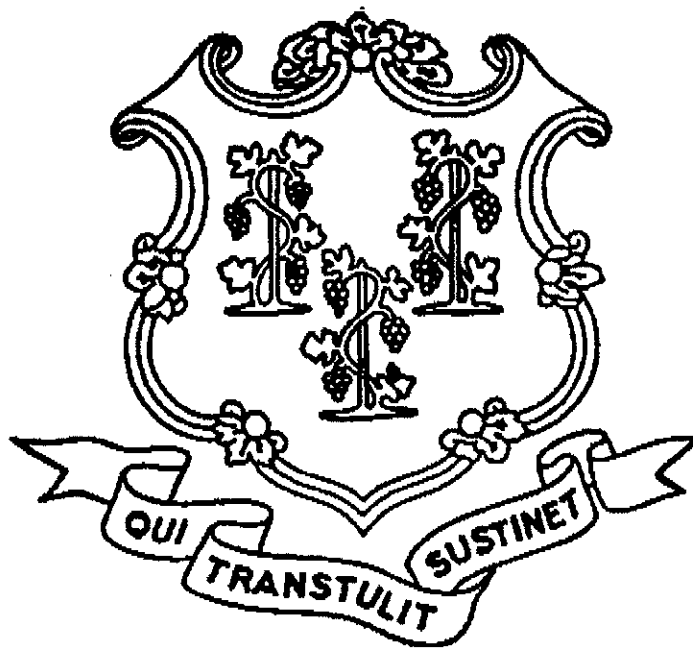


**REPORT TO THE
GENERAL ASSEMBLY:**

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



**THE CITIZENS ADVISORY COUNCIL
FOR HOUSING MATTERS**

JANUARY 8, 1997

REPORT TO THE GENERAL ASSEMBLY

pursuant to
Section 47a-73 of the General Statutes

January 8, 1997

Members of the Council

Raphael L. Podolsky, Chairperson

Linda Francois, Secretary

Barbara Perry, Treasurer

Houston Putnam Lowry, Hartford-New Britain Subcommittee

Sheldon Hosen, New Haven-Waterbury Subcommittee

William Haslun, Bridgeport-Norwalk Subcommittee

Morris Czaczkes, Eastern Connecticut Subcommittee

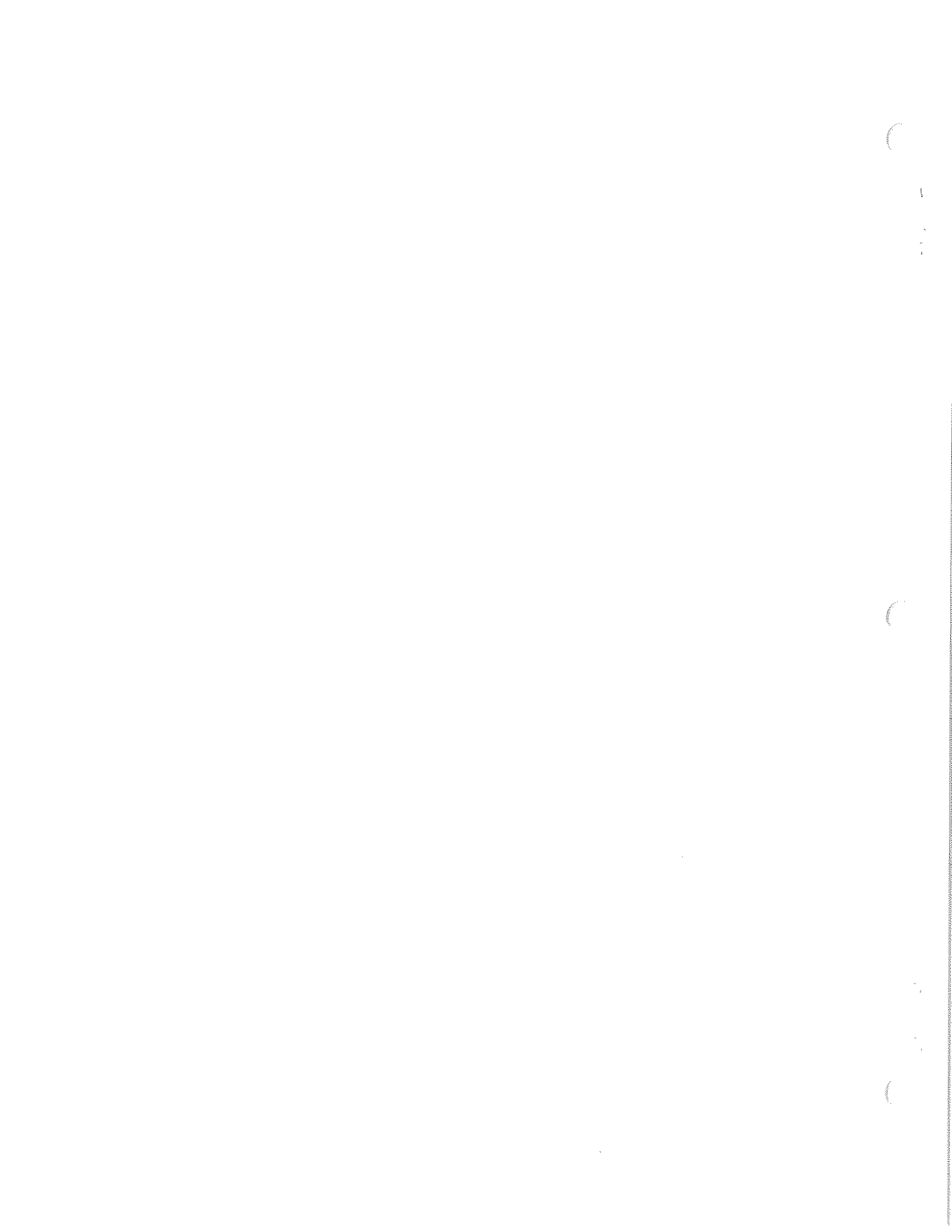
Miguel Ayala
Nadine Baldetti
Peter Blasini
Carolyn Comerford
Jane Courville
Elaine DeNigris
Linda Drew

Glenn Falk
Sr. Susanne Gebrian
Robin Hammeal-Urban
Ivan Hirsch
Robert Kor
Doris Latorre
Gail Maclean

Lorraine Martin
John McGrath, Jr.
Tito Molina
Carmen Reyes Neale
Antonio Robaina
Peter W. Rotella
John Rowland

Edward Sanady
Lois Stevenson
Richard Tenenbaum
James White
Joseph Wincze
Odessa Young
Joseph Zibbiddeo

The Advisory Council wishes to thank the Department of Economic and Community Development for printing this report.



SUMMARY OF RECOMMENDATIONS

I. Clerk's office issues

A. Staffing: High priority should be given to restoration of staff positions that were subjected to layoffs in 1996. In particular, the Judicial Branch should restore the following positions:

1. Administrative assistants in Hartford, New Britain, Waterbury, and Norwalk;
2. Full-time office clerk in New Haven (which would restore what had previously been a 32-hour/week temporary office clerk position);
3. Part-time office clerks in Bridgeport and Waterbury.

B. Clerks' office hours

1. Restoration of hours: Housing court clerks' offices should be open to the public from 9:00 a.m. to 5:00 p.m. The mid-day closing of offices should be ended.
2. Interim adaptations: As long as mid-day closings continue, each clerk's office should have an answering machine which, during mid-day closings, would play a message stating the hours that the clerk's office is closed and telling the caller when to call back.

