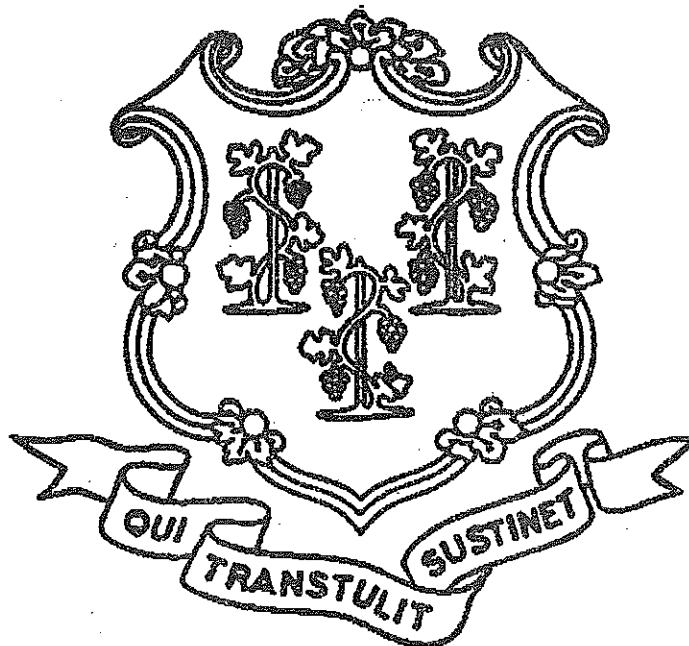


**REPORT TO THE
GENERAL ASSEMBLY:**

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



**THE CITIZENS ADVISORY COUNCIL
FOR HOUSING MATTERS**

JANUARY 6, 1999

REPORT TO THE GENERAL ASSEMBLY

pursuant to
Section 47a-73 of the General Statutes

January 6, 1999

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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. Computerization of the housing courts: The computerization pilot in Hartford 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).
- B. New Britain housing court:
1. The number of public windows and related counter space in the new New Britain Housing Court clerk's office should be expanded.
 2. A counter, table, and chairs should be provided in the public area of the new New Britain Housing Court clerk's office so that litigants have sufficient place in which to fill in forms.
- C. Minimum job requirements for housing clerks: The requirement that a housing clerk applicant have one year's clerking experience or two years' experience in a related field should be restored as an alternative to, or a substitute for, the current supervisory/administrative minimum requirement for housing clerks.
- 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, including temporary ones.
- E. Pro se and Spanish-language materials:
1. All pro se booklets should be updated to incorporate recent changes in the law, and all tenant materials should be available in Spanish as well as English.
 2. Basic housing information booklets and a list of available pro se housing forms should be available at all court information centers.
- F. Pro se assistance: C.G.S. §51-52(d) should be amended to require G.A. clerks handling housing matters to provide pro se assistance; and the Judicial Branch should, in any event, affirmatively promote the provision of such assistance.

- G. Glass partitions: No additional glass security partitions should be installed in housing court locations.
 - H. Courtroom security: A sheriff should be assigned to the Bridgeport Housing Court.
 - I. 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.
 - 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.
 - J. Courtroom lighting: The Judicial Branch should take action to improve the lighting in the Bridgeport courtroom.
- 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 to other housing locations and law schools should be explored.
- III. Prosecution and code enforcement issues
- A. Supervision of prosecutors: Supervision of housing prosecutors should be returned to the Chief State's Attorney.
 - B. Coverage of non-housing court districts: Housing prosecutions everywhere in the state, including those in J.D. Danbury and G.A. 5, should be handled by a housing prosecutor.
 - C. Full-time nature of position: The eastern Connecticut prosecution should be assigned full-time to housing matters.
 - D. 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.

