearer direction and information to the public. Also, recognizing that many of the people who come to juvenile court are dependent upon public transportation, the subcommittee is recommending that bus schedule information be provided, where applicable, at the Juvenile Court clerks' offices. A guide to obtaining this information has been developed. The subcommittee is also recommending that another small committee be formed to investigate the possibility of implementing a modified children's center, perhaps partnering with a college or school with an early education program. Many people coming to Juvenile Courts have children with them and it can be difficult to focus on the matters before the court when a person is distracted by a young child.

The subcommittee is also recommending that additional publications should be made available addressing the most common questions on processes and procedures in Juvenile Courts. Although Juvenile Clerks are readily available at the courts and by telephone to answer questions and provide information, and many people are represented by attorneys, questions do arise. Providing clear explanatory materials online and at the courts will enhance the public's understanding of the processes. The subcommittee has prepared drafts of information packets on three specific topics and it is recommending the development of additional packets for Juvenile Courts on other topics. (See Exhibit C)

Subcommittee on Small Claims Matters

The work of this subcommittee overlapped with work done by the Bench-Bar Centralized Small Claims Committee, which allowed the subcommittee to focus on two specific areas of the small claims process: the small claims hearing and post-judgment proceedings, including the collection of a judgment and satisfaction of judgment. Frequently in small claims matters, people either fail to come to their hearing prepared to proceed with their cases or they fail to come to their hearing at all. In both situations, the consequences can be serious. In addition, after the hearing and judgment, some successful plaintiffs do not understand that the court will not collect the judgment on their behalf and some unsuccessful defendants do not realize the potential consequences of a small claims judgment. The subcommittee is recommending several ways to address these issues, including revising the notice of hearing to incorporate plain language principles and emphasize important information; enclosing question and answer information sheets on the postjudgment process and consequences of a small claims judgment, as appropriate, with a notice of judgment; and enclosing an information sheet on what to expect on the day of the small claims hearing with a notice of hearing. The information sheets would also be available on the web site and in clerks' offices and court service centers.

This subcommittee also identified a lack of information on the practical aspects of coming to small claims court, including where to park, what time to arrive and how to address the magistrate hearing the case. It is recommending the publication of a brochure that has been drafted, which provides this information as a means to reduce the anxiety of the public when they come to small claims court.

The subcommittee also identified a need for the development of a simplified procedure and a form to permit a defendant to request that a satisfaction of judgment be entered by the court in the event that a plaintiff fails to file a satisfaction of judgment with the court. This procedure would allow a defendant to avoid the consequences of a plaintiff's failure to file a satisfaction of judgment, including the continued online display of the small claims action long after the judgment has been satisfied. The subcommittee is recommending that a smaller group draft a procedure and a form for submission to the Rules Committee. (See Exhibit D)

Subcommittee on Support Enforcement/Family Matters

This subcommittee focused on expanding and enhancing the materials available for the public in connection with family matters and improving the online accessibility of information for the public, but it also made universal recommendations on the website, including providing information in multiple languages, multiple formats, and written in a way that is understandable to most court users. It also recommended that information be grouped so that all forms, publications and other resources are accessible from one location. Specifically in the area of family matters, the subcommittee reviewed existing information and areas for which Frequently Asked Questions (FAQs) should be developed and provided on the web site, linked to all other relevant information and resources. Those areas are Domestic Violence, Family, with subheadings for Divorce, Custody, Visitation or Access, and Paternity. The subcommittee is recommending that a group of court service center staff and clerks' office personnel be formed to develop the most Frequently Asked Questions (FAQs) and answers in each of these areas. The subcommittee also reviewed existing publications and suggested revisions, including updating of information and the simplification and clarification of the language in those publications.

The subcommittee also looked at ways to provide information to the public on the processes and procedures in the family support magistrate and family courts. The subcommittee drafted two scripts for videos providing general information on matters that would be heard in family court (short calendar hearings, uncontested dissolutions, contested dissolutions, and contempt hearings) and on matters that would be heard by the family support magistrate (paternity, support, contempt, and modifications). The subcommittee is recommending that the scripts be referred for further development to the Committee on Self-represented Parties, which is developing a series of videos on various areas of the law. The subcommittee also drafted a brochure that answers many of the practical questions people would have about what happens in family support magistrate court, including what a support enforcement officer does, what paperwork is needed, and where to park. Providing this kind of information will alleviate some of the stress of people coming to the family support magistrate court and enhance their understanding of the process. (See Exhibit E)

Conclusion

The Committee on Expectations of the Public was charged with specific tasks: examining ways to define and communicate clear and consistent information about expectations and court processes for and to all who enter Judicial Branch facilities or interact with the Branch. Through recommendations for the enhancement and expansion of existing information and publications, the development of new publications, and the wider dissemination of information, the Committee on Expectations has addressed a need to provide people with an understanding of what they can expect in their interactions with the Judicial Branch and what is expected of them. Additional work must be done to develop and display a statement of standards of performance for staff and standards of decorum for all who use the court system. Establishing and communicating clear and consistent expectations and processes for all who interact with or work within the Branch will enhance the public's trust and confidence in the judicial system.

Exhibits

Exhibit A

Expectations of the Public Subcommittee on Criminal/Motor Vehicle Matters

The subcommittee members were: Atty. Peter McShane, Hon. Robin A. Pavia (chair), Hon. Richard M. Rittenband, Atty. Roy Smith, Jr., and Hon. Mark H. Taylor.

The Committee on Expectations of the Public was charged with examining ways to define and communicate clear and consistent information about expectations and court processes for and to all who enter Judicial Branch facilities or interact with the Branch. The full committee formed five subcommittees to examine specific areas, including small claims matters, support enforcement/family matters, criminal/motor vehicle matters, juvenile matters, and housing matters.

The Subcommittee on Criminal/Motor Vehicle Matters met twice times during January and February to review the currently available material on criminal/motor vehicle matters and develop possible approaches to assist people to make their experience in the Criminal/Motor Vehicle Court less frightening and confusing. The subcommittee members agreed that their focus should be in preparing material and information to assist people through the motor vehicle process once they have received a motor vehicle ticket, including the method of payment for a ticket and what a person must do and can expect at a motor vehicle hearing after a not guilty plea has been entered. Further consideration should be given to providing information in other areas of criminal matters at a later time.

Areas for Consideration

A. Review the existing Judicial Branch programs, services and publications that assist the public in navigating the criminal/motor vehicle court.

The subcommittee reviewed available programs, services and publications and found:

- Frequently Asked Questions about traffic violations are online in English and in Spanish;
- Information on Motor Vehicle Matters is also provided on the complaint ticket that people are given at the time of the violation/infraction;
- Information is also provided in the "Not Guilty" letter that people receive from the Centralized Infractions Bureau once they plead "Not Guilty."
- Court personnel at Public Information Desks are also available to answer questions from the public.

The subcommittee is making the following recommendations:

- Frequently asked questions and all other publications (i.e., the proposed tri-fold brochure) should be made available on the Judicial Branch website, in Court Service Centers and at Public Information Desks, at clerks' offices, and in public libraries and in law libraries.

- All materials on criminal/motor vehicle matters should be made available and grouped and displayed together on the website in order to make it easier for the public to locate and access these materials. To the extent possible, the Branch should include a link to the Department of Motor Vehicles website so the public has access to related information on such questions as license suspension and assignment of points on a license as a result of a motor vehicle matter.
- The Frequently Asked Questions should be reviewed and updated to be certain that the information that is provided is completely accurate. For example, the payment of fines at the court by means of a credit card should be incorporated and the fact that the local court does not send a notice of the hearing date should also be revised.
- The “Not Guilty” letter should also be reviewed and updated to be certain that the information provided is accurate. (Further recommendations on this letter are shown in the subsection below.)
- In order to reach a broader audience, consideration should be given to developing an informational video presentation on a day in Criminal/Motor Vehicle Court, following a person from the time they enter the courthouse through the metal detector through the meeting with the prosecutor and into the courtroom. This videotape could be run at the courthouse in the Court Service Centers or Public Information Desks, provided to public access television stations for broadcast and accessible from the Judicial Branch website.

B. Although the Branch provides information on traffic violations through the frequently asked questions on the website, those questions do not address the practical aspects of coming to court, on what people should expect and what is expected of them when they come to court, and on the consequences of not coming to court. A clear and concise statement of what people should expect when they come to the motor vehicle court would reduce the anxiety of the public, enhance their understanding of the process, and provide basic information on the potential negative consequences of failing to take care of a motor vehicle infraction ticket. The ultimate result will be fewer license suspensions, fewer motions to open, and greater satisfaction with the process. After extensive discussion, the subcommittee decided to recommend that the Branch:

1. Revise the language of the “Not Guilty” letter that is sent to people who plead “Not Guilty” in order to incorporate information on what will happen on the initial hearing date. Many people are not aware that no trial will take place on that date and are also not aware that they may be able to meet with the prosecutor and resolve their motor vehicle matter on that day, but they will have to be prepared to pay the fine.
2. Review the notice of hearing that is sent and consider adding material to assist the public as they come into the motor vehicle court on the day of their hearing.
3. A tri-fold brochure that provides information on various aspects of Motor Vehicle Court, including what time to get to the court, where to park, what to call a magistrate, or how to pay a fine. The brochure provides information on the potential negative consequences of not paying a fine and the options for an appeal.

Exhibit B

Expectations of the Public Subcommittee on Housing Matters

The subcommittee members were: Hon. James Bentivegna (chair), Hon. Robert Beach, Atty. Susan Kim, and Mr. Richard Tynan.

The Committee on Expectations of the Public was charged with examining ways to define and communicate clear and consistent information about expectations and court processes for and to all who enter Judicial Branch facilities or interact with the Branch. The full committee formed five subcommittees to examine specific areas, including small claims matters, support enforcement/family matters, criminal/motor vehicle matters, juvenile matters, and housing matters.

The Subcommittee on Housing met three times during January and February to review the currently available material on housing and develop possible approaches to assist people to make their experience in the Housing Court less frightening and confusing.

Areas for Consideration

- B. Review the existing Judicial Branch programs, services and publications that assist the public in navigating the housing court.

The subcommittee reviewed available programs, services and publications and found:

1. Frequently Asked Questions about landlords and tenants and evictions are online in English,
2. Housing Court forms and four publications (separate landlord and tenant guides to summary process, a booklet on entry and detainer, and a pamphlet on the rights and responsibilities of landlords and tenants in Connecticut) are available online in English and in Spanish;
3. These publications and forms are also available in clerks' offices and court service centers; and
4. Legal assistance is provided by Housing Court clerks and staff at the Housing Courts (statutorily mandated in Housing Courts but not in the G.A.) and information and assistance is provided by Court Service Center and Public Information Desk staff as well.

The publications currently available contain excellent information, but the subcommittee noted that there was a need to provide information and assistance to people with diverse education and experience and with different language needs. Also, navigation within Branch facilities where housing courts are located could be simplified. The subcommittee is making the following recommendations:

1. Publications should be made available on the Judicial Branch website, in Court Service Centers and at Public Information Desks, at clerks' offices, and in the courtroom in multiple languages based upon the recommendations from the Committee on Limited English Proficiency, which is analyzing data to determine the language needs in the state.

2. Interpreters for Housing Matters should be available on some basis, for example, at a designated time and date at a courthouse.
 3. Signage at Housing Courts should be improved in order to provide clearer direction and information to the public. Signage should also be available in multiple languages. This recommendation should be directed to the committee that will be formed to review existing signage and make recommendations for changes.
- C. Although the Branch provides information on landlord and tenant law and the initiation and defense of a summary process action, it does not provide as much information on the practical aspects of coming to court, on what people should expect and what is expected of them when they come to court, and on the consequences of not coming to court. A clear and concise statement of what to expect in the housing court would reduce the anxiety of the public, enhance their understanding of the process, and emphasize the potential negative consequences of failing to respond to hearing notices or other legal papers. The ultimate result will be fewer defaults, fewer motions to open, and greater satisfaction with the process. After extensive discussion, the subcommittee decided to recommend that the Branch develop the following materials to assist the public in Housing Court:
4. A "Dear Litigants" letter to be given to people when they come to court to file an appearance or on the day of the hearing. It could also be made available in Court Service Centers, Public Information Desks, clerks' offices and online. The letter attached provides information on what will happen in Housing Court on the day of the hearing and emphasizes the importance of remaining at the court on the day of the hearing.
 5. A "Greeting/Announcement" to be read by the clerk or the Judge at the beginning of the day in the Housing Court. The announcement would provide an oral overview of roadmap of what would happen during the day in the housing court, emphasizing important point, such as not leaving the court until instructed to do so by a clerk, a Judge, or a housing specialist.
 6. A revised notice of hearing that includes language making it clear to litigants that failure to come to court can result in the entry of a judgment.
 7. A tri-fold brochure that provides information on various aspects of the Housing Court, from what time to get to the court to where to park, to what to call a Judge or what a housing specialist does. The brochure emphasizes the importance of coming to court on time and remaining at court until a person is told to leave. This brochure would also be available in Court Service Centers, Public Information Desks, clerks' offices, and online.

Exhibit C

Expectations of the Public Subcommittee on Juvenile Matters

The subcommittee members were: Atty. Cynthia Luckart Cunningham, Atty. Regina G. Dowling, Hon. Mark T. Gould (chair), Hon. Leslie I. Olear, Atty. Brandon Eric Pelegano, and Hon. Dawne G. Westbrook.

The Committee on Expectations of the Public was charged with examining ways to define and communicate clear and consistent information about expectations and court processes for and to all who enter Judicial Branch facilities or interact with the Branch. The full committee formed five subcommittees to examine specific areas, including small claims matters, support enforcement/family matters, criminal/motor vehicle matters, juvenile matters, and housing matters.

The Subcommittee on Juvenile Matters met three times from January to March to review the currently available material on juvenile matters and develop possible approaches to assist people to make their experience with the Juvenile Court less stressful.

Areas for Consideration

C. Review the existing Judicial Branch programs, services and publications that assist the public in navigating the Juvenile Court.

This subcommittee found that there is not enough material available regarding juvenile matters currently available online or on paper. In general, many people who come into juvenile courts are getting court-appointed counsel and obtain information from that counsel; others have already interacted with the Department of Children and Families, so they also have received information before they arrive at the court. Also, the variations on how a person comes into the juvenile system, what information they would know or need, and the logistics in the juvenile facilities are quite extensive. It is difficult, therefore, to develop a "one size fits all" brochure or other publication with general information that is universally applicable.

The subcommittee discussed a variety of other ways to assist people in juvenile court, including providing better signage, having greeters at the courts, providing information on parking and public transportation, providing information on frequently asked questions for teens and parents on topics like emancipation, addressing the needs of families that come into the juvenile system with young children, and providing information as to the privacy and confidentiality of proceedings and court information. After extensive discussion, the subcommittee is making the following recommendations:

- The committee that will be formed to review signage in Branch facilities should take steps to improve the signage and directories in Juvenile Courts to make navigation in these facilities easier.
- Bus schedule information should be provided, where applicable, at the Juvenile Court Clerk's offices. A guide for Clerks to obtain this information about public transportation has been developed.

- The possibility of a modified children's center (maybe partnering with a college or school with an early education program) should be investigated by the Branch.
- D. The Branch does not provide many publications or other online information on juvenile processes and procedures currently, although the clerks are readily available at the courts and by telephone to answer questions and provide information. Although many people are represented by attorneys in the Juvenile Court and the clerks are committed to responding to questions quickly and completely, questions still arise. Clear explanatory materials addressing the most common questions on processes and procedures in the Juvenile Court would reduce the confusion of those who interact with the court and enhance their understanding of the process. After discussion, the subcommittee recommends the following:
- Information packets on specific topics in a question and answer format should be developed. Three publications have been drafted by the subcommittee: on Emancipation, Post-disposition Change of Guardianship, and Juvenile Delinquency and Families with Service Needs Records. Additional publications should be developed in other areas. These publications should be made available at juvenile court facilities, online, through law libraries, at court service centers and public information desks, and through juvenile clinics at the three Connecticut law schools: University of Connecticut, Quinnipiac University and Yale University.

Exhibit D

Expectations of the Public Subcommittee on Small Claims Matters

The subcommittee members were: Hon. James W. Abrams, Atty. Stacey Manware (chair), and Mr. Christopher Roy.

The Committee on Expectations of the Public was charged with examining ways to define and communicate clear and consistent information about expectations and court processes for and to all who enter Judicial Branch facilities or interact with the Branch. The full committee formed five subcommittees to examine specific areas, including small claims matters, support enforcement/family matters, criminal/motor vehicle matters, juvenile matters, and housing matters.

The Subcommittee on Small Claims met four times from December to February to review the currently available material on small claims and develop possible approaches to assist people to make their experience with the Small Claims Court, both at and after the hearing on their claims, less confusing.

Areas for Consideration

D. Review the existing Judicial Branch programs, services and publications that assist the public in navigating the small claims court.

The work of this subcommittee overlaps with work that has been done by the Bench-Bar Centralized Small Claims Committee, which, among many other tasks, has already done a review of the frequently asked questions on the website and the publications on small claims that currently exist and will be suggesting changes to these materials and the display of this information on the website.

This subcommittee found that the available materials provided extensive helpful information on the small claims process. However, it identified a need for simple information specifically intended to assist people in two areas: the small claims hearing and the postjudgment proceedings, including the collection of a judgment and satisfactions of judgments. Frequently in small claims matters, people either fail to come to their hearing at all or they fail to come to their hearing prepared to proceed with their case. In both situations, the consequences can be serious. In addition, after the hearing, successful plaintiffs do not understand that the court will not collect the judgment on their behalf and unsuccessful defendants do not realize the potential consequences of a small claims judgment. After extensive discussion, the subcommittee developed materials to address these problems.

The subcommittee is making the following recommendations:

- The Notice of Hearing sent to litigants in small claims matters should be revised to incorporate plain language principles, emphasize important information, and update or correct directions. A revised draft of a notice of hearing has been prepared.
- It is also recommended that the directions on the website should be reviewed and corrected. This process of checking the online directions and the directions

in the small claims notices has begun and should be completed so that all directions provided by the Branch are accurate.

- A set of questions and answers containing information on the postjudgment process and the consequences of a small claims judgment should be sent with the notice of judgment sent by the court: one set would be directed at the judgment creditor; a second set would be directed to the judgment debtor. The questions and answers should also be available online, in the court service centers and public information desks, and in the small claims clerk's offices.
- The subcommittee also recommends that a simplified procedure and a form be developed to permit a defendant to request that a satisfaction of judgment be entered by the court in the event that a plaintiff fails to file the satisfaction of judgment with the court.

E. Although the Branch provides information on small claims processes and procedures, it does not provide as much information on the practical aspects of coming to court, what time to arrive, where to park, or how to address the magistrate. A clear and concise statement of what to expect in the small claims court would reduce the anxiety of the public and enhance their understanding of the process. The ultimate result will be fewer delays, increased decorum, and greater satisfaction with the process in general. After extensive discussion, the subcommittee decided to recommend that the Branch develop the following materials to assist the public:

- An information sheet entitled "What to Expect on the Day of Your Small Claims Hearing" should be sent to each litigant along with the Notice of Hearing. The sheet would include information on the security procedures at the metal detector, locating the courtroom, how to address the court, what materials should be brought to court, and how to dress. This information sheet should also be available in Court Service Centers, Public Information Desks, clerks' offices and online.
- A tri-fold brochure that provides information on various aspects of Small Claims Court. The brochure is in a question and answer format and includes information on what time to get to the court, where to park, what to call a Magistrate, and how to behave in the courtroom. The brochure would also be available in Court Service Centers, Public Information Desks, clerks' offices, and online.

Exhibit E

Expectations of the Public Subcommittee on SES/Family Matters

The subcommittee members were: Atty. Charisse Hutton, Mr. Frank Rizzo, Hon. Kenneth Shluger (chair), and Magistrate Jed Schulman.

The Committee on Expectations of the Public was charged with examining ways to define and communicate clear and consistent information about expectations and court processes for and to all who enter Judicial Branch facilities or interact with the Branch. The full committee formed five subcommittees to examine specific areas, including small claims matters, support enforcement/family matters, criminal/motor vehicle matters, juvenile matters, and housing matters.

The Subcommittee on Support Enforcement/Family Matters met four times between December and February to review the currently available material on support enforcement and family matters, make recommendations on enhancing and expanding those materials, and develop possible approaches to assist people in making their experience in the Family Support Magistrate Court more understandable.

Areas for Consideration

E. Review the existing Judicial Branch website with respect to materials on family matters

The subcommittee reviewed the website both in general and specifically with respect to family matters. The recommendations of the subcommittee regarding expansion and enhancement of the website in general and in the area of family are attached to this report. A summary of those recommendations follows.

In general, the subcommittee recommends that:

- Frequently asked questions and answers should be provided in English and Spanish. Translation into additional languages is recommended based on the findings of the Committee on Limited English Proficiency.
- All material for the public should be written at an 8th grade level or below, and the use of court jargon and Latin phrases should be avoided, where possible, and explained, where necessary;
- Helpful information should be provided to the public in multiple formats and all available information on a topic, whether forms, publications, frequently asked questions or audiovisual resources, should be linked to provide "one-stop shopping" for the public. Consideration also should be given to including a link to the law libraries "Pathfinder" series, which contains a wealth of information on family topics, although they appear to be written for an audience with legal training.

The subcommittee reviewed available materials and publications on family matters and found that while the Branch has some very helpful information available about family matters in both English and Spanish, that information is not available on the website. In

addition, the access and navigation to the family matters information on the website could be improved and certain high volume subject matter areas should be addressed.

The subcommittee therefore recommends that:

- The areas of Domestic Violence; Family, with subheadings for Divorce, Custody, Visitation or Access, and Paternity should be addressed on the website, including adding frequently asked questions in these areas to the website, linking to information about these areas at other sites, and providing links to forms, either specific to these areas or to family forms in general.
- Links in all areas should be provided to all resources, including audiovisual resources, as information in other formats becomes available.

F. Review existing Judicial Branch publications to ensure that all information is accurate and current, written in plain language, and available in multiple languages. Publications should also direct the public to the Judicial Branch website.

The subcommittee made specific recommendations including the updating of information, the inclusion of references to the Judicial Branch website, the addition of Spanish language versions of publications, and the simplification and clarification of language on the following publications:

- Do It Yourself Divorce Guide (JDP FM 179, Rev. 5-05)
- Do It Yourself Divorce Guide Supplement (JDP FM 180, Rev. 10-05)
- Procedures for Relief from Abuse Process (JDP-FM 142, Rev. 8-07)
- Parenting Education Programs (JDP-Fm-151, Rev. 6-07)

C. Provide clear and concise information about what to expect in the family support magistrate and family courts to reduce the anxiety of the public and enhance their understanding of the process.

The subcommittee discussed a number of possible approaches to provide members of the public with information on the processes and procedures in the family support magistrate and family courts. Each of the items discussed below is attached to this subcommittee report.

1. Members of the subcommittee drafted two scripts for videos providing general information on matters that would be heard in family court (short calendar hearings, uncontested dissolutions, contested dissolutions, and contempt hearings) and on matters that would be heard by the family support magistrate (paternity, support, contempt, and modification). The Committee on Self-represented Parties is developing a series of videos about various areas of the law, including family law so that the subcommittee is recommending that these two scripts be referred to that committee for further development and production.
2. The subcommittee also drafted a brochure that provides information on various aspects of family support magistrate court, including what time to arrive at court, where to park, what an attorney general or support enforcement officer does, and what behavior is expected. The brochure tries to address the practical questions a person would have on coming to family support magistrate court. The

subcommittee recommends that this brochure be developed by the Branch to assist the public in family support magistrate court.

3. The subcommittee also recommends the development of a bulleted summary/quick reference guide of the advisement that is provided in family support magistrate court. This summary is not intended to replace the advisement that is read in court, but rather is intended to provide a summary for use by parties, both before and after the reading of the advisement. Of a necessity, the advisement covers many different situations. The bulleted summary would allow people to focus on the sections that are relevant to their situation, while not being distracted by those portions of the advisement that are not relevant.

The brochure and the bulleted summary of the advisement could be made available in Court Service Centers and Public Information Desks, in clerks' offices, and on the website. In addition, it is suggested that additional methods are available for distribution through Support Enforcement Services, allowing the Branch to reach litigants who have not filed an appearance.

It was noted that Support Enforcement Services serves court documents on every litigant involved in a postjudgment proceeding in family support magistrate court. Primarily, these proceedings involve motions for modification of child support orders or contempt applications. Service of process is performed by process servers employed by Support Enforcement Services, called Support Service Investigators (SSIs). They may also be served by Support Enforcement Officers in the office. Support Enforcement Services has the opportunity to give any additional written material to litigants at this time, in conjunction with the court documents.

In addition, the child support automated system (CCSES) generates a notice to all parties, at their last known address, two to three weeks before any court date, advising them of the court date, time and place. These notices could be revised to include information to help litigants better prepare for court and know what to expect from their court experience.

Exhibit F

If I lose my trial before the Magistrate, is there anything I can do?

You may apply for a trial by a Superior Court Judge up to five days after the decision is made by the Magistrate. The clerk's office can give you an application to ask for a new trial. (trial de novo) The trial will be scheduled at a future date with a Superior Court Judge. It will not be a jury trial. Once you have the trial in front of the Judge, you will not be able to take the decision of the Magistrate or to any offer from the prosecutor.

If I have to pay a fine, what methods of payment does the Court accept?

- Cash
- Personal check: You must have a valid photo ID and the preprinted name and address on the check must match your ID.
- Credit Card: You may pay with your Master Card or Visa.
- Money order or Certified Bank Check: You must have the money order or check made out in the exact amount of the fine.

Where do I pay my fine?

All fines must be paid at the Clerk's office. You will get a receipt when you pay your fine.

What happens if I do not pay my fine or I don't come to court at all?

If you do not pay your fine or if you do not come to court, your driver's license may be suspended and you may have to pay additional costs. Courts do not suspend your license or reinstate your license. If your license is suspended, you should contact the Department of Motor Vehicles (DMV) at (860) 263-5720 for information.

How will this ticket (infraction) affect my license?

After a hearing (before a Magistrate or a Judge), if there is a conviction (a finding of guilty) or a bond forfeiture, points will be assessed against your license by the Department of Motor Vehicles (DMV). You may get more information on the assessment of points on the DMV website at <http://www.ct.gov/dmv/lib/dmv/regulations/137a.pdf>

How long will I be at Court?

How long you will be at court depends on the number of cases at the court that day. You should plan on being at the court for the whole day, but court staff will try to get you out as quickly as possible. Most cases will be finished before lunch.

What are the basic rules of courtroom conduct?

Before you enter the courtroom, please:

- Turn off any cell phone, beeper, and pager you may have
- Throw away all food, drinks and chewing gum
- Take off any hat you are wearing unless you wear it for religious reasons

When you are in the courtroom, please:

- Sit quietly until it is your turn to speak
- Stand when the Magistrate enters or leaves the courtroom and when you are speaking with the Magistrate
- Refer to the Magistrate as "Magistrate" or "your honor."
- Be sure to answer all questions out loud
- Do not interrupt other people when they are speaking.

