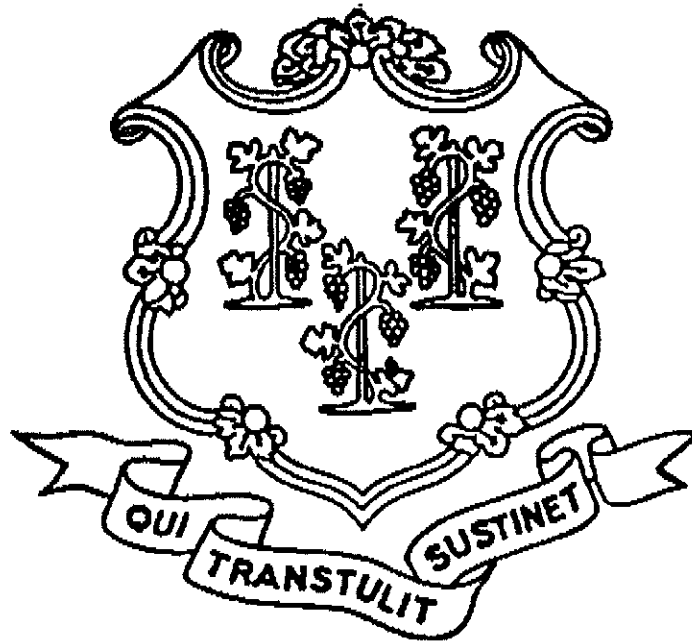


**REPORT TO THE
GENERAL ASSEMBLY:**

**PURSUANT TO SECTION 47a-73
OF THE GENERAL STATUTES**



**THE CITIZENS ADVISORY COUNCIL
FOR HOUSING MATTERS**

JANUARY 4, 1995

REPORT TO THE GENERAL ASSEMBLY

**pursuant to
Section 47a-73 of the General Statutes**

January 4, 1995

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The Advisory Council wishes to thank
the Connecticut Department of Housing for printing this report.

SUMMARY OF RECOMMENDATIONS

I. Clerk's office issues

- A. Minimum job requirements for housing clerks: The newly-created requirement that housing clerks have three years' supervisory/administrative experience should be eliminated and the pre-1992 minimum job requirements restored.
- B. Computerization of the housing courts: (a) Housing court work stations should have personal computers; (b) the six housing court clerks' offices should be part of an interconnected computer network; and (c) the Hartford housing court judge should have on-premises access to a computer which can access a data base of Connecticut judicial decisions.
- C. Staffing: (a) The temporary assistant clerk for Bridgeport/Norwalk and the temporary office clerk for New Haven should be made permanent; (b) The office clerk for New Haven and the office clerk for Norwalk should be made full-time; and (c) a full-time permanent office clerk should be hired for Hartford and a part-time permanent office clerk should be hired for Bridgeport and for Waterbury.
- D. Spanish-speaking staff: The ability to speak Spanish should be viewed as an important job-related skill in filling all clerk's office positions.
- E. Identification of criminal cases in the G.A. courts: All G.A. criminal housing cases should be given a unique identifier code so that they can be distinguished from other criminal cases.
- F. Explanatory materials: The Judicial Department should devise a method of spot checking G.A. clerks' offices to make sure that (a) pro se materials are kept in stock, (b) they are available, as appropriate, with or without request, and (c) both a list of available materials and selected samples of such materials are conspicuously posted.
- G. Pro se assistance: The statement that G.A. clerks are "specifically prohibited by law from providing any pro se assistance" should be deleted from pro se pamphlets.
- H. Glass partitions: No additional glass security partitions should be installed in housing court locations.

II. Housing specialist issues

- A. Staffing: An additional housing specialist should be hired and assigned to the Hartford Housing Court.
- B. Law student mediation program: Expansion of the program for Bridgeport and New Haven should be explored.
- C. Coordination with eviction prevention programs: The Judicial Department should explore the possibility at locations other than Hartford of the on-site presence of eviction prevention program staff on summary process calendar days.
- D. Access to telephones: Rooms used for negotiations in Waterbury, Middletown, and Bridgeport should have a telephone.
- E. Office space: The housing specialists in Bridgeport should have separate offices.
- F. Computers: There should be at least one computer available to housing specialists at each housing court location.

III. Prosecution issues

- A. Supervision of prosecutors: The housing unit in the Chief State's Attorney's Office should be restored and supervision of housing prosecutors returned to the Chief State's Attorney.
- B. Coverage of non-housing court districts: Cases in J.D. Danbury and J.D. Ansonia-Milford should be handled by a housing court prosecutor.
- C. Recording of criminal dispositions: Any case dispositions involving charitable contributions should be stated by the prosecutor on the record in open court and recorded on the docket sheet by the courtroom clerk.
- D. Monitoring of probation and accelerated rehabilitation: An adequate method of monitoring probation and accelerated rehabilitation should be developed.
- E. Consultation with Advisory Council: The Advisory Council should be involved in an advisory capacity in the assignment of housing prosecutors.

IV. Judicial issues

- A. Magistrate evaluation: A system should be developed for the evaluation of housing magistrates by litigants and attorneys.

V. Advisory Council issues

- A. Council appointments: The Governor should make his long-delayed appointments to the Advisory Council.
- B. Consultation with the Council: The Judicial Department should make certain that the Council is informed of proposed changes affecting the housing courts in a timely manner so that the Council can offer comments. In particular, in recent years the Council has not always been contacted on changes in housing court job descriptions and requirements, physical modifications to court locations, and courthouse construction.