C. Computerization of the housing courts:

1. Hartford pilot and expansion: The computerization pilot in Hartford should continue and should be expanded to other housing court districts, including the linking of the six housing court clerks' offices in a computer network, with the caveats that any "paperless" court system must also (a) be suitable for litigants (and attorneys) who do not have easy access to computers, (b) protect the integrity of documents filed with the court (whether filed on paper or electronically), and (c) perform the same essential functions as the present paper-based docketing and filing systems (e.g., a method to verify the original documents served on a defendant).
2. Computer access in all locations: There should be at least one computer installed in the Waterbury and New Britain offices, so that both clerks and specialists will have access to a computer at each housing court location.

D. Removal of housing court jurisdiction over some cases:

1. Manchester housing cases should not be removed to Rockville from the Hartford-New Britain Housing Court.

2. Housing small claims cases should remain in the housing courts and should not be moved to other small claims dockets.
- E. Minimum job requirements for housing clerks: The requirement that housing clerks have three years' supervisory/administrative experience should be eliminated and the pre-1992 minimum job requirements restored.
 - F. Spanish-speaking staff: The ability to speak Spanish should be viewed as an important job-related skill in filling all clerk's office positions, including temporary ones.
 - G. 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.
 - H. Explanatory materials: The Judicial Branch 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) a list of available materials is conspicuously posted.
 - I. 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.
 - J. Glass partitions: No additional glass security partitions should be installed in housing court locations.
 - K. Courtroom security: A sheriff should be assigned to the Bridgeport and the Norwalk Housing Courts.
 - L. Telephone access:
 1. Toll-free call-in lines: The Judicial Branch should arrange for toll-free lines to the appropriate housing court from any part of a housing court district that lies outside a toll-free zone. Priority should be given to a toll-free line from the Stamford/Greenwich area to the Norwalk Housing Court.
 2. Telephone book listings: The Judicial Branch should arrange for blue-page listings for every telephone book so that each will include the telephone number of the courthouse at which housing cases from each town covered by that book are heard.
 - M. Courtroom acoustics: The Judicial Branch should take action to improve acoustics and lighting in the Bridgeport courtroom, including the provision of an inexpensive amplification system.

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. Litigant information: The Council urges that a copy of the staff-developed "Dear Litigant" letter be posted at each courthouse in a conspicuous location and that a supply of letters which litigants can pick up be maintained at the courthouse in a place easily noticeable by litigants.
- D. Office space: The housing specialists in Bridgeport should have separate offices.

III. Prosecution and code enforcement issues

- A. Supervision of prosecutors:
 - 1. Chief State's Attorney: Supervision of housing prosecutors should be returned to the Chief State's Attorney.
 - 2. Statewide housing prosecution unit: Even if not directly supervised through the Chief State's Attorney's Office, the housing prosecutors should function as a coordinated unit and should resume their periodic meetings.
- B. Coverage of non-housing court districts: Housing prosecutions everywhere in the state, including those in J.D. Danbury, should be handled by a housing 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 in the hiring of housing prosecutors:
 - 1. Consultation with the Council: The Advisory Council should be involved in an advisory capacity in the selection of housing prosecutors.
 - 2. Standards for hiring of prosecutors:
 - a. Commitment to decent, safe, and sanitary housing and interest in

- b. being a housing prosecutor, not merely a prosecutor;
- b. Recognition that prosecutorial policies will effectively control housing code enforcement administration in the region;
- c. Willingness to participate in outreach activities;
- d. Willingness to work cooperatively with the Advisory Council.

F. Consultation on other matters: The state's attorneys or the Criminal Justice Commission should designate some person or group of persons (e.g., a committee of state's attorneys) with authority to act on Council recommendations on prosecution policy and with whom it can meet.

G. Tenant-initiated code enforcement

1. Notice to tenants: When a local code enforcement officer sends a repair order to a property owner, a copy of the notice should also be sent to the tenant occupying the property. The notice should inform the tenant of the right to initiate a civil code enforcement action ("payment into court") under §47a-14h of the General Statutes.
2. Attorney's fees: Section 47a-14h should be amended to permit the court to award attorney's fees to a prevailing plaintiff.

IV. Judicial issues

- A. Magistrate booklet: The Council should continue periodically to update, and the Judicial Branch to reprint, Housing Issues in the Small Claims Division of the Superior Court.
- B. Magistrate evaluation: The magistrate evaluation questionnaire program being tested on a pilot basis in the New Haven Housing Court should be institutionalized within the Judicial Branch, made permanent, and expanded to other housing court locations. The information gathered from the questionnaires should be reviewed by the Court Operations Division for purposes of training, evaluation, and reappointment; and the magistrates themselves should receive a periodic (perhaps annual) summary of results in a form which does not jeopardize the confidentiality promised to respondents.

V. Advisory Council issues

- A. Consultation with the Council: The Judicial Branch 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 constitutes the Council's recommendations for 1997.

I. Clerk's office issues

A. Staffing: In 1996, the Judicial Branch laid off large numbers of staff throughout the system. Nine employees were laid off in the housing courts, including administrative assistants in Hartford, New Britain, Waterbury, and Norwalk. These were among the most skilled and valuable employees in the clerk's offices. In addition, the clerks' offices are now closed daily from 1:00 p.m. to 2:30 p.m. and from 4:00 p.m. to 5:00 p.m.

1. Litigant service: Although the remaining staff has struggled as best it can to maintain the system, the impact on litigant service has been devastating. It is being felt in longer time periods for the scheduling of cases, less counter service, and much greater difficulty in reaching the clerk's office by telephone. The closing of the clerks' offices for 2½ hours per day greatly interferes with access both by lawyers and by the public. These are the very areas in which the housing courts have, over the years, become especially well-known for quality and "consumer-friendly" service.

2. Case processing: The layoffs may also be taking a toll on case processing. The Judicial Branch has explicitly designated housing cases as low priority, even though the credibility of the eviction system depends on the efficient movement and scheduling of cases by the clerks' offices.

Over the past thirteen years, at least four 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 1995, was a review of evictions in the Hartford Housing Court. It found a median disposition time (return day to entry of judgment) of 20 days for all cases and 27 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. This is a credit to the housing court and the efficiency of its staff.

However, the layoff of critical housing court staff, in conjunction with the growth in both the total number of eviction cases and the number of contested cases, threaten to undermine this pacing of cases. The number of eviction cases in the housing courts is up 12% since 1992 and 36% since 1984 (almost 60% in the New

Haven-Waterbury Housing Court). They have increased more than 50% in the non-housing court districts. The pressure on staff has been compounded by an increase in the response rate in evictions (in Hartford, for example, from 33% in 1983 to 40% in 1986 to 50% in 1993) and a comparable increase in the number of matters calendared for hearing. While these figures demonstrate the success of the housing courts in permitting litigant participation in the judicial process, they also represent an obvious strain on the clerks' offices. The layoff of staff in the face of the need for more staff can only harm the system.

The highest priority should thus be given to restoration of staff. In particular, the Judicial Branch should restore the following positions:

- a. Administrative assistants in Hartford, New Britain, Waterbury, and Norwalk;
- b. Full-time office clerk in New Haven (which would restore what had previously been a 32-hour/week temporary office clerk position);
- c. Part-time office clerks in Bridgeport and Waterbury.