What Happens



When You Go To Traffic Court

You received a Complaint Ticket, which you may hear referred to as an infraction or a violation. When you decided to plead "Not Guilty," you signed the back of the ticket and sent it to the Centralized Infractions Bureau (CIB) or you called CIB at (860) 263-2750.

Your case has been transferred to a Superior Court location for the area where your ticket was issued. You probably have questions about what will happen when you come to court. This brochure will answer some of your questions. For more information go to the Branch website at <http://www.jud.ct.gov/faq/traffic.html>, the clerk's office, or court service centers and public information desks.

The information in this brochure is not a substitute for legal advice.

Do I have to have a Lawyer?

You do not have to have a lawyer come with you to court, and the court does not appoint a lawyer for you in infraction cases. You may bring a lawyer to court if you want.

Is there a dress code or any requirements about what I can wear to Court?

The Court is a formal setting so you should dress appropriately. For example, you should probably not wear t-shirts or jeans with holes in them, tank tops, halter tops, or revealing clothing.

Where can I park?

Some courthouses have parking, but many do not. You may need to park in nearby lots or garages or find on-street metered parking. For information, please check the website http://www.jud.ct.gov/directory/court_directions.htm or call the clerk's office.

What time should I come to the courthouse?

You will want to be at the courthouse at least 15 minutes before the time that is in the Notice you received. Courts have metal detectors at their entrances, so it may take extra time to enter the building.

What will happen when I get to the courthouse?

The courthouse doors open at 8:30 AM. Please be prepared to wait briefly in a line at the entrance. When you enter the courthouse, you will have to walk through a metal detector. The metal detector is operated by the Judicial Marshals, who provide security for the courthouse.

Any metal items can set off the metal detector. You will have to empty your pockets of all metal objects before walking through the metal detector, and anything you bring with you will be scanned. If your belt has a large metal buckle or your jacket has large metal buttons or zippers, for example, you may be asked to take it off. Things that could be used as a weapon (for example, a pocket knife) will be taken from you so please do not bring them with you.

Where do I go once I get into the courthouse?

Once you have gone through the metal detectors, you should find the courtroom for your case. In some courthouses, lists of the cases scheduled for the day (dockets) are posted on the wall in the lobby or hallway. You may see several lists of cases. Cases are listed alphabetically by the person's last name. If you don't see your name on a list or if there are no lists posted in the hallway or lobby, please go to the Clerk's Office or the Public Information Desk and ask for help.

What do I do next?

You must meet with the State's Attorney (also called a prosecutor), who represents the state. Where you go to meet with the state's attorney is different from courthouse to courthouse. If you are not sure where the state's attorney is, please go to the clerk's office, the public information desk or the court service center for help.

What happens after I meet with the State's Attorney?

After meeting with you, the State's Attorney may:

- Tell you that no further action will be taken on your case. This is called a **Nolle**
- Offer to let you pay a smaller fine to end your case; or
- Tell you that the original fine will not be reduced and must be paid in full.

What if I do not want to pay any fine at all?

If you do not want to pay the reduced fine or the full fine, you may ask for a court trial with a Magistrate. You can't have a jury trial in an infraction case.

Will my court trial take place right away?

Your trial in front of the Magistrate will not take place on the first day you come to court. It will be scheduled for a future date. The court will send you a notice of the date and time for your trial. At that hearing, the Magistrate will listen to you and to the person who gave you the ticket. You may also bring witnesses and evidence to the court. If you decide to ask for a trial, you cannot take any of the offers made to you by the prosecutor and the Magistrate may add court costs and fees to any fine that is ordered.

Exhibit G

What are the basic rules of courtroom conduct?

Before you enter the courtroom, please.

- Turn off any cell phone, beeper, and pager you may have
- Throw away all food, drinks and gum
- Take off any hat you are wearing unless you wear it for religious reasons

When you are in the courtroom, please

- Sit in the courtroom quietly until it is your turn to speak
- Stand when the Judge enters or leaves the courtroom and when you are speaking with the Judge
- Refer to the Judge as "Judge" or "Your Honor"
- Be sure to answer all questions out loud when you are asked any questions. If you nod your head, the person making the record of the proceedings will have to ask you to speak so that your answer will be recorded
- Do not interrupt other people when they are speaking.

What is a Housing Specialist?

A Housing Specialist is a trained mediator who works for the court. The specialist will meet with you and the other people in your case to try to work out an agreement (also called a settlement) so you do not need to have a trial. After your case is called in court, you will be asked to wait in the lobby until a specialist calls you for mediation (a discussion with you and the other parties in the case).

Do I have to make an agreement?

No, you don't have to make an agreement, and no one will ever force you to make an agreement to settle a case. But many cases do settle after people have the chance to talk with the specialist.

What if the attorney for the other side wants to talk to me?

Attorneys often talk with the other parties in a case to try to settle it without waiting to see a housing specialist. You can make a private agreement with the attorney and bring it to the Judge for approval. If you have an attorney, you should tell the attorney to talk to your attorney. If you do not have an attorney, and at any time you feel pressured or intimidated, you can stop talking to the attorney and wait to be called by the housing specialist.

What happens if I make an agreement?

If you and the other people in your case can agree, with the help of the housing specialist or by talking to each other, you will be asked if you understand the terms of the agreement and if you are willing to agree to the terms of the agreement. This is called a "cauvass" and the questions are asked by the Judge, the housing specialist or the clerk. The Judge will then make a decision in your case, which is called a stipulated judgment. Once the Judge makes a decision, everyone has to follow the terms of your agreement just like a judgment after a trial.

What happens if I do not make an agreement?

If you do not make an agreement, your case will be decided by the Judge. Both you and the other party may present your witnesses and tell the court your story.

Be ready to give a short summary of your side of the case to the Judge. Bring with you to court any papers or pictures that support your case. Also, if you have witnesses, bring them with you in case you have a trial. You should have specific questions for your witnesses.

What Happens



When You Go To Housing Court

Going to Court for any reason can be an unsettling experience. This pamphlet will give you answers to questions that you might have about what you can expect when you come to the Housing Court.

What should I wear to Court?

The Court is a formal setting so you should dress appropriately. For example, you should probably not wear t-shirts or jeans with holes in them, tank tops, halter tops, shorts or revealing clothing. If you are bringing people with you to court, please remind them to dress appropriately too. The marshal may ask anyone who is not dressed appropriately to leave the courtroom.

Can I bring my children to Court?

Try not to bring your children to court. The day can be long for young children, and if they become noisy, they will distract people in the courtroom, interrupt the proceedings, and make it hard to hear the taped record that is made of all court proceedings.

What time should I come to the courthouse?

The notice that you will receive telling you the day that you should come to court will also tell you the time that you should be in Court. You should be at the court at least fifteen minutes before the time written in your notice. For example, if the court papers say to appear at court at 9:30 AM, you should plan to arrive at the courthouse no later than 9:15 AM. Courts have metal detectors at their entrances, so it may take extra time to enter the building.

Where can I park?

Some courthouses have parking, but many do not. You may need to park in nearby lots or garages or find on-street parking. For information, please call the Clerks' Office or check the website: http://www.jud.ct.gov/director/court_directions.htm.

What will happen when I get to the courthouse?

The courthouse doors open at 8:30 AM. Please be prepared to wait briefly in a line at the entrance. When you enter the courthouse, you will have to walk through a metal detector, which is operated by the Judicial Marshals, who provide security for the courthouse.

Any metal items can set off the metal detector. You will have to empty your pockets of all metal objects before walking through the metal detector, and anything you bring with you will be scanned. If your belt has a large metal buckle or your jacket has large metal buttons or zippers, for example, you may be asked to take it off. Things that could be used as a weapon (for example, a pocket knife) will be taken from you so please do not bring them with you.

How long will I be at the Court?

It is hard to answer this question because it depends on the number of cases in the court that day, how long the other hearings take, or if you make an agreement. Most cases are finished by lunch time, but you should plan on being at the court for the whole day. The court staff will try to get you out as quickly as possible.

Do I have to have a Lawyer?

No, you do not have to have a lawyer. You will have to decide if you want to have a lawyer, but if you decide you want one, you may hire one on your own. Since this is a civil case, the court will not appoint one for you. That only happens in criminal cases and some other cases where you could be put in jail. The Clerks' Office, the Court Service Center or the Public Information Desk can give you phone numbers for statewide legal services, which will decide if they will take your case.

Where do I go once I get into the courthouse?

You should go into the courtroom and sit down. The clerk will read off a list of case names (docket call). When you hear your name, please speak out loud to tell the clerk that you are in the courtroom. The clerk will then mark your case "Ready." The clerk will then tell you to see the Housing Specialist. You may be asked to take a seat outside of the courtroom to wait, or you may be sent immediately to see the Housing Specialist.

What if I get to Court late and I don't hear the list of cases?

If you get to the court late, you may miss the list of cases (docket call) and you may lose your case for not coming to the trial. If you are late, please wait until the Judge takes a break (recess) and talk to the Clerk.

What if I don't hear my name when the Clerk reads the list of cases?

If you do not hear your name, wait until the Judge takes a break. Then you can go up to the clerk and ask for help. You may be told to go to the Clerks' Office to check your file.

Exhibit H

The Small Claims Court has simpler rules than the regular civil court with forms and procedures designed to be more easily understood by people without legal training. However, you may still be uncertain about what will happen on the day you come to the Court. This brochure will answer questions on what happens when you come to Small Claims Court. For more information go to <http://www.jud.ct.gov/fac/smallclaims.html>

Is there a dress code or any requirements about what I can wear to Court?

The Court is a formal setting so you should dress appropriately. For example, you should probably not wear t-shirts or jeans with holes in them, tank tops, halter tops, or revealing clothing.

Can I bring my children to Court?

Try not to bring your children to court. The day can be long for young children, and if they become noisy, it will distract people in the courtroom, interrupt the proceedings, and make it hard to hear.

What time should I come to the courthouse?

You will want to be at the courthouse at least 15 minutes before the time of your hearing, which is in the Notice of Hearing. For example, if the time in the notice is 9:30 AM, you should be at the courthouse no later than 9:15 AM. You must enter the courthouse through a metal detector, so it may take extra time to enter the building.

Where can I park?

Some courthouses have parking, but many do not. You may need to park in nearby lots or garages or find on-street parking. For information, please call the clerk's office or check the website: http://www.jud.ct.gov/directory/court_directions.htm

What will happen when I get to the courthouse?

The courthouse doors open at 8:30 AM. Please be prepared to wait briefly in a line at the entrance. When you enter the courthouse, you will have to go through a metal detector. The metal detector is operated by the Judicial Marshals, who provide security for the courthouse.

Any metal items can set off the metal detector. You will have to empty your pockets of all metal objects before walking through the metal detector, and anything you bring with you will be scanned. If your belt has a large metal buckle or your jacket has large metal buttons or zippers, for example, you may be asked to take them off. Things that could be used as a weapon (for example, a pocket knife) will be taken from you so please do not bring them with you.

How long will I be at the Court?

How long you will be at court depends on the number of cases in the court that day, how long the other hearings take, or whether you make an agreement with the other side. You should plan on being at the court for the whole day. The court staff will try to get you out as quickly as possible.

Do I need a Lawyer/Attorney?

The Small Claims Court has been set up to allow you to handle your own case from start to finish. However, attorneys are allowed in the Small Claims Court. If you decide that you want a lawyer, you will have to hire one. The court will not appoint a lawyer for you.

Where do I go once I get into the courthouse?

Once you have gone through the metal detector, look for signs saying where the Small Claims Court will be. If you don't see a sign, ask a Marshal or someone in the Clerk's Office where the Small Claims Court is.

If court has not started when you enter the courtroom, go to the clerk and show the clerk the notice you received or tell the clerk your name or the name of your case. If you come into Court late, let the Magistrate or the Clerk know you are there when there is a break between cases. If you do not let them know you are in court, you may lose your case because no one knew you were there.

What is a Magistrate?

A magistrate is an attorney who is appointed to hear and decide small claims cases. Some court locations may have attorneys who have volunteered to act as hearing officers (commissioners) to assist the court in hearing small claims cases. These volunteer attorneys have been approved by the court and, if both you and the other party agree, your case may be decided by a hearing officer.

What do I need to do after I tell the clerk I am in the courtroom?

When Court begins, the Magistrate will sit behind the bench and will read the list of cases to be heard that day. When you hear the name of your case, stand up and let the Magistrate know that you are there. If you do not hear the name of your case, tell the Magistrate when he or she is finished reading the list.

What are the basic rules of courtroom conduct?

Before you enter the courtroom, please:

- Turn off any cell phone, beeper and pager you may have
- Throw away all food, drinks and gum
- Take off any hat you are wearing unless you wear it for religious reasons

When you are in the courtroom, please:

- Stay in the courtroom quietly until it is your turn to speak
- Stand when the magistrate enters or leaves the courtroom and when you are speaking with the magistrate
- Refer to the Magistrate as "Magistrate" or "your honor"
- Be sure to answer out loud when you are asked any questions.
- Do not interrupt other people when they are speaking

What should I bring with me to court on the day of my hearing?

On the day of your hearing, unless you and the other party make an agreement, you will have a trial on that date. Before you come to court, you may want to write some notes about what you want to tell the court about your case. You will also want to have:

- Your notice of hearing.
- Any papers that support your claim, such as pictures, canceled checks, letters, paid bills, receipts, damage estimates, or agreements. Bring copies for the other party and the Magistrate.

Also, if other people saw what happened or have information that will support your claim (witnesses), bring them with you on the date of your hearing. You may want to have specific questions for those people (your witnesses). The Magistrate or hearing officer will swear in all the witnesses before anyone asks questions.

When do I find out the Magistrate's decision?

The Magistrate might give the decision from the bench. If not, the court will send you a notice telling you the decision.

What if do I don't agree with the Magistrate's decision?

The Magistrate's decision is final and you cannot appeal a Small Claims Court decision.

Does the Court collect my money?

No, but you may talk go to the clerk's office or the Court Service Center for help with forms and ways to collect your money.

What Happens



When You Go To Small Claims Court

You have been given papers that tell you that you must go to the Family Support Magistrate Court because of a child support matter. Some of the reasons why you may have to come to the Family Support Magistrate Court are:

- You may have been given papers by a marshal or a child support investigator for a legal finding that you are the father or mother of a child.

The notice or papers will tell you the date and time that you must come to court. You should be at the court at least 15 minutes before that time. For example, if the notice or papers say to appear at court at 9:30 AM, you should plan to be at the court at least 9:15 AM.

When you enter the courthouse, you must walk through a metal detector that is operated by the judicial marshals who provide security for the courthouse.

The courthouse doors open at 8:30 AM. Be ready to wait in a line at the entrance. When you enter the courthouse, you must walk through a metal detector that is operated by the judicial marshals who provide security for the courthouse.

Some courthouses have parking available, but many do not. You may need to park in nearby lots or garages or find on-street parking. For information, call the Clerk's Office or check on the website <http://www.clerkofcourt.com>.

When I get to the courthouse, what should I do?

The information in this brochure does not take the place of legal advice.

The Court is a formal setting so you should dress appropriately. Please do not wear torn shirts, jeans with holes in them, halter-tops, shorts, or revealing clothing.

What should I wear to Court?

Any metal items can set off the metal detector. You will have to empty your pockets of all metal objects before walking through the metal detector. If your belt has a large metal buckle or if your pocket has large metal buttons or zippers, they may be scanned. For example, you may be asked to take them off. Things that could be used as a weapon (for example, a pocket knife) will be taken from you so please do not bring them with you.

Once you are in the courthouse, look for the lists of cases (dockets) to be heard that day. Dockets are usually posted in a public place or on a board. If you don't see your name on a list or if there are no lists posted in the hallway or lobby, please go to the Clerk's Office, the Court Service Center or the Public Information Desk and ask for help.

Where can I park?

Some courthouses have parking available, but many do not. You may need to park in nearby lots or garages or find on-street parking. For information, call the Clerk's Office or check on the website <http://www.clerkofcourt.com>.

When I get to the courthouse, what should I do?

Do not interrupt the Clerk or Family Support Magistrate while court is in session.

How long will I be at the Court?

It is difficult to answer the question because it depends on the number of people in the court when your case is called (cases are not always called in order) and how long the hearings for the court for the whole day.

What other people are at the Family Support Magistrate Court?

The following people may be at the Court:

- Family Support Magistrates, who are not judges, but do some things that judges can do. They can set, modify and enforce child support orders. They do not represent either parent.
- Support Enforcement Officers, who supervise paternity cases.
- Assistant Attorney Generals, who represent the state's interest in making sure that child support payments and bring parents to court to enforce child support orders. They may also do not represent either parent.
- Child Support Investigators, who give information and support to the Assistant Attorney General and the Family Support Magistrate in paternity and support order establishment cases.

Do I have to have a lawyer?

You do not have to have a lawyer. In fact, most (95%) parents in family support magistrate court do not have a lawyer. But you may decide that you want one in some situations. The court may appoint a lawyer for you if you cannot afford to pay for one yourself. The court cannot afford to appoint a lawyer for you if you are a defendant in a paternity action (an action to determine whether you are the father of a child) or in a contempt hearing (if you have failed to obey a court order and face the possibility of time in jail). The Clerk's Office or Court Service Center can give you phone numbers for statewide legal services if you need them.

What other people are at the Family Support Magistrate Court?

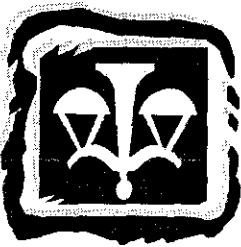
The following people may be at the Court:

- Family Support Magistrates, who are not judges, but do some things that judges can do. They can set, modify and enforce child support orders. They do not represent either parent.
- Support Enforcement Officers, who supervise paternity cases.
- Assistant Attorney Generals, who represent the state's interest in making sure that child support payments and bring parents to court to enforce child support orders. They may also do not represent either parent.
- Child Support Investigators, who give information and support to the Assistant Attorney General and the Family Support Magistrate in paternity and support order establishment cases.

Do I have to have a lawyer?

You do not have to have a lawyer. In fact, most (95%) parents in family support magistrate court do not have a lawyer. But you may decide that you want one in some situations. The court may appoint a lawyer for you if you cannot afford to pay for one yourself. The court cannot afford to appoint a lawyer for you if you are a defendant in a paternity action (an action to determine whether you are the father of a child) or in a contempt hearing (if you have failed to obey a court order and face the possibility of time in jail). The Clerk's Office or Court Service Center can give you phone numbers for statewide legal services if you need them.

FAMILY SUPPORT MAGISTRATE COURT



What Happens When You Go To

If you are coming to court because you have not made your child support payments, you can bring money to court to catch up on your missed payments and show the court that you are trying to follow the court order and support your child. If you were ordered to make payments for child support or expenses related to child support, and you have not made those payments, the magistrate can find you in contempt and you may be jailed.

Do I need to bring money with me when I come to court?

If you have a disability and need assistance or special equipment to take part in the court hearing, what should I do?

If I have a disability and need assistance or special equipment to take part in the court hearing, what should I do?

Do I need to bring any paperwork with me to court for my court hearing?

When you are in the courtroom, please turn off any cell phone, beepers, and pager you may have. Throw away all food, drinks and chewing gum. Take off any hat that you are wearing unless you wear it for religious reasons.

What are the basic rules of courtroom conduct?

Stand when the magistrate enters or leaves the courtroom and when you are speaking with the magistrate.

Ride to the Family Support Magistrate as "Magistrate" or "your honor."

Be sure to answer all questions out loud. If you nod your head, the person making the record of the proceedings will ask you to speak so that your answer will be recorded.

Do not interrupt other people when they are speaking.

What if I don't speak English well?

You may be able to get help. As soon as you know that you will need help for a hearing, please contact the clerk. Phone numbers for the clerk may be found online at http://www.jud.ct.gov/directories/court_location.htm. You may also think about asking someone who speaks English to come to court with you.

What if I cannot come to court on the date of my hearing?

If you cannot come to court on the date of your hearing, call the Clerk's Office to ask for another hearing date (continuance) and let your child support worker know that you cannot be at court or deny or refuse to act on the motion that you filed.

What if I cannot come to court on the date of my hearing?

If you are not able to work because of a disability, bring current doctor's reports.

If you are unemployed, but looking for work, proof of the job applications you have filed.

If you are receiving unemployment compensation benefits or workers' compensation benefits, proof of the amount of your benefit and any lump sum payments.

If you are collecting Social Security Disability or Retirement, Supplemental Social Security Income or Veterans' Benefits, information on the amount of your benefit and any amount your children are receiving.

Information on how long the benefit has been paid and the amount of any lump sum payments.

If you are receiving unemployment compensation benefits or workers' compensation benefits, proof of the amount of your benefit and any lump sum payments.

If you are not able to work because of a disability, bring current doctor's reports.

If you are unemployed, but looking for work, proof of the job applications you have filed.

For more information, you may go to the Judicial Branch website at http://www.jud.ct.gov/directories/court_location.htm or contact a Court Service Center or Clerk's Office. You may also call the Support Enforcement Services Call Center at 1-800-229-5437.

Support Enforcement Services Call Center at 1-800-229-5437

Clerk's Office. You may also call the

Support Enforcement Services Call Center

at 1-800-229-5437

or contact a Court Service Center or

Judicial Branch website at

http://www.jud.ct.gov/directories/court_location.htm

for more information, you may go to the

or contact a Court Service Center or

Clerk's Office. You may also call the

Support Enforcement Services Call Center

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

at 1-800-229-5437

Exhibit J

The Centralized Infractions Bureau
P.O. Box 1140
Hartford, CT 06143-1140
(860) 263-2750
Toll Free 1-866-542-0010

Ticket Number

Defendant

Transfer location:

The Centralized Infractions Bureau has received your plea of "not guilty." A prosecutor (state's attorney) at the Centralized Infractions Bureau (CIB) will look at your case and may decide that no further action will be taken on your case and the file will be closed. (This is called a **nolle**.) If the prosecutor (state's attorney) nolle your case, the Centralized Infractions Bureau will send you a notice telling you that your case has been nolle.

If you have any other information or documentation (papers) about your case that you would like the prosecutor (state's attorney) to know about, please send it to the Centralized Infractions Bureau no later than _____. When you send anything to the Centralized Infractions Bureau, please include a copy of this notice and be sure to write your ticket number on all letters or papers that you send.

If your case is not nolle, it will be transferred to a Superior Court location where your ticket was issued. You will get a notice telling you the date and time when you must come to court.

On the day that you come to court, you will meet with the prosecutor (state's attorney), who can nolle your case, offer to let you pay a reduced, or smaller, fine to end your case, or tell you that you must pay the original fine in full.

- If you agree to pay a reduced fine or the original fine, you will be expected to pay the fine on that day. You may pay a fine with cash, a credit card (MasterCard or Visa), a money order or certified bank check made out in the exact amount of the fine, or a personal check, as long as you have a valid photo ID and the preprinted name and address on the check matches your ID.
- If your case is not nolle and you decide that you do not want to pay the reduced fine or the full fine, you may ask for a court trial with a Magistrate. Your trial will be scheduled for another day.

For more information, visit the Judicial Branch website:
<http://www.jud.ct.gov/faq/traffic.html>

Exhibit K

Dear Litigants:

Welcome to the Housing Session.

This court hears cases between landlords and tenants. When you get to the Court, you should immediately check the list of cases (the docket) on the wall to be sure your case is on the schedule. If you find your case on the list, you should go to courtroom and wait for your case to be announced. The docket list is read out in the courtroom at 9:30 a.m. and at 10:00 a.m. Please be sure to be in the courtroom so that you let the court know that you are here for your case. If you are not, your case will not be marked "Ready" and the court won't decide it.

It is also very important that you do not leave the courthouse unless you are told that your case is over for the day by the Judge, the clerk, or a housing specialist.

▼ Below you will find the questions that people usually ask us at the housing session along with the answers. You can also ask any staff member any question about your case as long as you do not interrupt court while it is in session.

How long will I be at court?

That is a tough question because it has a lot to do with if you make an agreement with the other side or if your case has to have a trial before the judge. We ask people to be ready to stay for a day at court and we will try our best to get your case finished as quickly as possible. Most cases are finished by lunch time; however, sometimes cases can take longer.

May I bring children to court?

You may bring your children to court; but because it can be a long day, we encourage you to make other arrangements for them. We also suggest that if you have a child who must be picked up at a bus stop, you arrange for someone else to take care of that pick up.

Are there rules in the courtroom?

Yes. Please do not talk, eat, drink, or chew gum while you are in the courtroom. You should also remove your hat in the courtroom, unless you wear it for religious reasons. When you are talking to the judge about your case, please address the Judge as "Your Honor" or "Judge," keep your hands out of your pockets, and speak out loud. Also, if your children are making noise, please take them out of the courtroom to the lobby. We record what happens in court and noise makes the recording hard to hear.

Is there a dress code?

The Court is a formal setting so you should dress appropriately. For example, you would probably not wear t-shirts or jeans with holes in them, tank tops, halter tops, shorts or revealing clothing. If you are bringing people to court with you, please remind them to dress properly too. The marshal may ask anyone who is not dressed properly to leave the courtroom.

What do I do when I get into the courtroom?

Please take a seat in the courtroom and wait for the clerk to call the list of cases (docket call). When you hear your name or your case is called, let the clerk know that you are in court by saying, "Ready" or otherwise telling the clerk that you are in the courtroom.

Your case will be marked ready, and you will be referred to a housing specialist. You will be asked to take a seat in the lobby.

If you get to court late, you may miss the list of cases (docket call) and you may lose your case for not coming to the trial. If you are late, please wait until the Judge takes a break (recess) and talk to the Clerk.

What if I don't speak English?

You may be able to get help if you ask the Clerk. You may also think about asking someone who speaks English to come to court with you.

What is a Housing Specialist?

A Housing Specialist is a trained mediator who works for the court. The specialists do not take sides in the case. They meet with you and the other parties to try to work out a settlement of your case so that you do not need a trial. After your case is announced in court, you will be asked to wait in the lobby until a specialist calls you in for mediation.

Do I have to make an agreement?

No, you do not have to make an agreement. No specialist will ever pressure or force you to settle a case. But, many cases do settle after the housing specialist meets with both parties to talk about the issues. If you and the other people in your case can agree with the help of the housing specialist or by talking to each other by yourselves, you will be asked if you understand the terms of the agreement and if you are willing to agree to the terms of the agreement. This is called a "canvass" and the questions are asked by the Judge, the housing specialist or the clerk. The Judge will then make a decision on the case, which is called a stipulated judgment. Once the Judge makes the judgment, everyone has to follow the terms of the agreement, just like a decision after a trial.

Do I have to have a Lawyer?

