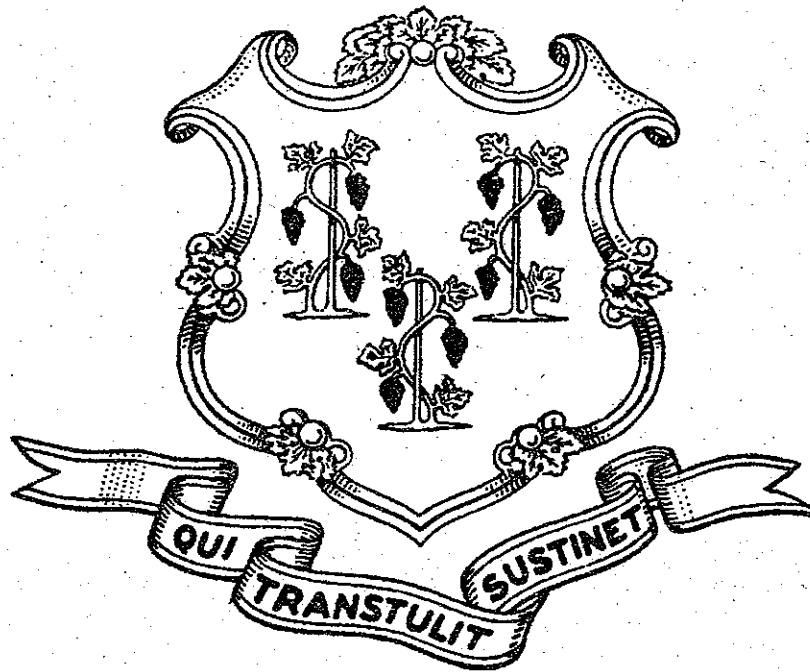
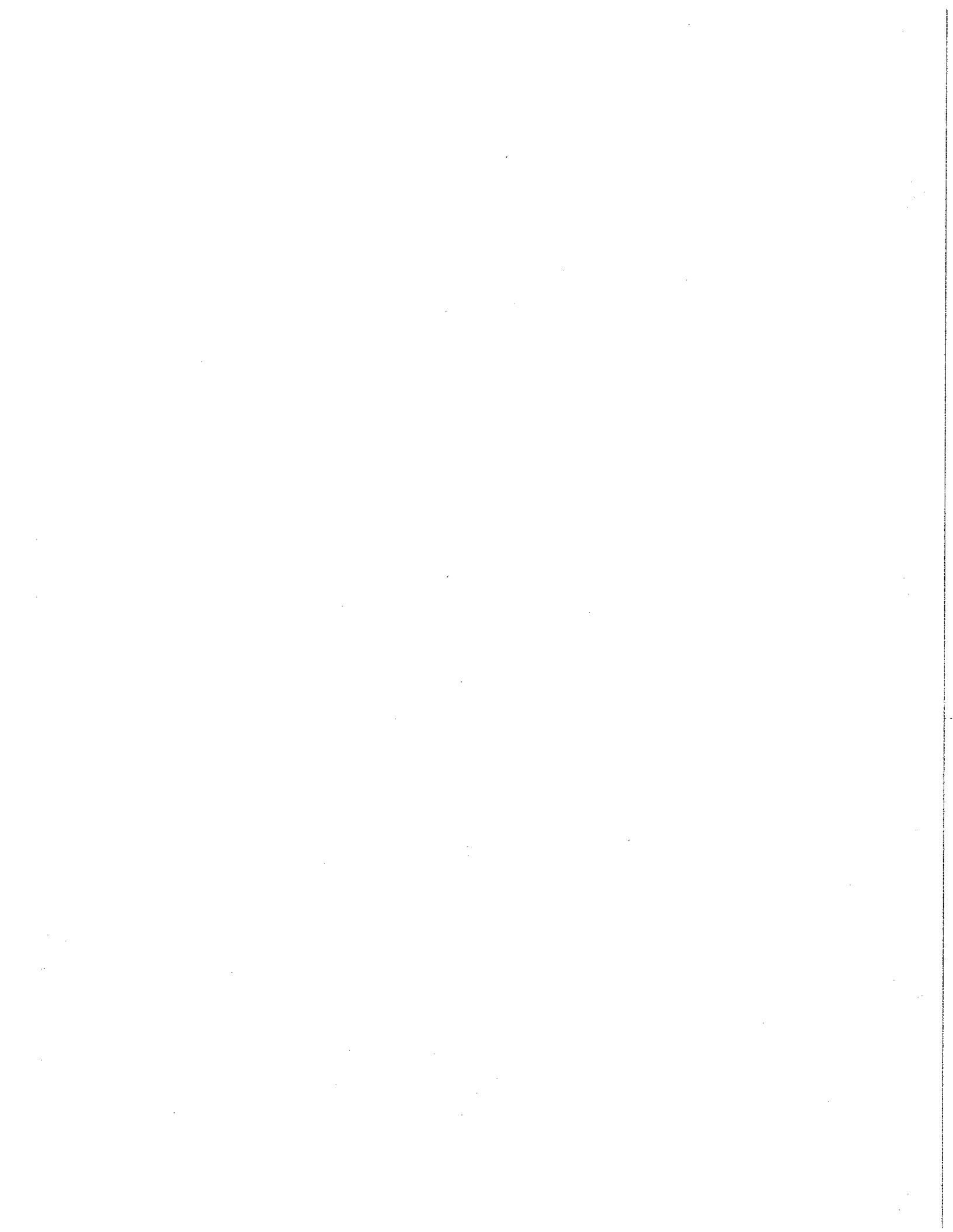


**REPORT TO THE
GENERAL ASSEMBLY:**

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



**THE CITIZENS ADVISORY COUNCIL
FOR HOUSING MATTERS
JANUARY 3, 2001**



REPORT TO THE GENERAL ASSEMBLY

pursuant to
Section 47a-73 of the General Statutes

January 3, 2001

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

Citizens Advisory Council for Housing Matters

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Housing court staff

The Council gratefully acknowledges the participation and involvement in Advisory Council meetings of the housing clerks, housing specialists, and housing prosecutors.

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. Web site access: The dockets of the housing courts should be added to the Judicial Branch web site as soon as possible.
- C. Bilingual materials: Rights and Responsibilities of Landlords and Tenants in Connecticut and The Tenant's Guide to Summary Process should be published in Spanish; and the Spanish versions should be updated whenever the English versions are updated.
- D. General availability of housing publications: 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.
- E. Staff vacancies: All staff vacancies in the housing court system should be filled promptly. The hiring for a new housing clerk for Norwalk should be advertised on an open basis and not limited to current Judicial Branch employees.
- F. Toll-free call-in lines: The Judicial Branch should arrange for appropriate incoming toll-free lines to the Norwalk Housing Court (for Greenwich) and the New Britain Housing Court (for Bristol).
- G. 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.
- H. Housing court relocations: The Judicial Branch should make certain that those who are involved in site planning and development for any court relocation which includes a housing court site bring the Advisory Council into the discussion at an early time in the process.
- I. Glass partitions: Glass "security" partitions over the public counter in the clerk's offices should not be added to housing court locations which do not already have them; and, to the extent that they do exist, they should be designed so as to be as open as possible to promote ease of conversation between clerk's office staff and

litigants, should not block the passing of papers, and should be able to be slid into an open or closed position by clerk's office staff.