B. Clerk's office hours: The closing of the clerks' offices for 2½ hours per day seriously impacts the ability of litigants to use the housing courts. While lawyers and other frequent users of the court may be able to adjust their schedules accordingly, most pro se litigants will assume that the court is open from 9:00 to 5:00 (as is, in fact, mandated by Practice Book §405) and may well come to the office seeking assistance at times when the office is closed. In any event, an open office is essential for the filing of papers, since time deadlines can be critical in judicial proceedings. The problem is compounded by the fact that, during office closing periods, office telephones are not answered, resulting in either a constant busy signal or a phone which rings indefinitely without being answered. In either case, the burden on litigants who do not know the office is closed is substantial. The Council recommends:

1. **Restoration of hours:** Practice Book §405 provides that "Clerks' offices shall be open each weekday from Monday to Friday inclusive between 9 o'clock in the forenoon and 5 o'clock in the afternoon." The housing court clerks' offices should comply with this schedule. Mid-day closings unacceptably reduce essential services to litigants.

2. **Interim adaptations to minimize adverse impact on litigants:** As long as mid-day closings continue, it is important that each clerk's office have an answering machine which, during mid-day closings, would play a message stating the hours that the clerk's office is closed and telling the caller when to call back.

C. Computerization of housing cases: Computerization has moved forward on several fronts. First, at the urging of the Advisory Council, all on-line legal publishing services now include all housing court opinions and all but one have retroactively incorporated all prior housing court opinions into their data bases. Second, all housing court judges now have

access to computers and on-line services for research and decision-writing. Third, the computerization of the Hartford Housing Court continues to proceed. The Council endorses completion of the computerization pilot in Hartford and its expansion to other housing court districts, including the linking of the six housing court clerks' offices in a computer network, with the caveats that any "paperless" court system must also (a) be suitable for litigants (and attorneys) who do not have easy access to computers, (b) protect the integrity of documents filed with the court (whether filed on paper or electronically), and (c) perform the same essential functions as the present paper-based docketing and filing systems (e.g., a method to verify the original documents served on a defendant).

Apart from broader questions of system computerization, the clerks' offices in the Waterbury and New Britain courts have no computer at all for basic word processing or other purposes. This leaves both the clerks and the housing specialists without access to a computer. There should be at least one computer available to clerks and housing specialists at these two locations.

D. Removal of housing court jurisdiction over some cases: Two recent proposals have surfaced which would take some housing cases out of the housing courts. The underlying concept of the housing court system is that all housing cases should be heard in the same place, and the Council therefore opposes these proposals. To the extent that they are a response to reduced housing court staff, the solution is not removal of cases but restoration of staff.

1. Manchester housing cases: Section 31 of P.A. 96-245 created a task force to study whether Manchester housing cases should be heard in the G.A. court for Tolland County in Rockville instead of in the Hartford-New Britain Housing Court. The Advisory Council supports the recommendation of the Task Force that the proposal will cause more problems than it solves and should therefore be rejected.

To the extent that the proposal would move all Manchester housing cases to Rockville, it would nearly double the Rockville housing caseload, overwhelm the Rockville court, and result in major slowdowns of case processing there. On the other hand, because Manchester cases are a small part of the Hartford Housing Court caseload, their loss would provide negligible relief to that court.

To the extent that the proposal would merely give the plaintiff an option to file in either Hartford or Rockville, it would be undesirable for a number of reasons. First, it would unfairly allow the plaintiff (but not the defendant) to take a case out of a housing court district. Second, it would likely result in increased defaults. A review of public transportation routes from Manchester to Rockville indicates that there is significantly less bus service than from Manchester to Hartford. Third, it would result in a reduction in services for litigants. The Hartford Housing Court is effectively a full-service, five-day housing court. All staff (and not just the clerk) are trained to handle housing matters both at the counter and on the telephone. Although bilingual staffing is inadequate (see below), between the clerk's office staff and the housing specialists there is some capacity to assist pro se Spanish-speaking litigants. Cases are heard by a judge who specializes in housing. In contrast, clerk's office staff in

Rockville (with the possible exception of the clerk) are untrained for housing purposes, no judge is specifically assigned to housing, and the housing specialist is present no more than one day per week. There is no net benefit to be gained by removing Manchester cases from the Hartford-New Britain Housing Court.

2. Small claims: The Judicial Branch is considering a regional small claims plan, in which all small claims cases would be heard together. Housing small claims cases would be removed from the housing court and heard with other small claims cases. The Council has no objection to regionalization of small claims but does object to removing housing small claims from the housing court. Retention of these cases in the housing courts allows housing litigants to deal with evictions, security deposits, rent claims, and property damage disputes through the same clerk's office and at the same location. It also takes advantage of the specialized housing knowledge which housing court staff develop, as well as permitting the magistrates who hear housing small claims cases (and who often start with virtually no knowledge of housing) to develop expertise in housing law, much as housing court judges do. Moreover, if the small claims action derives from the same tenancy as a prior eviction, it gives the magistrate ready access to the eviction file. In addition, the housing court system, from its inception, has been built on the creation of a specialized court. The removal of an entire category of housing cases from the court jeopardizes the entire housing court concept. This is particularly significant when seen in conjunction with recent staff layoffs, which have threatened to make some housing court clerk's offices so small that it will be difficult for them to continue to stand as separate entities.

E. Minimum job requirements for housing clerks: In 1992, without the knowledge or comment of the Advisory Council, the Judicial Branch 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 especially concerned about the change in the nature of experience required. The supervisory/administrative requirement, as a precondition for the position, threatens to eliminate from consideration for clerk positions the very people most qualified to serve as housing clerk. This was in fact a problem in the hiring of the Norwalk housing clerk, since some highly qualified and experienced housing attorneys were initially screened out because their resumes failed to established that they had been "supervisors." Indeed, it is questionable that many of the present housing clerks would have qualified for their positions under a strict interpretation of the 1992 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.

F. Spanish-speaking staff: The Council has for years urged that every housing clerk's office be staffed so as to have at least one bilingual employee who can handle telephone and counter work with litigants who are primarily Spanish-speaking. More than two years ago, the Judicial Branch promised affirmatively to recruit more Spanish-speaking staff in the clerk's offices; but the present situation remains unsatisfactory. Of about 20 clerks' office employees in the six housing court clerks' offices, it is believed that only one is bilingual in Spanish. The Council is pleased that special efforts have been made to hire bilingual housing specialists. When they are available, they can sometimes help at the counter. That is not, however, an adequate substitute for Spanish language capacity in the clerk's office staff itself. The ability to speak Spanish should 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.

G. 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.

H. Explanatory materials: The Council is pleased that the Judicial Branch's booklet called Rights and Responsibilities of Landlords and Tenants in Connecticut is available in both Spanish and English and that it 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 Branch 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 a list of available pro se materials, so that litigants can more easily determine what materials to ask for.

I. 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 Branch 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. 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.

J. 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.

K. Courtroom security: A sheriff should be assigned to the Bridgeport and the Norwalk Housing Courts. At present, these two courtrooms have no security personnel at all.

L. Telephone access: It should be as easy as possible for litigants by telephone to reach courts hearing housing matters.

1. Toll-free call-in lines: From most portions of housing court districts, it is possible to reach at least one housing court clerk's office by telephone without having to pay for a toll call. There are, however, two major areas -- Stamford/ Greenwich and Bristol -- for which that is not true. In addition, it is a toll call from the Derby and the Meriden areas to the New Haven clerk's office.

It should be possible for all parts of a housing court district to reach the court by telephone toll-free. This view was endorsed by the Judicial Branch's own study by Hon. John Maloney in 1986. Priority in implementing this proposal should be given to the Stamford-Greenwich area, since more than half the caseload of the Norwalk court comes from the Stamford area.

