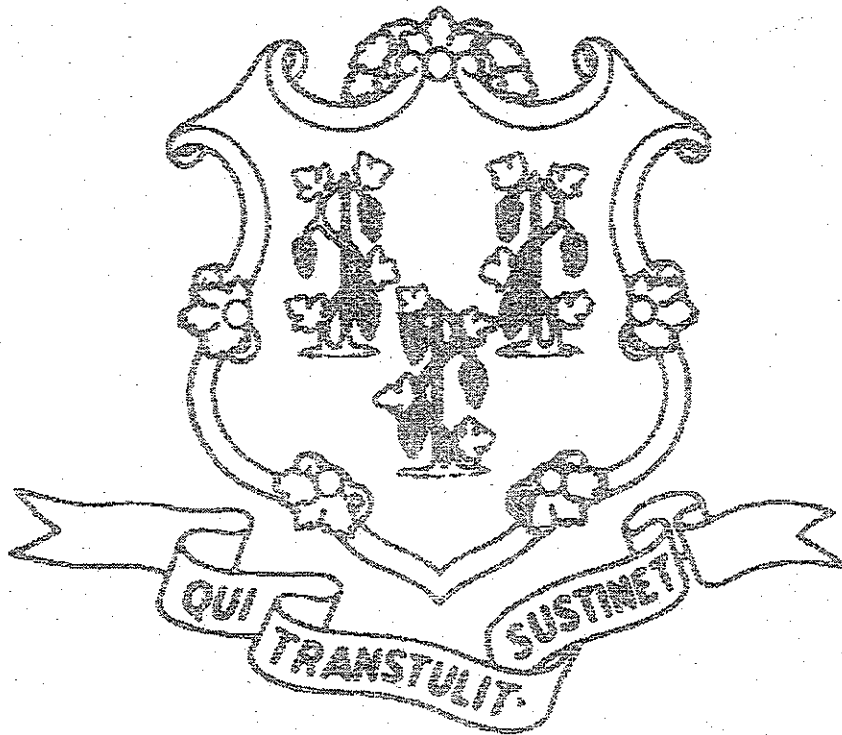
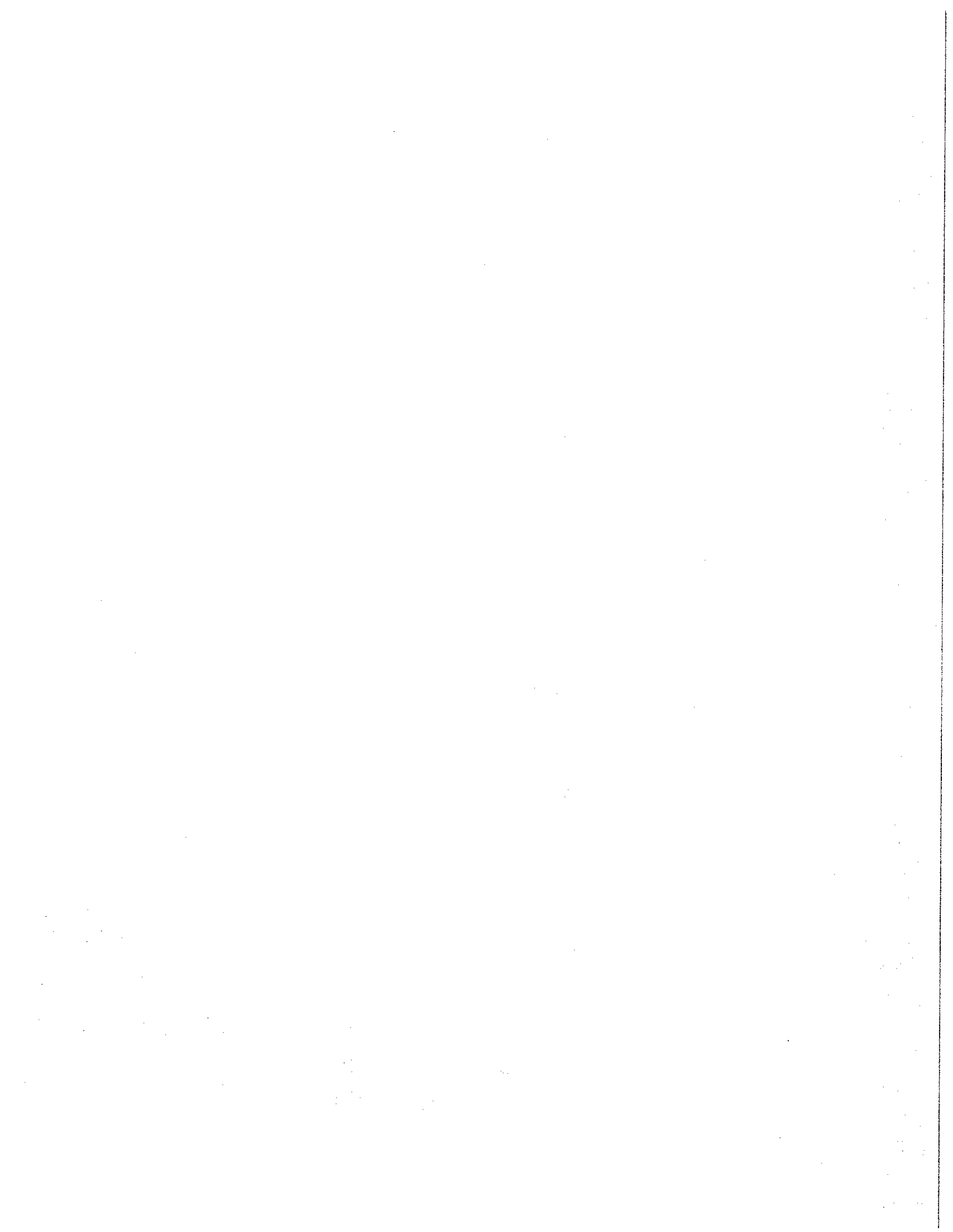