- E. 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.
- F. Monitoring of probation and accelerated rehabilitation: An adequate method of monitoring probation and accelerated rehabilitation should be developed.
- G. 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: The Criminal Justice Commission should include the following standards in its evaluation of applicants for housing prosecutor positions:
 - a. Commitment to decent, safe, and sanitary housing and interest in 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.
- H. Notice to tenants of code enforcement orders: 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"), in conjunction with paying rent into court, under §47a-14h of the General Statutes.

IV. Judicial issues

- A. Magistrate booklet: The Judicial Branch should continue to reprint Advisory Council updates of its small claims booklet, Housing Issues in the Small Claims Division of the Superior Court.
- B. Magistrate evaluation:
 - 1. Litigant questionnaire: The magistrate evaluation questionnaire program which had been tested on a pilot basis in the New Haven Housing Court should be merged into the Judicial Branch's overall survey evaluation system, with the proviso that small claims surveying should also include pro se litigants. The completed questionnaires should be used for purposes of magistrate training, evaluation, and reappointment. In addition, the magistrates themselves should receive a periodic (perhaps

annual) summary of results in a form which does not jeopardize the confidentiality promised to respondents.

2. Input from clerks: The Judicial Branch should seek input from all housing court clerks prior to reappointment of magistrates or assignment of magistrates to a housing court location.

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 1999.

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 were closed daily from 1:00 p.m. to 2:30 p.m. and from 4:00 p.m. to 5:00 p.m. This resulted in significant reductions in service to housing court litigants.

Over the past two years, the Judicial Branch has gradually been restoring staff to the housing courts. The Council is pleased that the clerks' offices have been at full staffing since August, 1998, and full business hours have been reestablished since October, 1998.

B. Case processing: Over the past 15 years, at least five 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 full 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.

Since then, the Hartford Housing Court has been computerized. In spite of increasing caseload, case processing times have been decreasing. Summary process caseload in Hartford is up 5% since 1996 and 27% since 1984. Statewide, the increase is even larger, with evictions filed in the housing courts now 46% above 1984 levels (more than 60% above 1984 levels in the New Haven-Waterbury Housing Court). 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. Nevertheless, an examination of Hartford data for the 12-month period ending March 17, 1998, reveals that the median time from return date to entry of judgment has fallen to 18 days for all cases and to 21 days for contested cases. This is a credit to the housing court and the efficiency of its staff. It also suggests that the housing court's computerization program has allowed the court to handle increased caseload without extending case processing times.

C. Computerization of housing courts: The Council continues to endorse the computerization of housing cases throughout the state, including the linking of the six housing court clerks' offices in a computer network. The computerization of the Hartford Housing Court, which is now substantially complete, has proved beneficial to both staff and litigants. The next step is to replicate the Hartford project in the other housing courts. The Council understands that, at the present time, this expansion will not happen until the Hartford computers are upgraded. The Judicial Branch should move quickly to complete this upgrade and to implement statewide expansion.

Plans to pilot a "paperless" court system in the Hartford Housing Court appear to be on hold for the present time. If such plans move forward, the Council urges the Judicial Branch to assure that any such system 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).

D. New housing court locations: Both the New Britain and the Hartford Housing Courts are in the process of moving to new locations. The New Britain Housing Court will be at 20 Franklin Square. That move is part of a separation of the Judicial District of Hartford-New Britain into two separate districts -- J.D. Hartford and J.D. New Britain. The division of the district will, however, have no impact on the Hartford-New Britain Housing Court, which will continue to be handled by a single judge. The Hartford Housing Court will be at 80 Washington St., where it will occupy the same building as the new community court. Both relocations provide the courts with good quality space and are a benefit to the housing court system. However, a last-second change of the location of the New Britain clerk's office within the new building in New Britain has created two serious problems there. First, the new location has only a single window through which business can be conducted. This is insufficient and is likely to result in unnecessary lines at the counter. The entry to the clerk's office needs to be modified so as to provide two, or preferably three, counter windows. Second, there is insufficient place in the public portion of the clerk's office for litigants to sit down and fill in forms. It is essential to add additional counter and table space, as well as sufficient chairs, so that litigants can conduct their court business in an appropriate manner.