No, you do not have to have a lawyer. You will have to decide if you want to have a lawyer but if you decide you want one, you may hire one on your own. Since this is a civil case, the court will not appoint a lawyer for you. That only happens in criminal cases and some other cases where you could be put in jail. The clerks' office, the Public Information Desk or the Court Service Center can give you phone numbers for statewide legal services, which will decide if they will take your case.

What if I am contacted by the attorney for the other side?

It is not unusual for an attorney to speak with you and try to settle the case before you both go to see the housing specialist. You are allowed to make a private agreement and present it to the court for the court's approval. If you have an attorney and another attorney wants to talk to you about your case, you should tell the attorney that you have an attorney there with you. If at any time you feel pressured or intimidated, you can stop talking with the attorney or the other party and wait to be called by the housing specialist.

Will I be kicked out of my apartment today?

No. If you are scheduled for court today, you cannot lose your right to stay your home or business today. What happens in this court today is important. The agreement you make today or the decision the court makes can lead to your losing the right to stay in your home or business.

I have children. Can I still be evicted?

Yes, even if you have children, you can lose the right to stay your home.

Can I be evicted in the winter, if I am disabled or elderly?

Depending on why your landlord has brought you to court, you may be evicted any time of the year, even if you are elderly or disabled.

Are there restrooms nearby?

There are public restrooms in every courthouse. Please ask the marshals if you do not see the signs for the restroom. They will be happy to direct you.

Are there refreshments available?

Some courthouses have snack bars; others do not. If it is important that you know if food is available in the courthouse, please feel free to call the clerk and ask if any food is available for purchase. Please do not bring food or drinks from outside with you into the courthouse.

Also, be careful not to leave the building to get food without telling the staff. If your case is called while you are not there, your case will be taken last. This also applies to folks who go out to smoke cigarettes.

What if I have an emergency?

If you have an emergency that requires you to leave the court, you should go directly to the clerk's office to discuss the issue with a clerk. If the emergency requires immediate action, please call for a court marshal.

Remember: never leave the court until you have been told your case is over for the day by the judge, the clerk or a housing specialist.

Exhibit L

Advisement/Greeting

Good morning. Please listen to the following information.

When your case is called, you may be told to meet for mediation of your case with a housing specialist, a trained mediator who works for the court. "Mediation" means that the housing specialist will meet with you and the other parties in your case to help you work out an agreement, if possible, so that you will not need to have a trial. The housing specialists do not take sides in the case

If you are told to meet with the housing specialist (referred for mediation), please leave the courtroom and wait in the hallway to speak to a housing specialist.

While you are waiting to see the housing specialist, you can also talk to the other party and work out an agreement, if you wish. This agreement is called a private party stipulation.

An agreement will include all of the terms and conditions that you and the other party have agreed to in order to end your case. For example, an agreement may say that the tenant will be allowed to stay if certain payments are made or that the tenant will agree to move out after a certain period of time and during that time, pay a certain amount of money by a specific date. The written agreement is called a stipulated agreement.

If you reach an agreement, with the help of the housing specialist or by talking to each other, you will be asked if you understand the terms of the agreement and if you are willing to follow them. This is called a "canvass" and the questions are asked by the judge, the housing specialist or the clerk. The judge will then enter a judgment according to the terms you have agreed upon.

If you cannot reach an agreement, your case will be decided by the judge at a trial either later today or on a future court date. Do not leave the courthouse until your case is ended by way of an agreement and canvassed, decided by the judge, or scheduled for a

future court date. If you leave the courthouse before then, a judgment may be entered against you and you may lose the chance to tell your side of the case.

The clerk's office is available to answer any questions you may have.

Exhibit M

Language to be added to the Notice of Hearing

If you are the defendant and you do not come to court on your hearing date, the Judge may enter a judgment against you, which means that you may be evicted without any hearing. If you are the plaintiff and you do not come to court on your hearing date, the Judge may enter a judgment of nonsuit against you, which means that nothing more will be done with your case.

Exhibit N

EMANCIPATION

What is emancipation?

Emancipation is a legal process by which minors can be given legal adulthood before reaching the age at which they would normally be considered adults. It can be started by either the minor or the parent or guardian of the minor. It is the release of a youth from the legal authority and control of his/her parents, and the corresponding release of the parents from their obligations to the youth. In other words, an emancipated youth is no longer under the control of his or her parents and his or her parents are no longer responsible for the emancipated youth.

Who can file for Emancipation?

The youth who wants to be emancipated, an attorney for the youth, or any parent or guardian of the youth can file a petition for emancipation.

Are there any other requirements to become emancipated?

Yes. Connecticut law requires the youth be at least 16 years old and reside in the state of CT.

How can an emancipation petition be filed?

By filing a "Petition for Emancipation" form (JD-JM-90) with the Superior Court for Juvenile Matters (SCJM) Clerk's Office. You can get the form at any SCJM Clerk's Office or online at <http://www.jud2.ct.gov/webforms/forms/jm090.pdf>. The Clerk's Office will give the petition a hearing date, sign the form and give it back to the person who filed it who must have it delivered by someone else to the other people named on the form. The petition must be delivered to the youth and the parent or guardian within seven (7) days of the hearing date, but the petition does not have to be served on the person who filed it. For example, if the parents file the petition, the parents do not need to have it delivered to themselves. The petition can be delivered by a State Marshal. There is a list of State Marshals at the Clerk's Office and online at <http://www.jud.ct.gov/fag/marshals.htm>. If the person who filed the petition cannot afford to pay to have it delivered, they can file an application form with the court asking not to have to pay the fee (JD-JM-114). You can get the form at the Clerk's Office or on-line at <http://www.jud2.ct.gov/webforms/forms/jm114.pdf>. If the court decides you do not have to pay, in other words, if the fee waiver is granted, give a copy of the waiver to the State Marshal with the other papers and ask the marshal to deliver the papers directly to the SCJM Clerk's Office after they are delivered to the other people.

What will happen after the petition is filed?

When you file for emancipation, you will be given a court hearing date in 30 to 45 days. After this hearing date, you will meet with a Court Services Officer (CSO) for an interview in which you will be asked some questions. Then, the CSO will recommend to the judge whether emancipation is in the best interests of the parties involved.

Will an attorney be provided?

If a youth files an emancipation petition, an attorney will be assigned to the youth. Once the attorney is assigned, the Clerk's Office gives the attorney's name and phone number to the youth. If a parent files the emancipation petition, and they cannot afford to hire their own attorney, they will have to apply for state paid representation. You can get the form (JD-JM-114) at the SCJM Clerk's Office or on-line at <http://www.jud2.ct.gov/webforms/forms/jm114.pdf>.

Is there any other information?

Yes, there is a pamphlet, "A Teenager's Guide to Emancipation" http://www.larcc.org/pamphlets/children_family/teen_emancipation.htm that may answer your questions.

3/10/09

Exhibit O

Change of Guardianship After an Order of Guardianship has been Made

If the Superior Court for Juvenile Matters (SCJM) entered an order of guardianship of a child, a parent, legal guardian, relative or other interested party may file a motion with the SCJM that made the guardianship order to reinstate or change (modify) the guardianship. If the child has resided outside of Connecticut for more than the last 6 (six) months, the court in Connecticut may not be able to decide this issue. If the child has resided outside of Connecticut for more than the last 6 (six) months, it is recommended that you talk to an attorney.

How do I file a motion to reinstate or modify guardianship?

You have to file a motion that should have the full name and address of the person filing the motion, and the full name and address of the child, the parents, and the current legal guardian. The motion should also explain what you are asking the court to do and should give the reason(s) that would be important for the court to think about when it decides if a change of guardianship would be in the child's best interest. The person filing the motion must also fill out and file a custody affidavit form. You can get the form at the Clerk's Office or online at <http://www.jud2.ct.gov/webforms/forms/jm030.pdf>. After you fill out the motion and the custody affidavit form, you must sign the motion and the form, file the originals with the SCJM Clerk's Office and keep copies for your records.

How are all parties told about the motion?

After the motion is filed with the SCJM Clerk's Office, that office will give you a summons form (<http://www.jud2.ct.gov/webforms/forms/jm070.pdf>). You fill out the form and the SCJM Clerk will assign a hearing date, sign the form and give the original motion and summons form back to you. Then, you have to have the forms delivered by someone else to the parent or parents and the person who is now the guardian. The forms can be delivered by a State Marshal. You can get a list of State Marshals at the Clerk's Office or online at <http://www.jud.ct.gov/faq/marshals.htm>. If you cannot afford to pay for delivery of the papers, you need to file a paper called a fee waiver application form. You can get the form at the Clerk's Office or online at <http://www.jud2.ct.gov/webforms/forms/jm114.pdf>. If the fee waiver is granted, give a copy of the waiver to the state marshal with the other papers and ask the marshal to deliver the papers directly to the SCJM Clerk's Office after they are delivered to the other people.

Will an attorney be provided?

The State will pay for an attorney to represent: the child; parents asking to be made guardian again, if they can't afford an attorney; or guardians who currently have custody of the child, if they can't afford an attorney. All attorneys who represented parties in the case before will be told that a motion to reinstate or modify guardianship has been filed. Those attorneys may or may not be available to represent the parties now. If necessary, an attorney will be automatically assigned to represent the child. If a parent or guardian cannot afford to pay for their own attorney, and the attorney that represented them before is not available, they will need to apply for the state to pay for an attorney to

represent them. You can get the form at the SCJM Clerk's Office or online at <http://www.jud2.ct.gov/webforms/forms/jm114.pdf> The SCJM Clerk's Office will give you the names and phone numbers of attorneys once they have been assigned.

The person who filed the motion may hire any attorney to represent them in this case or they may represent themselves. If an attorney is not hired, the person who filed the motion must file a form called an Appearance with the SCJM Clerk's Office. You can get the Appearance form at the Clerk's Office or online at <http://www.jud2.ct.gov/webforms/forms/jm013.pdf>

What will happen after the motion has been filed?

The Clerk's Office will set a court date 30 days from the filing date to allow time for the motion to be delivered to the parents and current legal guardian of the child. You must then come to court on the day and time that is on the summons form and be ready to present the case to the judge. At that hearing, the court may order the Department of Children and Families (DCF) to do a study and make recommendations to help the court decide if a change of guardianship would be in the child's best interest.

If the motion is granted by the Judge, is there a record that states who has guardianship of the child?

The SCJM Clerk's Office will be able to make a copy of the court order saying who has custody or guardianship of the child or both.

Exhibit P

JUVENILE DELINQUENCY AND FAMILY WITH SERVICE NEEDS (FWSN) RECORDS

How can I have my juvenile delinquency or FWSN record erased?

To have this type of record erased, you must ask the court by filling out a form called Erasure of Record Petition/Order. It is form number JD-JM-12 form. You can get the form at any Superior Court for Juvenile matters (SCJM) Clerk's Office or online at <http://www.jud2.ct.gov/webforms/forms/jm012.pdf>. Fill out the form and give it to the SCJM Clerk's Office. Once the court gets the form, there will be a check for any cases pending in the juvenile and adult courts and a record check run by the State Police. If there are no pending cases found, the erasure order will be signed by a judge and the court file will be destroyed, but the erasure order will be kept by the court until the person reaches age twenty five (25).

If there is no erasure order, how long does SCJM keep juvenile delinquency and FWSN court files?

Until the person is 25. Then, the juvenile delinquency and FWSN court files are destroyed.

How can a delinquency or FWSN court file be found if the case ended many years ago?

If you are under twenty five (25) years of age, you can go to the SCJM Clerk's Office where your case was handled and look at your court file after showing proper ID. If your case took place a while ago, your file may be in storage in another location. The Clerk's Office will bring your file back from storage and you will be called when you can come to the Clerk's Office to look at it.

Can I get copies of my court file?

You may ask for copies of your court file and with permission of the judge or magistrate, the clerk's office will make copies for you at a cost of \$1 per page.

What if I can't afford to pay for the copies?

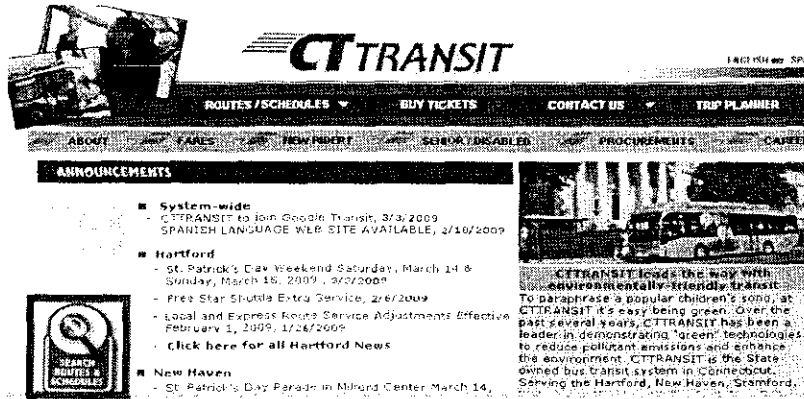
If you can't afford to pay for the copies, you may fill out an application (JD-JM-114) asking that the copies be given to you for free. You can get the form at the SCJM Clerk's Office or on-line at <http://www.jud2.ct.gov/webforms/forms/jm114.pdf>

3/10/09

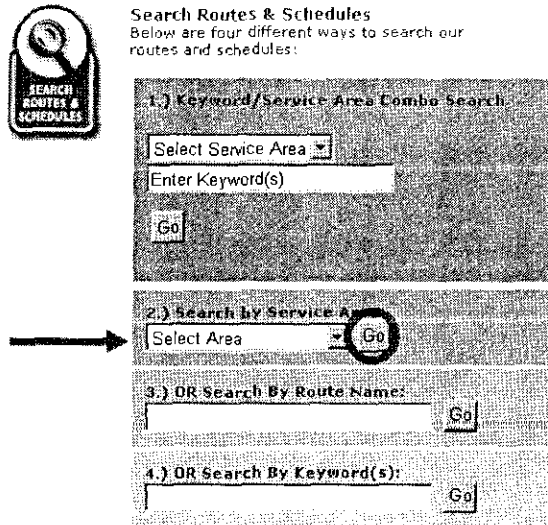
Exhibit Q

How to obtain Bus Routes and Maps

1. Go to www.CTTransit.com
2. Click on Search Routes & Schedules on the home page



3. Select appropriate location under 2.) Search by Service Area and click Go



4. Click System Map or Detail Map as needed for your location and print the map

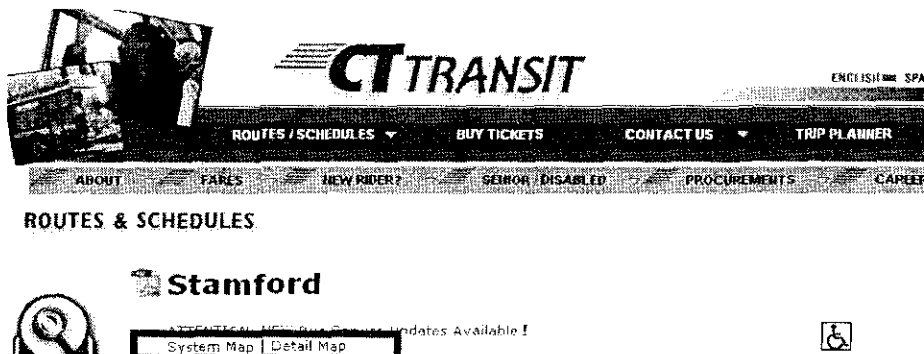


Exhibit R

What to Expect on the Day of Your Small Claims Hearing

1. You will want to be at the courthouse at least 15 minutes before the time of your hearing, which is in the Notice of Hearing. For example, if the time in the notice is 9:30 AM, you should arrive at the courthouse no later than 9:15 AM.
2. As you enter the courthouse, you must go through a metal detector, which is operated by the Judicial Marshals, who provide security for the courthouse. Any metal items can set off the metal detector. You will have to empty your pockets of all metal objects before walking through the metal detector, and anything you bring with you will be scanned. Things that could be used as a weapon (for example, a pocket knife) will be taken from you so please do not bring them with you.
3. Once you have gone through the metal detector, look for signs saying where the Small Claims Court hearings will be. If you don't see a sign, ask one of the Marshals or someone in the Clerk's Office where the Small Claims Court is.
4. If court has not started when you enter the courtroom, talk to the clerk and show the clerk the notice you received or tell the clerk your name or the name of your case. If you come into Court late, let the Magistrate or the Clerk know you are there when there is a break between cases.
5. The person who will decide your case is called the Magistrate. When Court begins, the Magistrate will sit behind the bench and will read the list of cases to be heard that day. When you hear the name of your case, stand up and let the Magistrate know that you are there. If you do not hear the name of your case, tell the Magistrate when he or she is finished reading the list.
6. When you come to court on the day of your hearing, you should be ready to present your case to the Magistrate because unless you and the other party make some kind of agreement, you will have a trial on that date. You will want to have:
 - Your notice of hearing;
 - Any documents that support your claim, such as pictures, receipts, letters, paid bills, or agreements. Bring copies for the other party and for the Magistrate.

Also, if other people saw what happened or have information that will support your claim (witnesses), you should bring them with you on the date of your hearing. It will help you present your side of the case if you have specific questions for those people (your witnesses).

7. The Court is a formal setting so you should dress appropriately. For example, you would probably not wear t-shirts or jeans with holes in them, tank tops, halter tops, or revealing clothing. Also, you should not wear a hat when court is in session, unless you wear it for religious reasons.

Exhibit S

**State of Connecticut – Superior Court
Centralized Small Claims**

Toll Free in Connecticut: (866) 383-5927/Local Hartford Area: (860) 756-7800
Fax No.: (860) 756-7805 www.jud.ct.gov

Notice of Hearing

February 25, 2009

Howard Lee Schiff PC Law Offices
510 Tolland Street
P.O. Box 280245
East Hartford, CT 06108

Case Name: Midland Funding LLC vs. Leonard

Case (Docket) Number: SCC-144165

Your case has been scheduled for a hearing.

Hearing Date and Time:	Monday, March 9, 2009 at 10:00 AM
Place:	Superior Court 123 Hoyt Street Stamford, CT 06905
Report To:	Courtroom 7d
Reason for Hearing:	Hearing in Damages

If you do not come to the court for this hearing, the Court can order a nonsuit or judgment against you, which means you will lose your case. If you are coming to the Court for a hearing on a Motion to Open Judgment, please be ready to go to trial on the day you come if the motion is granted. This means you must bring all of your evidence and have your witnesses at the Court at the time of the hearing.

If you cannot come to court on the date in this notice, you must ask for a different date (continuance). If you are asking for a different date, you must try to notify the other parties of your request for a different date. Your request for a different date must be put in writing and mailed or hand-delivered to the Clerk. An oral request for a different date is allowed only in extraordinary circumstances. In your request, you must include:

- the reason you are asking for a different date;
- when you tried to notify other parties; and
- whether they agreed to your request.

The clerk will let you know if your request for a different date is granted.

If you have any questions or need any help, please contact the Centralized Small Claims Office. The telephone numbers are listed at the top of this notice.

Directions:

If an answer is enclosed and it admits the claims and proposes a schedule of payments that is acceptable to you, please check the box below, sign and return this notice to the court and send a copy to the defendant. A stipulated judgment (judgment by agreement) will enter and neither party will have to appear on the date of the hearing.

I accept the defendant's proposed schedule of payments (installment payment schedule) and agree with the amount the defendant says is due. Please enter a stipulated judgment (judgment that is a result of an agreement between the parties) in accordance with the defendant's answer.

Exhibit T

If a judgment has been entered against you, this information may be helpful.

A judgment has been entered against you (the defendant/judgment debtor) for the plaintiff (the judgment creditor) shown on the front of this notice. You will see the following information on this Notice of Judgment or Disposition:

- The amount of damages (money) you owe the plaintiff
- The amount of costs (includes the entry fee the plaintiff paid to the court and any money the plaintiff paid to a marshal to serve papers on you) you owe; and
- The total amount that the you owe the plaintiff

The Court may have ordered you to pay the plaintiff the full amount of the judgment, including the costs and fees:

- in one payment; or
- in smaller payments on a weekly basis (weekly installment payments) starting on a specific date.

What if I do not pay the money?

The plaintiff may send you, your employer, your bank or any other person the plaintiff thinks may have your assets (money, wages, or property) a series of questions, which are known as Interrogatories. You must answer these questions and send them back to the plaintiff.

The plaintiff may also ask the Court for orders to help him or her collect the money that you owe.

The orders usually asked for are:

1. A wage execution (Wage Execution Proceedings Application):

- If you have been ordered to make weekly payments, and you do not make those payments, the plaintiff (judgment creditor) can ask the Court to order your employer to take money out of your wages to pay the money you owe.
- You will get a copy of the order from your employer, in person or by mail. You will also get a form that you can fill out to explain why the order should not be allowed or why the order should be less.
- You must return the form to the court after you fill it out.
- The Court will then decide what money, if any, will be taken from your wages.

2. A bank execution (Financial Institution Execution Proceedings Application):

- If you (judgment debtor) are a person (and not a corporation) and have money in a bank, the plaintiff (judgment creditor) can ask the Court to order your bank or other financial institution (credit union, for example) to take money out of your account to pay the money you owe.
- Your bank will send you a form that you can fill out to tell the court why the money should not be taken from your account.

- If you fill out the form, you must return it to your bank, and your bank will return the form to the Court.
- The Court will then decide what money, if any, will be taken from your account.

For help in filling out these forms or for more information, please contact:

- a court clerk at <http://www.jud.ct.gov/directory/JudDir.pdf#page=138>, or
- a Court Service Center at <http://www.jud.ct.gov/csc/loc.htm>.

Exhibit T
(on-line version)

If a judgment has been entered against you, this information may be helpful.

A judgment has been entered against you (the defendant/judgment debtor) for the plaintiff (the judgment creditor) shown on the front of this notice. You will see the following information on this Notice of Judgment or Disposition:

- The amount of damages (money) you owe the plaintiff
- The amount of costs (includes the entry fee the plaintiff paid to the court and any money the plaintiff paid to a marshal to serve papers on you) you owe; and
- The total amount that the you owe the plaintiff

The Court may have ordered you to pay the plaintiff the full amount of the judgment, including the costs and fees:

- in one payment; or
- in smaller payments on a weekly basis (weekly installment payments) starting on a specific date.

What if I do not pay the money?

The plaintiff may send you, your employer, your bank or any other person the plaintiff thinks may have your assets (money, wages, or property) a series of questions, which are known as Interrogatories. You must answer these questions and send them back to the plaintiff.

The plaintiff may also ask the Court for orders to help him or her collect the money that you owe.

The orders usually asked for are:

2. A wage execution (Wage Execution Proceedings Application):

- If you have been ordered to make weekly payments, and you do not make those payments, the plaintiff (judgment creditor) can ask the Court to order your employer to take money out of your wages to pay the money you owe.
- You will get a copy of the order from your employer, in person or by mail. You will also get a form that you can fill out to explain why the order should not be allowed or why the order should be less.
- You must return the form to the court after you fill it out.
- The Court will then decide what money, if any, will be taken from your wages.

3. A bank execution (Financial Institution Execution Proceedings Application):

- If you (judgment debtor) are a person (and not a corporation) and have money in a bank, the plaintiff (judgment creditor) can ask the Court to order your bank or other financial institution (credit union, for example) to take money out of your account to pay the money you owe.

- Your bank will send you a form that you can fill out to tell the court why the money should not be taken from your account.
- If you fill out the form, you must return it to your bank, and your bank will return the form to the Court.
- The Court will then decide what money, if any, will be taken from your account.

For help in filling out these forms or for more information, please contact a court clerk or a Court Service Center.

Exhibit U

If a judgment has been entered for you, this information may be helpful to you.

A judgment has been entered for you (the judgment creditor) and against the defendant or defendants (the judgment debtor or debtors) shown on the front of this notice. You will see the following information on this Notice of Judgment or Disposition:

- The amount of damages (money) the defendant owes you
- The amount of costs the defendant owes you (this includes the entry fee you paid the court and any money you may have paid a marshal to serve papers for you)
- The total amount that the defendant owes you

The Court may have ordered the defendant to pay you the full amount of the judgment, including the costs and fees:

- in one payment; or
- in smaller payments on a weekly basis (weekly installment payments) starting on a specific date.

What if the defendant pays you the money you are owed?

If the defendant pays you the money you are owed, you must file a written notice called a **Satisfaction of Judgment** with the court.

What if the defendant does not pay you the money you are owed?

The Court does not collect the money for you. Collecting the money damages and costs that the court has ordered the defendant to pay is your responsibility. You will need the information in this Notice to collect your money. The most common things you can do to collect your money are:

1. Send the defendant, his or her employer, a bank or any other person you think may have assets (money, wages, or property) of the defendant a series of questions, which are known as Interrogatories. The questions are in a court form (JD-CV-23a). The answers to the questions may give you information about where the defendant works, what other income the defendant has, and where the defendant has bank accounts or other personal property. The form, and another one you will need are online at:
 - <http://www.jud2.ct.gov/webforms/forms/cv023.pdf> and
 - <http://www.jud2.ct.gov/webforms/forms/cv023a.pdf>.

Once you have that information, you may ask the Court to issue orders to help you collect the money you are owed.

2. Ask the court for orders to help you get your money. The orders usually asked for are:

- A **wage execution** (Wage Execution Proceedings Application): If the defendant/judgment debtor has been ordered to make weekly payments and has not made those payments, you can ask the Court to order the defendant's (judgment debtor's) employer to take money out of his or her wages to pay the money owed to you. The forms you need for this are on the Internet at:

- <http://www.jud2.ct.gov/webforms/forms/cv003cal.pdf> and
- <http://www.jud2.ct.gov/webforms/forms/cv003a.pdf>.

- A **bank execution** (Financial Institution Execution Proceedings Execution): If the defendant/judgment debtor is a person (and not a corporation) and may have money in a bank, you can ask the Court to order the defendant's bank or other financial institution (credit union, for example) to take money out of the defendant's (judgment debtor's account) to pay the money owed to you. The forms you need for this are on the Internet at:

- <http://www.jud2.ct.gov/webforms/forms/cv024cal.pdf> and
- <http://www.jud2.ct.gov/webforms/forms/cv024a.pdf>

For help in filling out these forms or for more information, please contact:

- a court clerk at <http://www.jud.ct.gov/directory/JudDir.pdf#page=138>, or
- a Court Service Center at <http://www.jud.ct.gov/csc/loc.htm>.

Exhibit U
(on-line version)

If a judgment has been entered for you, this information may be helpful to you.

A judgment has been entered for you (the judgment creditor) and against the defendant or defendants (the judgment debtor or debtors) shown on the front of this notice. You will see the following information on this Notice of Judgment or Disposition:

- The amount of damages (money) the defendant owes you
- The amount of costs the defendant owes you (this includes the entry fee you paid the court and any money you may have paid a marshal to serve papers for you)
- The total amount that the defendant owes you

The Court may have ordered the defendant to pay you the full amount of the judgment, including the costs and fees:

- in one payment; or
- in smaller payments on a weekly basis (weekly installment payments) starting on a specific date.