- J. Issuance of executions on stipulated judgments: Section 17-53 of the Connecticut Practice Book should be modified to provide that an execution based on an affidavit of non-compliance with a stipulated judgment will not issue less than 48 hours after it is filed.

II. Housing specialist issues

- A. Computers: The Judicial Branch should assure that each housing specialist has access to a computer.

III. Prosecution and code enforcement issues

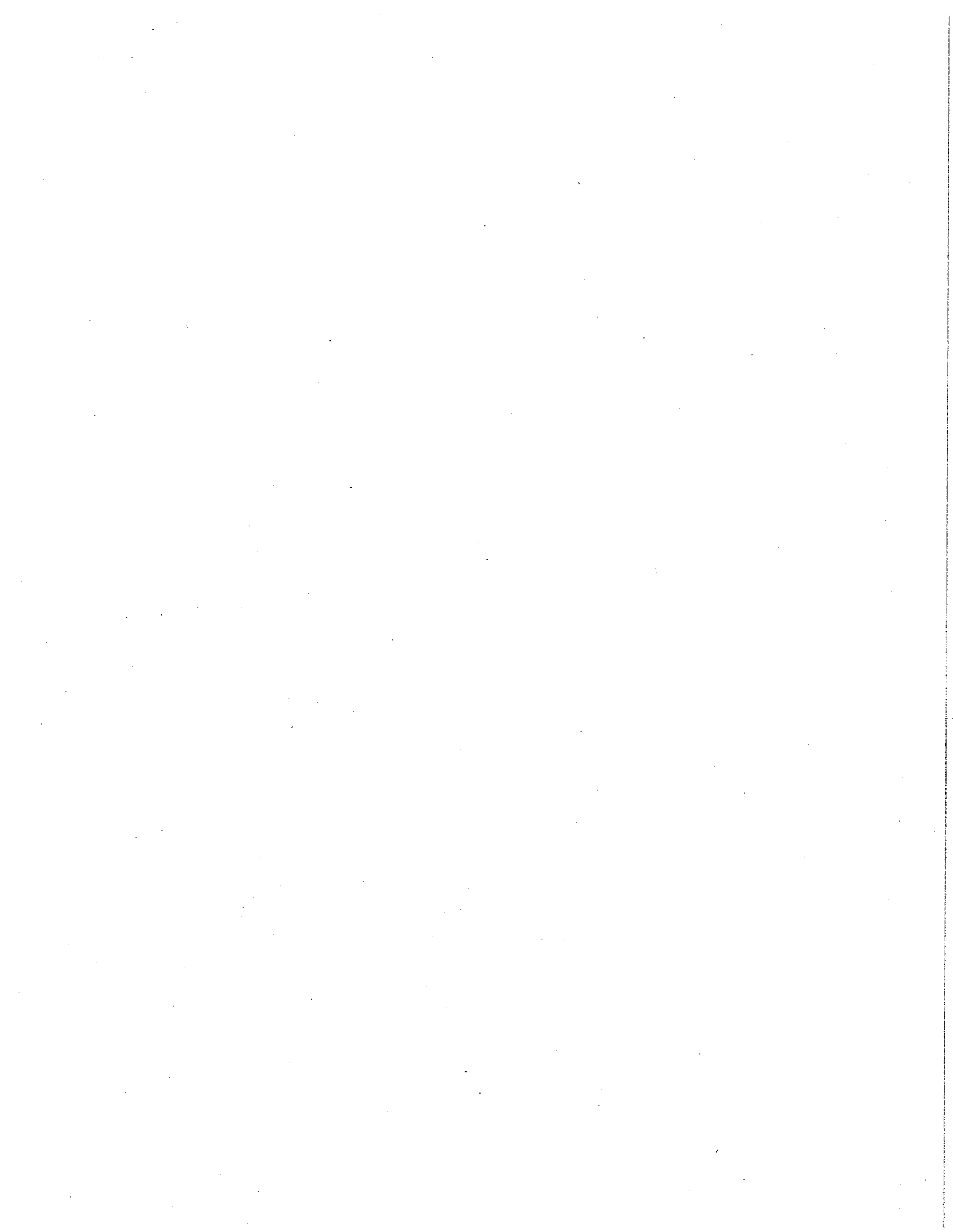
- A. Identification of criminal cases in the G.A. courts: All G.A. criminal housing cases should be given a unique identifier code so that they can be distinguished from other criminal cases.
- B. Prosecutor Manual update: The housing prosecutors should review the Housing Prosecutors Manual and update it as needed and should make the draft manual available to the Council for comment before it is finalized..
- C. Police Academy curriculum: The State Police Academy and local police academies, in conjunction with the housing prosecutors, should develop a section on landlord-tenant law as part of the regular training curriculum of all police officers.

IV. Judicial issues

- B. Magistrates:
 - 1. The Judicial Branch should systematically seek input from all housing court clerks prior to reappointment of magistrates or assignment of magistrates to a housing court location.
 - 2. The surveying of participants in housing court 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.
- B. Small claims booklet: The Judicial Branch should provide for publication of updates of the Advisory Council's small claims booklet whenever the Council determines that an update is needed.

V. Issues concerning the Advisory Council itself

- 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 2001.

I. Clerk's office issues

A. Computerization of the 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. Replication had been delayed until the Hartford computers were upgraded, but that upgrading has now taken place. The Judicial Branch should move quickly to implement statewide expansion. It is the Council's understanding that the computerization of the New Britain Housing Court will occur soon.

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).

B. Web site access: It is expected that the housing court docket will eventually be accessible from the Judicial Branch web site. The Council urges the Judicial Branch to place the docket on the web site as soon as possible. This will reduce pressure on the telephone system, since it will become possible to check the status of cases without having to call the clerk's office.

C. Hartford Housing Court telephone system: When the Hartford Housing Court moved to its present location in January, 1999, it received a new, more sophisticated telephone system which was supposed to make access to the court easier. Instead, it created new problems which made telephone contact with the court extremely difficult for both litigants and attorneys. In particular, although the clerk's office had many lines, only three telephones could receive outside calls. When they were in use, callers were not put into a waiting queue but were instead disconnected. The inconvenience to callers was enormous. The Council has requested revision of this system since it was installed. In the past few months, changes have been made which appear to have solved the problem and restored usable telephone access to the court. It is essential that the telephone system for any housing court clerk's office make the court easily accessible to outside callers. The Council is pleased that this issue has finally been addressed.