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 remains 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 has in fact been a problem in the hiring of the housing clerks, resulting in some instances in experienced housing attorneys being 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 that the pre-1992 standard based upon clerking experience or experience in a related field be reestablished as an alternate to supervisory/administrative experience as a minimum threshold for consideration of an application or that, in the alternative, the supervisory/administrative requirement be eliminated from the minimum qualification specification altogether.

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 four 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, at most two are 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. Explanatory materials: The Council is pleased that the Judicial Branch's booklet called Rights and Responsibilities of Landlords and Tenants in Connecticut is being updated. It is anticipated the new revisions of Rights and Responsibilities, The Tenant's Guide to Summary Process, and The Landlord's Guide to Summary Process incorporating recent statutory changes will soon be available. The Council is concerned, however, that current versions of Rights and Responsibilities and the Tenant's Guide are not available in Spanish. Indeed, it appears that a Spanish translation was prepared for an earlier version of Rights and Responsibilities but was never published. It is important that all pro se tenant pamphlets be kept current in Spanish as well as in English.

The Judicial Branch should also make certain that the court system's basic housing information booklets are available at all court information centers, as well as a list of available pro se forms. Availability at these locations should be in addition to their availability at housing court clerk's offices.

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. The existing housing court statute is explicit that housing court clerks must provide pro se assistance to housing litigants, but it is silent as to the role of G.A. clerks in the non-housing court districts. The Council continues to urge that C.G.S. §51-52(d) be amended to impose this duty as well on all clerks who handle housing matters.

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 and Norwalk locations continue to maintain open public counters. The Council hopes that this situation will remain unchanged. The Council regrets that the relocation of the New Britain court to a new building has resulted in the loss of that court's open counter.

K. Courtroom security: Despite numerous requests by the Council, there is still no sheriff assigned to the Bridgeport Housing Court. Such an assignment is necessary to meet basic security needs at that location.

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. Changes in local calling zones have recently converted former long-distance calls from Stamford to the Norwalk Housing Court and from Meriden to the New Haven Housing Court into local calls. There remain, however, two areas -- Greenwich and Bristol -- from which a call to the appropriate housing court is long-distance. 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. The Judicial Branch should arrange for appropriate incoming toll-free lines to the Norwalk and New Britain Housing Courts.

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 lighting: The lighting in the Bridgeport courtroom is very poor. The Judicial Branch should take action to improve lighting there.

II. Housing specialist issues

A. Staffing: By statute, there must be at least two housing specialists in each of the three housing court districts and three housing specialists to cover the rest of the state, for a minimum total of nine housing specialists. At one time, however, the Hartford-New Britain Housing Court, reflecting its exceptionally high caseload, had three housing specialists. The Council continues to urge the Judicial Branch to restore a third housing specialist position to that housing court district. Adequate housing specialist staff is critical both to the movement of contested cases and to the provision of adequate litigant service.

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 and civil 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 include other housing locations and other law schools be explored.

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.

Several years ago, over the objection of the Advisory Council, supervision of housing prosecutors was farmed out to the state's attorneys in each judicial district. As a result, the hiring of housing prosecutors is no longer centralized and the lines of accountability over housing prosecution policy are less clear. The ability of housing prosecutors to function as a unit is more difficult than it once was, although the Council is pleased that the housing prosecutors are again meeting together on a regular basis. 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.

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 or in the portion of the Judicial District of Ansonia-Milford covered by G.A. 5. The Council continues to urge that the Bridgeport-Norwalk housing

prosecutor assume responsibility for housing prosecutions in J.D. Danbury and that the New Haven-Waterbury housing prosecutor be responsible for housing prosecutions in G.A. 5.