What if the defendant pays you the money you are owed?

If the defendant pays you the money you are owed, you must file a written notice called a **Satisfaction of Judgment** with the court.

What if the defendant does not pay you the money you are owed?

The Court does not collect the money for you. Collecting the money damages and costs that the court has ordered the defendant to pay is your responsibility. You will need the information in this Notice to collect your money. The most common things you can do to collect your money are:

3. Send the defendant, his or her employer, a bank or any other person you think may have assets (money, wages, or property) of the defendant a series of questions, which are known as Interrogatories. The questions are in a court form (JD-CV-23a). The answers to the questions may give you information about where the defendant works, what other income the defendant has, and where the defendant has bank accounts or other personal property. The form, and another one you will need are online at:

- <http://www.jud2.ct.gov/webforms/forms/cv023.pdf> and
- <http://www.jud2.ct.gov/webforms/forms/cv023a.pdf>.

Once you have that information, you may ask the Court to issue orders to help you collect the money you are owed.

4. Ask the court for orders to help you get your money. The orders usually asked for are:

- A **wage execution** (Wage Execution Proceedings Application): If the defendant/judgment debtor has been ordered to make weekly payments and has not made those payments, you can ask the Court to order the defendant's (judgment debtor's) employer to take money out of his or her wages to pay the money owed to you. The forms you need for this are on the Internet at:

- <http://www.jud2.ct.gov/webforms/forms/cv003cal.pdf> and
- <http://www.jud2.ct.gov/webforms/forms/cv003a.pdf>.

- A **bank execution** (Financial Institution Execution Proceedings Execution): If the defendant/judgment debtor is a person (and not a corporation) and may have money in a bank, you can ask the Court to order the defendant's bank or other financial institution (credit union, for example) to take money out of the defendant's (judgment debtor's account) to pay the money owed to you. The forms you need for this are on the Internet at:

- <http://www.jud2.ct.gov/webforms/forms/cv024cal.pdf> and
- <http://www.jud2.ct.gov/webforms/forms/cv024a.pdf>

For help in filling out these forms or for more information, please contact a court clerk or a Court Service Center.

Exhibit V

FAMILY INFORMATION ON THE JUDICIAL BRANCH WEBSITE

The Judicial Branch has some very helpful information available about family matters in both English and Spanish. Unfortunately, the information is not all available on the website. Moreover, access and navigation to the family matters information on the website could be improved. Finally, there are some high volume subject matter areas that are not addressed on the website.

The subcommittee reviewed the information available on the website with specific emphasis on family matters, but certain recommendations are applicable to all areas of the website. The following are general recommendations regarding the website:

- In general, every effort should be made to provide frequently asked questions and answers in English and Spanish. Translation into additional languages is recommended based on the findings of the Committee on Limited English Proficiency. Currently, there are only four subject matter areas with FAQs in Spanish: Landlord/Tenant, Jury Duty, Traffic Tickets, and Child Support.
- In general, every effort should be made to write all material for the public at an 8th grade level or below, avoiding or explaining court jargon and Latin phrases used in court proceedings.
- In general, every effort should be made to provide helpful information to the public in multiple formats. For example, the same information should be available in a frequently asked questions (FAQ) format as well as links to self-help publications and court forms dealing with the same topic. Any existing audiovisual resources, or audiovisual resources created in the future, that deal with these topics should also be available by a link. Consideration also should be given to including a link to the law libraries "Pathfinder" series, which contains a wealth of information on family topics, although they appear to be written for an audience with legal training.

The following are specific recommendations on Family Matters:

1. Add the following key topics to the Frequently Asked Questions section on the Judicial Branch homepage: Domestic Violence; Family, with subheadings for Divorce, Custody, Visitation or Access, and Paternity. Specific suggestions for each topic appear below.
2. **Divorce:**
 - Approximately 14,000 divorce actions are filed each year; about half of them involve at least one self-represented party. Currently, no frequently asked questions are available to assist these court patrons. Many helpful questions and answers for the divorce section could be drawn from the existing publication "Do It Yourself Divorce Guide".
 - Questions and answers about divorce actions should also be provided in Spanish and Polish. The "Do It Yourself Divorce Guide Material" was translated into both languages in 1998 -1999, although the status of revisions to the publication in alternate languages is not known.
 - The website section on Divorce should include a link to the existing publication "Do It Yourself Divorce Guide" in both English and Spanish. A Polish version of the guide was created and translated in 1998-1999. If possible, that should be made available to the public via a web link.
 - Add a link to the Divorce/Dissolution complaint form JD-FM-159 and Answer JD-FM-160 (or a link to all family forms)

- Include a link to the new DVD “Putting Children First: Minimizing Conflict in Custody Disputes” for divorces that involve children.
 - Include material on “what to expect when you come to family court” to be developed as a brochure, FAQs, or as an audiovisual resource.
3. **Custody:**
- Basic questions and answers would need to be drafted for the custody section, although a draft guide to “How to Bring Your Own Custody Action” was prepared by the Judicial Branch in 1998 -1999. This section should address how to get court ordered custody, what court forms are needed, etc.
 - The website should include a link to the new DVD “Putting Children First: Minimizing Conflict in Custody Disputes”.
 - The website should include a link to the existing publication “Parenting Education Programs” JDP-FM-151 and JDP-FM-151s (Spanish version).
 - The website should include a link to the Custody/Visitation Application form JD-FM-161 (or all family forms).
4. **Visitation/Access:**
- Basic questions and answers would need to be drafted for this section which should address how to get court-ordered access/visitation, how to enforce court ordered access/visitation, and what is a parenting plan.
 - The website should include a link to the Custody/Visitation Application form JD-FM-161 (or all family forms).
5. **Domestic Violence:**
- Many helpful questions and answers for the domestic abuse section could be drawn from the existing publication “Procedures for Relief from Abuse Process.”
 - Include a link to the existing publication “Procedures for Relief from Abuse Process” JDP-FM-142, Rev. 8-07, as well as links to existing court forms needed to file this action.
6. **Child Support:**
- Add a summary of the main elements of the Advisement of Rights, read from the bench.
 - Add a section, “What to Expect in Family Support Magistrate Court” drawing content from the draft publication, “What Happens When You Go to Family Support Magistrate Court.”
 - Add a link to the proposed publication “What Happens When You Go to Family Support Magistrate Court.”
 - Add a link in the FAQ section on resources for self-represented litigant to the proposed publication “What Happens When You Go to Family Support Magistrate Court”. If this material is developed as an audiovisual resource, a link should be included to that.
7. **Paternity:**
- Many helpful questions and answers for the paternity section could be drawn from existing publications of the Dept. of Social Services (DSS) entitled “Establish Paternity for Your Child... And for You! Questions and Answers for Moms” as well as “Establish Paternity for Your Child... And for You! Questions and Answers for Dads”. At a minimum, this section should explain what paternity is and its importance. It should also describe the process of establishing paternity without going to court through the affirmation/acknowledgement process, as well as the process for obtaining a paternity judgment, including a description of DNA testing.

- Both DSS publications are available in English and Spanish. The Judicial Branch should consider securing permission to include a link to these publications from the judicial website, along with links to the necessary forms.

Exhibit W

VIDEO SCRIPT – FAMILY MATTERS

The following script could be formatted into an informational video, similar to the one used to indoctrinate jurors. It could be played on a monitor on a continuous loop in a public room to answer FAQs of the public in a format which they would find easy to follow. The contents of the video address issues in family court.

Welcome to the Superior Court for family matters. This video will provide you with an overview of your rights and responsibilities regarding dissolution (divorce), child support, custody and visitation. More information is available at the Judicial Branch website: www.jud.ct.gov.

As you know, divorce is a legal way to end your marriage. The term used to refer to a divorce case is a dissolution action. In Connecticut, a dissolution action may be uncontested, limited contested, or fully contested. A divorce is uncontested if both parties agree on all issues, including alimony, division of property, and child custody, visitation, and support. A divorce is also uncontested if only one party appears. A divorce is limited contested if you and your spouse agree on everything except money and how to split up your property. A divorce is fully contested if you and your spouse do not agree on custody, child visitation, who the father of the child is or the reason for the divorce. A divorce is also fully contested if the parties do not agree on custody, child visitation, who the father of the children is or the reason for the divorce and also do not agree on money and how to split up their property.

After you have had the divorce papers served on your spouse and they have been returned to the court, the law requires that you wait for 90 days after the return date before you can have a hearing on your divorce. The return date is the date when the divorce action starts in court. During that time before a hearing on your divorce, you may have to come to court for hearings on the short calendar. The short calendar is a list of cases with motions or pleadings that need action by a judge or magistrate. These short calendar hearings help to get your case ready for the hearing on your divorce. This video will provide you with information on what to expect at these short calendar hearings and will also provide information on what to expect at the hearings on your divorce.

At any time during your divorce case, you or your spouse may ask the judge to order many things including custody of or visitation with the children; payment of child support or alimony; and who gets to live in the family home. The temporary orders that the judge makes before your divorce is granted are called *pendente lite* orders. If you are here for a family short calendar, either you or your spouse, or your attorney or your spouse's attorney, has asked for the judge to make one or more of these temporary orders. For example, you may have asked the judge to order that the children's other parent pay money to you to meet their financial needs (child support) or you may have asked the judge to order that the children spend half the week with you and half the week with their other parent (visitation or custody order). It is also possible that one of you has filed a motion for contempt because the other person has not obeyed a judge's order. The short calendar is for these types of hearings.

WHAT WILL HAPPEN AT SHORT CALENDAR?

On the day your case is on the short calendar, you should plan to get to the courthouse at least fifteen minutes before the time the short calendar is scheduled. It can take time to find parking and enter the courthouse. People coming into the courthouse must walk through the metal detectors.

At the short calendar, in some courts, the judge announces the list of cases (calls the calendar). In other courts, the judge does not read the list. If you are in a court where the judge announces the names of cases, when the Judge calls the name of your case, stand up and say, "Ready, Your Honor." You and your spouse, along with your attorneys, if you have one, can let the court

know at this time if you have an agreement. If you have worked out a custody arrangement or agreed on a weekly payment with your spouse before the list of cases is called, write down what you have agreed on, sign it, and let the clerk of the court know that you have an agreement. You may then be sent to the family relations counselor or the judge may allow you to read your written agreement to the judge after the reading of the list of cases is completed.

If you and your spouse have not been able to agree about the issue that brought you to court, you will be told to meet with a family relations counselor, who is a trained mediator. The family relations counselors work for the court. They do not take sides in the case. They meet with you and your spouse to try and work out an agreement so that you do not need a hearing. If you are able to reach an agreement with the help of the family relations counselor, the agreement will be written down, and you and your spouse will sign it. You will then return to the courtroom to let the judge know that you have reached an agreement. When your case is called again by the clerk, you will give your agreement to the judge. If the judge finds that both you and your spouse understand the terms of your agreement, the judge will make your agreement a court order.

Whether you make an agreement on your own or with the help of the family relations counselor, please do not leave the courthouse without returning to the judge. Unless you return to the judge, the judge cannot make your agreement a court order.

If you cannot reach an agreement after meeting with the family relations counselor, you, your spouse, or your attorney, if you have one, will tell the clerk that you will need time to argue your motion in front of the judge. The judge will allow both you and your spouse to explain your sides. The judge will then consider what you have both said and make a decision. Sometimes the judge will not make a decision as soon as you and your spouse have finished. If the judge does not make a decision then, the clerk's office will mail you and your spouse a copy of the judge's decision as soon as it is finished.

IF YOU HAVE AN UNCONTESTED DIVORCE

If you and your spouse have agreed on all the issues and the 90-day period has passed, you are ready for your divorce hearing. You can use the **Divorce Agreement** form (JD-FM-172) to tell the judge what you want to do about custody, visitation, child support, educational support, alimony, life insurance and medical insurance for you and your children, and about dividing your property and debts. You should have several other forms filled out before you go into the court for your hearing. You should send a copy of each form to your spouse or to your spouse's attorney before the hearing and bring the originals with you to the court hearing.

The other forms you need are:

- a Financial Affidavit (JD-FM-6), which is a statement you have to swear to about income, expenses, property (called assets) and debts (called liabilities). The affidavit must be done at least five days before your hearing, but it cannot be done more than thirty days before the date of the hearing.

If you and your spouse have children, you will also need:

- an **Affidavit Concerning Children** (JD-FM-164);
- a **Child Support Guidelines Worksheet** (CCSG-1); and
- an **Advisement of Rights Re: Income Withholding** (JDFM-71).

Some cases are uncontested because one party did not file an appearance. If your spouse did not file an appearance, you need:

- an **Affidavit Concerning Military Service** (JD-FM-178).

You should also fill in Part One of the ***Dissolution of Marriage Report*** (JD-FM-181). Do not send it to your spouse or your spouse's attorney. Give this form to the clerk.

On the day of your hearing, bring the forms with you to the court and give them to the clerk when your case is announced. The clerk will check the documents for accuracy and then give the documents to the judge for approval and for orders to be made.

When your case is announced, you will go to the front of the courtroom with your documents. Remember to address the judge as "Your Honor" or "Judge." Also, be sure to answer any questions that you are asked out loud so that the court reporter or court monitor can record your responses.

The clerk will ask you to swear that you will tell the truth and you will then answer questions, including when you were married, whether the marriage has broken down irretrievably (which means there is no chance that you and your spouse will be able to get back together), and whether there are children. The judge may also ask questions regarding financial issues that are covered in your agreement to be sure that you and your spouse understand what your agreement says and what it means.

If your paperwork is complete, and the judge finds that the agreement you and your spouse made is fair, and that the agreements made about the custody, support and visitation for the children are in the best interests of the children, the judge will grant your divorce. You will be able to get a copy of the divorce decree (judgment file) soon, usually within a few weeks.

IF YOU HAVE A CONTESTED DIVORCE

If you and your spouse disagree on some or all of the issues, your divorce is contested. You will tell the judge what issues you disagree on and how long you will need to get your case ready and gather evidence or proof by filling out the Case Management Agreement form (JD-FA-163).

If you and your spouse do not agree on all the issues, you must take part in a mediation session known as the Special Masters Program. Court officers or volunteer lawyers who are very experienced with family law and issues that come up in divorces are assigned to meet with you and your spouse, and your lawyer, if you have one, in an informal and confidential mediation. The special masters do not represent you or your spouse and do not take sides. They will try to help you find a way to work out your issues and come up with an agreement. Before you meet with the special master, you must gather all the financial documents or other information that is part of your disagreement with your spouse and you must write a short statement telling the special master what you want from your spouse and why you want it. You must give these papers to your spouse before the mediation session and to the special master at the time of the mediation. After the special master listens to both you and your spouse, the special master will recommend a settlement of the case to you, based upon their experience and knowledge of the law. If both you and your spouse agree with the recommendations, the agreement will be written out and brought to a judge for approval. Your case will then proceed as an uncontested case.

If one or both of you still cannot agree on the issues, your case must have a trial by a judge on an assigned date in the future. The judge will not know anything about the special master's recommendations and the judge's decision will be made based upon the hearing that is held by the judge. That decision may be more or less favorable to you or your spouse than the recommendations from the special master. The benefit of accepting the special masters recommendation is that it is a neutral, expert and fair compromise of the dispute and it takes place with much less expense, wasted time, and lost time from work. Plus, the spouses know exactly what they are getting as opposed to "rolling the dice" with a judge who might render a decision which one or both spouses may not think is fair.

CONTEMPT OF COURT

If you are here because of a contempt citation, it means that either you or your spouse believes that the other person has violated a court order or the automatic orders listed on the summons sheet. You must follow the same procedures regarding contested or uncontested matters; however, the person being accused of contempt has a right to an attorney. This is because if the person is found to be in contempt of court, the judge can put the person in jail until the person fixes the reason for the contempt. If the person being accused of contempt needs time to hire a lawyer they may ask for a different hearing date. If they cannot pay for a lawyer, the judge will give them a lawyer for free to protect their rights. The person bringing the contempt may have a lawyer but will not be given a free lawyer.

FREQUENTLY ASKED QUESTIONS

1. **How can I get more information about representing myself?** General information on representing yourself can be found on the Judicial Branch website. Forms and booklets are both on the website and at each courthouse, in the clerk's offices, court service centers, and at public information desks. You can also talk with a lawyer for some information but continue to represent yourself. If you wish to represent yourself, you must file an appearance form (JD-CL-12) giving your name and address so that the Clerk's office and the other party can contact you about the case. More information is available at any courthouse law library, from a court service center or from the judicial branch website at www.jud.ct.gov.
2. **Can I look at the court file for my case?** Court files are public records and you, or anyone else who wants to, can go to the clerk's office during normal business hours to look at your file. As a general rule, any person may look at any documents in any file, unless a statute or court order limits the people who can see the file or the documents that can be seen. If you would like copies of any documents in your file, you must pay the clerk a copy fee of \$1.00 per page. The court file for your case does not belong to you and no court file or documents in a file can be taken from the clerk's office.
3. **Where can I find out about court resources and forms?** All of the Judicial Branch forms and publications are available in the clerk's office, on the Branch website and at the court service centers and public information desks in the courthouses. Information is also available at any courthouse law library.
4. **What happens if I need a continuance (a different date) for my divorce hearing?** If you cannot come to the court on the day of your hearing, you must ask the court clerk to give you a different date by filing a form called a motion for a continuance. You can get the form at any clerk's office or online on the Judicial Branch's website. The motion should be filed before the date of your hearing. In the motion, you must let the judge know whether the other parties in the case agree to your request for a different date. You must also give the judge your reason for asking for a different date. You may also ask the judge for a different date on the day of your hearing. If the judge does not agree to move your case to a different date, it will be heard on the original date, even if you are not there.
5. **Why will the State of Connecticut Attorney General be involved in my case?** If either party or any child has received welfare benefits or insurance benefits under the HUSKY program, the state of Connecticut has a financial interest in the case and an attorney general will be assigned to the case to represent the state's interests. The attorney general does not represent either party in the case. The attorney general will generally ask that financial orders be made to repay the state of Connecticut for the money which it has paid out or will pay out in the future for medical expenses, child support or health insurance.

Exhibit X

VIDEO SCRIPT – FAMILY SUPPORT MAGISTRATE ADVISEMENT

Proposed Treatment:

If this could be done in an animated format, and assign characters such as animals like cats and dogs, then there may be a way to avoid some bias, discrimination or stereotyping. We need to be very sensitive to that.

The scene is set in a pre-chamber to the Court. We have several of the characters meandering. Some appear confident while others look confused. There is chatter going on. Two or three cats in the room seem to be talking to one another. There is a small dog who could be dressed in a suit. The dog is a Chihuahua or some other dog that appears sensitive and energetic. The dog's name is Magi (pronounced May-Ji).

Cat1: There are so many others here . . . I will never get in and I don't know what's going on!

Cat2: I know what you mean! What are you here for?

Cat1: They say I am a father and I don't think I am. Yeah, I know the mother, but she has been with other cats besides me. We met at a party and you know . . . Why are you here?

Cat2: They say I owe money. I had an order that I didn't pay. I got a paper and it says "Contempt." I don't have any money, lost my job recently and I have a bum paw.

Cat3: (saunters on by and it appears that she is perturbed): My ex-cat owes me money and I want it!

Magi (looks on and notices the confusion): Good morning all!! I am here hopefully to help you out by trying to explain what you may be facing in there.

[Camera moves to an angled view of the courtroom].

Magi: So, if I can get your attention? . . .

Cat1: Why?

Magi: Because I want you to understand what is going on so I will try to explain things as best as I can.

Cat2: Ok!

Magi: If you didn't know we are here at the Family Support Division of Superior Court.

Cat1: Fancy that!

Magi: Well, it means that any one of you might have a matter for Paternity . . .

Cat2: Not Me!!!

Magi: Well, we need to see about that. But you might also be here for Child Support, or maybe you have to pay child support and you are looking to change that . . . that's called a modification. Also, if you are not paying your child support you may be here for Contempt. So, there is a lot going on here.

Cat2: I have an attorney

Cat1: I don't.

Magi: Well, you have the right to be represented by an attorney. If you have one that's fine, but there are only a couple of situations where the Court might appoint one for you.

Cat1: I'm listening.

Magi: First, let's talk about paternity.

Cat1: Huh?

Magi: We're talking about whether one of you cats is the father of a child or not. Now, let's say you received some papers to be here today and it probably says Paternity Petition. Or, you might have received other papers mentioning that you are the father of a child or other children. When we are talking about paternity matters you may be entitled to a court-appointed attorney if you cannot afford to hire your own. But first you have to complete an application . . . a form.

Cat1: Where do I get one?

Magi: The clerk's office. After reviewing your application if the court finds that you cannot afford an attorney, the court may appoint an attorney for you, if you qualify.

Cat1: Well, suppose I don't think I'm the father?

Cat2: Yeah, me too?

Magi: Before we get to that you want to make sure that there is no form out there called an acknowledgment where you and the mother signed off on it before a Notary or other official

[Note: a copy of what that form looks like is displayed]

Magi: The other thing you need to check is whether this or another Court has already determined that you are the father, called a judgment.

Cat1: Ok then . . . now suppose there aren't any of those things out there like a judgment or acknowledgment then what do I do?

Magi: Then you can request genetic testing (also known as a DNA test) if there is any doubt at all in your mind that you are the father of the child. It's a simple test that will exclude you if you are not the biological father. The test can be used to help prove that you are or are not the father.

Cat2: How much does this cost?

Magi: If you wish to have the test, first you have to ask for it. But, if you cannot afford to pay for the test, you must complete an application or form.

Cat1: Another one? And, these forms you are talking about, just what are they?

Magi: The forms ask you to give financial information to show the Court that you can or cannot afford to pay for what you are asking for – the tests or a lawyer, for example.

Cat1: Well let's say I cannot afford to pay for the test.

Magi: If you qualify, the cost of the DNA test will be paid by the state. But if you do not qualify, you will be responsible for paying the cost of the test.

Cat2: Oh boy, that must cost a lot!

Magi: The cost is about \$30.00 to test each person. So that means that if there is one child, you and the mother, then we're talking about \$90.00, but you have to realize that costs are always subject to change.

Cat2: Tell me about it!

Cat1: Is there anything else we need to know about this paternity stuff?

Magi: In a paternity action, you also have the right to a full trial by a magistrate...

[Note: show magistrate sitting at the bench, a dog like a Bassett Hound, strong but sensitive looking]

Magi: ...to make the state prove that you are the father of the child in question. If you want a trial, you need to ask for one.

Cat1: What does someone like me do at a trial?

Magi: If you have a trial, you have the right to call witnesses (people who may be on your side and who can tell the Court what they know what you say happened or did not happen). Also, you can bring papers or reports that show that you are not the father.

Cat2: Who else is in the courtroom?

[Camera pans the courtroom stopping at each person who is being referenced as Magi speaks]

Magi: Well, generally there is the father, the mother, an Assistant Attorney General, who is the lawyer for the state, a support enforcement officer, who might have information to present, the Family Support Magistrate, who makes the decisions, the clerk, who takes down notes and assists the Magistrate, a court monitor, who records whatever is being said, a marshal who assists in keeping order in the courtroom, and other people sitting in back waiting for their turn to be heard.

Cat1: Now what happens if this magistrate says that I am the father?

Cat2: Yeah!

Magi: If the court determines that you are the father of the child in question, there are many rights and obligations that are created. This can include the obligation for you to contribute to the child's support, based upon **your ability to pay**, until the child is age 18, graduates from the twelfth grade or turns 19 whichever occurs first and in some circumstances even longer. That obligation runs not only from today and into the future, but . . .

Cat1: I get the future piece, but am responsible for the past?

Magi: Oh yes, your obligation for support can go back three years from the date the paternity petition was filed. But sometimes the other party may not insist on this. It may depend on the situation and what the other party might say.

Cat1: Wow!

Cat2: Ability to pay . . . what does that mean?

Magi: To put it simply the Court will consider the money that you have earned in the past and the money that you are earning right now. The court will also look at your history. It is important for you to bring to the Court any evidence or papers that talk about your financial situation, including

- pay stubs,
- other financial information, even if you are working under the table, about property or cash that you may have,
- unemployment information if you are getting unemployment payments,
- social security information including any letters from the Social Security Administration with information on any money you are receiving and any money that is being paid for the benefit of your children,
- medical reports if you are claiming that you have a disability any letters or reports that say whether you can or cannot work,
- workers compensation information if you are claiming that, including the amount you are receiving for those benefits; and, if you have an attorney we need that information too,
- Cash assistance award information, if you are claiming that you are on that too.

Also, very important . . . you may be asked to fill in a Financial Affidavit

[Note: display the Financial Affidavit form for recognition purposes]

Magi: This information I just mentioned is also necessary for cases where you are being looked at for contempt, or if you are seeking a modification of any orders that you may have already. I'll talk about those a little later.

Cat2: Thank you that might help me too.

Cat1: Anything else?

Magi: Just remember that when it comes to paternity, you need to consider your rights very carefully.

Cat3 (sauntering in): What's going on here?

Magi: We're talking about what may be going on in there (show courtroom again).

Cat3: Well, I need money from my child's daddy!

Magi: Interesting, I was just getting to that. Some of you here may have received papers which are called motion to support, also known as a petition for support.

Cat3: Yeah!

Cat2: I got that for one of my kids.

Magi: Well you may be here so that the court can set up support and other orders.

Cat1: If I am working, doesn't it come out of that?

Magi: You are going to hear this phrase a lot: "immediate income withholding." That phrase means the amount that you have to pay will be taken out of your paycheck by your employer and sent directly to the appropriate state agency. However (and this is a big however) if there is an immediate withholding order entered, there will be a delay between the time the order is entered and the time your employer actually starts to take the money out of your paycheck. The money does not get taken out right away.

Cat1: Am I supposed to do anything in the meantime?

Magi: Oh yes . . . you must make sure that the money gets paid the way the court ordered it to be paid. So, it means that you have to pay the amount of the Court order out of your pocket until you see it come out of your paycheck. Also, at any time you are receiving any unemployment,

worker's compensation benefits, or even social security, it is important to notify the state about the court order.

Cat2: Suppose I go from one job to the next or go on or off unemployment?

Magi: When your unemployment ends and you have gone back to work, you must notify the state of your new employer, because that income withholding does not necessarily follow you around automatically.

Cat3: Suppose the daddy doesn't send in the whole amount?

Magi: At any time the entire amount of the court order is not coming out of a paycheck, unemployment, worker's compensation benefits or any other appropriate source, it is the responsibility of the person owing the money to see that the full amount gets paid in accordance with the court order.

Cat1: What does that mean?

Magi: Let me give you an example. Let's say the Court orders that you pay \$100.00 per week to support your child and you only see \$50.00 coming out of your pay or other source. It is your sole responsibility to see that the difference is made up out of your pocket. In that case, you must pay the balance of \$50.00 directly – the difference between what the court ordered and what is coming out of your paycheck.

Cat2: What am I left with?