D. Bilingual materials: The Council is pleased that the housing court's basic pro se booklets -- Rights and Responsibilities of Landlords and Tenants in Connecticut, The Tenant's

Guide to Summary Process, and The Landlord's Guide to Summary Process are now available on the Judicial Branch web site. The Council is concerned, however, that current versions of Rights and Responsibilities and the Tenant's Guide are still not available in Spanish. It appears that Spanish translations have been prepared but have not yet been published. It is important that all pro se tenant pamphlets be kept current in Spanish as well as in English. The Judicial Branch has repeatedly promised the Council Spanish-language translations of these booklets, but they have not been completed and made available.

E. General availability of housing publications: To the extent that it is not already doing so, the Judicial Branch should also make certain that the court system's basic housing information booklets are available at all court service centers and information desks, 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. A list of housing-related forms commonly used by landlords and tenants has been provided to the Judicial Branch by the housing court clerks.

F. Staff vacancies: The housing courts presently have several vacancies which need to be filled as quickly as possible. In particular, current vacancies exist for the positions of court services or office clerk in Hartford and data terminal operator in Norwalk. It is important that these positions be filled, either by transfer within the Judicial Branch if an appropriate applicant is available, or by new hiring.

In addition, the position of clerk of the Norwalk Housing Court is presently vacant. In the past, housing court clerk positions have been filled either by transfer from another housing court clerk's position or by general advertising which permits persons outside the Judicial Branch to apply. The opportunity to hire from outside the Judicial Branch is particularly important for housing court clerks, because experience in the housing field, and not only experience in clerking, is recognized as a valued qualification for the position. Because of the state's hiring freeze, it appears that this position will be filled solely from within the Judicial Branch. The Council recommends that hiring be done instead on an open basis, with applicants not limited to current Judicial Branch employees.

G. Toll-free call-in lines: There are still two substantial parts of the state -- 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 in 1986 by the Judicial Branch's own study, prepared by Hon. John Maloney, but its advice was not followed. The Judicial Branch should arrange for appropriate incoming toll-free lines to the Norwalk Housing Court (for Greenwich) and the New Britain Housing Court (for Bristol).

H. Telephone book listings: In the non-housing court districts, the Judicial Branch still does not list the telephone number of the G.A. location for housing matters in the government "blue pages" in the telephone books for all areas which send housing cases to that location. Instead, the telephone number is listed only in the local phone book for the area in which the courthouse itself is physically located. 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 Judicial

Branch should arrange for blue-page listings for all such courts. Two years ago, the Judicial Branch rejected this proposal on the grounds that it is not "feasible" because "too many other issues would need to be addressed." The Council disagrees and does not see any feasibility obstacle to the listing of the appropriate housing session location in each telephone book. In fact, to the extent that this may be an issue for the hearing of small claims cases (which are now heard regionally), this solution should be applied to those clerk's offices as well.

I. Housing court relocations: The Council continues to be excluded from discussions involving relocation plans for the housing courts. The most significant of these in the past two years has been the relocation of the Bridgeport Housing Court. At one point, the Council learned of an imminent relocation of the court only through conversation with the housing court staff. As it turns out, that relocation was put on hold. Then, at the beginning of November, the Bridgeport Housing Court was summarily relocated from its third floor offices into inappropriate space on the first floor. The issue for the Council goes well beyond adequacy of the space into which the court was placed. The Council continues not to be invited proactively to participate on committees planning relocation, nor is it being offered preliminary proposals for relocation on which it can comment. The Council's interest, it should be noted, is not merely whether a court location will be moved but also where the new location will be and what will be the arrangement and suitability of space for housing matters at the new location. The Council continues to urge the Judicial Branch to make certain that those who are involved in site planning and development for any court relocation which includes a housing court site bring the Advisory Council into the discussion at an early time in the process.

While the Bridgeport relocation is the one of which the Council has been most aware, the Norwalk Housing Court will eventually be moving to Stamford when a new courthouse is built for J.D. Stamford-Norwalk. The Council should be included in the planning for that relocation as well.

J. Glass partitions: Glass "security" partitions over the public counter in the clerk's offices adversely affect the interaction between clerk's office staff and pro se litigants and are not, in the opinion of the Council, necessary for security. They should not be added to housing court locations which do not already have them. To the extent that such security partitions are nevertheless in place or being put into place, they should be designed so as to be as open as possible to promote ease of conversation between clerk's office staff and litigants and should not block the passing of papers. They should also be constructed so that they can be slid into an open or closed position by clerk's office staff.

K. Issuance of executions on stipulated judgments: Section 17-53 of the Connecticut Practice Book had, until recently, provided that an execution based on the failure to make a money payment under a stipulated judgment could not be issued until "two days" after an affidavit of non-compliance was filed. Since the affidavit must be mailed to the tenant, the purpose of the two-day delay was to give the tenant time to object if the non-compliance was disputed. The Clerk's Manual interpreted the two-day period as being 48 hours. The judges of the Superior Court, however, recently amended Section 17-53, effective January 1, 2001, to reduce this time to the "second day" after filing. The practical effect will be to have executions issuing before the defendant receives notice of the filing of the affidavit of non-compliance. The

Council recommends that the 48-hour rule contained in the Clerk's Manual be retained. Since the old language of Section 17-53 has proved to be ambiguous, the Council suggests that the last sentence of the new 17-53 be changed to read (new language underlined): "Execution shall issue on the second business day, but not less than forty-eight hours, after the filing of the affidavit."

L. Case processing: Over the past 20 years, at least five detailed 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. By 1998, in spite of increasing caseload, case processing times had decreased. An examination of Hartford data for the 12-month period ending March 17, 1998, revealed that the median time from return date to entry of judgment had 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. Since 1998 there has been a slight (3%) decrease in Hartford's summary process caseload; but the caseloads in all other housing court locations have been rising. The largest increases have been in Waterbury (21%), New Britain (8%), and Bridgeport (8%). See Appendix C. Evictions filed in all housing courts are now 49% above 1984 levels. The Waterbury and New Britain housing court clerk's offices each carry more than double the caseload they had in 1984, and the New Haven Housing Court has nearly 70% more cases. 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. Despite the increased volume of cases, however, case processing remains rapid throughout the state.

II. Housing specialist issues

A. Computers: The housing specialists continue to be without adequate access to computers. The Judicial Branch should assure that each specialist has access to a computer.