2. Telephone book listings: Telephone books often cover only a relatively small area, and the court which handles housing may well not be located in a town covered by the telephone book. In the housing court districts, the blue government pages of every telephone book now list a telephone for the housing court which serves the towns covered by that book. In the non-housing court districts, however, a number for the housing location is listed only if the location is physically in the area served by that telephone book. For example, the Willimantic telephone book, which includes Mansfield, lists the G.A. clerk's offices in G.A. 11 (of which Willimantic is a part) but does not list the offices for G.A. 19, where Mansfield housing cases are heard. The telephone book for Ansonia and Derby does not list the New Haven or Waterbury housing courts, although C.G.S. §51-348(b) permits cases to be heard there. The Judicial Branch should arrange for blue-page listings for all such courts.

M. Courtroom acoustics and lighting: Acoustics and lighting in the Bridgeport courtroom are very poor. The Judicial Branch should take action to improve acoustics and lighting there, including the provision of an inexpensive amplification system.

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 both to the movement of contested cases and to the provision of adequate litigant service. 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. This "mediation clinic," which began in the spring of 1994, has proved to be a success. 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. Litigant information: One of the housing specialists has developed a "Dear Litigant" letter, available at the courthouse on housing days, which in simple language informs litigants who come to court as to what will happen. At the Council's urging, the letter has been modified for use in other housing court districts. A copy of the letter should be posted at the courthouse in a conspicuous location and a supply of letters which litigants can pick up should be maintained at the courthouse in a place easily noticeable by litigants.

D. Office space: In Bridgeport, the two housing specialists share a single room, which sometimes forces one specialist to conduct negotiations in the jury room. Space should be sought for a separate office.

III. Prosecution and code enforcement 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 were based in the three major housing courts and the fourth was 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. As a result, the statewide "housing unit" no longer exists; the housing prosecutors no longer meet regularly; they are no longer under the supervision of one person; and they no longer function as a unit. Indeed, since most of the prosecutors work in more than one judicial district, each one is 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 the decision and to restore a unified housing unit under the supervision of the Chief State's Attorney or his designee. Even if the Chief State's Attorney does not assert his statutory

supervisory powers, we urge him to assure that the housing prosecutors resume their status as a unit and resume their periodic meetings.

B. Coverage of non-housing court districts: All housing prosecutions in the state should be handled by one of the four state housing prosecutors. At present, however, they do not handle cases in Danbury, where concerns about the lack of effective code prosecution have been expressed to the Council. 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: Some time ago, 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. It does not appear, however, the either of these two agreements are in fact consistently 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 hiring of housing 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.

In the absence of Council participation in the hiring process, it is important that the state's attorneys and the Criminal Justice Commission apply standards in the hiring of housing prosecutors which will produce prosecutors willing and able to provide effective housing prosecution. In this regard, the Council urges that the following four standards be included in the evaluation of applicants:

1. Commitment to decent housing: C.G.S. §51-278(b)(1)(B) requires that "any assistant state's attorney so designated [to handle housing prosecutions] should have a commitment to the maintenance of decent, safe and sanitary housing." This provision was inserted in the statute in 1984 because of the assignment of housing prosecutors by administrative judges, particularly in Hartford, without regard to the prosecutors'

commitment to housing code enforcement. From the Council's perspective, this means that every housing prosecutor should see the maintenance of decent housing as an important prosecutorial function and the violation of housing codes as significant, rather than trivial, criminal matters. Any such person should also be able to articulate a particular interest in the housing assignment, so that the assignment is not used as a brief transition stop for a prosecutor whose interests are elsewhere.

2. Relation to housing code administration: Because a housing prosecutor handles all housing prosecutions within his or her territory, the prosecutor's relationship with housing code enforcement agencies is very different from the relationship between other prosecutors and police departments, which perform an equivalent investigative function. The police deal with many different prosecutors. All housing code agencies within a region deal with one and only one. As a result, the approach to prosecution taken by the prosecutor effectively controls how code enforcement will be done at the administrative level. The housing prosecutor, for example, controls not only the level of proof and type of documentation required (which impacts heavily on local administrative procedures) but also the type of offenses prosecuted. If, for example, a prosecutor will not prosecute sash cord violations, or if a prosecutor gives nolle without all work being completed, the code enforcement agency is effectively blocked from obtaining full compliance with its code. A person assigned to housing code prosecution needs to recognize that his or her prosecutorial policies will effectively control housing code enforcement administration.

3. Outreach: Part of the role of the housing prosecutor is outreach. This usually involves meetings with local code officials and local police departments (police departments are usually involved in no-heat cases during non-business hours and in criminal lockouts). In addition, there may be need to meet with community groups, sometimes outside of normal business hours. The person assigned to housing prosecution needs to see outreach as part of his or her function.

4. Consultation with the Advisory Council: The Housing Court Act creates the Citizens Advisory Council to advise on the operation of the housing courts, of which housing prosecution is a part. We hope that any person assigned to housing will be aware prior to assignment of the existence of the Council and will be prepared to work cooperatively with the Council on issues of mutual concern.

F. Consultation with the Advisory Council on prosecution policy: From the inception of the Council, there has been an active interchange of ideas between the Council and housing court staff. The Chief Clerk for Housing Matters and the Manager of Dispute Resolution Programs routinely attend Council meetings and inform the Council of developments which will affect the housing courts. Attendance by Chief State's Attorney or housing prosecutor staff has at times been less regular; but the Council is pleased that routine attendance has now been resumed. It remains a concern, however, that, because of the decentralization of responsibility for supervision, the persons who do attend Council meetings sometimes lack authority to implement changes in practices or policies. The Council very much would like to develop a more effective method of exchanging ideas concerning housing prosecution. In

particular, the Council recommends some contact point for the Council to make suggestions and discuss with appropriate persons any proposals that concern housing prosecution. Perhaps several of the state's attorneys should constitute a housing subcommittee with whom the Council could meet. Or perhaps there should be an agreement that certain types of policy will be established through the Chief State's Attorney's Office, so that the Council could meet with a representative of that office. For example, if the Council were to feel dissatisfied with outreach by prosecutors to housing code enforcement agencies, it should be clear that there is a person or persons authorized to make policy changes with whom the Council could discuss the issue.

G. Tenant-initiated code enforcement: Although housing code inspections are often initiated in response to tenant complaints, the tenant often is unaware what action the code enforcement agency has taken. When a local code inspector sends a repair order to a property owner, a copy of the notice should also be sent to the tenant occupying the property.

In addition, the tenant may be stymied in obtaining enforcement if either the code enforcement agency or the prosecutor fails to move the case forward. Existing law permits a tenant to bring his or her own code enforcement action (sometimes called a "payment into court" action) under §47a-14h of the General Statutes. The making of a complaint to the local code enforcement agency is a prerequisite for such an §47a-14h action. Tenants, however, are largely unaware of this statute. As a result, the copy of the repair order which the tenant receives should contain a statement of the right to initiate an action under §47a-14h. In addition, §47a-14h should be amended to permit the court to award attorney's fees to a prevailing plaintiff. This will expand the capacity for effective housing code enforcement by making it easier for the tenant himself or herself to initiate action.

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 has been a source of concern to the Council.