C. Full-time nature of position: A very substantial portion of the caseload of the eastern Connecticut prosecutor is motor vehicle violations. The eastern Connecticut prosecution should be assigned full-time to housing matters.

D. Identification of G.A. criminal housing cases: 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.

E. 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.

F. Monitoring of probation and accelerated rehabilitation: The Council continues to believe that there needs to be a better 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.

G. 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 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. The Council is pleased that at least one of the housing prosecutors has been regularly attending

meetings of the Council.

H. Consultation with the Advisory Council on prosecution policy: The Council is pleased that, in the past two years, there has been more active consultation between the Council and the Chief State's Attorney's Office on matters related to housing prosecution policy. In addition to housing prosecutor attendance at Council meetings, Council representatives have met with the prosecutors on particular policies, such as the implementation of P.A. 98-107 concerning criminal damage to landlord property. We look forward to such consultation continuing.

I. 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 conjunction the making of rent payments into court.

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 DiBiaso 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 and 1997 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 has also provided a speaker to help in the training of magistrates on housing issues.

2. Magistrate evaluation: In addition, with the cooperation of the Judicial Branch, the Council developed a questionnaire by which litigants and attorneys could evaluate magistrates who hear housing cases. The questionnaire was piloted in the New Haven Housing Court from 1995 to 1997, where it produced both useful information and a fairly high rate of return (about 25%). As a voluntary board with no staff, however, the Council does not have the resources to continue to be the receiving entity for such forms; and the Council therefore is no longer conducting the pilot. Instead, the surveying of litigants needs to become institutionalized within the Judicial Branch on a statewide basis. In addition, the information gathered from the questionnaires needs to be directed to the most appropriate persons. The Council recommends that the surveying of participants in small claims hearings should be merged into the Judicial Branch's overall survey evaluation system, with the proviso that small claims surveying should also include pro se litigants. The completed questionnaires should be used for purposes of magistrate training, evaluation, and reappointment. In addition, the magistrates themselves should receive a periodic (perhaps annual) summary of results in a form which does not jeopardize the confidentiality promised to respondents.

The Council also believes that the housing court clerks are a key source of information about the performance of magistrates. It therefore strongly urges the Judicial Branch to seek input from all housing court clerks prior to reappointment of magistrates or assignment of magistrates to a housing court location.

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 Chief Court Administrator Aaron Ment to the interests of the Advisory Council and look forward to working in a similar manner with new Chief Court Administrator Robert Leuba.

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 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