III. Prosecution and code enforcement issues

A. Coordination of housing prosecutors: The Council continues to believe that overall hiring and supervisory responsibility for the four housing prosecutors should rest with the Chief States Attorney and not with individual States Attorneys (see Item #VI(F) below). The Council, however, is pleased that the Chief State's Attorney's Office has posted a new position of Supervisory Assistant States Attorney for Housing Matters who will coordinate the housing

prosecution unit and that the housing prosecutors have resumed their periodic meetings.

B. 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. We believe that such cases can be identified to the clerk in two ways. First, the Housing Criminal code should include all cases initiated by the housing prosecutor. These cases must already be identified by the clerk's office in practice, since they must be segregated into a docket. Second, the Housing Criminal code should include all criminal prosecutions filed under those statutes which would normally be treated as housing matters. They include C.G.S. §53a-214 (criminal lockout), §53a-117e through §53a-117g (criminal damage of a landlord's property), and §19a-109 (failure to provide heat and utilities). We urge the Judicial Branch, in conjunction with the Chief State's Attorney's Office, to work out a mechanism for implementing this proposal.

C. Referrals to public defenders: The Council has had some concern as to whether criminal defendants in the housing courts were being adequately notified of their right to appointed counsel in appropriate cases, whether all public defender offices were available to housing court defendants, and whether landlords were receiving public defender representation when eligible. A public defender may be appointed to represent a criminal defendant, if determined eligible for the appointment of a public defender in felony cases and in misdemeanor cases in which incarceration is a possibility. For tenants, the issue of public defender appointment arises most frequently in regard to criminal damage to a landlord's property (which in the first degree is a Class D felony). For landlords, it arises most frequently in regard to criminal lockout.

The Chief Public Defender, the housing prosecutors, and the Chief Clerk for Housing Matters have now worked out adjustments to assure the availability of public defenders. In all housing court locations except Waterbury, housing cases are heard in the same building in which ordinary criminal cases are heard. In those buildings, the public defenders will provide representation in the housing courts. In Waterbury, cases involving a public defender will be transferred to the regular docket. Notices of the right to appointed counsel will be posted. The clerks will also provide litigants requesting a public defender with a plain language referral form, and cases will be continued for defendants requesting appointment of counsel. The Council urges that the public defenders, the housing prosecutors, and the housing clerks to assure that these changes are effectively implemented.

D. Prosecutor Manual update: The housing prosecutors' manual has not been updated for about a decade. The Council urges the prosecutors to review the manual and determine whether any changes are needed and to make the draft manual available to the Council for comment before it is finalized.

E. Police academy curriculum: At present, landlord-tenant law is not included in the

State Police Academy's curriculum and is not necessarily included in the curriculum of local police academies. Police officers are, however, usually the initial contacts for criminal lockouts and often the initial contacts in no-heat cases. They may at times be involved in other landlord-tenant matters. The State Police Academy and local police academies, in conjunction with the housing prosecutors, should develop a section on landlord-tenant law as part of the regular training curriculum of all police officers.

IV. Judicial issues

A. Magistrates: The Council continues to believe that there is no adequate system in place for evaluation of housing court small claims magistrates. From 1995 to 1997, with the assistance of the New Haven Housing Court clerk's office, the Council piloted a litigant survey system. While the surveys produced useful information, no satisfactory mechanism was found to maintain the pilot on a long-term basis or to extend it to other locations; and the pilot was therefore terminated. As an alternative, the Council recommends two ways of assuring the highest quality of magistrates in the housing court. First, the Judicial Branch should make use of the housing court clerks as a key source of information about the performance of magistrates. The Council strongly urges the Judicial Branch systematically to seek input from all housing court clerks prior to reappointment of magistrates or assignment of magistrates to a housing court location. Second, the Council recommends that the surveying of participants in housing court small claims hearings 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.

B. Small claims booklet: The Judicial Branch should continue to distribute annually to all magistrates the Council's small claims booklet, Housing Issues in the Small Claims Division of the Superior Court. The current booklet, which was published in 1997, remains accurate as a statement of the law, with the exception of the annual changes in security deposit interest rates (which are customarily distributed to magistrates by the Chief Clerk for Housing Matters on an annual basis) and the changes in the small claims court's jurisdiction adopted by the General Assembly as P.A. 00-94. As a result, there is no need to update the booklet at this time; but the Chief Clerk should notify the magistrates in writing of P.A. 00-94. The Judicial Branch should provide for publication of updates of the booklet whenever the Council determines that an update is needed, in light of changing statutes or case law.

C. 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 which has been shown by the Chief Court Administrator and the Deputy Chief Court Administrators. The Council has long advocated that housing court judges, barring unexpected problems, remain in their housing assignments for two or three terms so as to maintain continuity and predictability in housing decisions. The Council does believe, however, that it is desirable that housing court judges eventually rotate.

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, which 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.

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, the Judicial Branch has failed to consult with the Council on changes in the job descriptions and job qualifications for housing court staff, especially when those changes have been part of broader job classification reviews affecting all Judicial Branch employees. 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, employment) that they should initiate contact directly with the Council when the housing courts will be affected.

VI. Long-standing Advisory Council proposals still not implemented

While many of the Council's suggestions have been accepted and implemented by the Judicial Branch and the Chief's States Attorney, a number of proposals have appeared every two years in the Advisory Council's biennial reports, without having been resolved to the Council's satisfaction. Rather than discuss these again in detail in the primary body of this report, we have noted them here as a separate section. Most of these items have not been active on the Council's agendas over the past two years. Nevertheless, the Council continues in support of these positions and hopes that the appropriate entity will at some point agree to implement them. All of these items are discussed in more detail in the Council's 1999 biennial report.

A. Minimum job requirements for housing clerks: Supervisory/administrative experience should not be a precondition for consideration of an attorney candidate for housing court clerk.

B. Spanish-speaking staff: 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. The ability to speak Spanish should be viewed as an important job-related skill in filling all clerk's office positions, including temporary ones.

C. Pro se assistance: C.G.S. §51-52(d) should be amended to explicitly require clerks who handle housing matters to provide pro se assistance.

D. Law student mediation program: The University of Connecticut Law School mediation clinic at the Hartford Housing Court should be replicated by other law schools at other housing court locations.

E. Supervision of prosecutors: All housing prosecutors should be hired by and be responsible to the Chief State's Attorney, as is in fact required by C.G.S. §51-278(b).

F. Housing prosecutor coverage of non-housing court districts: All housing prosecutions in the state should be handled by one of the four state housing prosecutors. In particular, J.D. Danbury and the portion of J.D. Ansonia-Milford covered by G.A. 5 should be brought into the housing prosecution system.

I. Full-time nature of prosecution 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.

J. Recording of criminal dispositions: All conditions of nolle and probation in housing prosecutions should be stated on the record in open court and recorded by the in-court clerk on the docket sheet.