1. Magistrate booklet: In response to this situation, in 1993, with the cooperation of the Judicial Branch, 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 Branch, 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 DiBiasco v. Gargiulo, NH-593 (1993), Birney v. Barretta,

NH-595 (1993); Zelazny v. Sanseverino, NH-599 (1993); and DeNino v. Valenti, NH-604 (1993). The Council, with the encouragement of the Judicial Branch, updated the booklet in 1995 under the title of Housing Issues in the Small Claims Division of the Superior Court and will continue to reupdate as necessary. It hopes that the Judicial Branch will continue to print new editions. The Council is also willing, if desired by the Judicial Branch, to provide a speaker for magistrate training sessions.

2. Magistrate evaluation: In addition, with the cooperation of the Judicial Branch, the Council has developed a questionnaire by which litigants and attorneys can evaluate magistrates who hear housing cases (see Appendix E). The questionnaire has been piloted in the New Haven Housing Court since September, 1995, and has produced both useful information and a fairly high rate of return (about 25%). Responding litigants have mailed the questionnaires directly to the Council, which has shared them with the Chief Clerk for Housing Matters. Ideally, the pilot program should be made permanent and expanded to other housing court locations. As a practical matter, however, the Council does not have the resources to continue to be the receiving entity for such forms; and the procedure therefore needs to become institutionalized within the Judicial Branch. In addition, the information gathered from the questionnaires needs to be directed to the most appropriate persons. The Council believes that the Court Operations Division should receive copies of all returned questionnaires for purposes of magistrate training, evaluation, and reappointment and that the magistrates themselves should receive a periodic (perhaps annual) summary of results in a form which does not jeopardize the confidentiality promised to respondents.

B. Judicial assignments: The Council continues generally to be pleased with the assignment of judges to the housing courts. 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 Branch and the Chief State's Attorney in advance of their occurring. The Council's communication with the Judicial Branch, 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. The Council routinely receives their monthly reports. 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. Consultation on housing prosecution issues is discussed elsewhere in this report (see p. 15).

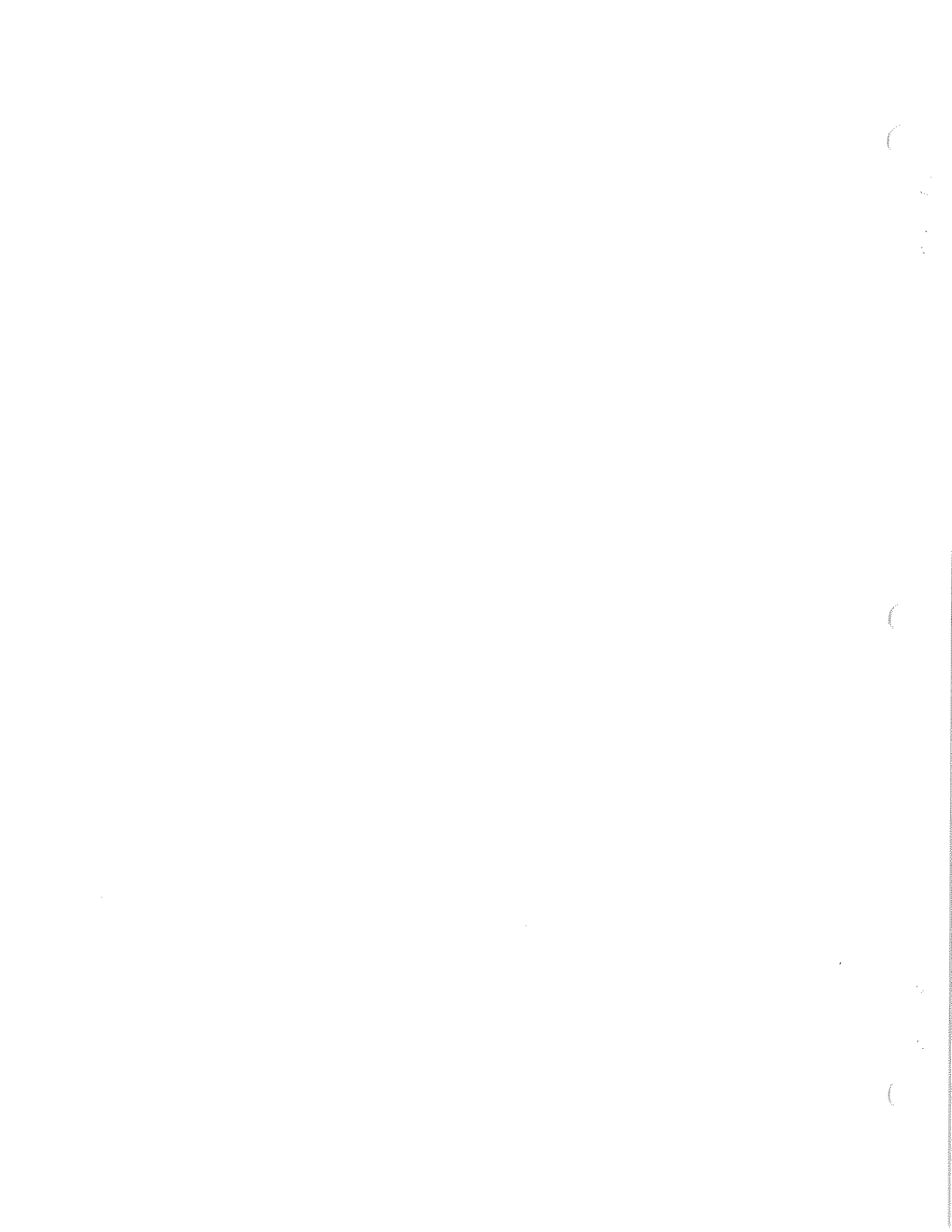
Nevertheless, the Council sometimes learns of policy changes affecting housing matters -- including some major changes -- more by happenstance than by design. The

problem is greatest when the change is initiated by some source outside the regular housing court system, e.g., by staff within the Judicial Branch dealing with forms, by building security staff, or by persons dealing with new courthouse construction. For example, 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.