REPORT OF THE CITIZENS ADVISORY COUNCIL ON HOUSING MATTERS

Pursuant to C.G.S. §47a-73, every two years the Citizens Advisory Council makes a report to the General Assembly on the operation of the housing courts. This report should be viewed as an update of the Council's 1991 report, which was a comprehensive commentary on housing court issues at the time. Rather than repeat much of its content, except as otherwise noted in this report, we reaffirm the 1991 report.

I. Clerk's office issues

A. Minimum job requirements for housing clerks: In 1992, without the knowledge or comment of the Advisory Council, the Judicial Department changed the minimum job requirement for the position of housing clerk to require at least three years of "professional administrative or supervisory experience." The previous minimum had been one year's experience as an assistant clerk or two years' experience as an attorney in a related field (e.g., housing). There was no "supervisory" or "administrative" requirement. The 1992 modification thus changed both the nature and the duration of experience required for the position.

The Council is most concerned about the change in the nature of experience required. The new minimum threatens to eliminate from consideration for clerk positions the very people most qualified to serve as housing clerk. Indeed, it is questionable that many of the present clerks would have qualified under a strict interpretation of the new current minimum. The Council strongly urges the elimination of the supervisory/administrative requirement from the minimum qualification specification and the return to the earlier standard based upon clerking experience or attorney experience in a related field. The Council also believes that the pre-1992 durational requirement should be restored or, in the alternative, that the three-year experience requirement should be reduced to two years.

B. Caseload growth: In the past two years, the housing courts have seen a major increase in the number of cases filed. Summary process filings are up more than 12% in the housing courts. Since the 1983-1984 fiscal year, there has been an increase of almost 35% in the number of eviction cases in the housing courts and more than 50% in the non-housing court districts (about 38% statewide). Evictions have also become a larger percentage of total housing court caseload and now constitute more than 78% of all cases filed in the housing courts (almost 84% of cases in the Hartford Housing Court).

In addition, the default rate for evictions has been falling and the number of contested cases consequently has risen. In

Hartford, for example, recent data found that 50% of tenants filed appearances in summary process cases in 1993, compared with 40% in 1986 and 33% in 1983, a 50% increase in a decade. The clerk of the Hartford Housing Court reports that the number of summary process trials and arguments calendared for hearing has nearly tripled during the same ten years. While these figures are a substantial success for promoting litigant participation in the judicial process, they also represent an obvious strain on the clerks' offices, which have benefited from neither increased staff nor modernized technology. Contested cases take far more staff time to handle than do default cases. The growth in caseload makes it all the more important that chronic staff shortages and lack of computers be addressed (see ¶C and ¶D below).

C. Computerization of housing cases: While most other parts of the Superior Court have long been computerized, the housing courts continue to operate manually. In the face of growing caseloads, the clerks' offices cannot reasonably be expected to meet case processing needs without computerization. Computerization of the housing courts is long overdue.

There are two critical aspects to such computerization. First, work stations need to have personal computers. This will permit staff far more quickly to manage trust accounts, access file records, do word processing, and perform other functions which must now be done manually. Second, the six housing court clerks' offices need to be connected to each other in a computer network. Preliminary investigation of the housing computer network in Massachusetts suggests that it could be adapted to Connecticut use relatively inexpensively.

In addition, in Hartford, the state's largest housing court, the judge has no access at all for research purposes to a computer data base of Connecticut judicial decisions, because at 18 Trinity St. there is no computer which can access such a data base. Apart from other aspects of computerization, the Hartford judge needs immediately to be provided with on-site computer access to Connecticut judicial decisions.

D. Conversion of temporary and part-time positions into permanent full-time ones: The temporary assistant clerk position in the Bridgeport/Norwalk Housing Court has still not been made permanent, nor has a temporary office clerk position in New Haven. Temporary positions need to be made permanent, because it is difficult to retain staff when no benefits or job security are provided. The New Haven position referred to above should also be made full-time, a change involving the addition of only three hours per week. The office clerk for Norwalk, who is currently shared with the small claims court, should be made full-time on housing. At least one more permanent full-time office clerk should be hired for Hartford. Finally, one permanent part-time office clerk each should be hired for the Waterbury Housing Court

and for the Bridgeport Housing Court. These changes would more realistically reflect staffing needs, which have been compounded by the growth in caseload.

E. Spanish-speaking staff: The Council has obtained a promise from the Judicial Department to affirmatively recruit more Spanish-speaking staff in the clerk's offices; and the Council is pleased with the circulation list of Hispanic organizations which the Judicial Department uses for staff recruitment. Efforts at implementation, however, have been stymied by little staff turnover; and the present situation remains unsatisfactory. Of about 20 clerk's office employees in the six housing court clerks' offices, only one or two are bilingual in Spanish. Similarly, although the Manager of Dispute Resolution Programs, who supervises the housing specialists, speaks Spanish, none of the eight housing specialists is fully fluent in Spanish (one is actively learning Spanish). The Council hopes that the person hired to fill the housing specialist vacancy in New Haven will be bilingual. The ability to speak Spanish should also be viewed as an important job-related skill in filling all clerk's office positions, including temporary ones. The lack of Spanish-speaking staff remains a serious impediment to communication with the many Spanish-speaking litigants in the housing courts.