**REPORT TO THE  
GENERAL ASSEMBLY:**

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



**THE CITIZENS ADVISORY COUNCIL  
FOR HOUSING MATTERS  
JANUARY 3, 2003**



# **REPORT TO THE GENERAL ASSEMBLY**

pursuant to  
Section 47a-73 of the General Statutes

January 3, 2003

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

Citizens Advisory Council for Housing Matters

Officers of the Council

Raphael L. Podolsky, Chairperson  
Houston Putnam Lowry, Chair, Hartford-New Britain Subcommittee  
Sheldon Hosen, Chair, New Haven-Waterbury Subcommittee  
William Haslun, Chair, Bridgeport-Norwalk Subcommittee  
Morris Czaczkes, Chair, Eastern Connecticut Subcommittee

Members of the Council

Peter Blasini  
Carolyn Comerford  
Elaine DeNigris  
Glenn Falk  
Linda Francois  
Robin Hammeal-Urban  
Ivan Hirsch  
Robert Kor  
Peter Rotella  
John W. Rowland  
Richard Tenenbaum  
Joseph Wincze

Others actively involved in the Council

Sandra DesRosiers, Secretary of the Council  
Richard DeParle  
Francis X. Dineen  
J. André Fournier  
David Pels

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 summary process cases: The computerization pilot in Hartford and New Haven 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. Computerization of civil and small claims cases: Housing civil and small claims cases should be computerized and made available on the Judicial Branch web site.
- C. Usability of computerized data: The Judicial Branch should explore ways to increase the ability of the housing court computer system to manipulate data.
- D. Bilingual materials: The Spanish versions of all pro se booklets should be updated whenever the English versions are updated.
- E. 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).
- F. Telephone book listings: The Judicial Branch should arrange for blue-page listings for every telephone book to contain a section on "housing sessions" or "housing courts," under which would be listed the telephone numbers for the offices of all housing clerks, prosecutors, and specialists which are covered by that particular telephone book.
- G. 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.
- H. 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.
- 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. Claim of exemption form: The claim of exemption form should be modified to include an order and a place for the judge's signature.
- K. Trial schedule: The Judicial Branch should attempt to maintain scheduling of summary process trials so that, if a case does not settle on its scheduled trial date, it will be tried on the same day. In courts where a same-day trial is not administratively practical, the trial should be held within one week.

## II. Housing specialist issues

- A. Staff vacancies: The Judicial Branch should maintain full staffing for housing specialists and should, as a result, withdraw the layoff notice to the New Haven housing specialist and waive the hiring freeze so that a housing specialist can be replaced in Hartford.
- B. Computers: The Judicial Branch should assure that each housing specialist has access to a computer.