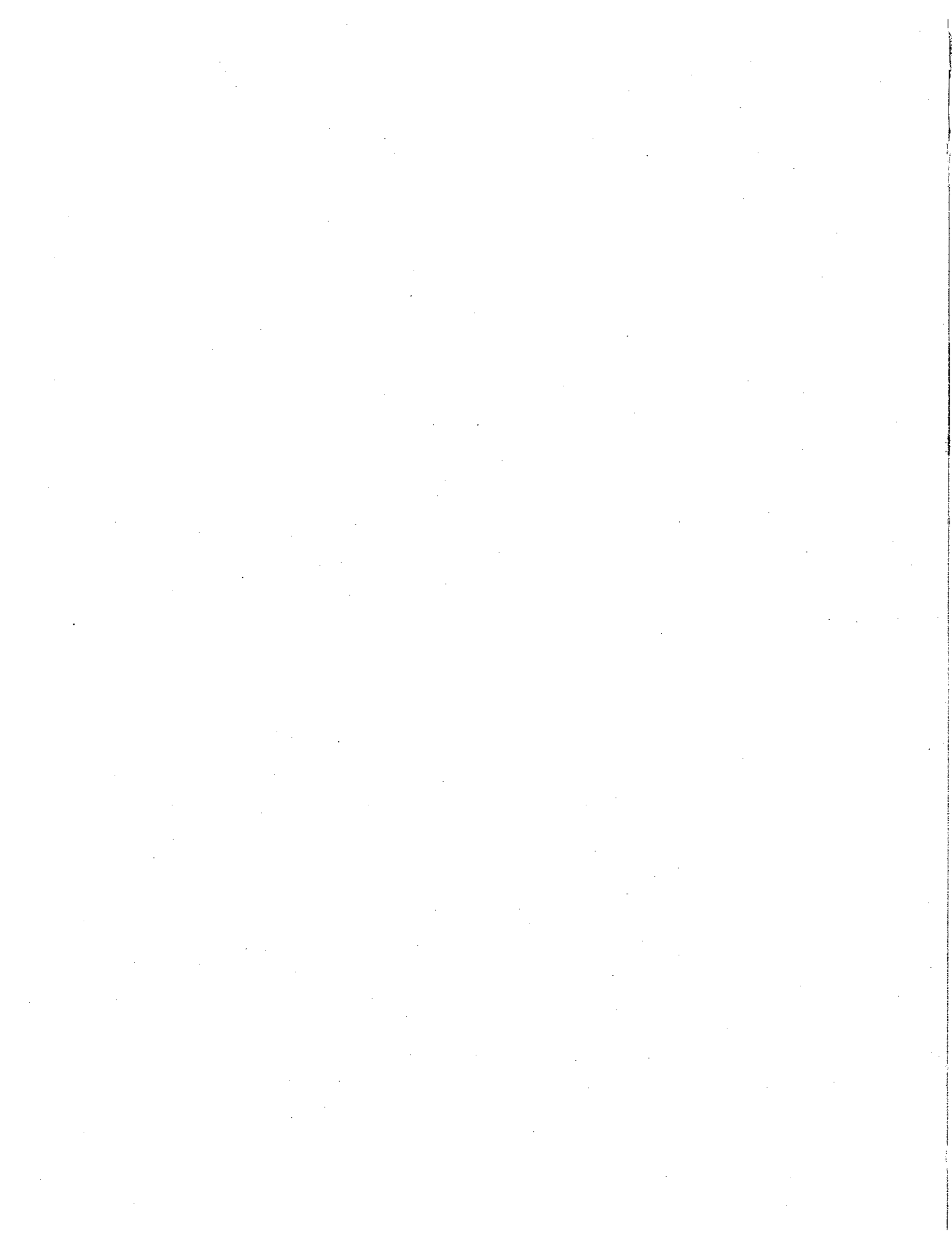
K. Monitoring of probation and accelerated rehabilitation: Cases disposed of by probation or accelerated rehabilitation which include a requirement that repairs be made during the probation/rehabilitation period should be monitored by the housing prosecutors, using local code enforcement inspectors to gather information, rather than by 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.

L. Consultation in the hiring of housing prosecutors: A representative of the Advisory Council should be included in the panel selecting new housing prosecutors.

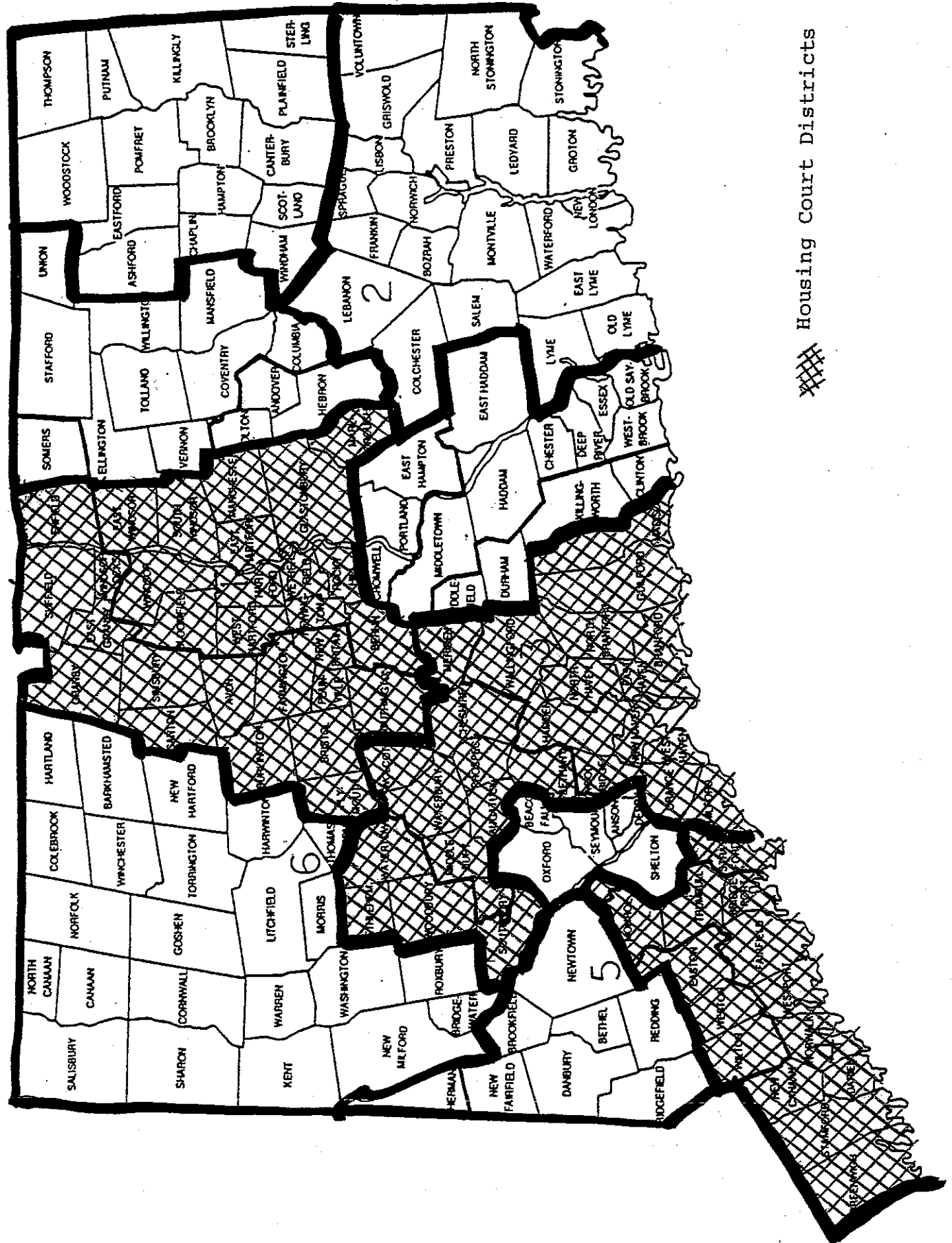
M. Standards for the hiring of housing prosecutors: The Chief State's Attorney (or local State's Attorneys if hiring is done by them) should assure that the following four standards are included in the evaluation of applicants: (1) commitment to decent housing, as required by C.G.S. §51-278(b)(1)(B); (2) an understanding that the prosecutor's role in the administration of local housing code enforcement, i.e., that the prosecutor's approach to code enforcement (e.g., the level of proof required, the offenses prosecuted or not prosecuted, the degree of compliance required for a nolle) will effectively control housing code enforcement administration by every local municipality in the entire region within the prosecutor's jurisdiction; (3) a commitment to active community outreach, particularly to local code officials and local police departments; and (4) a willingness to work cooperatively with the Advisory Council on issues of mutual concern.