F. Identification of criminal cases in the G.A. courts: The G.A. courts continue to have no adequate system to identify criminal housing cases. This makes it difficult for an outside board, such as the Citizens Advisory Council, to track (or even to count) the number of such cases. Although it is helpful that such cases are now segregated onto separate court docket sheets, this is not sufficient. The Council continues to recommend that housing cases in the G.A. courts be given their own identifying letter code (such as "CRH"), just as they have a separate letter code in the housing courts.

G. Explanatory materials: The Council is pleased that the Judicial Department's booklet called Rights and Responsibilities of Landlords and Tenants in Connecticut has been translated into Spanish and should soon be available to the public. It is also pleased that the Department is periodically reviewing all of its pro se housing pamphlets. The Council has, however, sometimes received complaints that pro se pamphlets and materials are not in fact easily available, particularly in the G.A. clerks' offices. The Judicial Department should devise a method of spot checking G.A. clerks' offices to make sure that (a) an adequate supply of pro se materials is kept in stock in each clerk's office, (b) the materials are offered to pro se litigants upon request and, when appropriate, without request, and (c) each clerk's office conspicuously posts both a list of available pro se materials and selected samples of such materials (which, in the case of pamphlets, might be only the pamphlet cover), so that litigants can more easily determine what materials to ask for).

H. Pro se assistance: The increased centralization of the housing system has resulted in improved pro se assistance in the geographical area courts which are not part of housing court districts. Although the Judicial Department continues to resist amending the statutes to require G.A. clerks to provide pro se assistance to housing litigants, the Department does not object to providing such assistance when clerk's office staff is able to give it; and, at least in New London, assistance is available similar to what would be available in a housing court district. There are, however, at least two pamphlets (A Tenant's Guide to Summary Process and A Landlord's Guide to Summary Process) which assert that "The Clerks' Offices of the Geographical Area Courts...are specifically prohibited by law from providing any pro se assistance other than that contained in this pamphlet or in official forms." This is incorrect. While the law does not require pro se assistance in the G.A. courts (as it does in the housing courts), it does not prohibit it. The sentence should be changed or deleted when the pamphlet is reviewed for reprinting.

Suzanne Colasanto, the Chief Clerk for Housing Matters, is available by telephone to respond to questions from G.A. clerks. She also circulates to both housing clerks and G.A. clerks information on new housing law developments and on changes in housing procedures. In addition, the clerks have prepared a new Superior Court Clerk's Manual for Housing Matters, which is in use in all courts handling housing matters, including the G.A. courts.

I. Glass partitions: The Council continues to oppose glass "security" partitions over the public counter separating the housing court staff from litigants. The presence of a partition adversely affects the interaction between clerk's office staff and pro se litigants. The Council was successful in opposing such a partition in New Haven, and the New Haven, Norwalk, and New Britain locations continue to maintain open public counters. The Council hopes that this situation will remain unchanged.

J. Courtroom security: A sheriff should be assigned to the Bridgeport Housing Court. At present, the courtroom has no security personnel at all.

K. Case processing: Over the past ten years, at least three reports have been prepared on the speed with which housing cases are being handled. All have consistently found that cases move very rapidly and that nearly all contested cases are successfully settled by the housing specialists. This is confirmed by the work records kept by the housing specialists, which indicate that more than 95% of the cases referred to them are settled. The most recent summary process report, published in 1992, was a review of evictions in G.A. 10 in New London. It found a median disposition time (return day to entry of judgment) of 17 days for all cases and 21 days for contested cases. More than 90% of all cases and 85% of contested cases went to judgment

within six weeks of the return day. Nevertheless, the growth in the number of eviction cases, and especially the increase in contested cases, threatens to undermine this pacing of cases in the absence of adequate staffing and computerization.

K. Entry fees: The Council regrets the escalation of housing-related court entry fees. In 1992, the entry fee for evictions and other housing matters was increased from \$60 to \$75. The small claims entry fee for housing cases was raised from \$20 to \$30. The fee for reopening a judgment went from \$25 to \$35. These increased fees make the court less accessible to litigants.

II. Housing specialist issues

A. Staffing: At present, there are two housing specialists assigned to each of the three housing court districts and three specialists to cover the remainder of the state. The Council's recommendation that Hartford be restored to three specialists has never been implemented. Adequate housing specialist staff is critical to the movement of contested cases. It is important that specialist staff be brought to that level.

B. Law student mediation program: The University of Connecticut Law School, in conjunction with the clerk of the Hartford Housing Court and the Hartford housing specialists, has developed a curriculum in which law students are trained to mediate small claims cases. The program, which began in the spring of 1994, has proved to be a success and is being continued in the 1994-1995 academic year. The Council recommends that expansion of this program to Bridgeport (in conjunction with the Quinnipiac College School of Law) and to New Haven (in conjunction with Yale Law School) be explored.

C. Coordination with eviction prevention programs: The Hartford Housing Court has also made arrangements with local eviction prevention programs to have their staff at the housing court on summary process days so that rent bank applications can be processed quickly. This makes it easier to settle eviction cases. The Judicial Department should explore the possibility of an equivalent program in other housing court locations.

D. Pay grade: The Council successfully opposed a preliminary recommendation by the Objective Job Evaluation Committee to reduce the pay grade of housing specialists. Ultimately, the old pay grade was retained, although it should in fact have been increased. Those evaluating job specifications need better to understand the complexity of the work which housing specialists do.

E. Access to telephones: There should be a telephone in any conference area used for housing specialist negotiation. In

particular, the space used by housing specialists in Waterbury and Middletown does not contain a telephone, nor does one of the negotiating rooms in Bridgeport.