Magi: Under Connecticut law, you must be left with at least 85% of the first \$145 of your disposable earnings. Your disposable earnings are defined as being your gross income minus social security, withholding taxes, any normal retirement contribution, union dues, union initiation fees, and any group health and life insurance. If you look at your pay stub, you will see those items listed on there. Just so you know, the law requires an immediate income withholding in all cases.

Cat3: The daddy had been paying some but not all and has stopped sometimes, what then?

Cat2: Uh? (He puts his head down as if not to be noticed).

Magi: Any of you who have not been paying regularly may build up an arrearage or delinquency. An arrearage is all the money that you have not paid even though you were ordered to pay it. If you owe an arrearage, there are a number of things that can happen. For example, the federal or state governments can take or intercept your income tax refunds including those stimulus checks that you hear about from time to time, your driver's, professional or recreational licenses may be suspended or revoked, or liens can be placed on your property.

Cat1: What does a lien mean?

Magi: The best I can explain a lien is that it is a legal piece of paper that can be placed with someone or some place that prevents you from having full control of things that you own or may be entitled to. This could include your house, if you own it, other property, like your car, or even money that you may expect from a lawsuit or settlement.

Cat2: Where do they come up with the amount I might owe?

Magi: Support orders and even the past due amounts known as arrearages are figured with the help of the Child Support Guidelines.

[Note: Camera pans to the Guidelines book]

Magi: These guidelines were made after several years of work by a lot of people with lots of experience. The guidelines are set up to make sure that you pay to support your child, but also have money to live yourself.

Cat3: Where can I get this book?

Magi: From the clerk's office or court service center that may be located in the courthouse; or, when you talk with the people in the support enforcement office or social services. They all have the book too.

Cat2: What happens if I run into trouble like becoming unemployed or . . . have to go to jail for something?

Cat3: Yeah . . . or suppose I find out that daddy is earning more money?

Magi: You have a right to ask the court to modify the order. Modifying an order could mean that the court increases or decreases the amount of money you must pay. It could also mean that your payments are stopped for a period of time (suspension) or that your payments are ended (termination). If you want to get a modification, you must first file a written piece of paper which we call a Motion, along with a required filing fee, in the clerk's office in the courthouse.

Cat3: Where do I get this?

Magi: You can ask the clerk for the modification motion form to fill in. Or you can get this form online from the Judicial Branch's website.

Cat2: I cannot afford any filing fee, what then?

Magi: Well, if you believe you cannot afford the filing fee, you can also ask the clerk for the fee waiver request form.

Cat2: Another form?

Magi: Sorry, but it's true – the form asks you to give financial information so that the court can decide whether you can afford to pay the filing fee. Be very careful on how you fill the form out.

Cat3: Then what?

Magi: The notice of the Motion to Modify must be served on all other parties to the case, including the State of Connecticut, if the State is a party in your case. Also, if you file the motion yourself instead of the State's filing it, you will probably want to hire a Marshal to make sure that the other party gets the papers.

Cat2: Suppose I cannot afford the Marshal's fees?

Magi: You know that form we were talking about? If you fill that out properly and request help, and you qualify then the State may cover those charges too.

Cat1: Do I need an attorney for this so called Motion?

Magi: You can hire your own attorney to represent you when you want to file a Motion to Modify, or you can file the Motion yourself. Either way, you must follow all procedures that would be expected on everyone else, which again includes the requirement of proper service; otherwise, the court cannot even hear the Motion.

Cat1: Am I prevented from doing anything before I come to Court on that?

Magi: Very important . . . unless and until your Motion is heard and granted so that your payment amount is changed by the court, for example, you must not change the amount of your existing orders.

Cat2: What happens if I don't pay my child support?

Magi: You might get cited in for contempt of court. That means a marshal will serve you with papers telling you that you have to come to court on a specific date at a specific time. A contempt hearing is held when a person fails to obey a court order for child support. In such case, there is the possibility that you could go to jail. In that situation, you are entitled to request the presence of your attorney if you have one. You would need to take care of getting that person here immediately and let the Court know when your case is called.

Cat2: Again, suppose I am not working and have no income to pay for an attorney?

Magi: If you cannot afford an attorney, you would fill out the form with financial information. If the court finds that you cannot afford to hire your own attorney, a court-appointed attorney will be appointed to represent you if you are found in risk of incarceration . . . going to jail.

Cat2: Is there a way that we can around that, I mean facing contempt and possibly going to jail?

Magi: Well, let's say you were ordered previously to make any lump sum payment (pay money all at once), or if you're behind on your periodic orders which might mean weekly or monthly orders as the case may be, you need to see the support enforcement staff immediately and take care of those payments. The benefit is that in some cases, support enforcement may have been allowed to excuse you. If so, there is the possibility that your case could be taken care of earlier rather than later today.

Cat3: What about other dates, do we all have to come back?

Magi: Yeah . . . because some cases will be continued for some time in the future. It is extremely important that you return to court for all your court dates. If you are not here when you are ordered to be here, one of three things will happen, depending on your case and circumstances.

First, if you don't come to court when you have been ordered to be here, the magistrate can order that a *capias* be issued. A *capias* is a civil arrest warrant and it tells the marshal to pick you up and bring you in here. When a *capias* is ordered, a cash bond amount is set by the court, generally around a \$1,000.00, but it could be less or more depending on the case and circumstances. So, if you are picked up at a time when court is not in session, you will be held in a jail, perhaps overnight or even longer, until either court is next in session, or, if sooner, you can post the amount of the cash bond.

Second, if the court finds that you have the habit of failing to appear when you are given orders to be here, or if the court finds that there is a possibility that you are going to leave the state, then the court will order an "appearance bond." An appearance bond also must be posted in cash, before you can even leave the court. The appearance bond is to guarantee the court that you will be here for all of your future court dates.

Third, if you do not appear when you have been ordered to be in court, a default judgment could be entered against you. That is, if you are not here when your case is called, the other side will go ahead, present its evidence, and the court will enter orders in your absence and these orders will be binding on you. You could lose your case without ever telling your side of the story.

Cat3: What happens if I file a Motion and I don't show up?

Magi: Well, if you file a Motion like a Motion to Modify and you don't show up when it is scheduled, or let's say you are here and get frustrated with the time and the crowds ahead of you and leave, then you run the risk of having that motion denied, dismissed or marked off.

Cat3: My friend is under 18 and speaks Spanish, what about her?

Magi: Your friend should tell the interviewer from Support Enforcement or the Department of Social Services if she is under 18 or if she needs the services of an interpreter. Any party who is supposed to be here and is under the age of 18 or needs an interpreter should tell the interviewer from Support Enforcement of Social Services. Your friend and anyone else should also let the Magistrate know.

Cat2: Do I have to stay here all day? Look at all those people!

Magi: If you were served papers to be here today or ordered previously to be here today, you must remain in attendance until your case is heard and finished and you are excused by the court. If you leave before your case is heard, those things we just discussed could happen: a capias could be ordered for your arrest or a default judgment could be entered against you, or both things could happen.

Cat2: (chewing gum and talking on his cell phone): Do I have to do or not do anything else?

Magi: Just so you know, there is no talking, chewing gum or eating in the courtroom. If your cell phones or pagers ring, the marshal will take them away until the end of the day. So, before you go into the courtroom, get rid of the gum and turn off any cell phone, pager or beeper you have. Also, your case will not be called until you are interviewed and it is important that you see the right person for that. There is also the possibility that cases are heard in more than one courtroom and it is important for you to make sure that you are in the right place; otherwise, you may lose out on what you came here to do.

Cat3: I might have some issues with custody or visitation too; can I do some one-stop shopping?

Magi: The Court or magistrate deals generally with child support only. However, a magistrate has the authority to enter an order establishing or modifying visitation or custody if you and the other party are both in court and you have a written agreement that the court finds is in the best interests of your child or children. Now, if you don't have an agreement, you would have to file a motion to be heard at a later date by a family judge. Also, this court can order either or both parents to attend a Parenting Education Program, if the court finds that it would be in the best interests of the child or children. This program has been required for several years in all divorce cases.

Cat1: Can I get any other help in working things out?

Magi: In some places, Hartford, you may be sent to the Family Relations Division so you could work out visitation or custody issues in the best interests of the child or children. In Hartford, a Family Relations Officer usually is available on the 3rd floor of their building on Monday and Friday mornings and Wednesday afternoons. Different courts have different locations and access numbers.

Cat1: Anything else, I am getting bored.

Magi: Sorry . . . Well, in any case I see that the marshal is trying to get everyone into the right courtroom so you need to get going. Don't forget to turn off any phones, pagers or beepers!

Cat2: Thank you.

Cat3: Thank you.

Scene ends as we watch all of the parties including cats and dogs leaving the area and entering the courtroom(s)

-FINI-

NOTE: I looked at the Massachusetts website. It is well designed, logical and easy to navigate. This would be good for access of information to those questioning how child support works. However, in addressing the public, particularly in videos, there always seems to be someone talking at you as opposed to maintaining a dialogue. As a consequence it appears that the videos are nothing more than a propaganda campaign. I am hoping for something simple and enlightening and creative. This is not to say that my pitch aligns with everyone's idea, but it is an attempt to take this in a different direction. Moreover, I thought that there was another website where there were videos that would assist us in a design so we did not have to reinvent the wheel, so to speak. As part of the loop interim videos can be shown akin to what is on the Massachusetts website.

Exhibit Y

JUDICIAL BRANCH FAMILY PUBLICATIONS

The Expectations of the Public subcommittee on family matters has reviewed existing Judicial Branch family law publications with a view toward revising them to ensure that:

- all information contained is accurate and up to date
- the publications market the Judicial Branch website and direct patrons to it
- the publications are written in plain language, and
- the publications are available in multiple languages.

After a review of the publications on family matters, the following recommendations are made:

Do It Yourself Divorce Guide (JDP FM 179, Rev. 5-05)

The Judicial Branch's most extensive and commonly used family publication, it is an excellent resource for self represented parties in divorce cases, but it was last revised in May of 2005 and must be updated. The following changes are recommended:

Recommendations

- All references to the Judicial Branch website must be updated throughout the booklet to reflect its current address (www.jud.ct.gov), and the web address should be displayed on the front cover.
- The Latin terms *pro se* and *pendente lite*, which are used throughout the guide should be eliminated.
- The Spanish version of this guide, which has not been reprinted in several years should be updated and made available as soon as possible.
- This guide is designed to assist with **uncontested** divorces. A prominently displayed (bold/highlighted) disclaimer regarding this fact should be included in the guide's introduction. Currently, this information is found in the third paragraph of the "overview" on page 6.
- A statement that informs the reader that all forms discussed in the guide can be found at the Judicial Branch website should appear toward the beginning of the booklet. Such a statement is currently found on page 52 with the list of "Court Forms Discussed in this Guide."
- The Court Service Center Manager should be added to the "Court Personnel" list on pages 11-12 because these managers can be of immense assistance to people trying to navigate through the divorce process.
- The information on obtaining non-military information (found on page 29 of the current guide) should be updated to reflect the fact that the DMDC now offers information online at <https://www.dmdc.osd.mil/scra/owa/home>.
- The information regarding the availability of the directory of private mediators (page 44 of the current guide) should be updated to reflect that a list may be available at the court service center, the family relations office, or not available at all.
- A list of senior judges and judge trial referees who will mediate can usually be found with the family caseflow coordinator, not the clerk's office. In some districts this program is more accessible for those who are represented by counsel.

Do It Yourself Divorce Guide Supplement (JDP FM 180, Rev. 10- 05)

It would be helpful to start the supplement with a page that divides the forms into categories and then puts them in order according to when they will be needed, rather than putting the forms in alphabetical order. For example:

FORMS YOU NEED TO START THE DIVORCE

- Summons
- Complaint
- Notice of Automatic Orders
- Fee Waiver (if necessary)

FORMS YOU NEED DURING THE NINETY DAY WAITING PERIOD

- Financial Affidavit
- Affidavit Concerning Children
- Case Management Agreement

Procedures for Relief from Abuse Process (JDP-FM 142, Rev. 8-07)

This publication succinctly explains the procedure for obtaining a restraining order and promotes alternative sources of information, including the Judicial Branch website. Several improvements could be made. The following changes are recommended:

Recommendations

- Although “relief from abuse” is the language used in the statute, that terminology is unfamiliar to the vast majority of people who seek a “restraining order.” The brochure uses both “relief from abuse” and “restraining order” which is potentially confusing. It is suggested that the brochure be retitled “Procedures for the Restraining Order Process.”
- A Spanish version of this brochure would be extremely helpful in many of the State’s Judicial Districts.
- The brochure should provide the information that the restraining order application is available on the Judicial Branch website, the clerk’s office or in the court service center in the section titled “Forms Needed to Apply.”
- In the “After the Judge Rules on the Application” section, the possibility of the Judge ordering only a hearing should be introduced seeing as that the *Order and Notice of Court Hearing* form is mentioned in the following paragraph.
- The fact that hearings are usually scheduled two weeks after the Judge’s initial decision should also be included in the brochure.

Parenting Education Programs (JDP-Fm-151, Rev. 6-07)

This brochure provides people with a statewide listing of approved parenting education programs, and gives a basic description of the program, its purpose, and its registration procedure. It is available in both English and Spanish. The Branch website address is displayed on the cover and the brochure directs people to the website for the registration form.

Recommendations

The brochure should state that the provider will ask for the case docket number at the time of scheduling the program so that people involved in divorce cases know they cannot register for the class until they’ve received a docket number from the court.



Report of the External Affairs Advisory Board

Background

The External Affairs Advisory Board was formed in November of 2008 to review the *Speakers Bureau*, *Seniors and the Law* and the Media Campaign for Public Education, which were three areas identified in the Public Service and Trust Commission's Implementation plan.

The members of the External Affairs Advisory Board are:

Judge Susan B. Handy, Chair
Judge Dennis G. Eveleigh
Judge Douglas S. Lavine
Judge Jane S. Scholl

The Board received staff assistance from:

Attorney Melissa A. Farley, Executive Director, External Affairs Division
Attorney Stephen N. Ment, Deputy Director, External Affairs Division
Rhonda Stearley-Hebert, Manager of Communications, External Affairs Division
James J. Senich, Manager of Communications, External Affairs Division

The Board met four times (on December 5, 2008, January 9, 2009, March 16, 2009 and April 27, 2009) and held two focus groups. The first focus group was held on January 9, 2009 to obtain input from judges who had participated in the *Speakers Bureau*, as well as judges who had not participated. The second focus group was held on February 6, 2009, with teachers, administrators and other education personnel to determine ways that the Judicial Branch can assist in educating the youth in Connecticut about the role and function of the courts.

The External Affairs Advisory Board decided at its first meeting to develop a comprehensive plan with specific action steps to educate the public, senior citizens, members of community organizations, students and members of the general public, about the role and function of the Connecticut Judicial Branch.

Summary of Recommendations

1. Discontinue the *Seniors and the Law* program, as most of the issues affecting seniors are not within the purview of the Superior Court.
2. Invite senior citizens to go to their local courthouse to observe proceedings and to meet with a judge.
3. As part of the *Speakers Bureau*, ask senior centers if they would like to have a judge come and address their group.
4. Suggest to Judge Paul Knierim, Probate Court Administrator, that the Probate Court consider taking over the *Seniors and the Law* program, as the topics discussed, for the most part, more closely relate to the Probate Court.
5. Publicize the availability of the *Speakers Bureau* to community organizations.
6. Develop a bank of resources such as statistics that are readily available for judges who are part of the *Speakers Bureau*.
7. Market the *Speakers Bureau* to the judges themselves.
8. Encourage judges to inform the *Speakers Bureau* whenever they speak to a community group and provide an e-mail form for them to do so.
9. Send an e-mail to all judges once a year asking them to provide External Affairs with information about the number of groups they spoke to, the topics that were addressed, where the engagement took place and their comments on how the event went.
10. Provide evaluation forms to the judges and to the community organizations each time that a judge addresses an organization.
11. Expand the *Speakers Bureau* to include family support magistrates and Judicial Branch employees.
12. Ensure that there are accurate Branch-wide statistics available about the number of judges and employees who speak to community organizations, and require the administrative divisions to inform the *Speakers Bureau* when employees speak to community groups.
13. Urge the Chief Justice and the Chief Court Administrator to continue their efforts to remind judges that speaking to the community is one of the most important ways to educate the public about what we do and who we are.
14. Recommend to the members of the Pre-Bench Orientation Committee that they inform new judges about the importance of the *Speakers Bureau* and in going out into the community.

15. Send a list of Judicial Branch publications to every public library advising them that these resources are available upon request.
16. Cultivate relationships with educational organizations, particularly those involving social studies teachers.
17. Attend social studies teachers' conferences and consider doing a workshop.
18. Tape a day in court with a teacher and class present. This DVD will be made available to other teachers and could be presented to them at a professional development day.
19. Develop a program for judges to use when either teachers visit courts or judges visit schools as part of a professional development day.
20. Have judges visit schools and talk with students about the consequences of criminal behavior.
21. Inform guidance departments about the resources available through the Judicial Branch.
22. Send out notices to judges in March of each year asking if they would be willing to speak to high school students in conjunction with Law Day. Make arrangements for judges to speak to the schools identified.
23. Contact every high school in the state and ask the school to designate a liaison who will receive educational materials about the Judicial Branch and then distribute the materials to the appropriate teachers.
24. Distribute notices in late July/early August to the designated school liaisons about resources that the Judicial Branch can provide.
25. Establish a "regional judge liaison" to work between the court and schools in a particular area.
26. Work with CT-N to get footage of the *Cipriani* trial and discuss with CT-N the possibility of creating a DVD with excerpts from the trial interspersed with judges talking about the process and what the students are seeing.
27. Explore with CT-N the option of a media/interactive learning project for students through the Connecticut Education Network.
28. Complete the workbook for upper elementary students.
29. Contact Sunday morning talk shows and radio stations about Judicial Branch-sponsored programs (like the Foreclosure Mediation Program). Explore the feasibility of developing a DVD with judges discussing how these types of programs work.

30. Incorporate into every speaking engagement a request, if approved by both the judge and the organization, to contact the local media about the event.
31. Encourage judges to let the External Affairs Division know when they are engaged in an activity that could educate the public about the courts and its programs.
32. In an era of diminishing resources for the media, provide ways to educate them about the courts, absent the day-to-day court beat reporter, such as using the website to its full potential (i.e. statistics) and providing opportunities for judges to educate the media about the courts (i.e. having judges visit media organizations to assist them in learning about the courts).
33. Ask the Chief Administrative Judges if they would be willing to write a column for the *Connecticut Law Tribune*. Also, continue encouraging judges to take advantage of opportunities to educate the public about the courts and the judiciary through the media.
34. Continue co-sponsoring yearly events with judges and members of the media to educate each other about our respective roles with the assistance of the Judicial Media Committee (i.e. Law School for Journalists and Journalists School for Judges).
35. Continue monitoring of inquiries from the news media and stories about the Judicial Branch.
36. Continue marketing positive stories about the judiciary and the Judicial Branch to news organizations.
37. Continue contacting editorial boards when necessary to present the Branch's position on an issue.
38. Develop a plan to cultivate minority news organizations including predominantly non-English speaking media organizations.

Senior Citizens *(previously listed as Seniors and the Law)*

Summary

The External Affairs Division has organized the *Seniors and the Law* program since 2001. Originally, the program was offered twice a year in different regions of the state and it featured presentations on avoiding scams, elder abuse, wills and trusts, identity theft, and jury service. As the program has been held in most judicial districts, it is now held once per year. The External Affairs Advisory Board voted at its December 5, 2008, meeting to discontinue the *Seniors and the Law* program and replace it with other ways to reach this population.

Recommendations

1. Discontinue the *Seniors and the Law* program, as most of the issues affecting seniors are not within the purview of the Superior Court.
2. Invite senior citizens to go to their local courthouse to observe proceedings and to meet with a judge.
3. As part of the *Speakers Bureau*, ask senior centers if they would like to have a judge come and address their group.
4. Suggest to Judge Paul Knierim, Probate Court Administrator, that the Probate Court consider taking over the *Seniors and the Law* program, as the topics discussed, for the most part, more closely relate to the Probate Court.

Performance Measures

1. Keep track of the number of senior groups that the External Affairs Division invites to visit their local courthouse to observe proceedings.
2. Keep track of the number of senior groups that External Affairs informs of the *Speakers Bureau*.
3. Keep track of how many of these groups request court visits.
4. Keep track of how many of these groups request speakers.
5. Determine how many of these requests the External Affairs Advisory Board is able to accommodate.
6. Prepare a yearly report on these statistics that also recommends ways to increase the number of senior citizens who participate in these programs.

Members of Community Organizations (previously listed as Speakers Bureau)

Summary

The External Affairs Division has managed a *Speakers Bureau* of judges since 1999. The purpose of the *Speakers Bureau* is for judges to go out into the community and address issues of interest with particular groups. The goal is to enhance the public's understanding of the judicial system, thereby increasing the public's trust and confidence in the courts. The Advisory Board was charged with enhancing the *Speakers Bureau*, both in terms of the groups who participate and the topics that are covered.

Evaluation Process

1. The External Affairs Division completed a thorough evaluation of the *Speakers Bureau*, which included statistics on the number of speaking engagements over the past several years, the topics that have been addressed, and the judges who have participated. This evaluation was provided to the members of the Advisory Board.
2. The External Affairs Division conducted research to determine whether other state judiciaries have comparable programs and, if so, how they are managed. The National Center for State Courts was also consulted. The findings were presented to the members of the Advisory Board.
3. The Board held a focus group of judges on January 9, 2009, to: (a) obtain feedback about the program; (b) get recommendations for materials that would be helpful to the judges going out into the community; and, (c) determine if a training program for the judges would be helpful, and if so, what the program should entail.

In addition to the members of the External Affairs Advisory Board, the following judges attended the focus group:

- Judge Barbara N. Bellis
- Judge James M. Bentivegna
- Judge John F. Cronan
- Judge Richard W. Dyer
- Judge Brian T. Fischer
- Judge Michael A. Mack
- Judge Douglas C. Mintz
- Judge Barry K. Stevens
- Judge Robin L. Wilson

Findings from the Focus Group

- a. The *Speakers Bureau* was a positive experience according to the judges.
 - b. Judges do not need prepared speeches, but they do need statistics.
 - c. A lot of judges are speaking at events, but not reporting their speaking engagements to the *Speakers Bureau*.
4. To assess the quality of these events, a survey was distributed to community organizations where judges have spoken. The results indicate that community groups are very satisfied with the *Speakers Bureau* and the judges who participate.
 5. The Judicial Branch's five administrative divisions were polled to determine who would be available to speak in the community as Judicial Branch employees.

Recommendations

1. Publicize the availability of the *Speakers Bureau* to community organizations.
2. Develop a bank of resources such as statistics that are readily available for judges who are part of the *Speakers Bureau*.
3. Market the *Speakers Bureau* to the judges themselves.
4. Encourage judges to inform the *Speakers Bureau* whenever they speak to a community group and provide an e-mail form for them to do so.
5. Send an e-mail to all judges once a year asking them to provide the External Affairs Division with information about the number of groups they spoke to, the topics that were addressed, where the engagement took place, and their comments on how the event went.
6. Provide evaluation forms to the judges and to the community organizations each time that a judge addresses an organization.
7. Expand the *Speakers Bureau* to include family support magistrates and Judicial Branch employees.
8. Ensure that there are accurate Branch-wide statistics available about the number of judges and employees who speak to community organizations, and require the administrative divisions to inform the *Speakers Bureau* when employees speak to community groups.
9. Urge the Chief Justice and the Chief Court Administrator to continue their efforts to remind judges that speaking to the community is one of the most important ways to educate the public about what we do and who we are.

10. Recommend to the members of the Pre-Bench Orientation Committee that they inform new judges about the importance of the *Speakers Bureau* and in going out into the community.
11. Send a list of Judicial Branch publications to every public library advising them that the resources are available upon request.

Performance Measures

1. Keep track of the number of community organizations that were sent a letter of invitation from the Chief Justice inviting them to participate in the *Speakers Bureau*.
2. Keep track of how many of these groups make requests for speakers.
3. Determine how many of these requests the External Affairs Advisory Board is able to accommodate.
4. Compile the results of the evaluations from the judges and from the community organizations.
5. Keep track of the articles or news accounts on judges or family support magistrates who speak to community groups.
6. Prepare a yearly report on this information that also compares these statistics with the results from prior years. The report should also recommend ways to increase the number of judges and community organizations that participate in the *Speakers Bureau*.

Educating Students

(previously listed as part of Media Campaign for Public Education)

Summary

Many of the recommendations of the *Public Service and Trust Commission* centered on the need to better educate students about the role and function of the Judicial Branch. As background, the External Affairs Division is currently working with the Consortium for Law and Citizenship Education, Inc. to develop a workbook to assist upper elementary school teachers in educating their students about the role of the court system in a democratic society.

Evaluation Process

1. The External Affairs Division contacted the National Center for State Courts and other state judiciaries to obtain suggestions about ways to educate the public about the courts. This information was provided to the External Affairs Advisory Board.
2. To obtain feedback as to the best way to educate our youth, a focus group was held on February 6, 2009. The following individuals attended:
 - a. Rebecca Amanti, Assistant Principal, Waterford High School
 - b. Margaret Delaporta, Social Studies Teacher, Grasso Tech
 - c. Beth DeLuco, Assistant Director, Consortium for Law & Citizenship Education, Inc.
 - d. Dan Gregg, Department of Education
 - e. Chris Islaub, Conard High School (West Hartford)
 - f. Alyce Loesch, Westhill High School (Stamford)
 - g. Paul Skaff, Director of Special Projects, CT-N
 - h. Deb Thibault, Literacy Coordinator, Berlin Public Schools
 - i. Maureen Well, Deputy Director, Law Librarian
 - j. Jeff Vingo, St. Joseph High School (Trumbull)

Findings from Educators' Focus Group

- a. Students want to study specific cases, not just general information about the court system. The teachers liked the idea of getting footage from a real case to show to the students.

- b. The information that the Judicial Branch has been sending to schools is not getting to the teachers.
- c. As many teachers do not have phones in their classrooms, e-mailing teachers usually is the best way to reach them.
- d. Networking and personal contacts work best.
- e. Attending social studies teachers' conferences would be a great opportunity to meet the teachers.
- f. Teachers need tools that they can use to instruct students about the court system.
- g. Bringing students to court is an amazing experience for the kids, but there is a cost to the schools (buses).
- h. CT-N currently is working on a media/interactive learning project for students through the Connecticut Education Network.
- i. DVDs with talking heads explaining the court system would not work. What will work are DVDs of actual trials or court proceedings, where a judge explains what the students just saw.

Recommendations

1. Cultivate relationships with educational organizations, particularly those involving social studies teachers.
2. Attend social studies teachers' conferences and consider doing a workshop.
3. Tape a day in court with a teacher and class present. This DVD will be made available to other teachers and could be presented to them at a professional development day.
4. Develop a program for judges to use when either teachers visit courts or judges visit schools as part of a professional development day.
5. Have judges visit schools and talk with students about the consequences of criminal behavior.
6. Inform guidance departments about the resources available through the Judicial Branch.
7. Send out notices to judges in March of each year asking if they would be willing to speak to high school students in conjunction with Law Day. Make arrangements for judges to speak to the schools identified.