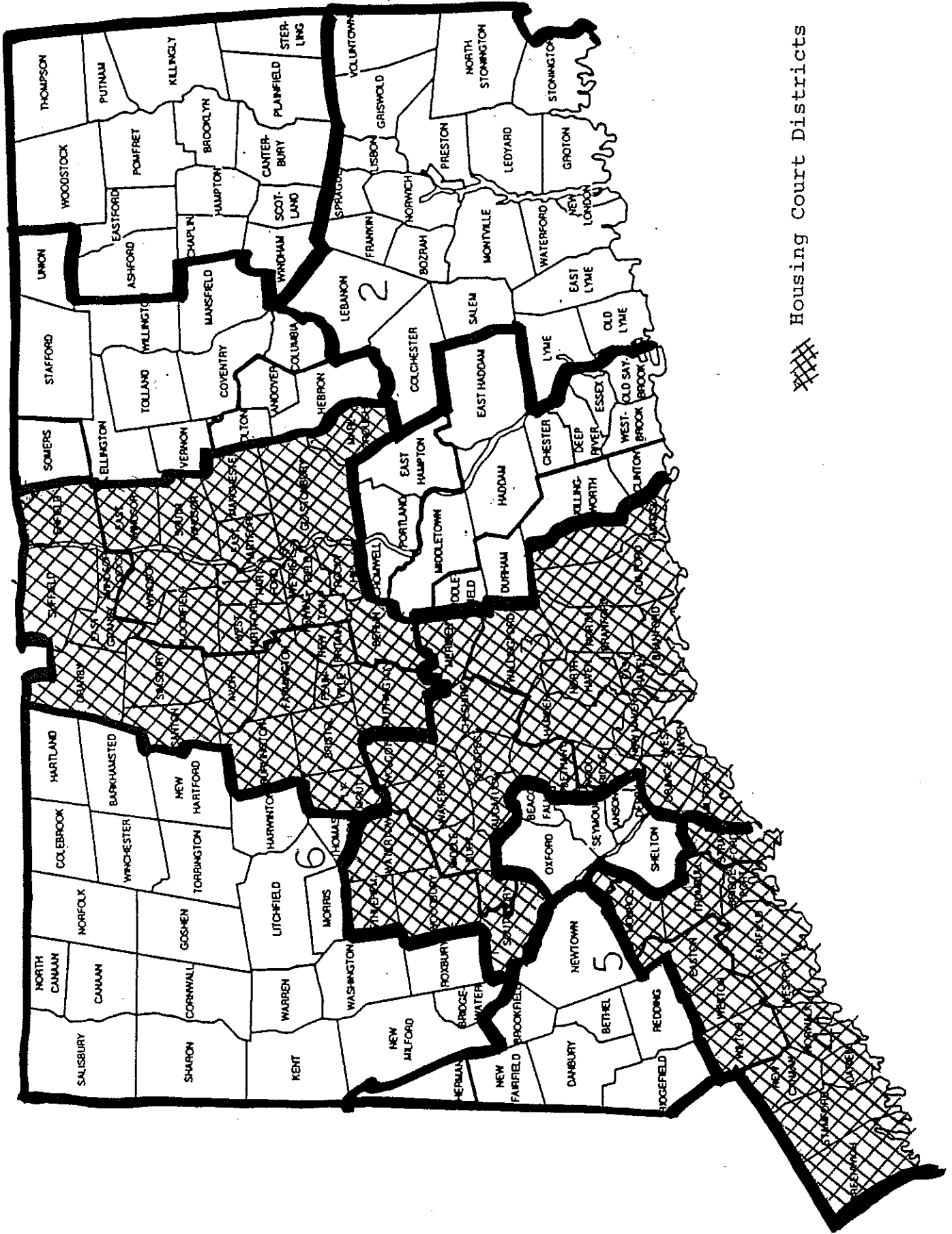
reports have been helpful in identifying housing court issues at an early stage. The Council has also had a representative on the screening and interviewing panels for the positions of housing specialist, housing clerk, and Manager of Dispute Resolution Programs. Consultation on housing prosecution issues is discussed elsewhere in this report (see p. 6-8).

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. Similarly, Judicial Branch has failed to consult with the Council 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.

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APPENDIX A -- HOUSING COURT DISTRICTS



XXXX Housing Court Districts

APPENDIX B

HOUSING COURT ACT
as amended through December 31, 1998

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)(l). 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 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 or 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, 1997 to June 30, 1998