## III. Prosecution and code enforcement issues

- A. Prosecutor Manual update: The Chief State's Attorney and the housing prosecutors should finalize the revised Housing Prosecutors Manual.
- B. 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.
- C. Commercial code prosecutions: The Chief State's Attorney should assure that prosecutions of commercial code violations remain in the housing court if brought there and are transferred to the housing court if they are brought to the regular criminal docket. C.G.S. §47a-68(f) should be amended to make clear that code violations on commercial property are "housing matters" within the jurisdiction of the housing courts.
- D. Supervision of housing prosecutors: The Chief State's Attorney should clarify lines of supervisory authority so that it is clear that individual housing prosecutors are responsible to the Supervisory Assistant State's Attorney for Housing Matters and, through that supervisor, to the Chief State's Attorney, not to the judicial district state's attorneys.
- E. Prosecutor staffing: The layoff of the eastern Connecticut prosecutor should be withdrawn.

IV. Judicial issues

A. 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 (a) revise the Advisory Council's small claims booklet in conjunction with the Advisory Council, (b) continue to issue annual addenda, particularly for changes in the security deposit interest rate, (c) assure that all new magistrates receive a copy of the booklet as part of their training process, and (d) provide for updating the 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.

VI. Carryover recommendations

- 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 in the non-housing court districts to provide pro se assistance.
- D. Law student mediation program: Law schools in the Connecticut area should be encouraged to consider replicating the mediation clinics of the University of

Connecticut Law School and the Quinnipiac University Law School.

- E. 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.
- F. Full-time nature of prosecution position: The eastern Connecticut prosecutor should be assigned full-time to housing matters.
- G. Recording of criminal dispositions: All conditions of nolle and probation in housing prosecutions should be recorded by the in-court clerk on the docket sheet.
- H. 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.
- I. Consultation in the hiring of housing prosecutors: A representative of the Advisory Council should be included in the panel selecting new housing prosecutors.
- J. Standards for the hiring of housing prosecutors: The Criminal Justice Commission (or any other entity hiring housing prosecutors) 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 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, police departments, and neighborhood groups; and (4) a willingness to work cooperatively with the Advisory Council on issues of mutual concern.



## 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 2003.

### 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 and New Britain housing Courts has proved beneficial to both staff and litigants. The implementation of computerization in the New Haven Housing Court has now been completed. The computerized housing courts can be accessed from the Judicial Branch's web site, thereby making it easier for attorneys and litigants to check the status of cases and relieving pressure on the telephone systems in the clerks' offices. The Council is pleased by these developments. The next step is to extend computerization to the remaining housing courts. The Judicial Branch should move quickly to implement statewide expansion. In addition, the Council recommends that, in the long term, the Judicial Branch make housing civil and small claims cases available on its web site.

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).

The Council also recommends that the Judicial Branch explore ways to increase the ability of the housing court computer system to manipulate data. This is particularly important for conducting studies of the housing courts. While much data is entered into the system's data base, it appears that the ability of the system to compile and classify that data is limited. In the past, for example, manually-conducted studies of the housing courts have correlated data involving case-processing time frames, representation by attorneys and the impact on case outcomes, numbers of motions filed, and many other factors. It appears that, even after computerization, much of this information can still be analyzed only by manual methods. A more flexible system would help enhance understanding of how the housing courts operate in practice.

B. 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 available on the Judicial Branch web site. In addition, The Tenant's Guide is available Spanish. The Council

is pleased that Rights and Responsibilities is now available in Spanish. It is important that all pro se tenant pamphlets be kept current in Spanish as well as in English.

C. 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. The Judicial Branch's own 1986 study recommended toll-free telephone lines but, 16 years later, its recommendations have still not been implemented. 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).

D. Telephone book listings: The Council has long been concerned about the difficulty for pro se litigants in finding the telephone number of the appropriate housing session clerk's office in the blue pages, particularly in the non-housing court districts, where housing cases are handled as G.A. matters. The reorganization and consolidation of telephone books by SNET, combined with the Judicial Branch's decision to greatly expand its court listings, has to some extent resolved this problem. For example, the Hartford telephone book now includes blue page listings for every court location in the state, thereby including such a non-housing court district as Vernon. Within the blue pages, however, the way in which housing clerk's offices are listed seems somewhat erratic. For example, the Hartford clerk's office is listed as "Housing Court" under the "Hartford-New Britain Judicial District." It is also listed as "Housing Session" under G.A. 12 (Manchester) and G.A. 14 (Hartford) but is not listed at all under G.A. 15 (Enfield), which is also part of the Hartford Housing Court district. There is no listing for housing under G.A. 10 (New London), G.A. 19 (Vernon) or G.A. 21 (Norwich) nor is there one under New London Judicial District; but there is a listing for "Housing Session" in G.A. 18 (Bantam) and for "Housing Court Specialist" under G.A. 5 (Derby).