8. Contact every high school in the state and ask the school to designate a liaison who will receive educational materials about the Judicial Branch and then distribute the materials to the appropriate teachers.
9. Distribute notices in late July/early August to the designated school liaisons about resources that the Judicial Branch can provide.
10. Establish a "regional judge liaison" to work between the court and schools in a particular area.
11. Work with CT-N to get footage of the *Cipriani* trial and discuss with CT-N the possibility of creating a DVD with excerpts from the trial interspersed with judges talking about the process and what the students are seeing.
12. Explore with CT-N the option of a media/interactive learning project for students through the Connecticut Education Network.
13. Complete the workbook for upper elementary students.

Performance Measures

Prepare a yearly report containing the following information:

1. The number of social studies teachers' conferences attended by a representative of the Judicial Branch.
2. How many times judges visit schools, the topics discussed, the number of students attending and the results of the evaluations from the students (or teachers) and the judges.
3. How many guidance departments were contacted and the number of guidance departments that responded to a request for resources.
4. The number of judges who responded to the e-mail asking for judges to speak to high school students in conjunction with Law Day, the number of schools who agreed to have a judge speak, and the results of the evaluations of the students (or teachers) and the judges. This information will be compared with the numbers from previous years.
5. How many requests are received for the workbook for upper elementary school students and any comments by teachers or students about the quality of the resource.
6. The status of efforts to work with CT-N to create a DVD with excerpts from the *Cipriani* trial interspersed with judges talking about the process and what the students are seeing.
7. The status of efforts to tape a day of sentencings with an educational consultant and class present. A DVD could be developed from this day to send to schools.

Educating the General Public with Help from the Media *(previously listed as Media Campaign for Public Education)*

Summary

During the course of developing the Judicial Branch's strategic plan, members of the *Public Service and Trust Commission* considered more than a dozen ways to improve and/or execute a communications campaign designed to better educate the residents about the role and function of the judiciary.

The report of the *Public Service and Trust Commission* envisioned that the Judicial Branch would work with media professionals to assist the Branch in its effort to educate members of the public about the state judiciary.

Recommendations

1. Contact Sunday morning talk shows and radio stations about Judicial Branch-sponsored programs – like the Foreclosure Mediation Program. Explore the feasibility of developing a DVD with judges discussing how these types of programs work.
2. Incorporate into every speaking engagement a request, if approved by both the judge and the organization, to contact the local media about the event.
3. Encourage judges to let the External Affairs Division know when they are engaged in an activity that could educate the public about the courts and its programs.
4. In an era of diminishing resources for the media, provide ways to educate them about the courts, absent the day-to-day court beat reporter, such as using the website to its full potential (i.e. statistics) and providing opportunities for judges to educate the media about the courts (i.e. having judges visit media organizations to assist them in learning about the courts).
5. Ask the Chief Administrative Judges if they would be willing to write a column for the *Connecticut Law Tribune*. Also, continue encouraging judges to take advantage of opportunities to educate the public about the courts and the judiciary through the media.
6. Continue co-sponsoring yearly events with judges and members of the media to educate each other about our respective roles with the assistance of the Judicial Media Committee (i.e. Law School for Journalists and Journalists School for Judges).
7. Continue monitoring of inquiries from the news media and stories about the Judicial Branch.

8. Continue marketing positive stories about the judiciary and the Judicial Branch to news organizations.
9. Develop a plan to cultivate minority news organizations including predominantly non-English speaking media organizations.

Performance Measures

Prepare a yearly report containing the following:

1. The number of inquiries from the news media.
2. The number of times that media outlets have reported on a Judicial Branch-sponsored program.
3. The number of times that the local media has reported on a judge who spoke to a community organization as part of the *Speakers Bureau*.
4. The number of columns authored by a judge.
5. The number of camera requests received and granted.

**REPORT OF THE
JUDICIAL PERFORMANCE
EVALUATION PROGRAM
COMMITTEE**

June 2009

COMMITTEE ON THE JUDICIAL PERFORMANCE EVALUATION PROGRAM

Chaired by: Hon. Alexandra D. DiPentima
Hon. Joseph M. Shortall

Final Report

Attachment A Membership List of Subcommittees

Attachment B Report of the Subcommittee on Evaluating
Supreme Court Justices and Appellate Court
Judges

Attachment C Report of the Subcommittee on Evaluating
Judge Trial Referees

Attachment D Report of the Subcommittee on Evaluating
Judges Assigned to High Volume Courts and
as Presiding Judges

Attachment E Report of the Subcommittee on Improvement
of the Existing System for Evaluating Trial
Judges

Attachment F Vote Summary

REPORT OF THE JUDICIAL PERFORMANCE EVALUATION PROGRAM COMMITTEE

The Judicial Performance Evaluation Program Committee (Committee) was chaired by Hon. Alexandra D. DiPentima and Hon. Joseph M. Shortall. There were 39 members, representing the bench, the bar, academia and the executive and legislative branches of government, as well as two ex officio members:

Hon. Alexandra D. DiPentima, co-chair	Atty. Raymond M. Hassett
Hon. Joseph M. Shortall, co-chair	Family Support Magistrate Katherine Y. Hutchinson
Hon. Barbara M. Quinn, ex officio	Hon. Frank A. Iannotti
Hon. Patrick L. Carroll III, ex officio	Atty. David R. Jimenez
Hon. Joan K. Alexander	Atty. Kevin T. Kane
Atty. Faith P. Arkin	Hon. Joette Katz
Hon. Arnold W. Aronson	Hon. Christine E. Keller
Atty. Livia D. Barndollar	Atty. Marc J. Kurzman
Hon. William H. Bright, Jr.	Hon. Aaron Ment
Hon. Patrick J. Clifford	Hon. Thomas V. O'Keefe, Jr.
Hon. Thomas J. Corradino	Jeremy Paul, Dean, University of Connecticut School of Law
Atty. James O. Craven	Atty. Louis R. Pepe
Hon. William T. Cremins	Hon. Ellen Ash Peters
Atty. Gregory T. D'Auria	Hon. Antonio C. Robaina
Hon. Maureen D. Dennis	Senator Andrew W. Roraback
Atty. Anne C. Dranginis	Hon. Robert B. Shapiro
Atty. Anna M. Ficeto	Atty. Richard Silver
Representative Gerald M. Fox	Atty. Michael Thompson
Atty. Ronald S. Gold	Atty. Herman Woodard
Atty. R. Bartley Halloran	

Charge of the Committee

The Committee was charged with examining the existing judicial performance evaluation program and looking beyond the existing program to consider the following issues, all of which were addressed:

- establishing evaluation programs for supreme court justices and appellate court judges, judges who preside over high volume courts and as presiding judges, judge trial referees and family support magistrates;
- expanding the categories of respondents who evaluate trial judges to include litigants and court staff;
- reevaluating the criteria for evaluating judges to determine whether the criteria should be expanded or amended;

- assessing whether the questionnaire method is the best method for gathering evaluation information, and whether a comment section is to be reinstated;
- reviewing whether additional procedures can be implemented to reassure the Bar that the necessary safeguards are in place to protect the anonymity of the respondents;
- assessing the existing program in comparison with the ABA model;
- reexamining the distribution guidelines to determine whether they should be retained or changed.

The following issues, which were also part of the Committee's charge, were not addressed, and are the subject of separate recommendations by the co-chairs of the Committee:

- exploring the reestablishment of an Advisory Panel;
- establishing an evaluation program for magistrates who preside over small claims sessions and motor vehicle dockets, and quasi-judicial officers such as factfinders, arbitrators and attorney trial referees;
- expanding information on the Branch's website to include information on the judicial performance evaluation process.

Meetings and Formation of Subcommittees

The Committee as a whole met three times: December 3, 2008, January 13, 2009 and June 4, 2009, and the four subcommittees which were formed (see below) met a total of eleven times from January through May. There was one additional meeting of the subcommittee chairpersons on April 14, 2009. Based upon the charge of the Committee and the program issues identified by the Committee members, it was determined that the tasks of the Committee would be divided among four subcommittees:

- Evaluating Supreme Court Justices and Appellate Court Judges
- Evaluating Judge Trial Referees
- Evaluating Judges Assigned to High Volume Courts and as Presiding Judges
- Improving the Existing System for Evaluating Trial Judges

Attached is the membership list of the four subcommittees. (See Attachment A)

The Committee members identified several goals of a judicial performance evaluation program: To develop and improve the performance of individual judges and the bench as a whole, to identify areas requiring additional training and support of judges, to provide for an appropriate level of accountability for judicial performance, to increase the transparency of the judicial process for the public and to enhance public confidence in the judicial system.

Overview of Work of Subcommittees

The Subcommittee on Evaluating Supreme Court Justices and Appellate Court Judges, chaired by Justice Joette Katz and Justice Ellen Ash Peters, unanimously agreed that obtaining more information from attorneys could be helpful; that Supreme Court justices and Appellate Court judges would like to know what they could be doing better either individually or as a court; that the evaluations could serve as an educational tool for the lawyers and judges, and that the evaluation responses should remain anonymous. The subcommittee looked at the American Bar Association Model form for evaluating appellate judges and the form for evaluating appellate judges developed by the Institute for the Advancement of the American Legal System at the University of Denver, both of which had been the subject of considerable study by those organizations, and agreed to recommend an initial evaluation form that contained certain questions from each form. (See Attachment B)

The Subcommittee on Evaluating Judge Trial Referees, chaired by Judge Aaron Ment, reviewed the authority of a judge trial referee, discussed the scope of work currently performed by a judge trial referee, and compared the work of a judge trial referee to that of a superior court judge. The subcommittee also reviewed the current review process of judge trial referees. It was agreed that judge trial referees should be evaluated similarly to judges doing the same work. The subcommittee proposed five recommendations which are set forth in their report. (See Attachment C)

The Subcommittee on Evaluating Judges Assigned to High Volume Courts and as Presiding Judges, chaired by Judge Frank Iannotti and Attorney Anne Dranginis, supported the development and implementation of an evaluation program for judges assigned to high volume courts and as presiding judges, as well as for family support magistrates and family support referees.

The subcommittee reviewed other states' evaluation program materials, discussed the criteria to be used in evaluating presiding judges and judges assigned to high volume courts as well as the categories of who should be evaluating these judges. The subcommittee also addressed issues pertaining to the length of the questionnaires, the return rate, peer review, specific questions that should be asked on the questionnaire for both presiding judges and judges assigned to high volume courts, and questionnaire distribution. Also, the subcommittee recognized and supported the need for a survey expert and the need to ensure statistical validity. The subcommittee proposed seven recommendations which are set forth in their report. (See Attachment D)

The Subcommittee on Improvement of the Existing System for Evaluating Trial Judges, chaired by Judge Robert Shapiro and Attorney Louis Pepe, reviewed the pros and cons of the existing system, reviewed substantial reference materials, including other states' evaluation programs, the American Bar Association Guidelines and materials from the Institute for the Advancement of the American Legal System at the University of Denver, discussed the categories of who should be evaluating the judges including the use of independent evaluators/observers, discussed whether there should be changes to the existing attorney and juror questionnaires, including the addition of a comment section to the attorney questionnaire and juror questionnaire, addressed the distribution method of the questionnaires, identified the need for a survey expert and the

necessity of ensuring statistical validity, addressed the anonymity concerns, and methods for enhancing the quantity of data to include, for example, evaluations for mediations and settlement conferences. Also, the committee addressed the use of data collected in the evaluation to provide feedback to the judges in a timely manner.

The subcommittee proposed seven major recommendations; however, it is important to note that many of the recommendations contained additional recommendations. The report (see Attachment E) sets forth all the recommendations; in most cases the recommendations were adopted by consensus; however, where consensus was not reached, the vote is reflected in the subcommittee report.

Committee Recommendations

On June 4, 2009, the Committee considered and took action on those recommendations of the subcommittees that addressed policy issues affecting the judicial performance evaluation program. The following are the twenty-one recommendations approved by the Committee (A summary sheet of all the votes taken at the meeting is attached. See Attachment F):

Subcommittee on Evaluating Supreme Court Justices and Appellate Court Judges

Recommendations:

- *To evaluate the performance of Supreme Court Justices and Appellate Court Judges.*
- *To adopt a questionnaire, as amended, (see Attachment XX) for evaluating the performance of Supreme Court Justices and Appellate Court Judges, and to have the questionnaire be reviewed by an expert for statistical validity.*

Subcommittee on Evaluating Judge Trial Referees

Recommendations:

- *To evaluate the performance of Judge Trial Referees similarly to Judges doing the same work.*
- *To make available any and all review and recommendation information to the Chief Court Administrator for her use in recommending to the Chief Justice the appointment of a Referee to become a Judge Trial Referee.*
- *To review recommendations for Judge Trial Referees on a calendar year basis in order to allow sufficient time for any necessary performance improvements.*
- *To provide regular and timely review of concerns with Judge Trial Referees through meetings and discussions.*

Subcommittee on Evaluating Judges Assigned to High Volume Courts and as Presiding Judges

Recommendations:

- *To expand the pool of those who evaluate judges who are assigned to high volume courts and as presiding judges to include court staff.*
- *To expand the categories of judges subject to evaluation to include but not be limited to presiding judges, high volume criminal court judges in both Parts A and B, judges assigned to special proceedings, specialty court dockets, civil and family sessions, juvenile delinquency sessions and housing court, as well as family support magistrates/family support referees.*
- *To develop a peer review process for judges, with the details of the process to be determined later.*
- *To develop an attorney evaluation questionnaire which includes the following items and refer the questionnaire to an expert for consideration of its statistical validity:*
 1. *Decisiveness during Proceedings*
 2. *Courtesy of the Judge*
 3. *Patience during Proceedings*
 4. *Courtroom Decorum*
 5. *Demonstrates Respect During Proceedings*
 6. *Efficient Pace of Proceedings*
 7. *Control of Courtroom*
 8. *Impartiality of Conduct*
 9. *Consistency of Rulings*
 10. *Explanation of Rulings*
 11. *Ability to Effectively Settle Cases (For presiding judges)*
 12. *Facilitation in Development of Options for Settlements/Pleas (For presiding judges)*

*Please indicate the number of years you have practiced law:
1-5, 6-10, more than 10.*

Subcommittee on Improving the Existing System for Evaluating Trial Judges

Recommendations:

- *To solicit input for the evaluation system for trial judges from other constituents in the judicial process in addition to jurors and attorneys, as is presently the case.*
- *To modify the present Attorney Questionnaire (Rev. 3/07) so as to provide the opportunity for a fair, proper and comprehensive evaluation of the judge.*

- *To supplement the information concerning the respondent that is currently required (e.g., years of practice, type of practice, etc.) with an optional question asking whether the outcome of the trial or hearing was favorable or unfavorable to the respondent's position.*
- *To modify the current Attorney Questionnaire to add the following questions:*

"What, if anything, did the judge do that you found particularly commendable or admirable?"

"What, if anything, did the judge do that you found could be improved?"

Further, the Judicial Branch should use said comments in the mentoring and professional development of its judges and, in so doing, not necessarily wait until the minimum number of questionnaires required for review have been returned.

- *To refer both the Attorney Questionnaire and the Juror Questionnaire -- either in their current form or as modified with any of the recommendations that may be adopted by the Judicial Branch -- to an appropriate expert for an overall evaluation as to: (i) their adequacy for measurement of a judge's performance of his/her duties and the production of useful information for the judge's education and professional development; and (ii) the number of responses required to produce statistically reliable and meaningful data.*
- *To encourage the Judicial Branch to provide for the more frequent distribution of Attorney Questionnaires and to consider the electronic distribution of and response to such questionnaires.*
- *To support the concept of evaluating judges after a settlement conference or mediation, recognizing that how and whether it can be done are to be determined at a later time.*
- *To encourage the Judicial Branch to engage in a joint effort with the Bar to educate the Bar more widely and effectively on the policies, practices and procedures presently in place to protect and preserve the anonymity of attorneys completing and submitting an evaluation questionnaire.*
- *To use a periodic evaluation of a judge by independent observers as a supplement to the appraisals provided by the Attorney Questionnaire, Juror Questionnaire.*
- *To encourage the Judicial Branch to make use of the reports of the independent evaluators to develop and provide appropriate training programs and guidelines for the professional development and education of all judges.*

- *To refrain from seeking input for the evaluation program from litigants and self-represented litigants.*

Conclusion:

The Committee, through the hard work of its subcommittees, addressed the vast majority of its charges. Twenty-one recommendations were approved at its June 4, 2009 meeting. There are additional recommendations set forth in the subcommittee reports, which are attached, that should be reviewed for possible implementation.

In summary, the Committee concludes that specific improvements can be made to the existing judicial performance evaluation program, that the evaluation program should be expanded to include but not be limited to presiding judges, high volume criminal court judges, judges assigned to special proceedings, specialty court dockets, civil and family sessions, juvenile delinquency session and housing court, as well as for family support magistrates/family support referees, and that an evaluation program be established for Supreme Court Justices and Appellate Court judges. Additionally, the Committee recommends that judge trial referees should be evaluated in the same manner as judges doing the same work.

Our thanks to the chairs of the subcommittees as well as the members. Our particular thanks to the support staff of Karen Chorney, Peggy George and Meg Wilbur whose assistance was invaluable.

Report of the Committee on the Judicial Performance Evaluation Program

Honorable Alexandra D. DiPentima
Honorable Joseph M. Shortall

June 2009

ATTACHMENT A

MEMBERSHIP LIST OF SUBCOMMITTEES

JPEP SUBCOMMITTEE ASSIGNMENTS

(Rev. 2-19-09)

Subcommittee: Evaluating Judges Assigned to High Volume Courts and as Presiding Judges

Co-Chairs: Attorney Anne C. Dranginis Hon. Frank A. Iannotti

Members: Hon. Joan K. Alexander Attorney Raymond Hassett
Hon. William H. Bright, Jr. Magistrate Katherine Y. Hutchinson
Hon. Patrick J. Clifford Hon. Thomas V. O'Keefe, Jr.
Hon. William T. Cremins Attorney Herman Woodard
Representative Gerald Fox

Support Staff: Karen Chorney

Subcommittee: Evaluating Judge Trial Referees

Chair: Hon. Aaron Ment

Members: Hon. Arnold W. Aronson
Hon. Maureen D. Dennis
Attorney Livia D. Barndollar
Attorney R. Bartley Halloran

Support Staff: Karen Chorney

Subcommittee: Evaluating Supreme Court Justices and Appellate Court Judges

Co-Chairs: Hon. Joette Katz Hon. Ellen Ash Peters

Members: Attorney Gregory T. D'Auria
Dean Jeremy Paul
Attorney Michael Thompson

Support Staff: Peggy George

Subcommittee: Improvement of the Existing System for Evaluating Trial Judges

Co-Chairs: Attorney Louis R. Pepe Hon. Robert B. Shapiro

Members: Attorney Faith P. Arkin Hon. Christine E. Keller
Hon. Thomas J. Corradino Attorney Marc J. Kurzman
Attorney James O. Craven Hon. Antonio C. Robaina
Attorney Ronald S. Gold Senator Andrew W. Roraback
Attorney David R. Jimenez Attorney Richard Silver
Attorney Kevin T. Kane

Support Staff: Peggy George

ATTACHMENT B

REPORT OF THE:

SUBCOMMITTEE ON EVALUATING SUPREME COURT JUSTICES AND APPELLATE COURT JUDGES

**SUBCOMMITTEE ON EVALUATING SUPREME COURT JUSTICES
AND APPELLATE COURT JUDGES**

The subcommittee, by consensus, recommends the following questionnaire be distributed to attorneys when they argue before the courts.

Attorney Questionnaire – Supreme Court Justices and Appellate Court Judges

MISSION STATEMENT: To provide information to improve the judicial performance of individual judges and justices and thereby improve the judiciary as a whole.

This questionnaire seeks your input on the quality of Judge X's performance on the appellate bench. Your responses will remain anonymous. Please fill out and return this survey if you have been an appellant or an appellee and Judge X participated in the decision. If you have not had experience with Judge X, please so indicate below, leave the remaining questions blank and return the survey. Your participation is appreciated.

If you have not had experience with Judge X, simply indicate this by checking the box immediately below, leaving the remaining questionnaire blank and returning the survey.

1. Which of the following types of cases have you appealed in which Judge X participated in the decision? Select all that apply.

- a. Civil
- b. Criminal
- c. Family
- d. Juvenile
- e. Other

2. Please evaluate whether Judge X's job performance meets expectations of excellence, using the following scale:

- 1 All of the Time
- 2 Most of the Time
- 3 Some of the Time
- 4 Not Often Enough
- 5 Never
- NA Cannot Evaluate

If you do not feel you have adequate first hand knowledge to evaluate Judge X on a specific question, select NA ("Cannot Evaluate").

- a. Behaves in a manner that is free from impropriety or the appearance of impropriety 1 2 3 4 5 NA
- b. Treats people equally regardless of race, gender, ethnicity, economic status, or any other factor 1 2 3 4 5 NA
- c. Displays fairness and impartiality toward

each side of the case	1	2	3	4	5	NA
d. Avoids ex parte communications	1	2	3	4	5	NA
e. Allows parties to present their arguments and answer questions	1	2	3	4	5	NA
f. Asks relevant questions during oral argument	1	2	3	4	5	NA
g. Is courteous toward attorneys	1	2	3	4	5	NA
h. Is courteous toward court staff	1	2	3	4	5	NA
i. Demonstrates appropriate demeanor on the bench	1	2	3	4	5	NA
j. Treats brother and sister judges equally and respectfully	1	2	3	4	5	NA
k. If your response to any of the questions a through j was never or not often enough please provide details that led you to that conclusion	<hr/> <hr/> <hr/>					

3. Did Judge X author or co-author one or more opinions in your case(s)?

4. Background and demographic information.

a. How long have you been a practicing attorney?

- Less than 1 year
- 1 – 2 years
- 3 – 5 years
- 6 – 10 years
- 11 – 20 years
- greater than 20 years

b. Which of the following area(s) of law best describes your practice? (select up to 2 items)

- civil tort – defense
- civil tort – plaintiff
- appellate work
- criminal – defense attorney
- criminal – prosecution
- commercial & general civil litigation
- juvenile delinquency or child dependency
- domestic relations/family law
- estate/probate
- government practice
- law school clinic
- other (please specify) _____

c. Which of the following best describes your work setting?

- prosecuting attorney's office

- Attorney General's office
- Public Defender's Office/Assigned Counsel
- legal aid
- in house corporate counsel
- private practice
- other (please specify) _____

d. How many times have you argued a case before the Judge over the past two years?

- none
- once
- 2 – 3 times
- 4 – 10 times
- more than 10 times

e. How many times have you evaluated the Judge over the past two years?

- none
- once
- 2 – 3 times
- 4 – 10 times
- more than 10 times

Hon. Ellen A. Peters, Hon. Joette Katz, Chairs; Attorney Gregory D'Auria; Dean Jeremy Paul;
Attorney Michael Thompson.

ATTACHMENT C

REPORT OF THE:

**SUBCOMMITTEE ON
EVALUATING JUDGE TRIAL
REFEREES**

**Judicial Performance Evaluation Program Subcommittee:
Evaluating Judge Trial Referees**

Report

The Subcommittee on Judicial Performance Evaluation – Evaluating Judge Trial Referees is chaired by Hon. Aaron Ment. The other members include Hon. Arnold Aronson, Attorney Livia D. Barndollar, Hon. Maureen Dennis and Attorney R. Bartley Halloran. The subcommittee met once and communicated thereafter by e-mail. The subcommittee reviewed the authority of a judge trial referee, discussed the scope of work currently performed by a judge trial referee and compared the work of a judge trial referee to that of a superior court judge. Also, the subcommittee discussed the current review process for judge trial referees.

The following recommendations were approved by the members with one abstention from Attorney Barndollar. (Attorney Barndollar abstained because she was unable to attend the meeting.)

RECOMMENDATIONS

1. Judge Trial Referees should be evaluated similarly to Judges doing the same work.
2. Any and all review and recommendation information should be available to the Chief Court Administrator for her information when she is recommending to the Chief Justice the appointment of a Referee to become a Judge Trial Referee.
3. Review recommendations for Judge Trial Referees on a calendar year basis to allow sufficient time for any necessary performance issue improvement.

Any notice of need for improvement should be provided to a Judge Trial Referee 6 months in advance of Judge Trial Referee re-appointment date.

4. Continue to appoint Judge Trial Referees on a fiscal year basis.

Judge Trial Referees should be afforded sufficient opportunity to correct performance issues prior to a designation determination at the end of the fiscal year. Staggering the review of recommendations for Judge Trial Referee appointments will allow the time necessary to accomplish this.

5. Provide regular and timely review of concerns with Judge Trial Referees through meetings and discussions.

Judge Trial Referees should be provided feedback regarding their work performance through regular and timely meetings and discussions with Administrative Judges, the Deputy Chief Court Administrator, and/or the Chief Court Administrator.

ATTACHMENT D

REPORT OF THE:

SUBCOMMITTEE ON EVALUATING JUDGES ASSIGNED TO HIGH VOLUME COURTS AND AS PRESIDING JUDGES

Subcommittee on Evaluating

Judges Assigned to High Volume Courts and as Presiding Judges

The Subcommittee on Judicial Performance Evaluating Judges Assigned to High Volume Courts and as Presiding Judges is chaired by Hon. Frank A. Iannotti and Attorney Anne C. Dranginis. The members include Hon. Joan K. Alexander, Hon. William H. Bright, Jr., Hon. Patrick J. Clifford, Hon. William T. Cremins, Representative Gerald M. Fox, Attorney Raymond M. Hassett, Family Support Referee Katherine Y. Hutchinson, Hon. Thomas V. O'Keefe, Jr. and Attorney Herman Woodard.

The subcommittee met four times. At those meetings, the members reviewed comments from the Judicial Performance Evaluation Committee meeting, discussed information obtained about evaluation programs implemented in other states, discussed the evaluation criteria and "who should evaluate," and discussed the development of questions that are specific to High Volume Court Judges and Presiding Judges.

Below are the recommendations and the rationale for the recommendations:

RECOMMENDATIONS

The subcommittee members unanimously agreed to recommend that:

- 1. employee input be solicited but not be included as a specific part of the evaluation process; rather it should be in the form of an annual statewide survey, with findings reviewed at the Connecticut Judges Institute.***

Rationale: The subcommittee seeks to ensure that input is solicited from a broader population than a single respondent group (i.e., attorneys) given the importance of in-court efficiencies, the overall performance of judges, and program buy-in; however, it recognizes that employees may be disinclined to complete a survey. The subcommittee agreed to recommend an annual statewide survey because employee input is important to improvement of the bench as a whole.