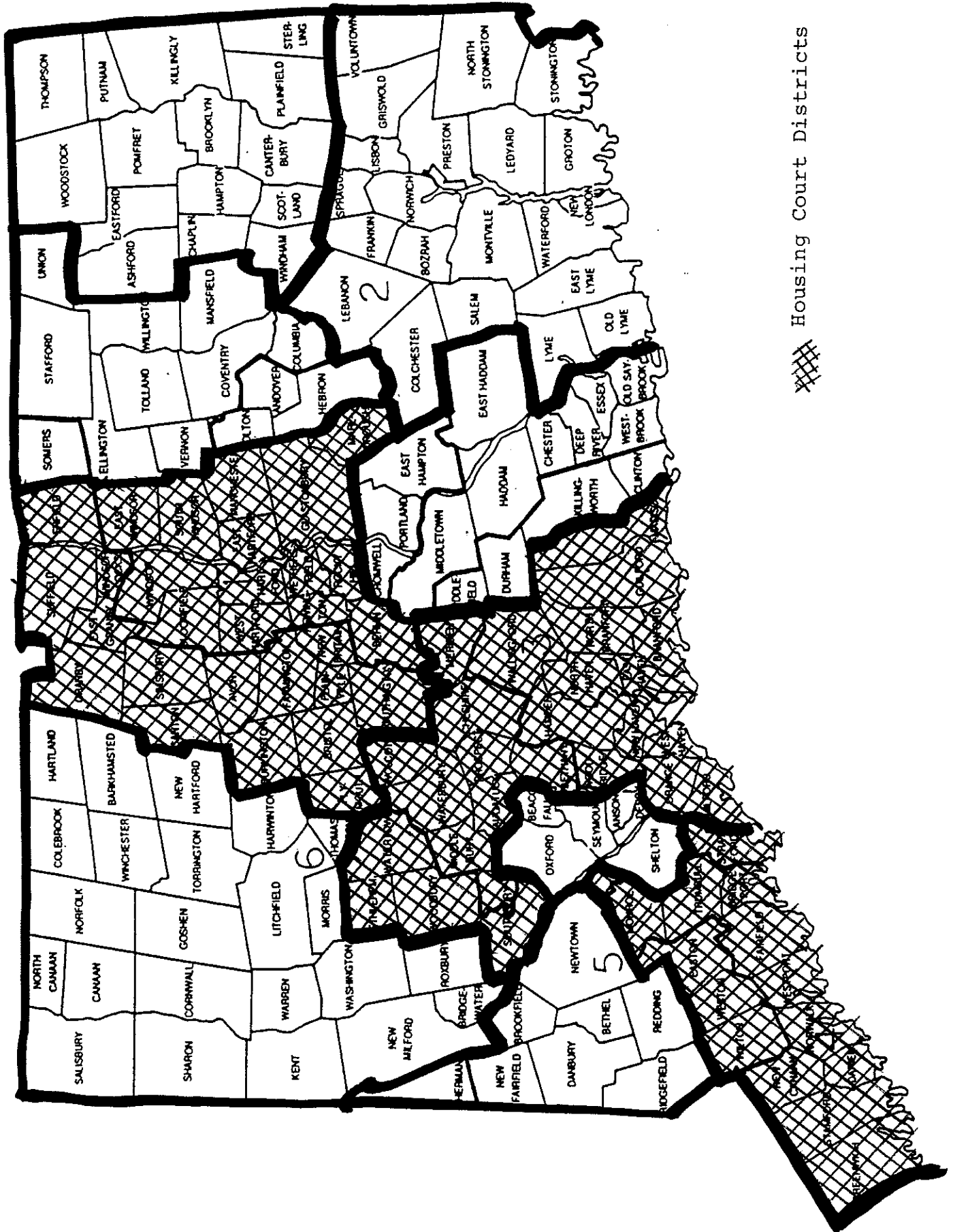
In addition, there is an on-going failure within the Judicial Branch to consult on changes in the job descriptions and job qualifications for housing court staff. Changes made without offering opportunity for comment in regard to both housing court clerks and housing specialists have had the potential severely to restrict the ability of the housing courts to hire the best applicants. The Council strongly urges the Judicial Branch 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. This necessitates the Department's informing key people with general responsibility over broad areas (e.g., security, courthouse construction, forms) that they should initiate contact directly with the Council when the housing courts will be affected.

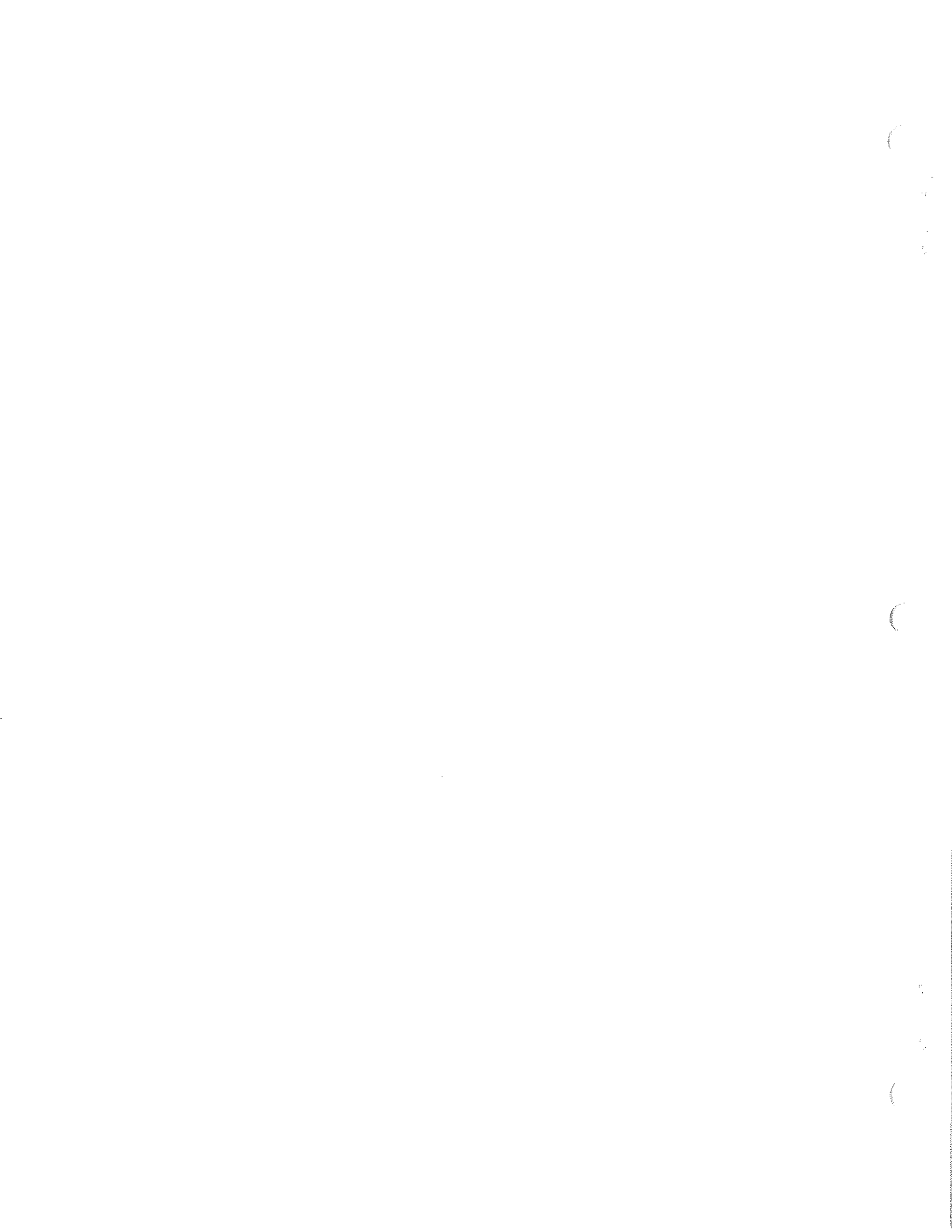
LIST OF APPENDICES

- Appendix A Map of housing court districts
- Appendix B Housing Court Act
- Appendix C Table of housing caseloads
- Appendix D List of housing court judges
- Appendix E Magistrate evaluation questionnaire
- Appendix F Status of 1995 Citizens Advisory Council recommendations



APPENDIX A -- HOUSING COURT DISTRICTS





APPENDIX B

HOUSING COURT ACT

as amended through December 31, 1996

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. Judges 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, 1995 to June 30, 1996