LIST OF APPENDICES

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Appendix B	Housing Court Act
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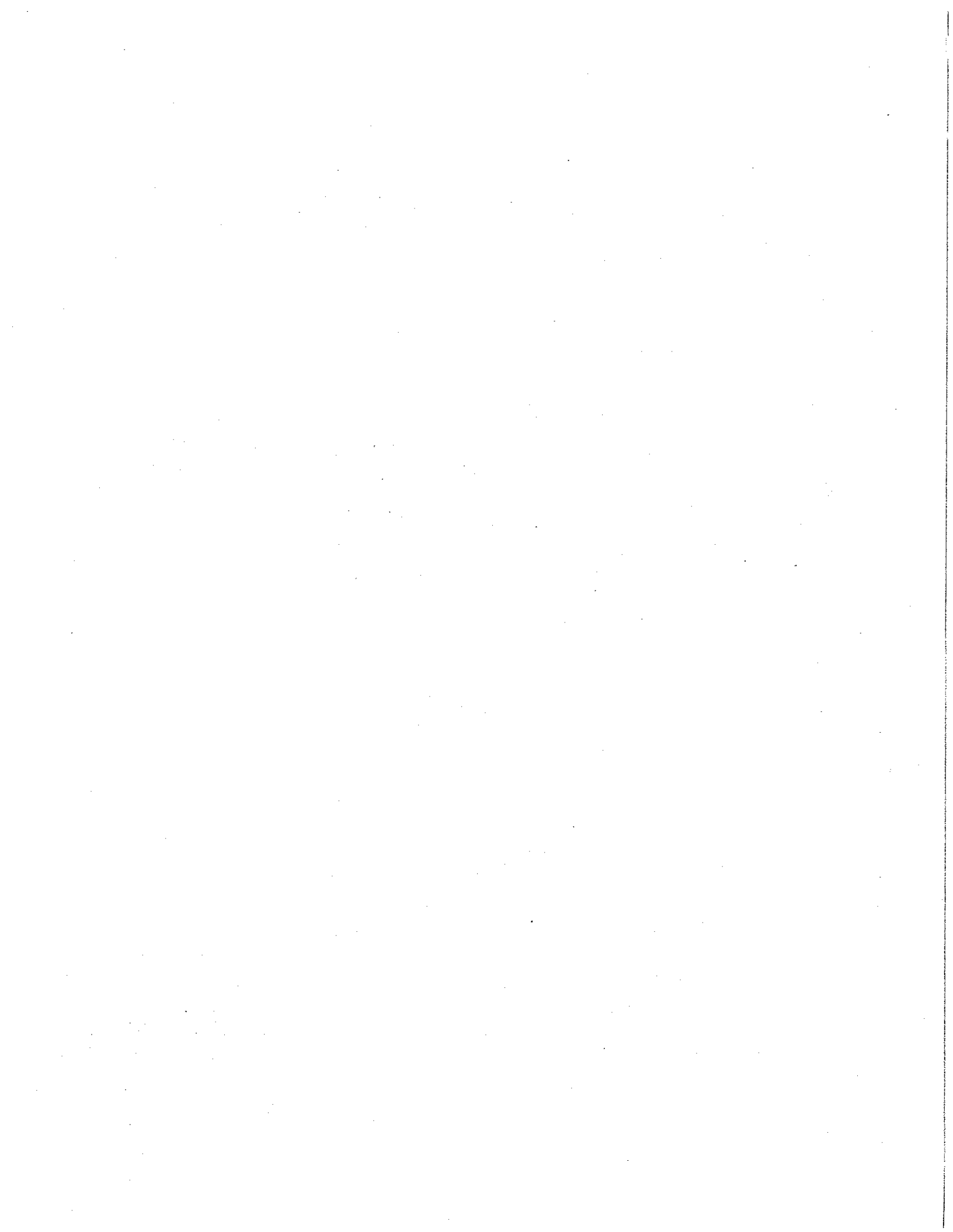


APPENDIX A -- HOUSING COURT DISTRICTS



XXXX Housing Court Districts

Wm. [Signature]
[Date]