F. Office space: In Bridgeport, the two housing specialists share a single room, which forces some negotiations to be conducted elsewhere. If the specialists had separate offices, it would also solve the problem of inadequate telephone access in Bridgeport.

G. Computers: The housing specialists at present have no access to computers. There should be at least one computer available to housing specialists at each housing court location.

III. Prosecution issues

A. Supervision of prosecutors: Since 1984, C.G.S. §51-278(b) has required that the housing prosecutors be designated by the Chief State's Attorney, rather than by the separate state's attorneys for each judicial district. The 1984 legislation reflected the unsatisfactory experience with housing prosecutors during the early years of the housing court, in which there was no uniformity in housing prosecution policy and no person who could be held accountable for setting policy when problems arose. The Chief State's Attorney responded to the statute by creating a four-person statewide housing prosecution unit, which met bimonthly. Three of the prosecutors are based in the three major housing courts and the fourth is based in New London.

Over the opposition of the Advisory Council, the Chief State's Attorney has farmed supervision of prosecutors out to the state's attorneys in each judicial district. Although in theory a statewide "housing unit" still exists, it no longer meets regularly, no longer is under the supervision of one person, and no longer functions as a unit. Indeed, since most of the prosecutors work in more than one judicial district, they are now subject to the direction of multiple state's attorneys. This is the very situation which the 1984 statute sought to avoid. The Council urges the Chief State's Attorney to reconsider his decision and to restore a unified housing unit under the supervision of the Chief State's Attorney or his designee.

B. Coverage of non-housing court districts: The four state housing prosecutors together handle cases in all J.D.'s except for Danbury and Ansonia-Milford. Milford cases are supposed to be part of the New Haven-Waterbury Housing Court, and the Council is concerned that some appear incorrectly to be referred to Derby. Particular concerns have been expressed about the lack of effective code prosecution in Danbury; and the Council continues to urge that the Bridgeport-Norwalk housing prosecutor assume responsibility for housing prosecutions in J.D. Danbury.

C. Recording of criminal dispositions: The Council obtained in principle an agreement from the prosecutors that all conditions of nolle and probation will be stated on the record in open court. This is important for the public monitoring of cases in which a nolle is entered in return for a financial contribution to a charity, which is the functional equivalent of a fine. The Council was also assured that in-court clerks would record on the docket sheet any conditions so disclosed. The Council remains uncertain, however, as to whether these two agreements are in fact being implemented.

D. Monitoring of probation and accelerated rehabilitation: The Council continues to be frustrated by the inability of the housing prosecutors to develop an adequate method of monitoring cases disposed of by probation or accelerated rehabilitation, if they include a requirement that repairs be made during the probation/rehabilitation period. The housing specialists consider such monitoring to be beyond the scope of their duties, and the prosecutors are unwilling to use code enforcement officers for monitoring. This leaves monitoring to the state's Probation Office, which has neither the interest nor the expertise to determine if repairs are being made in a timely and proper manner. This can result in extended periods of time in which there is neither repair nor monitoring.

E. Consultation in the selection and assignment of prosecutors: Since its creation in 1978, the Council has been actively involved, in an advisory capacity, in the assignment of clerks, housing specialists, and housing court judges. With the exception of the initial appointment of the first Hartford housing prosecutor, however, the Council has been excluded from participation in housing prosecutor assignments. The Council's involvement in other areas has had a leavening effect in the selection process, encouraging the relevant agencies to recognize the special types of skills needed in the housing courts. The Council believes that it is time that its equivalent role in the housing prosecution system be restored.

IV. Judicial issues

A. Magistrates: From the beginning of the housing court system in 1978, the Council has played an advisory role in recruiting and commenting on judges for assignment to the housing courts. Those judges used to handle the entire housing docket, including small claims cases. In recent years, however, the hearing of small claims was delegated to commissioners (volunteer lawyers) and then to magistrates (paid lawyers); and most housing small claims cases are now heard by magistrates. Those cases represent a significant portion of the housing docket, but the Council has played no role in the assignment of magistrates. On occasion, the Council has received complaints about how magistrates have handled cases. The absence of Council

involvement is a source of concern to the Council.

In response to this situation, the Council has attempted to move in three directions. First, in 1993, with the cooperation of the Judicial Department, the Council wrote a "bench book" for magistrates, entitled Small Claims Issues for Magistrates Hearing Housing Cases, which provides detailed legal analysis concerning the types of housing issues most commonly heard in small claims court (security deposits, back rent, and property damage). The booklet was printed by the Judicial Department, which distributed it to all magistrates. The Council is pleased that Judge Riddle cited large portions of the booklet in a series of housing court decisions. See DiBiaso v. Garqiulo, NH-593 (1993), Birney v. Barretta, NH-595 (1993); Zelazny v. Sanseverino, NH-599 (1993); and DeNino v. Valenti, NH-604 (1993). The Council is prepared to update the booklet and to provide a speaker for training sessions if needed. Second, the Council hopes to establish a system for courtroom observation of magistrates by Council members. Third, it would like to develop a method for input into magistrate assignment or reassignment at an earlier stage of the process. As a step in this direction, the Council is working with the Judicial Department to develop a magistrate evaluation questionnaire for small claims litigants to complete.