- 2. judges being evaluated should include but not be limited to Presiding Judges, high volume criminal court judges in both Parts A and B, specialty court dockets, civil, family, family support magistrates/family support referees, and juvenile (delinquency, not neglect) sessions, housing court judges, and special proceeding judges.***

Rationale: In support of the Judicial Performance Evaluation Program, the subcommittee sought to include as many high volume court judges as possible.

- 3. questionnaires on high volume court judges be sent to all respondent groups at the same time, with directions for respondents to select the range of appearances in front of the specific judge (ranges = 1-5, 6-10, or more than 10 times).***

Rationale: The subcommittee wants to ensure that this effort is efficient for all parties involved and is counting on the honesty of respondents to achieve this goal.

- 4. questionnaires be sent out the first week of January of every year with a return date of February 28 of every year.***

Rationale: the subcommittee wanted to ensure that there would be a sufficient period of time between the distribution and collection of the questionnaires and the preparation of the Judicial assignments (e.g., 4 months prior to April of each year.); this recommendation was envisioned as a form of additional information and assistance to the Chief Court Administrator.

5. ***a peer review (or peer monitoring) process be initiated by way of a three judge panel, with judges rotating their term of service as determined by the Chief Court Administrator. The first peer monitoring findings will be conveyed orally; the second will be written; both will occur by the first year anniversary of a new judge's appointment. This peer review/monitoring applies to all members of the judiciary.***

Rationale: The subcommittee seeks to provide honest feedback to new and veteran judges. The concept was developed to assist new judges and will work hand in hand with the orientation and mentoring programs. It will also help veteran judges to be better prepared for the reappointment process.

6. ***the questionnaires utilize no more than five (5) response options: excellent, very good, good, fair, poor; "Not Applicable" should also be an option for each question.***

Rationale: The subcommittee sought to strike a balance between enough options to enable the questionnaire to be statistically valid and not being so long or diffuse as to be confusing. The additional of "Not Applicable" allows respondents to self-select those items that do not apply to their experience in the high volume courts.

7. ***the following Attorney Questionnaire items be included:***

Please rate the judge before whom you appeared _____					
(1) Excellent	(2) Very Good	(3) Good	(4) Fair	(5) Poor	(6) NA
1. Decisiveness during Proceedings					
2. Courtesy of the Judge					
3. Patience during Proceedings					
4. Courtroom Decorum					
5. Demonstrates Respect During Proceedings					
6. Efficient Pace of Proceedings					
7. Control of Courtroom					
8. Impartiality of Conduct					
9. Consistency of Rulings					
10. Explanation of Rulings					
11. Ability to Effectively Settle Cases					
12. Facilitation in Development of Options for Settlements/Pleas					
Please indicate the number of years you have practiced law: 1-5, 6-10, more than 10 _____					

Rationale: The subcommittee members felt that the questionnaire needed to be short to encourage a high rate of return; the members selected from previous questionnaires or drafted their own questions because they are the most representative of the work of High Volume court judges; and members sought to present the questions in a clear and concise manner. The members noted that it was important for judges to know their strengths and areas needed for improvement.

ATTACHMENT E

REPORT OF THE:

**SUBCOMMITTEE ON
IMPROVEMENT OF THE
EXISTING SYSTEM FOR
EVALUATING TRIAL JUDGES**

JUDICIAL PERFORMANCE EVALUATION PROGRAM

REPORT OF THE SUBCOMMITTEE ON THE IMPROVEMENT OF THE EXISTING SYSTEM FOR THE EVALUATION OF TRIAL JUDGES

INTRODUCTION

The Subcommittee for the Improvement of the Existing System for the Evaluation of Trial Judges (the "Subcommittee")¹ submits herewith its report to the Hon. Alexandra D. DiPentima and Hon. Joseph M. Shortall, co-chairs of the Committee on the Judicial Performance Evaluation Program.

BACKGROUND

In discharging its assignment to determine whether the existing evaluation program for trial judges could be improved so as to enhance judicial performance and increase public confidence in the judicial system, the Subcommittee studied substantial reference materials, including the structure and content of the existing program; the history of the development of that program, including the utilization and modification of attorney and juror questionnaires over the years; guidelines prepared by the American Bar Association for the evaluation of judicial performance; a study on best practices for judicial performance evaluations published by the *Institute for the Advancement of the American Legal System*; and the methodologies employed in judicial evaluation programs in other states.

The Subcommittee met on five (5) occasions between the beginning of February and early May 2009, at which meetings it received comments from the Chief Court Administrator, the Deputy Chief Court Administrator, a former Chief Court Administrator and the Chief Administrative Judge for Family, among others, and discussed and debated numerous issues relating to the existing system for evaluating

¹ The Subcommittee was co-chaired by The Honorable Robert B. Shapiro and Attorney Louis R. Pepe and had as its members the Hon. Thomas J. Corradino, Hon. Christine E. Keller, Hon. Antonio C. Robaina, Attorney Ronald S. Gold, Attorney David R. Jimenez, Attorney Kevin T. Kane, Attorney Faith P. Arkin, State Senator Andrew W. Roraback, Attorney James O. Craven, Attorney Marc J. Kurzman and Attorney Richard Silver. The co-chairs wish to express their great gratitude and appreciation to the Subcommittee members for all their hard work and to Margaret R. George, Judicial Branch Case Flow Management Specialist, who provided invaluable support and assistance to the Subcommittee.

trial judges and proposed changes thereto. The Subcommittee considered the following aspects of the existing evaluation program: (1) the appropriateness of limiting evaluations to attorneys and jurors only and whether evaluations should be solicited from other participants in the judicial process and from independent observers/evaluators; (2) the sufficiency and appropriateness of the existing attorney and juror questionnaires and their distribution and use; (3) the adequacy of existing procedures to protect anonymity of respondents; and (4) the use of data collected in the evaluation process to provide feedback to judges.

As a result of that effort, the Subcommittee concluded that the Judicial Branch had developed and implemented a thoughtful and well-conceived system for evaluating trial judges but that, nonetheless, it could be improved with certain modifications. Set forth below are the recommendations the Subcommittee respectfully submits for consideration by the Judicial Branch and the rationale for its recommendations. In most cases, the recommendations were adopted by consensus after discussion and, where that happened, it is so indicated. Where consensus could not be achieved, a vote was taken and recorded, and the results of each said vote are also indicated.

Accordingly, this report summarizes the Subcommittee's recommendations. Those recommendations, therefore, do not necessarily represent the individual views of the undersigned authors.

RECOMMENDATIONS

The Subcommittee believes that the existing evaluation program can be improved by the adoption and implementation of the following recommended modifications:

Recommendation No. 1: The Evaluation System For Trial Judges Would Benefit By Soliciting The Input From Other Constituents In The Judicial Process Beyond That From Only Jurors And Attorneys, As Is Presently The Case.

At present, the only evaluations of trial judges come from the attorneys appearing before them and the jurors serving on a case over which they preside. That feedback is in the form of questionnaires, which are anonymously completed and submitted and which are designed to solicit the respondent's impression of the judge's performance during a trial or other hearing (presently hearings over one hour in length). Those two categories of respondents represent, however, only a very small segment of the population affected by the judge's performance and only with respect to one area of the judge's many duties and responsibilities. They cannot, therefore, be considered an entirely fair and representative sample. While reaching out to make the list of respondents more inclusive admittedly presents administrative and management issues, the Subcommittee does not believe those obstacles would be insurmountable. More particularly, on this issue the Subcommittee further recommends:

- (a) **Evaluation of the judge's performance should be solicited from other constituents in the system, including court staff personnel, probation officers, family relations officers, victim advocates, courtroom clerks, and interpreters, but that such feedback should be channeled through the Presiding Judge in that Judicial District.**

It is contemplated that the presiding judge would solicit such information from the identified participants, compile it, and orally report to the Chief Court Administrator on that judge's performance, based on that input, as requested. The information so collected and compiled would be of particular value in the mentoring of the judge. As indicated, the Subcommittee recognized that this process might present certain risks and complications, but it was believed the benefits to be derived in terms of a broader, more robust, more useful evaluation outweighed those negatives. This recommendation was reached by consensus.

- (b) **The Subcommittee further recommends that the reach-out by the Presiding Judge to other participants for their impression and reaction to a particular judge *not* include the administrative judge, the litigants themselves, or any self-represented litigants.**

It was concluded that the inclusion of those parties would be too disruptive (in the case of the AJ) or result in feedback of questionable value (litigants and self represented litigants). This recommendation was achieved by consensus.

Recommendation No. 2: The Present Attorney Questionnaire (Rev. 3/07) Distributed To Counsel Following A Trial, After Hearings Over One Hour, Etc., Does Not Provide The Opportunity For A Fair, Proper And Comprehensive Evaluation Of The Judge And Should Be Modified.

The current attorney questionnaire and its utilization by the Judicial Branch, the Judicial Selection Commission, and the Judiciary Committee of the State Legislature was examined and debated at length, and the Subcommittee decided that it could and should be modified as follows:

-
- (a) **The thirteen (13) questions presently proposed (e.g., pace of proceedings, explanation of rulings, etc.) should be increased in number with the focus on questions that would be of particular value to the judge's ongoing mentoring, education and professional development.**

It is believed that the current questions are not comprehensive enough to provide adequate information for a proper and fair evaluation. This recommendation was reached by **consensus**.

- (b) **The responses permitted in the current questionnaire (e.g., excellent, good, fair, poor, N/A/Unobserved) should be replaced with the response categories previously used; i.e., "consistently," "occasionally," "never," "N/A."**

It is the belief of the Subcommittee that the categories previously utilized were less subjective and would produce more useful data. This recommendation was achieved by **consensus**.

- (c) **The information concerning the respondent that is currently required (e.g., years of practice, type of practice, etc.) is adequate, except that it should be supplemented with a question asking whether the outcome of the trial or hearing was favorable or unfavorable to the respondent's position. Further, the response to this question should be optional.**

While conventional wisdom and human nature would suggest that a disappointed attorney would rate the judge less favorably and more harshly, there is no empirical evidence to demonstrate that. It was believed that the answers, therefore, could perhaps be evaluated in light of the outcome and then ultimately the data so collected over time would support a later study to determine whether evaluations are, in fact, skewed by the outcome. The response was made optional so as to avoid any diminution in the anonymity of the respondent. This recommendation was achieved by **consensus**.

- (d) **The current questionnaire should be modified to add the following questions:**

“What, if anything, did the judge do that you found particularly commendable or admirable?”

“What, if anything, did the judge do that you found could be improved?”

Further, it is recommended that the Judicial Branch use said comments in the mentoring and professional development of its judges and, in so doing, not necessarily wait until the minimum number of questionnaires required for review have been returned.

The issue of adding a comment section to the current attorney questionnaire was debated vigorously and over a long period of time. There was very real and strong concern expressed by some that adverse comments so obtained could be taken out of context by members of the Judiciary Committee and mis-used at the time the judge appeared for his/her re-appointment hearing. The judge confronted with such a comment would be unable to identify the case or context in which the comment occurred -- much less its author -- and would be completely defenseless.

Others argued that comment sections were included in previous versions of the questionnaire and produced narratives that were invariably more favorable than unfavorable, and, in any event, the solicitation of comments were essential to an insightful evaluation of the judge's performance.

The foregoing recommendation was, in fact, a compromise of those competing concerns and also an attempt to make clear the value of such comments for the judge's professional development (hence, the recommendation that the comments be used on an ongoing basis). This recommendation was achieved by a vote of 7 to 2.

- (e) **It is recommended that the current attorney questionnaire not be modified so as to solicit the attorney's recommendation for assignment of the judge to the complex litigation docket.**

The Subcommittee rejected the idea that the respondent attorney's opinion as to the qualifications for that particular judge to serve on the Complex Litigation Docket should be solicited, believing that this was

simply an inappropriate inquiry and that assignment should be left to the appropriate Judicial Branch authority. This recommendation was achieved by consensus.

- (f) **The attorney questionnaire -- either in its current form or as modified with any of the aforescribed recommendations that may be adopted by the Judicial Branch -- should be referred to an appropriate expert for an overall evaluation as to: (i) its adequacy for measurement of a judge's performance of his/her duties and the production of useful information for the judge's education and professional development; and (ii) the number of responses required to produce statistically reliable and meaningful data.**

The Subcommittee recognized that the proper design and utilization of such questionnaires is a complicated undertaking requiring specialized training not present among the members of this Subcommittee. Its recommendations for modification of the questionnaire, as set forth above, were the product of its collective insight obtained as participants in the system and not as professionals with specialized expertise in this area. For that reason, and because the questionnaire plays such an important part in the judge's evaluation, it is strongly recommended that, whether or not the Judicial Branch adopts any of the proposed modifications, the questionnaire be submitted to an expert for the evaluation described above.

Recommendation No. 3: The Present Juror Questionnaire (Rev. 3/95) Distributed To Jurors Following A Trial, Is Generally Adequate But Could Be Improved Somewhat.

The current juror questionnaire was subjected to the same scrutiny as that applied to the attorney questionnaire as described above and was found lacking in certain limited aspects:

- (a) **The juror questionnaire should be modified to contain the case caption and a provision for juror comments, except that comment section should be clearly labeled to limit any such narrative to the judge's performance and demeanor and should further state that there should be no reference to jury deliberations.**

Although not as controversial as the comment section in the attorney questionnaire, there were those on the Subcommittee who believed that the solicitation of comments from jurors would be particularly useful in gaining insight to the judicial process from the perspective of an "outsider" and in enhancing "public confidence in the judicial system."

Not surprisingly, there were those who disagreed and the concerns they expressed included out-of-context use and mis-use of the comments in the reappointment process (as discussed above concerning the attorney questionnaire) and the possible use of such comments as evidence in post-verdict motions. The caveat language in the comments section is designed, of course, to focus the juror on proper areas of response and to protect the confidentiality of the juror in deliberations. This recommendation was not achieved by consensus and was adopted by a vote of 7 to 2.

- (b) **The juror questionnaire -- whether in its current form or as modified by recommendations made by the Subcommittee and adopted by the Judicial Branch, should be submitted to an appropriate expert for the same evaluation as that recommended for the attorney questionnaires, *supra*.**

The same concerns expressed above in Recommendation No. 2 (f) are the basis for this recommendation.

Recommendation No. 4: The Judicial Branch Should Take Steps To Provide For The More Frequent Distribution Of Attorney Questionnaires And To Consider The Electronic Distribution Of And Response To Such Questionnaires.

Although there was initially some concern among Subcommittee members that the specific and express criteria for the distribution of attorney and juror questionnaires were not being followed uniformly and consistently in all Judicial Districts, further examination of this issue revealed that there are very clear and unambiguous instructions to court personnel as to when and how questionnaires are to be distributed to respondents. Any difference between Judicial Districts or irregularities in any one Judicial District appear to be the result of human error or mishap and not improper practices, policies or procedures. The Subcommittee did, however, believe that the following recommendations would improve the distribution process:

- (a) **The specific and detailed criteria for the distribution of questionnaires are adequate and should be maintained, except that the length of any hearing, which would cause a questionnaire to be distributed to an attorney, should be reduced from one (1) hour to one-half (1/2) hour.**

There was some concern expressed by Subcommittee members that certain court settings with many typically short hearings (*e.g.*, juvenile court or family court) would generate a high volume of not particularly useful data and create significant administrative problems, including numerous responses concerning a judge by the same attorneys. The

majority felt that by reducing the one hour limitation to one-half hour, the volume of data could be significantly increased while still keeping the responses meaningful and substantive. One of the complaints expressed with respect to the current system is that, depending on the judge's assignment, a long period of time may pass before the requisite twenty-five questionnaires are received, thereby depriving a judge from useful feedback early in his/her assignment. Increasing the frequency of responses would address that issue.

No consensus was reached on this recommendation, and so it was adopted by a vote of 6 to 3.

- (b) **An appropriately designed questionnaire should be distributed to attorneys for response upon the completion of a settlement conference or mediation, when appropriate circumstances prevail.**

The fact that the current evaluation program for trial judges measures only the performance of that judge in the courtroom was identified as a significant deficiency in that the judge's duties are far broader than the conduct of trials or hearings, and the contribution he/she makes in those other areas should be recognized and evaluated. Settlement conferences and mediations were two such readily identifiable areas where the judge's performance is undeniably important to the fair and efficient administration of the judicial process.

By the same token, it was recognized by the Subcommittee that the evaluation process here presents its own challenges. For example, while mediations are scheduled well in advance and typically involve the prior submittal of position papers, so as to allow the judge to become familiar with the case and otherwise prepare, pretrial settlement conferences are assigned on an ad hoc basis with little or no opportunity to prepare. Moreover, settlement conferences are often aborted after a very short period of time when it becomes apparent that one or more parties are simply not ready to discuss serious settlement -- unlike a mediation which is requested by the parties.

Accordingly, while the Subcommittee believes that the judge's performance is an important part of the judicial process and should be evaluated, it also recognized that: (i) a different type of questionnaire would have to be developed to measure the judge's performance; and (ii) distribution to the attorneys would not be automatic in the case of completion of a settlement conference, but would require some objective determination as to whether that particular pretrial/settlement conference was appropriate for evaluation purposes. Again, concerns were

expressed as to the creation of significant administrative problems, as well as presenting numerous responses concerning a judge by the same attorneys (criminal, for example).

On this recommendation consensus was not achieved, and it was adopted by a vote of 7 to 2.

- (c) **A questionnaire should not be distributed and utilized to evaluate a judge's case management performance when a case on the Complex Litigation Docket is settled or dismissed before trial.**

Although there was some belief that the fairness and efficiency with which a judge managed a case over its life on the Complex Litigation Docket was worthy of evaluation, it was ultimately concluded that the judge would be periodically evaluated on his/her performance in hearings in the case of one (1) hour (or one-half (1/2) hour if the recommendation above is adopted), thereby providing evaluative information even if the case settles before trial. On this recommendation no consensus was achieved, and it was adopted by a vote of 6 to 2.

- (d) **Given the familiarity with and use of electronic communications by lawyers and jurors today, the Judicial Branch should consider the development of a system that would distribute and receive questionnaires electronically.**

The prevalence and convenience of electronic communication compelled the Subcommittee to raise this issue for the Judicial Branch's consideration. Admittedly, preservation of anonymity becomes an immediate concern when e-mail responses are used, but it was believed that could be reconciled through the use of appropriate measures. If so, it was believed the number of returns -- and the resulting database -- would likely be substantially increased. This recommendation was reached by consensus.

Recommendation No. 5: The Judicial Branch Should Engage In A Joint Effort With The Bar To More Widely And Effectively Educate The Bar On The Policies, Practices And Procedures Presently In Place To Protect And Preserve The Anonymity Of Attorneys Completing And Submitting An Evaluative Questionnaire.

The Subcommittee concluded that the present procedure by which questionnaire responses are collected and inserted into a databank -- after which the questionnaire is shredded -- thoroughly, carefully and completely protects the anonymity of the respondent and precludes any opportunity for the judge to identify the author of any

response.

Unfortunately, these procedures are either not known or understood or appreciated by a wide segment of the bar, who still decline to complete and submit questionnaires under the mistaken belief that any unfavorable responses can and will be made known to the judge in question. While there appears to be no basis in fact for this unfortunate perspective, it is believed it is interfering with the broader collection of useful data, and should be corrected as quickly as possible.

Recommendation No. 6: A Periodic Evaluation By Independent Observers Should Be Used To Supplement The Appraisals Provided By The Attorney Questionnaire, Juror Questionnaire And Presiding Judge As Described Above.

The Subcommittee concluded that the current evaluation program, which solicits input only from attorneys appearing before the judge or jurors sitting on a trial over which the judge is presiding, excludes other sources of information that could provide useful and valuable assessments and further fails to take into consideration the judge's performance in his/her duties outside the courtroom. That concern was addressed in part by Recommendation No. 1, *supra*, but it was the belief of the Subcommittee that there should be additional assessment of the judge's performance by individuals who know and understand the judicial process but who have no direct stake in the outcome of an adversarial proceeding or in the judge's performance of his/her other duties.

- (a) **Every judge should be evaluated at least every three years by a panel of three independent evaluators, consisting of one retired judge or judge trial referee; one retired lawyer or active lawyer practicing in a Judicial District different from that of the judge being evaluated; and one non-attorney familiar with and experienced in the legal process and court system.**

It was agreed that the individuals performing any such independent evaluation would not only be required to possess knowledge about the judicial process and have a full appreciation of the complexities and peculiarities of different judicial assignments, they must also enjoy the respect of the bench in general. Engaging such persons -- especially given the unavailability of funding -- presented another issue as did the proposed utilization of judge trial referees, who, if subjected to the same evaluation system that applied to all Superior Court judges, would find themselves in a position of evaluator and evaluatee.

In addition, the issue of whether anyone not an attorney or a judge should be included in any such evaluation process was vigorously debated, with some expressing concern that it would be inappropriate and others arguing that non-attorneys are already required by statute to

be part of the judicial selection process, and their involvement would likely increase public confidence in the system. In the end, the three-member panel proposed above was thought to provide the composition that would meet the criteria required for this process.

The frequency of any such evaluation also was carefully considered by the Subcommittee. Initially, the thinking was that this process would be particularly valuable to new judges. Upon further reflection, however, it was agreed that: (i) more experienced judges would equally benefit from this observation and evaluation process; and (ii) every new judge now enjoys a two year period of mentoring by a more experienced judge who, presumably, engages in much of what is contemplated to be done by the proposed panel of independent evaluators. Accordingly, it was concluded that an evaluation every three years would account for the first two years of mentoring provided a new judge and also provide at least two such independent evaluations and written reports before a judge appeared before the Judiciary Committee for re-appointment.

- (b) **Said panel should observe the judge's courtroom performance for no less than one-half day; gather other relevant information about the judge's performance in all his/her duties; and then prepare a written narrative report. The report should be submitted to that judge and the Chief Court Administrator, and the panel should be available to discuss the report if the judge desires.**

There was some sentiment that the independent panel should communicate its evaluation only to the judge and only orally, so as to provide a kind of "early warning" to any judge who might be encountering difficulties at the beginning of his/her judicial career. Further discussion, however, suggested that that objective might be already addressed by the enhanced Judicial Mentoring Program that is being implemented for all new judges. Moreover, there were some members of the Subcommittee who believed a written report by independent evaluators would provide a valuable perspective, which would be helpful to both the judge and the Judiciary Committee during the re-appointment process. The Subcommittee concluded that a written report would, therefore, be appropriate for that purpose and would also contribute to the judge's professional development.

- (c) **The Judicial Branch should utilize the reports of the independent evaluators to develop and provide appropriate training programs and guidelines for the professional development and education of all judges.**

The Subcommittee, from its first meeting, has kept in the forefront of its considerations the objective of designing an improved judicial performance evaluation system that would not only provide reliable data to fairly and justly measure the judge's performance, but would also provide information that could be utilized for the judge's improvement, education and professional development. The Subcommittee believes that the narrative reports provided by the independent panel of evaluators, as described above, would be a rich source of information not only for that individual judge's improvement, but, cumulatively, for the development of education and training programs applicable to the entire bench. Accordingly, the Subcommittee recommends that such reports be utilized for that purpose.

On that part of the recommendation consisting of the inclusion of a non-lawyer/non-judge on the panel of independent evaluators, there was no consensus, although there was a consensus on the other elements of the recommendation. Accordingly, the recommendation overall was adopted by a vote of 8 to 1.

Recommendation No. 7. Assuming Adoption Of The Subcommittee's Recommendations Concerning The Modification Of The Criteria For Distribution Of All Attorney Questionnaires (i.e., After Hearings Of One-Half Hour Instead Of One Hour, And, When Appropriate, After Settlement Conferences And Mediations), And Its Recommendation Concerning The Utilization Of A Panel Of Independent Evaluators, All As Described Above, The Feedback Provided Any Judge Should Be Adequate In Terms Of Timeliness And Frequency And, Therefore, No Modification Of The Present Procedure, Which Provides Judges With The Evaluation Reports Only After A Minimum Of Twenty-Five Attorney Questionnaires Are Received And Tabulated, Would Be Required.

The present evaluation program requires that a printout of the evaluation data for a particular judge is generated only after a minimum of twenty-five attorney questionnaires have been accumulated and put into the system. Only the Chief Court Administrator may override this threshold requirement, although individual judges may request summaries of their aggregate data at any time.

The Subcommittee heard concerns expressed by some that, depending on the vagaries of the system (e.g., assignment to a session of the court not likely to generate many one-hour hearings required to trigger the distribution of a questionnaire, such as

juvenile court) or simply the unwillingness of attorneys to complete and return the questionnaire, substantial time might pass before a judge received an evaluation report and the interview by the Chief Court Administrator that accompanies such report. If that evaluation report then contained significant negative assessments on that judge, the opportunity for early remediation would have been lost, and, further, inadequate time might remain for corrective action before that judge's re-appointment process.

Of course, a countervailing consideration is the preservation of anonymity of the respondent on such questionnaires, which is the reason for requiring no less than twenty-five before an evaluation report is generated.

The Committee believed that the tension between those competing interests would be resolved by generating more questionnaires over a shorter period of time by virtue of shortening the length of the hearing required for the distribution of a questionnaire and also applying the questionnaire process to mediation and settlement conferences, all as described above. In addition, separate and apart from the questionnaires, the report of the panel of independent evaluators would provide substantive and comprehensive feedback to supplement the questionnaire data at least every three years, again as the Subcommittee has recommended. If that were to happen, then the problem of infrequent periodic evaluations -- as well as the risk of diminishing anonymity -- would be eliminated.

This recommendation was adopted by **consensus**.

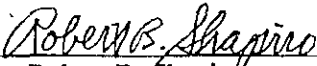
CONCLUSION

The Subcommittee undertook the discharge of its assignment with the overriding belief that any proper program to evaluate a judge's performance should: (a) provide a fair, objective and comprehensive assessment of the contribution to the judicial process being made by that judge; (b) enjoy the confidence of the bench -- and the public -- that the program does, in fact, produce that result; and (c) provide opportunity for the professional development of all judges and the resulting improvement of the judicial process. The Subcommittee believes that the recommendations it has adopted and set forth in this report would move the existing Judicial Performance Evaluation Program closer to those goals and believes, therefore, the Judicial Branch should give them serious consideration.

One final point: Any performance evaluation program can, at best, provide only a structure, which, when fairly applied, would produce fair and just results. It must be acknowledged, however, that in measuring professional performance in any field -- including especially judicial performance -- one size cannot fit all. A judge's performance is necessarily affected by the difficulty, complexity or controversial nature of the case he or she is assigned or voluntarily undertakes; the session of the Superior Court to which he/she is assigned; and even the peculiarities of the personalities in a

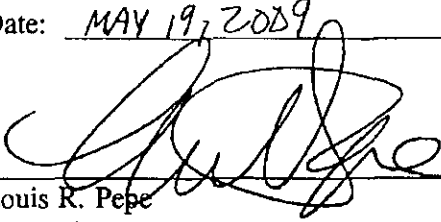
particular courthouse. Fairness demands that those factors be considered in the evaluation of any judge, but, of course, that must depend on the insight and sensitivity of those judging the judges.