APPENDIX B

HOUSING COURT ACT as amended through December 31, 2000

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

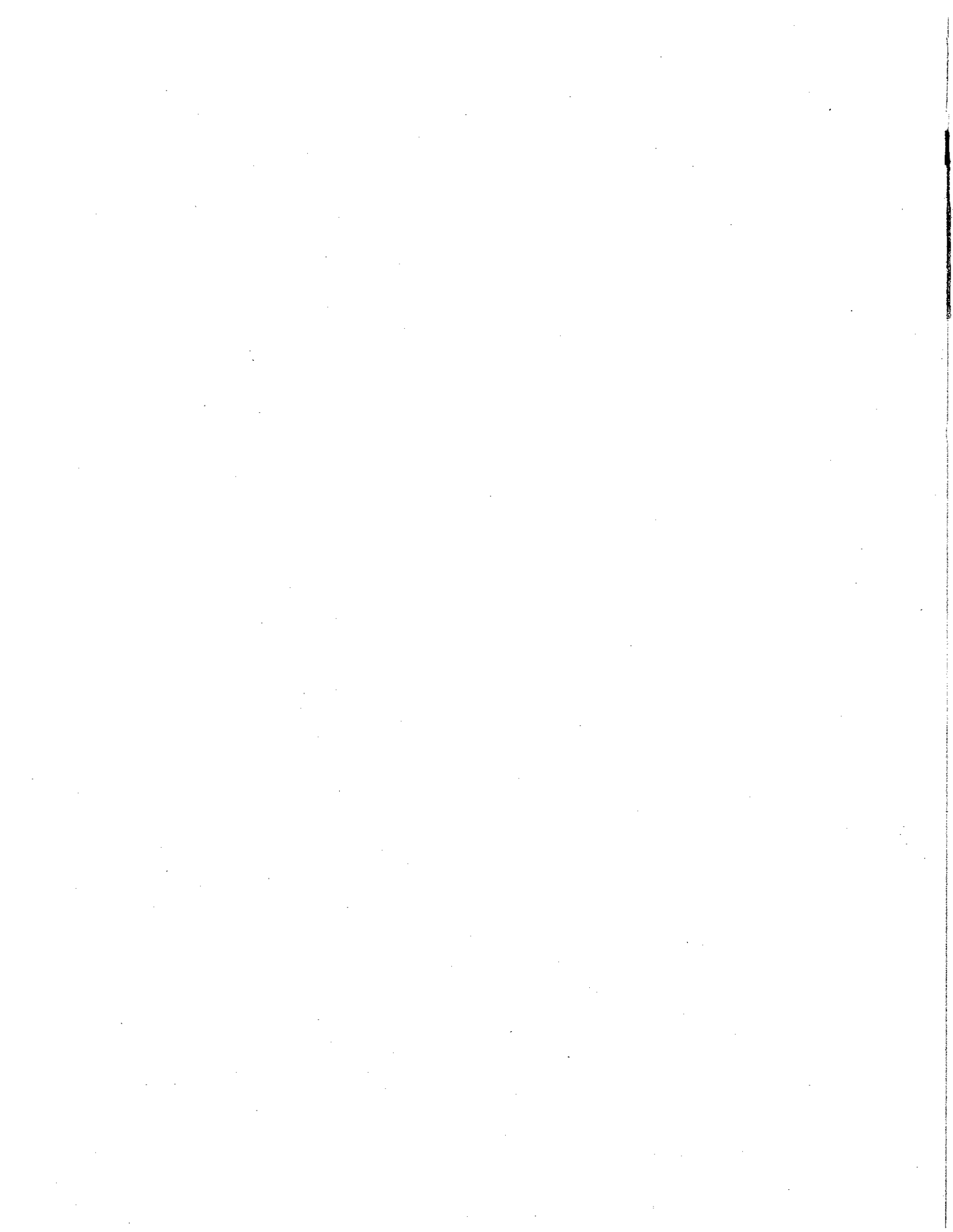
HOUSING CASELOADS

July 1, 1999 to June 30, 2000

<u>Housing courts</u>	<u>Summary process</u>	<u>Increase since 1997-98</u>	<u>1983-84</u>	<u>Small claims</u>	<u>Civil 47a-14h</u>	<u>Criminal (n. 1)</u>	<u>Total</u>	<u>%summary process</u>	
<u>Housing courts</u>									
Hartford-New Britain									
Hartford	5,536	- 3.2%	+22.7%	792	227	19	78	6,652	83.2%
New Britain	2,394	+ 8.6%	+133.6%	295	62	4	85	2,840	84.3%
	7,930	+ 0.1%	+43.3%	1,087	289	23	163	9,492	83.5%
New Haven-Waterbury									
New Haven	4,241	+ 4.6%	+68.8%	507	519	7	182	5,456	77.7%
Waterbury	1,910	+21.0%	+107.4%	355	61	1	122	2,449	78.0%
	6,151	+ 9.2%	+79.1%	862	580	8	304	7,905	77.8%
Bridgeport-Norwalk									
Bridgeport	2,946	+ 8.1%	+33.8%	297	227	10	91	3,571	82.5%
Norwalk	1,421	+ 0.3%	+16.5%	228	217	4	74	1,944	73.1%
	4,367	+ 5.5%	+27.7%	525	444	14	165	5,515	79.2%
Total	18,448	+ 4.2%	+48.9%	2,474	1,313	45	632	22,912	80.5%
<u>Non-housing court districts (n. 2)</u>									
Meriden (n. 3)	815	+20.9%	+311.6%	164	23	0	0	1,002	81.3%
Eastern Connecticut									
New London (GA 10)	951	- 6.8%	+40.9%						
Norwich (GA 21)	714	+ 8.3%	+61.2%						
Danielson (GA 11)	710	+10.2%	+91.4%						
Rockville (GA 19)	468	- 4.1%	+69.6%						
Middletown (GA 9)	499	-24.0%	+30.6%						
	3,342	- 3.6%	+55.7%						
Western Connecticut									
Danbury (GA 3)	499	-24.8%	+53.1%						
Bantam (GA 18)	435	- 0.9%	+141.7%						
	934	-15.3%	+84.6%						
Derby (GA 5)	339	- 9.6%	-10.3%						
Total	5,430	- 3.4%	+68.2%						
<u>Connecticut total</u>	23,878	+ 2.4%	+52.9%						

Summary: 77.3% of all summary process cases are filed in the housing courts. 80.5% of all housing cases are summary process cases.