B. Judicial assignments: The Council continues to be pleased with the assignment of judges to the housing courts. In September, 1994, new judges were assigned to all three housing courts. They are Judges Alexandra DiPentima (Hartford-New Britain), Clarence Jones (New Haven-Waterbury), and Kevin Tierney (Bridgeport-Norwalk). We are most appreciative of the responsiveness of the Chief Court Administrator to the interests of the Advisory Council.

V. Issues concerning the Advisory Council itself

A. Consultation with the Council: The Council has long been concerned that it cannot advise on housing court matters unless it is informed of proposed new developments by the Judicial Department and the Chief State's Attorney in advance of their occurring. The Council's communication with the Judicial Department, and particularly with Director of Court Operations Joseph D'Alesio and with Suzanne Colasanto and Cynthia Teixeira, who supervise the clerks and housing specialists, respectively, has been excellent; and the Council is very pleased with their openness to new ideas and their responsiveness to comments. In 1993, the Judicial Department reorganized its internal structure as it affects the housing courts, creating a separate housing unit based in New Haven. This change seems to have worked out well. The Council also now routinely receives the monthly reports of the Chief Housing Clerk and the Manager of Dispute Resolution Programs. These reports have been very helpful in identifying housing court issues at an early stage. The Council

has also had a representative on the screening and interviewing panels for the positions of housing specialist, housing clerk, and Manager of Dispute Resolution Programs.

Nevertheless, the Council sometimes learns of policy changes affecting housing matters -- including some major changes -- more by happenstance than by design. The problem is greatest when the change is initiated by some source outside the regular housing court system, e.g., by staff within the Judicial Department dealing with forms, by building security staff, or by persons dealing with new courthouse construction. Thus, the Council was not consulted about the relocation of the clerk's office in Waterbury when plans were made to renovate the building at 7 Kendrick Avenue.

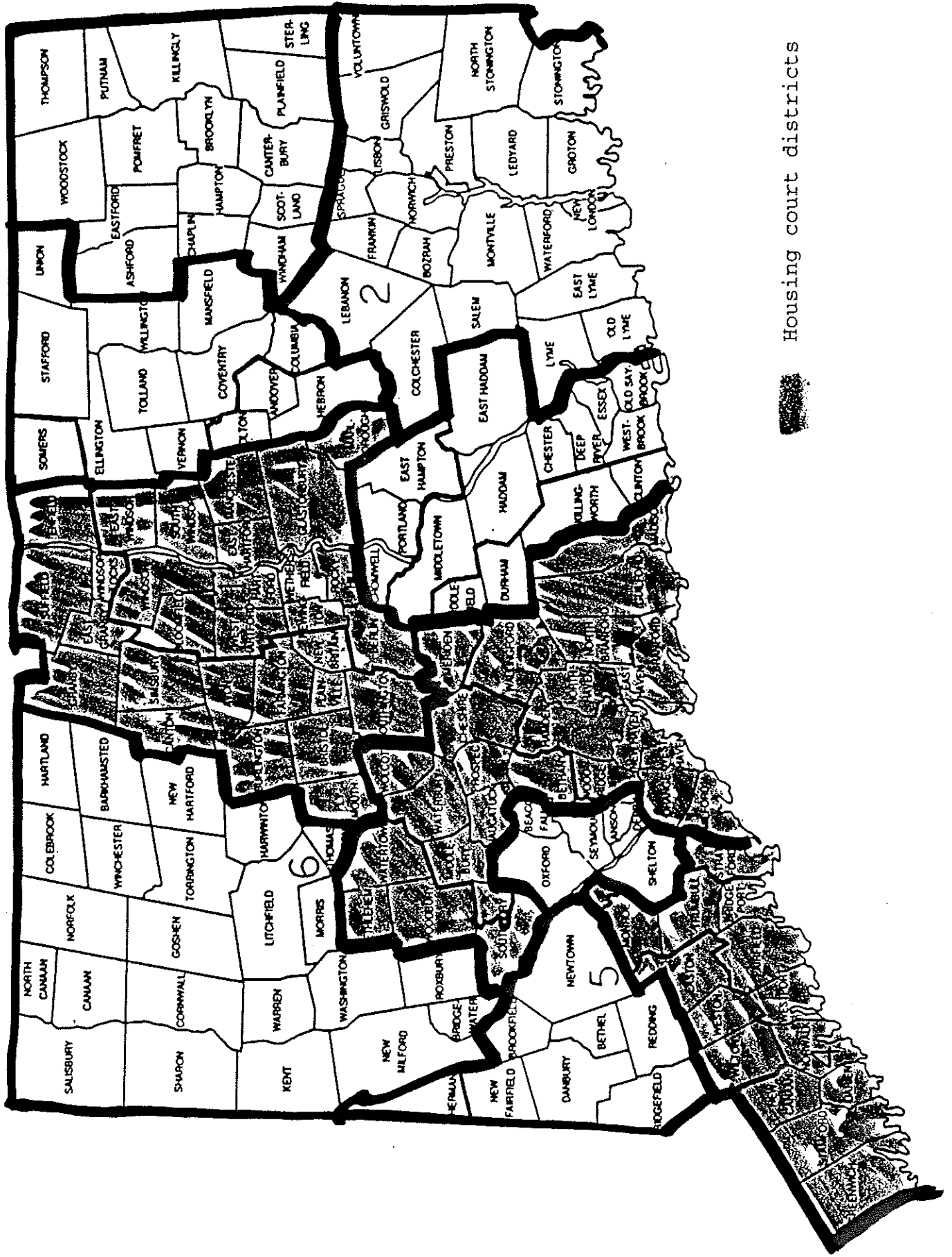
In addition, there is an on-going failure within the Judicial Department to consult on changes in the job descriptions and job qualifications for housing court staff. Changes made without offering opportunity for comment in regard to both housing court clerks and housing specialists have had the potential severely to restrict the ability of the housing courts to hire the best applicants. The Council strongly urges the Judicial Department to assure that the Council's comments will be sought out in these matters at an early point in the decision-making process, well before final decisions are made.