	Summary process	Increase since 1995-96	1983-84	Small claims	Civil 47a-14h	Criminal (n. 1)	%summary Total process		
<u>Housing courts</u>									
Hartford-New Britain									
Hartford	5,720	+ 5.2%	+26.8%	707	212	19	129	6,787	84.3%
New Britain	2,205	+12.2%	+115.1%	348	64	1	75	2,693	81.9%
	7,925	+ 7.0%	+43.2%	1,055	276	20	204	9,480	83.6%
New Haven-Waterbury									
New Haven	4,055	+ 3.9%	+61.4%	498	603	7	132	5,295	76.6%
Waterbury	1,578	+ 6.5%	+71.3%	264	65	2	53	1,962	80.4%
	5,633	+ 4.6%	+64.0%	762	668	9	185	7,257	77.6%
Bridgeport-Norwalk									
Bridgeport	2,724	+10.8%	+23.8%	292	665	8	60	3,749	72.7%
Norwalk	1,417	-11.2%	+16.1%	235	261	3	24	1,940	73.0%
	4,141	+ 2.1%	+21.0%	527	926	11	84	5,689	72.3%
Total	17,699	+ 5.1%	+42.8%	2,344	1,870	40	473	22,426	78.9%
<u>Non-housing court districts (n. 2)</u>									
Meriden (n. 3)	674	+ 1.7%	+240.4%	182	9	0	0	865	77.9%
<u>Eastern Connecticut</u>									
New London (GA 10)	1,020	+16.4%	+51.1%						
Norwich (GA 21)	659	+ 4.3%	+42.7%						
Danielson (GA 11)	644	+14.2%	+73.6%						
Rockville (GA 19)	488	+33.7%	+76.8%						
Middletown (GA 9)	657	+ 7.9%	+72.0%						
	3,468	+13.9%	+61.5%						
<u>Western Connecticut</u>									
Danbury (GA 3)	664	+15.9%	+103.7%						
Bantam (GA 18)	439	- 9.1%	+143.9%						
	1,103	+ 4.5%	+118.0%						
Derby (GA 5)	375	+ 9.0%	- 0.1%						
Total	5,620	+10.0%	+74.0%						
Connecticut total	23,319	+ 6.2%	+49.3%						

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: 75.7% of all summary process cases are filed in the housing courts. 78.9% of all housing cases are summary process cases.

APPENDIX D

HOUSING COURT JUDGES

Hartford-New Britain

New Haven-Waterbury

Bridgeport-Norwalk

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	Clarence Jones	Kevin Tierney
3-1-95	Alexandra DiPentima	Clarence Jones	Kevin Tierney
9-1-95	Alexandra DiPentima	Clarence Jones	Kevin Tierney
3-1-96	Alexandra DiPentima	Clarence Jones	Kevin Tierney
9-1-96	Robert E. Beach, Jr.	Lynda B. Munro/Bruce Levin	Leonard M. Cocco
3-1-97	Robert E. Beach, Jr.	Bruce L. Levin	Leonard M. Cocco
9-1-97	Robert E. Beach, Jr.	Bruce L. Levin	Leonard M. Cocco
3-1-98	Robert E. Beach, Jr.	Bruce L. Levin	Leonard M. Cocco
9-1-98	Lois Tanzer	Edward J. Leavitt	Leonard M. Cocco

APPENDIX E

STATUS OF 1997 CITIZENS ADVISORY COUNCIL RECOMMENDATIONS

I. Clerk's office issues

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| A. <u>Staffing</u> : 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: <ol style="list-style-type: none">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. | Implemented |
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| B. <u>Clerks' office hours</u> <ol style="list-style-type: none">1. <u>Restoration of hours</u>: 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. <u>Interim adaptations</u>: 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. | Implemented

Mooted by restoration of hours |
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 | |
| C. <u>Computerization of the housing courts</u> : <ol style="list-style-type: none">1. <u>Hartford pilot and expansion</u>: 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. <u>Computer access in all locations</u>: 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 | Hartford pilot in full operation but no expansion to other housing courts; no move toward "paperless" court.

Implemented |

court location.