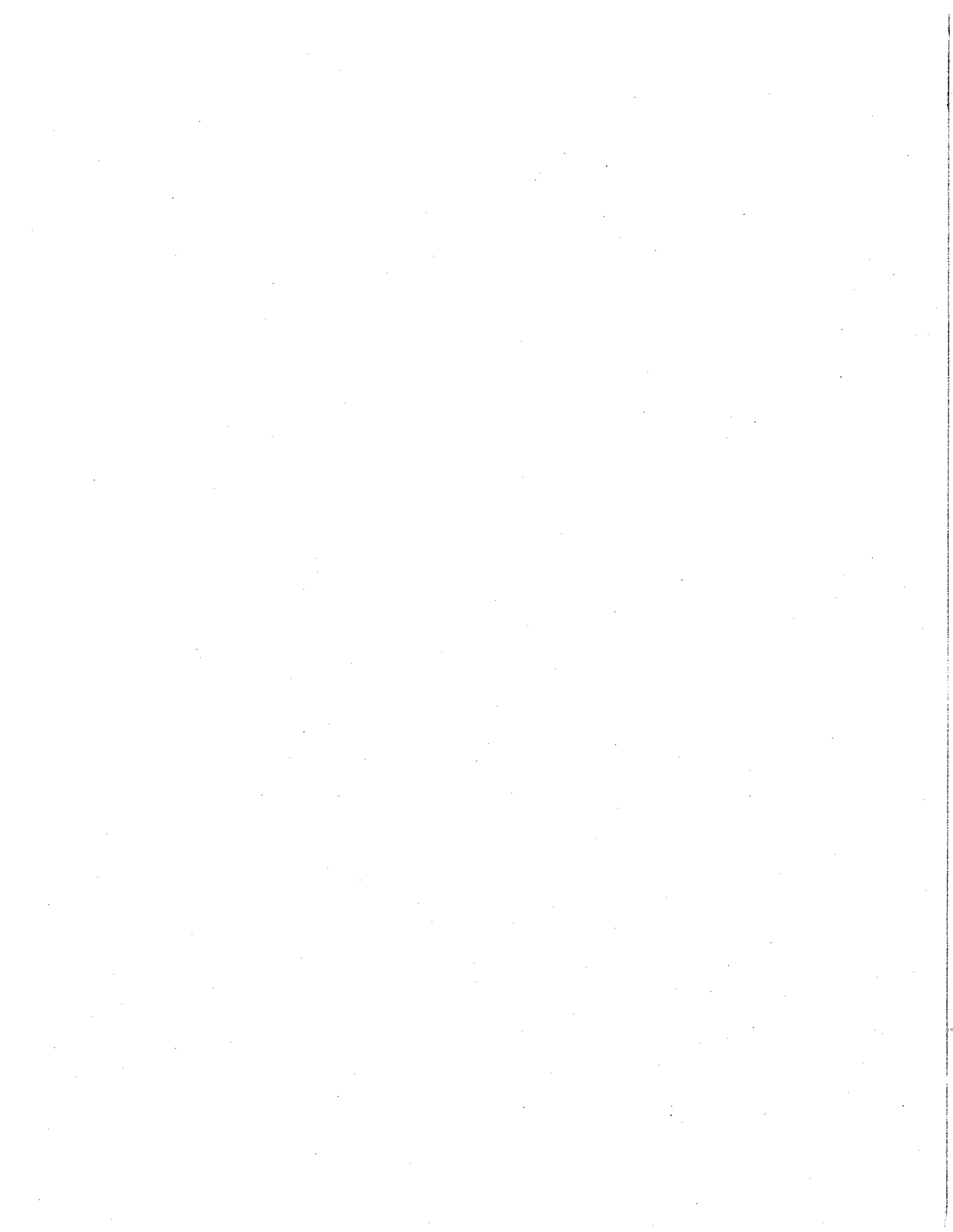
- Notes:
- n. 1 -- Caseload numbers include files opened and docketed but not criminal cases initiated by the housing prosecutor by letter and resolved without the opening of a docketed case.
 - n. 2 -- Separate data on housing cases, other than summary process cases, was not available for the geographical area courts.
 - n. 3 -- Meriden is technically part of the New Haven-Waterbury Housing Court district but does not have full housing court services.



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		
1-1-82 John Maloney	Paul Foti (10-1-81)	
7-1-82 John Maloney	Paul Foti	Margaret Driscoll (10-1-82)
1-1-83 John Maloney	Paul Foti	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	Dennis Harrigan	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	Jerrold Barnett	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	William Ramsey	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	Anthony DeMayo	L. Scott Melville
3-1-91 Marshall Berger	Christine Vertefeuille	L. Scott Melville
9-1-91 Marshall Berger	Christine Vertefeuille	Sandra Leheny
3-1-92 Robert Holzberg	Christine Vertefeuille	Sandra Leheny
9-1-92 Robert Holzberg	Christine Vertefeuille	Sandra Leheny
3-1-93 Robert Holzberg	Clarine Nardi Riddle	L. Scott Melville
9-1-93 Robert Holzberg	Clarine Nardi Riddle	L. Scott Melville
3-1-94 Robert Holzberg	Clarine Nardi Riddle	L. Scott Melville
9-1-94 Alexandra DiPentima	CN Riddle/Douglas Mintz	L. Scott Melville
3-1-95 Alexandra DiPentima	Douglas Mintz	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.	Clarence Jones	Kevin Tierney
3-1-97 Robert E. Beach, Jr.	Lynda B. Munro/Bruce 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 Robert E. Beach, Jr.	Bruce L. Levin	Leonard M. Cocco
9-1-98 Lois Tanzer	Edward J. Leavitt	Leonard M. Cocco
9-1-99 Lois Tanzer	Edward J. Leavitt	Leonard M. Cocco
9-1-00 L. Paul Sullivan	Edward J. Leavitt	Leonard M. Cocco



APPENDIX E

STATUS OF 1999 CITIZENS ADVISORY COUNCIL 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). Promised for the future but not yet implemented
- 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. Partially implemented
 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. Implemented
- 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. 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, including temporary ones. Agreed to but the number of Spanish-speaking staff remains low
- 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. Translated but not yet published
 2. Basic housing information booklets and a list of available pro se housing forms should be available at all Implementation in progress

court information centers.

- | | | |
|------|--|---|
| F. | <u>Pro se assistance</u> : 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. | Statute not changed but limited pro se assistance is available in G.A. courts |
| G. | <u>Glass partitions</u> : No additional glass security partitions should be installed in housing court locations. | Not implemented |
| H. | <u>Courtroom security</u> : A sheriff should be assigned to the Bridgeport Housing Court. | Implemented |
| I. | <u>Telephone access</u> : | |
| 1. | <u>Toll-free call-in lines</u> : 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. | Not implemented |
| 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. | Not implemented |
| J. | <u>Courtroom lighting</u> : The Judicial Branch should take action to improve the lighting in the Bridgeport courtroom. | Implemented |
| II. | <u>Housing specialist issues</u> | |
| A. | <u>Staffing</u> : An additional housing specialist should be hired and assigned to the Hartford Housing Court. | Partially implemented through part-time staff |
| B. | <u>Law student mediation program</u> : Expansion of the program to other housing locations and law schools should be explored. | Expansion explored but no law school has chosen to implement |
| III. | <u>Prosecution and code enforcement issues</u> | |
| A. | <u>Supervision of prosecutors</u> : Supervision of housing prosecutors should be returned to the Chief State's Attorney. | Not implemented but supervisory position is being created |
| B. | <u>Coverage of non-housing court districts</u> : Housing prosecutions everywhere in the state, including those in J.D. | Not implemented |

- 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. Partially implemented
- 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. Discussions in progress
- 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. Agreed to in principle but implementation unclear
- F. Monitoring of probation and accelerated rehabilitation: An adequate method of monitoring probation and accelerated rehabilitation should be developed. Not implemented
- 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. Not implemented
 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. Not implemented

("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. Implemented
- 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. Not implemented
 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. 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 adequately implemented