B. Open houses: More by default than by plan, the Council has discontinued its former practice of holding an open house whenever a new judge is assigned to a housing court. The Council will explore alternate ways of meeting the housing court judges and exchanging ideas with them, as well as the possibility of reestablishing open houses.

LIST OF APPENDICES

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APPENDIX A -- HOUSING COURT DISTRICTS



■ Housing court districts

APPENDIX B

HOUSING COURT ACT

as amended through December 31, 1994

Sec. 47a-68. Definitions.

As used in this chapter, sections 51-51v, 51-165, 51-348 and subsection (b) of section 51-278, "housing matters" means:

- (a) Summary process;
- (b) Appeals from the decisions of a fair rent commission under sections 7-148e and 7-148f;
- (c) Actions and administrative appeals involving discrimination in the sale or rental of residential property;
- (d) All actions regarding forcible entry and detainer;
- (e) Actions under the provisions of title 47a, chapter 412 or section 47-294;
- (f) All actions involving one or more violations of any state or municipal health, housing, building, electrical, plumbing, fire or sanitation code or any other statute, ordinance or regulation concerned with the health, safety or welfare of any occupant of any housing;
- (g) All actions under sections 47a-56a to 47a-59, inclusive;
- (h) All actions for back rent, damages, return of security deposits and other relief arising out of the parties' relationship as landlord and tenant or owner and occupant;
- (i) All other actions of any nature concerning the health, safety or welfare of any occupant of any place used or intended for use as a place of human habitation if any such action arises from or is related to its occupancy or right of occupancy.

Sec. 47a-70. Housing docket. Entry and transfer of cases on docket.

(a) All proceedings involving a housing matter in the judicial district of Hartford-New Britain, New Haven, Fairfield, Waterbury or Stamford-Norwalk shall first be placed on the housing docket for that district, provided that the judge before whom such proceeding is brought may transfer such matter to the regular docket for a geographical area or judicial district if he determines that such matter is not a housing matter or that such docket is more suitable for the disposition of the case. Any case so entered or transferred to either docket shall be proceeded upon as are other cases of like nature standing on such docket.

(b) If two or more actions are pending between the same parties, including for the purposes hereof any other court proceedings arising out of or connected with the same housing accommodation, of which one or more of such actions is on the housing docket and one or more of such actions is on some other docket, the judge handling such other docket, upon motion of any party to any such actions, may order that the action pending on such docket, with all papers relating thereto, be transferred to the housing docket; and such action or actions shall thereafter proceed as though originally entered there.

Sec. 51-348(b) and (c). Venue for housing matters. Housing docket.

(b) Such geographical areas shall serve for purposes of establishing venue for the following matters:... (4) housing matters as defined in section 47a-68, except that (A) in the judicial districts of Hartford-New Britain, New Haven, Fairfield, Waterbury and Stamford-Norwalk, venue shall be in the judicial district, and (B) in the judicial district of Ansonia-Milford, venue shall be in the geographical area unless (i) the plaintiff requests a change in venue to either the judicial district of New Haven or the judicial district of Waterbury, or (ii) the premises are located in the town of Milford, Orange or West Haven, in which case venue shall be in the judicial district of New Haven...

(c) ...Housing matters, as defined in section 47a-68, shall be heard on a docket separate from other matters within the judicial districts of Hartford- New Britain, New Haven, Fairfield, Waterbury and Stamford-Norwalk, provided in the judicial district of Waterbury such matters shall be heard by the judge assigned to hear housing matters in the judicial district of New Haven, and in the judicial district of Stamford-Norwalk such matters shall be heard by the judge assigned to hear housing matters in the judicial district of Fairfield. The records, files and other documents pertaining to housing matters shall be maintained separate from the records, files and other documents of the court...

Sec. 51-165(c). Assignment of judges to hear housing matters.

Any judge assigned to hear housing matters should have a commitment to the maintenance of decent, safe and sanitary housing and, if practicable, shall devote full time to housing matters. If practicable, he should be assigned to hear matters for not less than eighteen months. Any judge assigned to housing matters in a judicial district should reside in one of the judicial districts served by the housing session after he is assigned thereto.

Sec. 51-51v(a). Appointment of clerks for housing matters.

The judges of the superior court, at their annual meeting in June, shall appoint...clerks for housing matters, including a chief clerk for housing matters.

Sec. 51-52(d). Duties of clerks for housing matters.

Each clerk for housing matters and the clerks for the judicial district of New Haven at Meriden shall supervise the handling of housing matters and the maintenance of court records relating thereto and shall provide assistance to pro se litigants and perform such other duties in connection with housing matters as the chief court administrator or the judge assigned to hear the matters may assign to him.

Sec. 51-278(b)(1). Appointment of assistant and deputy assistant state's attorneys for housing matters.