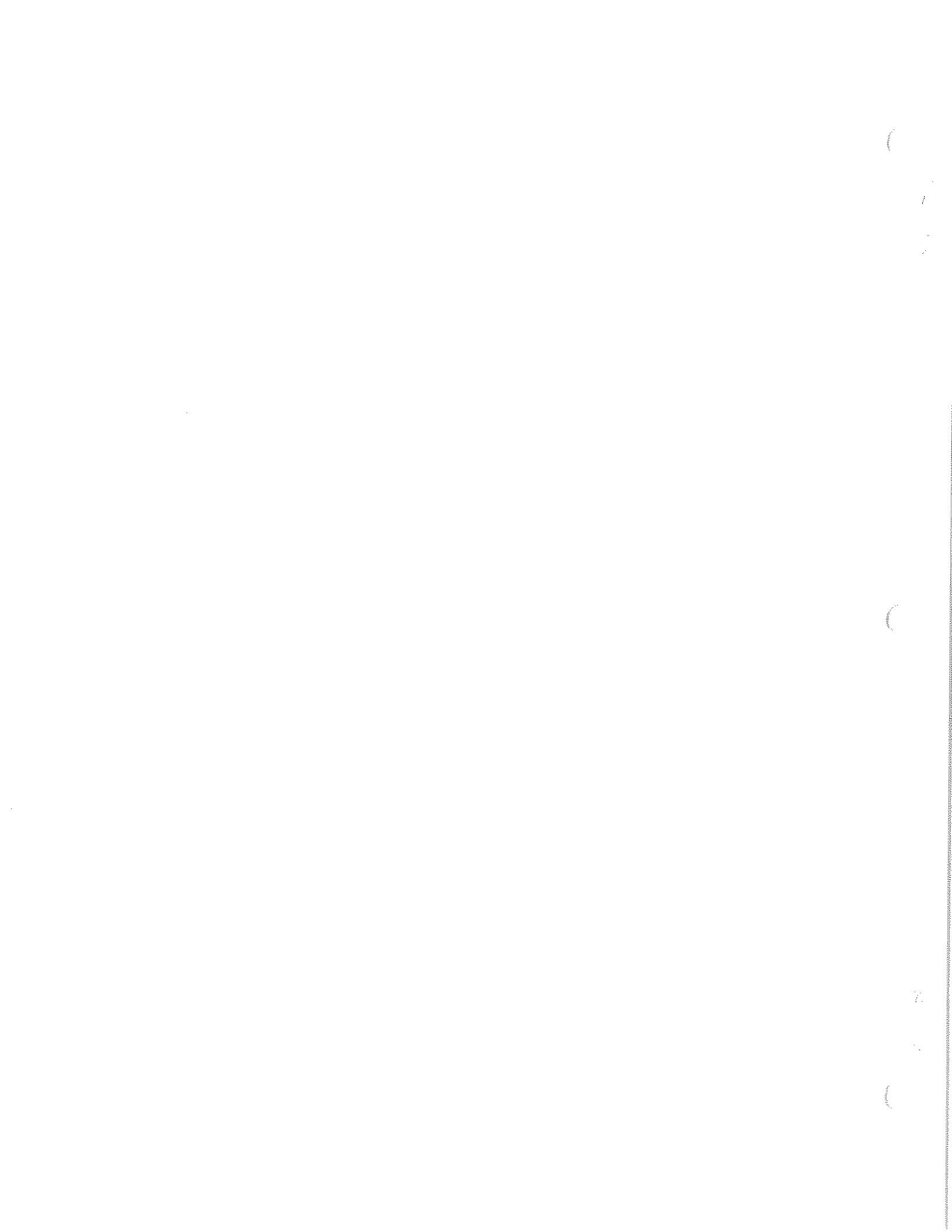
	Summary process	Increase since 1993-94	1983-84	Small claims	Civil 47a-14h	Criminal (n. 1)	Total	%summary process
<u>Housing courts</u>								
Hartford-New Britain								
Hartford	5,439	- 2.9%	+20.6%	701	312	20	115	6,587 82.6%
New Britain	<u>1,965</u>	<u>+17.0%</u>	<u>+91.7%</u>	<u>431</u>	<u>87</u>	<u>0</u>	<u>41</u>	<u>2,524 77.9%</u>
	7,404	+ 0.2%	+33.8%	1,132	399	20	156	9,111 81.3%
New Haven-Waterbury								
New Haven	3,904	+ 0.7%	+55.4%	586	691	6	152	5,339 73.2%
Waterbury	<u>1,481</u>	<u>+ 1.3%</u>	<u>+60.8%</u>	<u>243</u>	<u>86</u>	<u>2</u>	<u>22</u>	<u>1,834 80.8%</u>
	5,385	+ 0.9%	+56.9%	829	777	8	174	7,173 75.1%
Bridgeport-Norwalk								
Bridgeport	2,459	- 2.2%	+11.8%	266	342	7	79	3,153 78.0%
Norwalk	<u>1,595</u>	<u>+ 3.5%</u>	<u>+30.8%</u>	<u>247</u>	<u>263</u>	<u>4</u>	<u>42</u>	<u>2,151 74.2%</u>
	4,054	+ 0.0%	+18.5%	513	605	11	121	5,304 76.5%
Total	16,843	+ 1.0%	+36.0%	2,474	1,781	39	451	21,588 78.1%
<u>Non-housing court districts (n. 2)</u>								
Meriden (n. 3)	663	+19.1%	+234.9%	206	44	0	0	913 72.7%
<u>Eastern Connecticut</u>								
New London (GA 10)	876	- 8.7%	+29.8%					
Norwich (GA 21)	632	+15.3%	+42.7%					
Danielson (GA 11)	564	+20.8%	+52.0%					
Rockville (GA 19)	365	-22.0%	+32.2%					
Middletown (GA 9)	<u>609</u>	<u>+ 4.8%</u>	<u>+59.4%</u>					
	3,046	+ 0.7%	+41.9%					
<u>Western Connecticut</u>								
Danbury (GA 3)	573	+15.1%	+75.8%					
Bantam (GA 18)	<u>483</u>	<u>+15.8%</u>	<u>+168.3%</u>					
	1,056	+15.4%	+108.7%					
Derby (GA 5)	344	- 1.7%	- 9.0%					
Total	<u>5,109</u>	<u>+ 5.4%</u>	<u>58.2%</u>					
Connecticut total	21,952	+ 2.0%	+40.5%					

Notes: n. 1 -- Caseload numbers include files opened and docketed but not criminal cases initiated by the housing prosecutor by letter and resolved without the opening of a docketed case.

n. 2 -- Separate data on housing cases, other than summary process cases, was not available for the geographical area courts.

n. 3 -- Meriden is technically part of the New Haven-Waterbury Housing Court district but does not have full housing court services.