Respectfully submitted,



Hon. Robert B. Shapiro
Co-Chair

Date: MAY 19, 2009



Louis R. Pepe
Co-Chair

Date: 19 MAY 09

ATTACHMENT F

VOTE SUMMARY

Committee on Judicial Performance Evaluation Program

June 4, 2009 Meeting Vote Summary

Vote #	Yes	No	Abstain	Absent
1. Whether to evaluate Supreme and Appellate Court Justices/Judges?	22	1	0	14
2. Whether to adopt the proposed Supreme/Appellate Court questionnaire with Justice Katz's changes and subject to expert review and statistical analysis?	24	1	0	12
3. Whether to adopt the Judge Trial Referee subcommittee's recommendations as set forth in the report?	24	1	0	12
4. Whether to expand the pool of persons who evaluate High Volume Court Judges and Presiding Judges to include court staff?	24	1	0	12
5. Whether to amend the High Volume subcommittee's recommendation #2 to except Family, Civil and Juvenile judges, Family Support Magistrates and Family Support Referees?	3	21	1	12
6. Whether to adopt the High Volume subcommittee's recommendation #2?	23	2	0	12
7. Whether to adopt the High Volume subcommittee's recommendation #5 after the specifics are changed to "develop a peer review process for the evaluation of judges with the details to be determined later?"	24	1	0	12
8. Whether to amend the High Volume subcommittee's recommendation #7 to include expert review and statistical analysis?	24	1	0	12
9. Whether to amend the High Volume subcommittee's recommendation #7 to delete the proposed rating responses?	25	0	0	12
10. Whether to adopt the High Volume subcommittee's recommendation #7 as previously amended?	24	1	0	12

Committee on Judicial Performance Evaluation Program

June 4, 2009 Meeting Vote Summary

Vote #	Yes	No	Abstain	Absent
11. Whether to adopt the Improvement-Existing subcommittee's recommendation #1 (main part only)?	25	0	0	12
12. Whether to adopt the Improvement-Existing subcommittee's recommendation #2 (main part only)?	25	0	0	12
13. Whether to adopt the Improvement-Existing subcommittee's recommendation #2(c)?	25	0	0	12
14. Whether to adopt the Improvement-Existing subcommittee's recommendation #2(d)?	20	5	0	12
15. Whether to adopt the Improvement-Existing subcommittee's recommendation #2(f) combined with recommendation # 3(b)?	25	0	0	12
16. Whether to adopt the Improvement-Existing subcommittee's recommendation #4 regarding more frequent distribution of surveys and electronic distribution of surveys?	24	1	0	12
17. Whether to adopt the Improvement-Existing subcommittee's recommendation #4(b) regarding evaluating judges presiding over pre-trials and mediations with the how and whether it can be done to be determined at a later time?	23	2	0	12
18. Whether to adopt the Improvement-Existing subcommittee's recommendation #5?	25	0	0	12
19. Whether to amend the Improvement-Existing subcommittee's recommendation #6 by substituting "peer review" for independent observers"?	2	21	0	14

Committee on Judicial Performance Evaluation Program

June 4, 2009 Meeting Vote Summary

Vote #	Yes	No	Abstain	Absent
20. Whether to adopt the Improvement-Existing subcommittee's recommendation #6 (main part only) with no amendments?	20	3	0	14
21. Whether to adopt the Improvement-Existing subcommittee's recommendation # 6(c)?	21	1	1	14
22. Whether to adopt the Improvement-Existing subcommittee's recommendation # 1(b) that excludes "litigants and self-represented litigants" from the evaluation process?	23	0	0	14

**Public Service & Trust Commission Strategic Plan
Implementation Plan: Public Service Excellence
(V.1.5 Instill a “How can I help you today?” attitude and culture)**

Through a blend of education and training, expectation, assessment and accountability, strides will be made in enhancing the efforts of the Branch to meet its vision of being effective and responsive to the community it serves. The Public Service Excellence (PSE) program shall be the umbrella under which a unified philosophy and culture of program shall be the umbrella under which a unified philosophy and culture of commitment to the principles of exceptional service will be implemented.

Public Service Excellence Principles are:

- ***TO BE PROFESSIONAL***
- ***TO BE EMPATHETIC***
- ***TO ADDRESS PEOPLE DIRECTLY WITH COURTESY AND RESPECT***
- ***TO PROVIDE FAIR AND EQUAL TREATMENT***
- ***TO PROVIDE A TIMELY EXPLANATION AND CREATIVE PROBLEM RESOLUTION***

Accountability begins with individual employees and their ***interactions*** with the public and other Judicial and non-judicial agencies. Every impression made by the Branch must be one that speaks of a professional, efficient, and effective workforce that demonstrates courtesy, understanding, and empathy for the concerns of everyone who interacts with the Branch. All members of the Branch will provide assistance without consideration of personal gain or favor in an environment that is devoid of bias or favoritism, guided by the values of fairness and integrity.

Recognizing that all operations within the Branch interact and are interdependent, service excellence efforts, whenever possible, will encompass and influence all Judicial and non-Judicial agencies that provide services to the public.

The Public Service Excellence principles will guide all interactions that Judicial Branch employees have with each other, the public and non-Judicial agencies.

The following programs implement the fundamentals of Public Service Excellence:

1. The 7 Habits of Highly Effective People

Target Audience: Managers and Supervisors

Judicial Branch managers and supervisors shall be required to complete a workshop in The 7 habits of Highly Effective People. Based on the best-selling book by Dr. Stephen Covey, this multi-day program is designed to maximize the individual's potential for success in the workplace by developing habits that are based on principles of effectiveness. These habits are at the core of a strong personal character, a very necessary component for long-term effectiveness.

The first three habits constitute the Private Victory focusing on self-mastery. As a manager or supervisor, one must achieve the Private Victory to become trustworthy and to effectively lead others by example. These first three habits also provide one with self-assurance to move into the Public Victory (Habits 4, 5 and 6) where relationships are cultivated by habits that focus on interdependent relationships built on trust. Habit 7 affords one greater balance between work and personal life through continuous renewal.

The expectation is to transform the work environment and relationships one step at a time using the manager and supervisor as agents of change. Establishing a positive and motivating work environment is critical to building a first-class public service-oriented team.

Habit 1: Be Proactive

Recognize how choices based on personal experiences or beliefs can profoundly influence your effectiveness, both positively and negatively.

Habit 2: Begin with the End in Mind

Develop a clear definition of what is and is not important to you by creating the most important roadmap you will ever have- your Personal Mission Statement.

Habit 3: Put First Things First

Increase the balance and fulfillment of your professional and personal life by investing a few minutes each day to plan and prioritize your schedule and tasks to accomplish.

Habit 4: Think Win-Win

Build a team that finds faster and better solutions through clear expectations, shared responsibilities, and an understanding of priorities.

Habit 5: Seek First to Understand, Then to be Understood

Develop the skills of effective communication that lead to greater influence and faster problem solving.

Habit 6: Synergize

Value and celebrate differences and understand how they contribute to more innovative and intelligent solutions.

Habit 7: Sharpen the Saw

Maintain and increase your effectiveness by continually renewing yourself mentally and physically.

2. Applying the 7 Habits in the Workplace

Target Audience: Managers and Supervisors who have successfully completed The 7 Habits of Highly Effective People

With the skills acquired through the *7 Habits*, managers and supervisors shall practice and sustain the theories in their daily work environment. Upon completion of the *7 Habits* program, managers and supervisors will participate in a series of ongoing facilitated roundtable discussions to explore the application of the *7 Habits* at work. A written professional and personal effectiveness plan, outlining specific steps in applying the *7 Habits*, shall be developed by each manager and supervisor. The plan will be reviewed periodically with the individual to measure its effectiveness and commitment to the Judicial Branch's mission, vision and core values.

3. Public Service Excellence: Leading by Example

Target Audience: Managers and Supervisors

There is an expectation that managers and supervisors will become advocates for Public Service Excellence ensuring that PSE principles flourish in their offices. Managers and supervisors will participate in workshops that reflect upon the leading elements of empathy, courtesy, fairness, professionalism, workplace efficiency and effectiveness, problem resolution, and service recovery. The program will be a blend of review and facilitated discussion that will key in on these elements, integrate the principles of the *7 Habits* program, and reinforce the fundamentals of effective leadership, focusing on visibility, setting the example, and managing everyday interactions and situations.

4. Division Specific Public Service Excellence

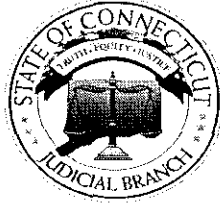
Target Audience: All Division Employees

Each Division within the Branch will develop and administer a unit specific PSE program, which will promote the principles of service excellence.

The foundation of the program must include the following:

- 1. Professionalism**
- 2. Empathy**
- 3. Courtesy and Respect**
- 4. Fair and Equal Treatment**
- 5. Timely Explanation and Creative Problem Resolution**

Specific discussions and activities will be adapted to meet the needs of the staff entrusted with the day-to-day responsibilities of the unit. The message will remain constant regardless of the Division; however, the examples will differ.



Our Service Excellence Promise

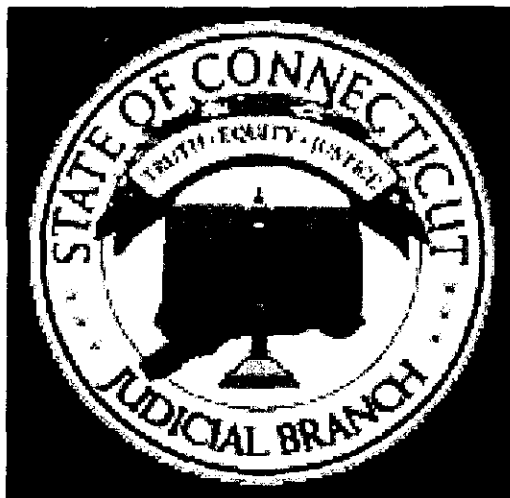
When you come into this office, you can expect to:

- Be greeted and addressed directly and professionally
- Be listened to with an appreciation for the reasons of your visit today
- Be offered our best efforts to address your concerns and answer your concerns and questions
- Feel satisfied with the treatment you received even when the outcome you hoped for was not achieved
- Be satisfied the service provided was fair and without bias

*If we have not met our promise to you, please feel free to contact
Deputy Chief Clerk, David Jones at 860-123-4567*

REPORT OF THE
JUDICIAL BRANCH'S WEB
BOARD

IMPLEMENTATION OF THE
PUBLIC SERVICE AND TRUST
COMMISSION'S STRATEGIC PLAN
APRIL 2009



Background

The Public Service and Trust Commission was charged in May of 2007 by Chief Justice Chase T. Rogers with developing a plan to enhance the public's trust and confidence in the Judicial Branch by improving the services offered to the thousands of people who interact with the Branch each day. The Commission, after receiving a tremendous amount of input from the people who use the courts, developed a strategic plan that the Chief Justice approved in June of 2008. An implementation plan was developed shortly thereafter.

Many of the activities that are part of the strategic plan involve the Judicial Branch website, which has proven to be an effective tool to quickly and efficiently communicate to the public. The Judicial Branch's Web Board is comprised of representatives from each administrative division of the Branch and a representative from Legal Services, and is charged with reviewing the content of the website, ensuring adequate site navigation, and enhancing the website to allow users to conduct business on-line.

The members of the Web Board are:

Attorney Melissa A. Farley, External Affairs, Chairperson

Virginia Apple, Information Technology

Mark Ciccio, Court Support Services

Jennifer Ensign, Information Technology

Krista Hess, Court Operations

Attorney Daniel Horwitch, Legal Services

Steven Marhefsky, Court Operations

Reny Mathew, Information Technology

Scott Noble, Administrative Services

Attorney Holly Sellers, Appellate System

Julie Stoken, Administrative Services

Donald Turnbull, Information Technology

The implementation plan requires the Web Board to make recommendations to address the following: (1) site design and navigation, (2) the information available on the website, (3) the ability to conduct transactions by way of the website, and (4) the accessibility of the website.

Summary of Recommendations

1) Appellate System case look-up section

Development is underway for a web inquiry application that will make it possible for the public to look up current information about cases on appeal. The goal is to provide information similar to that currently available for civil and family trial court matters, including case status.

2) Attorney Disciplinary Records

This section of the website will be expanded to include attorneys' past disciplinary histories as well as discipline that has been imposed in the form of written court opinions or Statewide Grievance Committee decisions.

3) Court forms

New interactive forms will also be created in conjunction with Legal Services and the Court Service Centers that will assist individuals with completing court forms. The appearance form, one of the most commonly used forms in the court system, is the first form around which the application is being built.

4) Information about the Court Support Services Division

The Web Board will include information on the website about the Court Support Services Division and the programs it administers.

5) Information in different languages

A number of sections of the website have already been translated into Spanish and efforts are underway to translate additional sections.

6) Self-help in the areas of juvenile, family and probation

The Web Board, with the assistance of the Court Support Services Division, will post information about adult, juvenile and family services in its frequently asked questions section.

7) Streaming videos

The number of streaming videos to explain various court processes will be expanded.

8) E-filing

The capability to conduct transactions by enhancing existing applications such as Civil E-Filing will be expanded.

9) Foreclosure notices

The Bench/Bar Foreclosure Committee has recommended that the Judicial Branch provide committees of sale and judges with the option of advertising foreclosures on its website to save homeowners the cost of this advertising. An application is currently being developed and should be available in June or July of 2009.

10) Jury postponements

Efforts are underway to allow jurors to postpone their jury service by way of the Judicial Branch's website.

11) Appellate System

Supreme Court briefs filed electronically will become available online through a cooperative endeavor between the Connecticut Judicial Branch and the Connecticut Bar Association (CBA). The long-term plan is to make the briefs available on the Judicial Branch's website.

12) Navigation

Where navigation links are repeated, the Web Board will provide a method for the user to skip these repetitive links.

13) Plain language

The Web Board will make the changes suggested by Court Service Center staff to change the text in the Self-Help sections of the website for plain language and readability compliance.

14) Site design and navigation

The Web Board will continue to look for ways to feature its Self-Help areas more clearly, make forms easily accessible, improve performance of on-line court tasks and offer more guidance to those not familiar with the website or court business in general.

I. Site Design and Navigation

The Web Board created a subcommittee to review site design and navigation issues and to recommend improvements. The subcommittee members were: Virginia Apple, Jennifer Ensign and Steven Marhefsky. After two meetings and a number of informal surveys of web users, the subcommittee identified two key areas as the most effective ways to address the redesign of the Judicial Branch website, namely, web functionality and court functionality.

To address web functionality, the subcommittee looked toward changing the look and navigation of the site by answering the following questions:

- How to organize it
- How to make the site functional but also aesthetically pleasing
- How to create an intuitive “map” with linkage and ease of use
- How to fit information into overarching categories and then build the navigation off of these
- How to rename and organize links and Quick Links so they are more intuitive and make sense to the average visitor
- How to best serve visitors with limited English proficiency
- How to efficiently maintain the site
- How to create a "one-stop shop" for Court services
- How to create and foster consistency of design throughout the website
- How to improve the search engine and explore enhancements such as phonetics and translators
- How to ensure that the Judicial Branch website caters to widely disparate users and enhance their web experience

To address court functionality, the subcommittee looked at ways in which the website can feature its Self-Help areas more clearly, make forms easily accessible, improve performance of on-line court tasks and offer more guidance to those not familiar with the website or court business in general. The subcommittee also explored the usefulness of breaking the website down into various layers such as the general public, attorneys and the media.

II. Information Available on the Website

Regarding the content available on the Judicial Branch website, the Web Board has added a variety of new features and information that will help the public.

Appellate System

Development is underway for a web inquiry application available on the Judicial Branch website that will make it possible for the public to look up current information about cases on appeal. The goal is to provide information similar to that currently available for civil and family trial court matters, including case status.

Attorney disciplinary records

A link has been added about attorneys that includes information about attorneys that are active and/or currently suspended, administratively suspended (for failure to pay the Client Security Fund fee), disbarred, inactive, retired or resigned.

The web unit of the Information Technology Division (ITD) is in the process of expanding the information that is available through this inquiry function. The first phase will expand information about attorneys such as attorneys past disciplinary histories. The second phase will involve discipline that has been imposed in the form of written court opinions or Statewide Grievance Committee decisions. This will allow users to link to the opinions or decisions directly from the inquiry page. This phase will be completed when resources allow.

Court forms

Another goal of the Web Board is to increase the ability to complete and file court forms online through the judicial website.

New interactive forms will also be created in conjunction with Legal Services and the Court Service Centers that will assist individuals with completing court forms. This will go beyond the current posting of forms on the Internet and will allow the user to answer a series of questions that will form the basis of completing the form. The answers are automatically fed into the form which the user can review, correct, and print. The appearance form, one of the most commonly used forms in the court system, is the first form around which the application is being built. The Board will continue to participate in the project and encourages its advancement and expansion.

Information about the Court Support Services Division

The Web Board will include information on the website about the Court Support Services Division (CSSD) and the programs it administers. Such information will include:

- Complete posting of CSSD Memorandums of Understanding and Memorandums of Agreement (Active and Expired)
- CSSD Strategic Plan for 2006-2009
- CSSD Mission & Vision
- CSSD Organization Chart
 - Information about CSSD Administration
 - Facilities & Materials Management
 - Fiscal & Administrative Services (Restitution)
 - Information Technology
 - Grants & Contracts
 - Human Resources
- Information about CSSD Center for Research, Program Analysis and Quality Improvement
 - Statistical reports are already posted with additional reports being added
- Information about CSSD Center for Best Practices
- Information about CSSD Program & Staff Development
 - Community Service Labor Program & CSSD Training Academy

Information in different languages

The Judicial Branch website currently has a Spanish section where users can obtain answers to frequently asked questions and review publications -all in Spanish. This Spanish home page received 1,100 visits for the month of November 2008. The Spanish traffic frequently asked questions section received 596 visits for the month of November 2008. In addition, the Spanish publication entitled *A Child Needs Emotional and Financial Support of both Parents* was downloaded 624 times during the same period of time, while *A Tenants' Guide to Summary Process (Eviction)* was downloaded 311 times.

The Web Board conducted a survey of other state judicial branch websites to determine if the websites were translated into a language other than English and to determine if online translation websites were used, such as Google Translator and Babel Fish. Sixteen states, including Connecticut and the District of Columbia, either use on-line translators or have portions of their website translated into other languages. The most common languages translated are: Spanish, Korean and Vietnamese. Most of the states are looking into actively translating various sections of its websites but are not interested in using any of the on-line translator tools.

The Web Board explored the possibility of providing a link on the Judicial Branch's website to on-line translation services such as Google Translator and Babel Fish. A review of the accuracy of the translations was conducted and the accuracy rate was estimated to be lower than 50%. For this reason, the Web Board decided not to provide these links on the Judicial Branch's website. Instead, the Web Board will continue its efforts to have information on the website translated by the Court Interpreters into Spanish.

Concurrently, the Committee on Limited English Proficiency recommended that translation efforts be focused on three main languages: Spanish, Polish and Portuguese.

A number of sections of the website have already been translated into Spanish and efforts are underway to translate additional sections. Please see the status list below:

**Priority list for translation of sections of the
Judicial Branch website into Spanish**

- 1) Jury Duty – completed
- 2) Traffic – completed
- 3) Landlord/Tenant – completed
- 4) Child Support Enforcement - completed
- 5) Foreclosure Mediation Program
- 6) Court Service Centers/Public Information Desks
- 7) Directions
- 8) Victim Services
- 9) Small Claims
- 10) Common Legal Terms

Self-help in the areas of juvenile, family and probation

The Web Board, with the assistance of the Court Support Services Division, will post information about the following topics in its frequently asked questions section:

- Adult Services including Probation, Bail, Intake/Assessment/Referral
- Juvenile Services including juvenile probation and juvenile detention
- Family Services including both civil & criminal

Streaming videos

Another goal is to increase the number of streaming videos to explain various court processes. Currently, the DVD entitled, *Putting Children First: Minimizing Conflict in Custody Disputes* is on the website and has been very well-received. The Web Board has the ability to upload videos once they have been recorded. Audio descriptions of videos will be included and text descriptions of audio content will also be uploaded onto the website for the hearing and visually impaired.

Superior Court Opinions

This recommendation was discussed with Chief Court Administrator Barbara Quinn. As this proposal will require funding, it cannot move forward at this time. The Web Board decided to concentrate on other recommendations included in the strategic plan.

III. Ability to Conduct Web-based Transactions

Applications currently available by way of the Judicial Branch website

The more functions that can be completed online, the better it is for website users. The ability to conduct online transactions is a convenience for the residents of this state and a benefit to the Judicial Branch as the budget issues make it necessary for the Branch to do more with fewer resources.

Users can currently conduct transactions on the website by using the following applications:

- Attorney Advertising
- Attorney Registration
- Civil E-Filing
- Client Security Fee payment
- Docket Management
- Employment Applications
- Multi-Jurisdictional Practice (MJP) Enrollment and Notification
- Short Calendar Markings

In addition to transactions mentioned above, the Judicial Branch also provides inquiry transactions such as:

- Civil/Family Case Inquiry
- Civil Case Court (Short) Calendars and Docket Sheets
- Court Events such as Hearings, Mediation and Pretrial Conferences
- Criminal/Motor Vehicle Case Inquiry
- Housing Case Inquiry
- Small Claims Case Inquiry
- Violation of probation warrants

Recommendations for new on-line applications

The Judicial Branch has plans to expand upon the capability to conduct transactions by enhancing existing applications such as Civil E-Filing and offering new capabilities mentioned in the strategic plan. The Web Board has reviewed the possibility of offering additional on-line applications as listed below:

Appellate System

On March 1, 2009, the Supreme Court approved a rule change that requires counsel-represented parties in Supreme Court cases to submit an electronic version of their brief. A new transaction was created within the current e-services portal to make it possible for electronic submission to be completed by way of the web.

Briefs filed electronically will ultimately become available online through a cooperative endeavor between the Connecticut Judicial Branch and the Connecticut Bar Association (CBA).

E-filing

The Judicial Branch plans to expand upon the capability to conduct transactions by enhancing existing applications such as Civil E-Filing and offering new capabilities mentioned in the strategic plan. There are plans to expand Civil E-Filing capabilities as indicated in the table below:

Expansion of Civil E-Filing Capabilities by release number
Short Calendar Phase I Attorney Designated filer for e-filing Shopping Cart/ Attorney Case Entry Modifications to RECLAIMS to enable mandatory filing
Mandatory RECLAIMS for all e-filable case types
3.7
Mandatory Civil E-Filing - with current case types (87 % of civil): Contracts, Torts (other than vehicular), Vehicular Torts, Property
3.8
Remaining civil case types become e-filable: Administrative Appeals, Eminent Domain, Miscellaneous (i.e. injunctions), Wills and Trusts. Mandatory E-Filing of all possible civil cases
4.0
Parties, Appearances & Notices
5.0
Motions & Orders Short Calendar Migration to E-Filing
6.0
Mandatory E-Filing of orders by the court
7.0
Family Case Types Self-Represented Access

Foreclosure notices

The Bench/Bar Foreclosure Committee has recommended that the Judicial Branch provide committees of sale and judges with the option of advertising foreclosures on its website to save homeowners the cost of this advertising. An application is currently being developed and should be available in June or July of 2009.

Jury postponements

The Jury Committee's *Before Court Appearance Subcommittee*, co-chaired by Attorney Karen Berris and Attorney William Sadek, will be making a number of recommendations that will impact the website, including the proposal to allow jurors to postpone their jury service by way of the Judicial Branch website. Attorney Berris reports that the new jury system (JAMIS) will be fully deployed by the end of July and will be employed for the new court year beginning in September. The JAMIS work group, which meets each Wednesday, has added the web-based postponements to the agenda as part of the programming plan. The Web Board expects to receive additional information about this project in the coming months.

Traffic Tickets

The Web Board will continue to research the feasibility of allowing users to pay their infractions by way of the Judicial Branch website.

VI. Accessibility of the Website

Accessibility Testing

In order to ensure that the website is accessible to the largest number of people, it is tested on an ongoing basis. Changes are made to keep current with the State of Connecticut's Website Accessibility Policies. In addition, the Web Board continues to monitor changes in this area to ensure that the site maintains the highest level of accessibility.

The Web Board has a long-term goal of upgrading the entire website to a new technology (Sharepoint Designer) to improve ADA compliance capabilities and to provide the web unit with better navigation tools.

In addition, the Web Board will collaborate with the Office of Protection and Advocacy for Persons with Disabilities, or a similar entity, to ensure that users with disabilities can access and utilize the full range of features on the website.

Navigation links

Technical issues about the website are being addressed as well. Where navigation links are repeated, the Web Board will provide a method for the user to skip these repetitive links. This occurs when the browser reading the page aloud has to read the left navigation menu for every page the user goes to on the site. The Web Board's solution is to provide background code that allows the browser to skip the repeated navigation after the first time.

Plain language

As part of the Judicial Branch's Strategic Plan, the Branch shall seek to improve the clarity of court procedures and information so that individuals without legal representation may more effectively participate in the court process.

One of the ways in which to accomplish this goal is to provide services and information on the Judicial Branch website that can be easily utilized and understood by all.

A review of the website was undertaken with assistance from Court Service Center staff. The site was reviewed with an eye towards two specific criteria: 1) Identify all existing non-plain language text and images; 2) Make recommendations for changes to website text applying the basic principles of plain language and readability.

A review of the following sections of the Judicial Branch website identified non-plain language text:

- Child Support
- Common Legal Words
- Forms
- Court Records
- Court Service Centers
- Frequently Asked Questions
- Landlord/Tenant/Housing
- Law Libraries Publications
- Public Information Desks
- Representing Yourself
- Small Claims
- Traffic Violations
- Victim Services
- Where to File

Each page was reviewed and non-plain language text was identified. Input was sought from Court Service Center staff and suggestions were compiled for substitutions for the non-plain language text for submission to the Web Board. In conducting the review, a Plain Language Glossary of frequently used words and their plain language translations was utilized to ensure consistency and uniformity in the web content.

Utilizing the plain language glossaries and guidelines for readability, the Self-Help sections of the website were reviewed and recommendations to change the text for plain language and readability compliance were made. The recommendations will be implemented by the Web Board.

IV. Performance Measures

The Web Board will continue to review the Web Trends report that lists the number of visitors for each section of the website. This report is useful in determining what information users find most helpful and in placement of materials on the website.

The Web Board will continue to put together a proposed list of priorities with deadlines that is approved by the Chief Court Administrator.

V. Conclusion

The Judicial Branch's website has grown exponentially over the past several years. As users have turned to the Branch's website in increasing numbers, the Branch in turn has enhanced its website to meet the increasing needs of the diverse population it serves. Although the website already offers many of the services suggested by the strategic plan, there is always room for improvement. The Web Board is committed to fully implementing the strategic plan.