...At least three such assistant state's attorneys or deputy assistant state's attorneys shall be designated by the chief state's attorney to handle all prosecutions in the state of housing matters deemed to be criminal. Any assistant or deputy assistant state's attorney so designated should have a

commitment to the maintenance of decent, safe and sanitary housing and, to the extent practicable, shall handle housing matters on a full-time basis.

Sec. 51-286b. Duties re housing matters.

The deputy assistant state's attorney assigned to handle housing matters may initiate prosecutions for violations of any state or municipal housing or health law, code or ordinance either upon the affidavit of an individual complainant or upon complaint from a state or municipal agency responsible for the enforcement of any law, code or ordinance concerning housing matters.

Sec. 47a-69. Appointment of housing specialists. Qualifications. Duties.

(a) The judges of the superior court or an authorized committee thereof may appoint such housing specialists as they deem necessary for the purpose of assisting the court in the prompt and efficient hearing of housing matters within the limit of their appropriation therefor. Such judges or such committee shall appoint not less than two such specialists for each of the judicial districts of Hartford-New Britain, New Haven and Fairfield and may designate one of them in each judicial district as chief housing specialist. Such judges or committee shall also appoint not less than three such housing specialists for all other judicial districts. The housing specialists for the judicial district of New Haven shall assist the court in the hearing of housing matters in the judicial district of Waterbury and the housing specialists for the judicial district of Fairfield shall assist the court in the hearing of housing matters in the judicial district of Stamford-Norwalk.

(b) Housing specialists shall be knowledgeable in the maintenance, repair and rehabilitation of dwelling units and the federal, state and municipal laws, ordinances, rules and regulations pertaining thereto. They shall also have knowledge necessary to advise parties regarding the type of funds and services available to assist owners, landlords and tenants in the financing of resolutions to housing problems. The housing specialists shall make inspections and conduct investigations at the request of the court, shall advise parties in locating possible sources of financial assistance necessary to comply with orders of the court and shall exercise such other powers and perform such other duties as the judge may from time to time prescribe.

(c) Such housing specialists (1) shall be responsible for the initial screening and evaluation of all contested housing matters eligible for placement on the housing docket pursuant to section 47a-68, (2) may conduct investigations of such matters including, but not limited to, interviews with the parties, and (3) may recommend settlements.

Sec. 47a-71a. Citizens advisory council for housing matters.

There is hereby created a citizens advisory council for housing matters consisting of thirty-six persons. The members of the council shall be appointed by the governor for terms ending June 30, 1987, and thereafter the members of the council shall be appointed by the governor for terms of four years. The council shall consist of representatives of tenants, landlords, and others concerned with housing and shall reflect a balance of the interests of tenants and landlords. The members of the advisory council shall elect their own chairman. Nine members shall be residents of the judicial district of Hartford-New Britain; nine members

shall be residents of the judicial districts of New Haven, Waterbury or Ansonia-Milford; nine members shall be residents of the judicial districts of Fairfield or Stamford-Norwalk; and nine members shall be residents of the judicial districts of Danbury, Litchfield, Middlesex, New London, Tolland or Windham. Any member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from office.

Sec. 47a-72. Duties of citizens advisory council. Meetings. No compensation or reimbursement.

(a) The council shall from time to time view the housing docket proceedings and review the manner in which the housing docket is functioning, consult with the judges assigned to housing matters and the chief court administrator and assist them in such manner as is appropriate, assist in making the public aware of the existence of the housing docket, receive comments from the general public about the handling of housing matters, and make such recommendations as it may choose. The council shall meet as a full body at least two times a year and on such additional occasions as it may require. The council may divide itself into subcommittees as it deems appropriate. The council may submit its recommendations concerning housing matters to the chief court administrator, to any judge hearing housing matters and to the general assembly. Members of the council shall receive no compensation and, notwithstanding the provisions of section 4-1, shall not receive their actual and necessary expenses incurred in the performance of their official duties.

(b) The council may recommend to the governor and to the chief court administrator the names of persons it believes to be suitable for appointment or assignment to hear housing matters in any judicial district for which a special housing session has been established, pursuant to subsection (a) of section 47a-70.

Sec. 47a-73. Judge and council to report to general assembly.

The judges hearing housing matters and the citizens advisory council shall each make a report with respect to the operation of the special docket for housing matters and their respective recommendations to the general assembly at the opening of its regular sessions in the odd-numbered years. Such reports may also include recommendations for legislation with respect to housing matters.

Sec. 47a-74. Rules of practice to be adopted.

The judges of the superior court may adopt such rules of practice and procedure not inconsistent with the general statutes to implement the provisions of this chapter and section 51-51v, 51-165, 51-348 and subsection (b) of section 51-278.