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| D. | <u>Removal of housing court jurisdiction over some cases:</u> <ol style="list-style-type: none">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. | Council recommendation followed |
| E. | <u>Minimum job requirements for housing clerks:</u> The requirement that housing clerks have three years' supervisory/administrative experience should be eliminated and the pre-1992 minimum job requirements restored. | Council recommendation followed and incorporated into P.A. 97-40 |
| F. | <u>Spanish-speaking staff:</u> The ability to speak Spanish should be viewed as an important job-related skill in filling all clerk's office positions, including temporary ones. | Not implemented |
| G. | <u>Identification of criminal cases in the G.A. courts:</u> 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 |
| H. | <u>Explanatory materials:</u> 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. | Satisfactorily resolved |
| I. | <u>Pro se assistance:</u> The statement that G.A. clerks are "specifically prohibited by law from providing any pro se assistance" should be deleted from pro se pamphlets. | Partially implemented |
| J. | <u>Glass partitions:</u> No additional glass security partitions should be installed in housing court locations. | Recommendation not followed in new New Britain courthouse |
| K. | <u>Courtroom security:</u> A sheriff should be assigned to the Bridgeport and the Norwalk Housing Courts. | Not implemented in Bridgeport |
| L. | <u>Telephone access:</u> <ol style="list-style-type: none">1. <u>Toll-free call-in lines:</u> The Judicial Branch should arrange for toll-free lines to the appropriate housing | Resolved through expanded local toll-free areas as to |

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| <p>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.</p> | <p>Stamford and Meriden.
Not implemented as to
Greenwich and Bristol.</p> |
| <p>2. <u>Telephone book listings</u>: 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.</p> | <p>Not implemented</p> |
| <p>M. <u>Courtroom acoustics</u>: The Judicial Branch should take action to improve acoustics and lighting in the Bridgeport courtroom, including the provision of an inexpensive amplification system.</p> | <p>Implemented as to acoustics
but not as to lighting</p> |
| <p>II. <u>Housing specialist issues</u></p> | |
| <p>A. <u>Staffing</u>: An additional housing specialist should be hired and assigned to the Hartford Housing Court.</p> | <p>Not implemented</p> |
| <p>B. <u>Law student mediation program</u>: Expansion of the program for Bridgeport and New Haven should be explored.</p> | <p>Not implemented</p> |
| <p>C. <u>Litigant information</u>: 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.</p> | <p>Implemented</p> |
| <p>D. <u>Office space</u>: The housing specialists in Bridgeport should have separate offices.</p> | <p>Satisfactorily resolved</p> |
| <p>III. <u>Prosecution and code enforcement issues</u></p> | |
| <p>A. <u>Supervision of prosecutors</u>:</p> | |
| <p>1. <u>Chief State's Attorney</u>: Supervision of housing prosecutors should be returned to the Chief State's Attorney.</p> | <p>Not implemented</p> |
| <p>2. <u>Statewide housing prosecution unit</u>: 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.</p> | <p>Partially implemented</p> |

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| <p>B. <u>Coverage of non-housing court districts:</u> Housing prosecutions everywhere in the state, including those in J.D. Danbury, should be handled by a housing prosecutor.</p> | <p>Not implemented</p> |
| <p>C. <u>Recording of criminal dispositions:</u> 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.</p> | <p>Not implemented</p> |
| <p>D. <u>Monitoring of probation and accelerated rehabilitation:</u> An adequate method of monitoring probation and accelerated rehabilitation should be developed.</p> | <p>Not implemented</p> |
| <p>E. <u>Consultation in the hiring of housing prosecutors:</u></p> <ol style="list-style-type: none"> 1. <u>Consultation with the Council:</u> The Advisory Council should be involved in an advisory capacity in the selection of housing prosecutors. 2. <u>Standards for hiring of prosecutors:</u> <ol style="list-style-type: none"> a. Commitment to decent, safe, and sanitary housing and interest in 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. | <p>Not implemented</p> <p>Degree of implementation not clear</p> |
| <p>F. <u>Consultation on other matters:</u> 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.</p> | <p>Increased level of consultation</p> |
| <p>G. <u>Tenant-initiated code enforcement</u></p> <ol style="list-style-type: none"> 1. <u>Notice to tenants:</u> 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. <u>Attorney's fees:</u> Section 47a-14h should be amended to permit the court to award attorney's fees to a pre- | <p>Not implemented</p> <p>Not implemented</p> |

vailing 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. Implemented
- 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. Not implemented

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. Not implemented