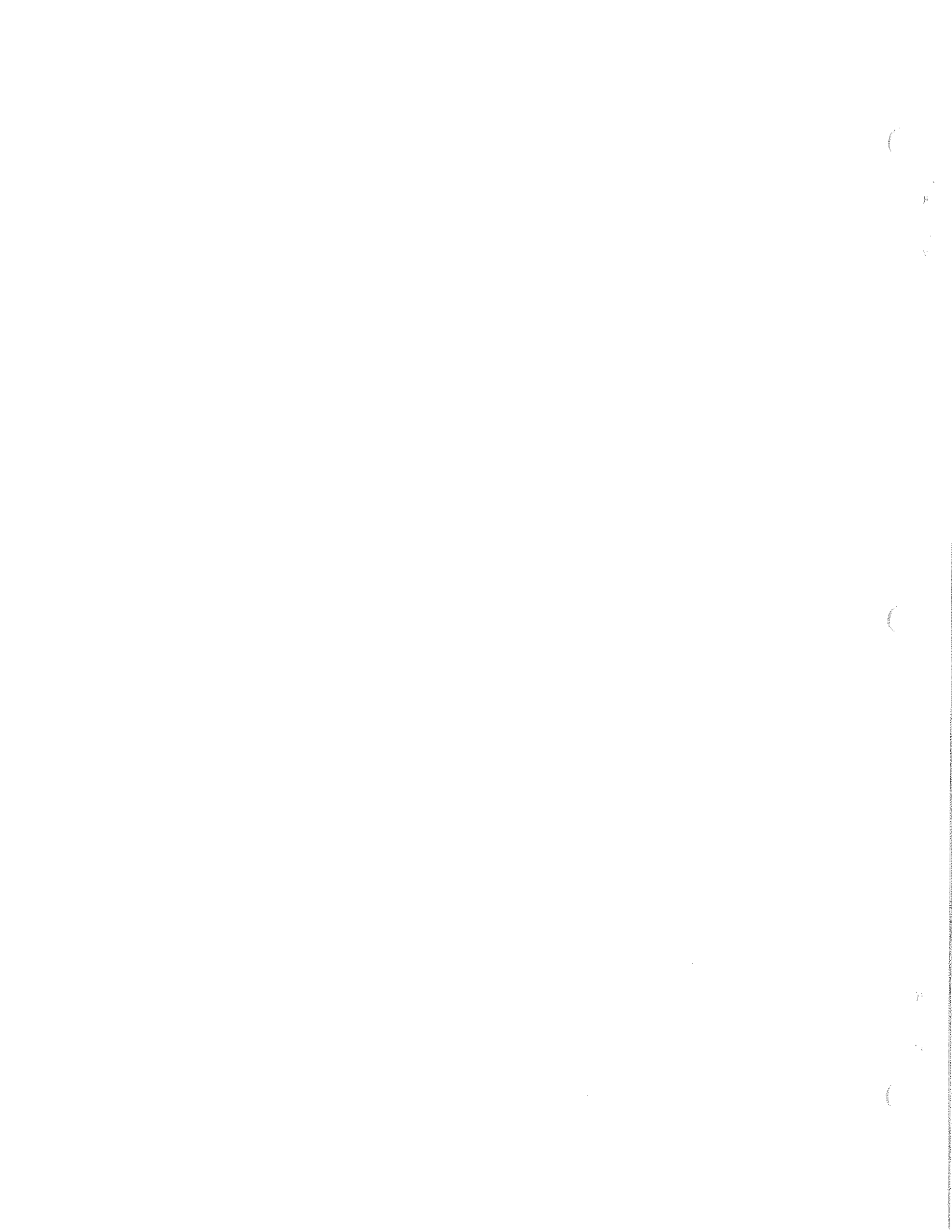
Summary: 76.7% of all summary process cases are filed in the housing courts. 78.1% of all housing cases are summary process cases.



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	CN Riddle/Douglas Mintz	L. Scott Melville
3-1-94 Robert Holzberg	Douglas Mintz	L. Scott Melville
9-1-94 Alexandra DiPentima	Clarance Jones	Kevin Tierney
3-1-95 Alexandra DiPentima	Clarance Jones	Kevin Tierney
9-1-95 Alexandra DiPentima	Clarance Jones	Kevin Tierney
3-1-96 Alexandra DiPentima	Clarance Jones	Kevin Tierney
9-1-96 Robert E. Beach, Jr.	Lynda B. Munro	Leonard M. Cocco



**CITIZENS ADVISORY COUNCIL
FOR HOUSING MATTERS**

APPENDIX E

QUESTIONNAIRE FOR PARTICIPANTS IN SMALL CLAIMS PROCEEDINGS BEFORE A MAGISTRATE

NAME OF MAGISTRATE (IF KNOWN):	DATE OF HEARING:	I am: <input type="checkbox"/> LANDLORD <input type="checkbox"/> LANDLORD'S LAWYER <input type="checkbox"/> TENANT <input type="checkbox"/> TENANT'S LAWYER <input type="checkbox"/> OTHER	HOUSING SESSION AT NEW HAVEN	JUDGMENT: <input type="checkbox"/> I WON <input type="checkbox"/> I LOST <input type="checkbox"/> I WON IN PART & LOST IN PART
-----------------------------------	---------------------	---	------------------------------------	--

INSTRUCTIONS

The purpose of this questionnaire is to evaluate the performance of magistrates. On the basis of your participation in a proceeding before a magistrate, please complete the questionnaire and return to:

Citizens Advisory Council for
Housing Matters
80 Jefferson St., Fl. 2
Hartford, CT 06106

[1] For each of the following, please indicate where on the scale you feel the magistrate's behavior can best be classified by placing an "X" in the appropriate box.

MAGISTRATE'S ATTITUDE TOWARD:	FAIR	UNFAIR	NO OPINION
A. Landlords	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Tenants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Pro se parties (parties who have no lawyer)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Attorneys	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Women	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Men	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. Minorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. People who have difficulty speaking or understanding English	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

[2] Please rate each of the following for the magistrate in this proceeding by placing an "X" in the appropriate box.

	EXCELLENT	SATISFACTORY	POOR	NO OPINION
A. Patience during proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Courtesy to parties, witnesses and lawyers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Attentiveness during proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Explanation of proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Keeping proceedings going efficiently	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Understanding of facts of case	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. Knowledge of law affecting the case	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Please continue on reverse side)

APPENDIX F

STATUS OF 1995 CITIZENS ADVISORY COUNCIL RECOMMENDATIONS

I. Clerk's office issues

- A. Minimum job requirements for housing clerks: Not implemented
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; Implemented in Hartford only
 - b. The six housing court clerks' offices should be part of an interconnected computer network; Not implemented
 - c. The Hartford housing court judge should have on-premises access to a computer which can access a data base of Connecticut judicial decisions. Implemented for all housing courts
- C. Staffing:
- a. The temporary assistant clerk for Bridgeport/Norwalk and the temporary office clerk for New Haven should be made permanent; Not implemented in Bridgeport; clerk laid off in New Haven
 - b. The office clerk for New Haven and the office clerk for Norwalk should be made full-time; Clerk laid off in New Haven; Norwalk clerk now 80% time
 - 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. Not implemented
- 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. Only one of about 20 clerk's office employees speaks Spanish
- 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. Not implemented
- 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
- Not implemented

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. Not implemented
- H. Glass partitions: No additional glass security partitions should be installed in housing court locations. Partitions added in Waterbury

II. Housing specialist issues

- A. Staffing: An additional housing specialist should be hired and assigned to the Hartford Housing Court. Not implemented
- B. Law student mediation program: Expansion of the program for Bridgeport and New Haven should be explored. Not implemented
- 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. Reviewed and determined not to be needed
- D. Access to telephones: Rooms used for negotiations in Waterbury, Middletown, and Bridgeport should have a telephone. Implementation in progress
- E. Office space: The housing specialists in Bridgeport should have separate offices. Not implemented
- F. Computers: There should be at least one computer available to housing specialists at each housing court location. Implemented as to all but Waterbury and New Britain

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. Not implemented
- 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. Not implemented

- 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. Not implemented
- D. Monitoring of probation and accelerated rehabilitation: An adequate method of monitoring probation and accelerated rehabilitation should be developed. Not implemented
- E. Consultation with Advisory Council: The Advisory Council should be involved in an advisory capacity in the assignment of housing prosecutors. Not implemented

IV. Judicial issues

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

V. Advisory Council issues

- A. Council appointments: The Governor should make his long-delayed appointments to the Advisory Council. Gov. Weicker's appointments were made in late 1994
- 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. Not implemented