APPENDIX C

HOUSING CASELOADS
July 1, 1993 to June 30, 1994

	Summary process	Increase since 1991-92	1983-84	Small claims	Civil 47a-14h	Criminal	%summary Total process		
<u>Housing courts</u>									
Hartford-New Britain									
Hartford	5,604	+11.1%	+11.8%	666	336	22	71	6,699	83.7%
New Britain	<u>1,680</u>	<u>+18.9%</u>	<u>+37.9%</u>	<u>324</u>	<u>100</u>	<u>3</u>	<u>26</u>	<u>2,133</u>	<u>74.1%</u>
	7,284	+12.8%	+16.7%	990	436	25	97	8,832	82.5%
New Haven-Waterbury									
New Haven	3,877	+10.6%	+39.5%	463	555	18	226	5,139	75.4%
Waterbury	<u>1,462</u>	<u>+25.5%</u>	<u>+26.5%</u>	<u>229</u>	<u>133</u>	<u>0</u>	<u>32</u>	<u>1,856</u>	<u>78.8%</u>
	5,339	+14.3%	+36.0%	692	688	18	258	6,995	76.3%
Bridgeport-Norwalk									
Bridgeport	2,515	+14.7%	+14.2%	245	426	2	77	3,265	77.0%
Norwalk	<u>1,541</u>	<u>+ 0.7%</u>	<u>+26.3%</u>	<u>272</u>	<u>300</u>	<u>3</u>	<u>45</u>	<u>2,161</u>	<u>71.3%</u>
	4,056	+ 8.9%	+18.5%	517	726	5	122	5,426	74.8%
Total	16,679	+12.3%	+34.6%	2,199	1,850	48	477	21,253	78.5%
<u>Non-housing court districts</u>									
Eastern Connecticut							(n. 2)		
New London (GA 10)	960	+46.3%	+42.2%	138	4	1	*	1,103	87.0%
Norwich (GA 21)	548	+30.2%	+23.7%	149	1	2	*	700	78.3%
Danielson (GA 11)	467	+41.1%	+25.9%	99	9	1	*	576	81.1%
Rockville (GA 19)	468	+28.9%	+69.6%	76	16	1	*	561	83.4%
Middletown (GA 9)	<u>581</u>	<u>+ 7.8%</u>	<u>+52.1%</u>	<u>0</u>	<u>18</u>	<u>0</u>	<u>0</u>	<u>599</u>	<u>97.0%</u>
	3,024	+30.9%	+40.8%	462	48	5	0	3,539	85.4%
Western Connecticut									
Danbury (GA 3)	498	+28.4%	+52.8%	154	135	1	*	788	63.2%
Bantam (GA 18)	<u>417</u>	<u>+29.5%</u>	<u>+131.7%</u>	<u>121</u>	<u>31</u>	<u>1</u>	<u>2</u>	<u>572</u>	<u>72.9%</u>
	915	+28.9%	+80.8%	275	166	2	2	1,360	67.3%
Derby (GA 5)	350	+14.0%	- 7.4%	86	75	1	1	513	68.2%
Meriden (n. 1)	557	+19.8%	+214.7%	159	26	1	*	743	75.0%
Total	4,846	+27.8%	+51.1%	982	315	9	3	6,155	78.7%
Connecticut total	21,525	+15.5%	+38.0%	3,181	2,165	57	480	27,408	78.5%

Notes: n. 1 -- Meriden is technically part of the New Haven-Waterbury Housing Court district but does not have full housing court services.

n. 2 -- * = no data. The Chief State's Attorney's office has been unable to provide data on the number of criminal cases in some non-housing court districts.

Summary: 77.5% of all summary process cases are filed in the housing courts. 78.5% of all housing cases are summary process cases.

APPENDIX D

HOUSING COURT JUDGES

<u>Hartford-New Britain</u>	<u>New Haven-Waterbury</u>	<u>Bridgeport-Norwalk</u>
1-1-79 Arthur Spada		
7-1-79 Arthur Spada		
1-1-80 Arthur Spada		
7-1-80 Arthur Spada		
1-1-81 Robert Satter		
7-1-81 Robert Satter	Paul Foti (10-1-81)	
1-1-82 John Maloney	Paul Foti	
7-1-82 John Maloney	Paul Foti	Margaret Driscoll (10-1-82)
1-1-83 John Maloney	Dennis Harrigan	Margaret Driscoll
7-1-83 Arnold Aronson	Dennis Harrigan	Margaret Driscoll
1-1-84 Arnold Aronson	Dennis Harrigan	Margaret Driscoll
7-1-84 Arnold Aronson	Jerrold Barnett	Margaret Driscoll
1-1-85 Samuel Goldstein	Jerrold Barnett	Margaret Driscoll
7-1-85 Samuel Goldstein	Jerrold Barnett	Thomas Gerety
1-1-86 Samuel Goldstein	William Ramsey	Thomas West
7-1-86 Samuel Goldstein	William Ramsey	Thomas West
1-1-87 J. Kaplan/S. Goldstein	William Ramsey	Thomas West
7-1-87 Edward Doyle	William Ramsey	Morton Riefberg
3-1-88 Edward Doyle	William Ramsey	Morton Riefberg
9-1-88 Edward Doyle	Anthony DeMayo	Morton Riefberg
3-1-89 Wendy Susco	Anthony DeMayo	Morton Riefberg
9-1-89 Wendy Susco	Anthony DeMayo	L. Scott Melville
3-1-90 Wendy Susco	Anthony DeMayo	L. Scott Melville
9-1-90 Marshall Berger	Christine Vertefeuille	L. Scott Melville
3-1-91 Marshall Berger	Christine Vertefeuille	Sandra Leheny
9-1-91 Marshall Berger	Christine Vertefeuille	Sandra Leheny
3-1-92 Robert Holzberg	Christine Vertefeuille	Sandra Leheny
9-1-92 Robert Holzberg	Clarine Nardi Riddle	L. Scott Melville
3-1-93 Robert Holzberg	Clarine Nardi Riddle	L. Scott Melville
9-1-93 Robert Holzberg	Clarine Nardi Riddle/ Douglas Mintz	L. Scott Melville
3-1-94 Robert Holzberg	Douglas Mintz	L. Scott Melville
9-1-94 Alexandra DiPentima	Clarence Jones	Kevin Tierney