The Council suggests that these listings be reviewed with the goal of making it easy for pro se litigants to find the telephone number of the clerk's office of the appropriate court which handles housing matters. In particular, the Council believes that the Judicial Branch should substantially restructure the way in which the housing sessions are listed in the blue pages. First, the listings for the housing sessions should appear under "Housing" rather than under "Judicial Branch." Under "Judicial Branch," there should be a separate listing for "Housing Sessions" or "Housing Courts" (not under any particular Superior Court location) which should cross-reference the reader to the "Housing" section of the blue pages. Second, in the newly created "Housing" section, the blue pages should list all housing locations (both housing courts and G.A. courts which handle housing) which serve any of the towns in the geographic territory covered by the particular phone book. Because J.D. and G.A. boundaries do not necessarily follow the service areas for telephone books, the identification of which locations to list should be done with care to make sure that housing information is provided for every town in the phone book service area. For each such housing session location, there should be a telephone listing for (a) the clerk's office, (b) the housing specialist's office, and (c) the housing prosecutor's office. It is the Council's belief that this approach would more closely reflect the realities of pro se litigants who, in turning to the telephone book to find help, are far more likely to look under "Housing" than under "Judicial Branch." In addition, the detailed listings for housing under the separate judicial district and geographical area courts would become unnecessary.

E. Housing court relocations: The Council continues to be excluded from discussions involving relocation plans for the housing courts. Much of the confusion about the relocation of the Bridgeport Housing Court could have been reduced or avoided if the Council had been included in the planning process from the beginning. More recently, decisions about whether the Norwalk Housing Court will or will not be moved to Stamford have been made without any consultation with the Advisory Council. The issue for the Council goes well beyond whether the relocation decisions which are made are desirable or undesirable. It goes to the process by which those decisions are made. 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. The Council cannot perform its statutory advisory function if it is offered no information and is excluded from the process.

F. 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. The Council believes 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 prosecutors. 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). The Chief State's Attorney's Office has, at the Council's request, developed a list of those statutes. We urge the Judicial Branch, in conjunction with the Chief State's Attorney's Office, to work out a mechanism for implementing this proposal.

G. 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. Security partitions should also be designed so that they can be slid into an open or closed position by clerk's office staff.

H. Claim of exemption form: The claim of exemption form should be modified to include an order and a place for the judge's signature.

I. 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. A comprehensive study of the Hartford court in 1995 found a median disposition time (return day to date of final judgment) of 20 days for all cases and 27 days for contested cases, with more than 90% of all cases and 85% of contested cases going to judgment within six weeks of the return day. The computerization of the Hartford Housing Court now permits very quick spot studies of that court to be done. Those continue to show median disposition times of 2½ to 3 weeks for all cases and 3 to 4 weeks for contested cases. For example, the median disposition time in the Hartford Housing Court for the period July 1, 2001, to June 30, 2002, was 19 days for all cases and 23 days for contested cases, a time reduction from the earlier study even though the number of contested cases has grown since 1995. About 93% of all cases and 91% of contested cases went to final judgment within 60 days of the return date. The medians for New Britain were even smaller -- 18 days for all cases and 20 for contested cases, with 95% of all cases (including contested cases) under final judgment within 60 days of the return date.

Nevertheless, the Hartford Housing Court, which has the heaviest caseload of all housing courts, during 2001 had some slowdowns which particularly impacted those cases which the housing specialists were unable to settle. The Advisory Council believes that cases which do not settle on the day scheduled for trial should be tried on that day or, if that is not administratively practicable, within one week of that day. It appears that, in most housing court locations, cases which do not settle receive a same-day trial. For much of 2001, however, the delay in Hartford was longer than the one-week maximum recommended by the Council. The Council believes, however, that this problem has now been largely resolved and that Hartford cases are again ordinarily within the recommended parameters. Especially when considered in light of the heavy caseload of the housing courts, this is a credit to the housing court and the efficiency of their staffs. Despite the volume of cases, case processing remains rapid throughout the state.

## II. Housing specialist issues

A. Staff vacancies: There is presently one vacant housing specialist position in Hartford, for which hiring has been affected by the state's freeze on new hiring. In addition, the Judicial Branch has issued a layoff notice to one of the New Haven housing specialists. These staff reductions are likely to overload the remaining housing specialists and result in unavoidable slowdowns, which will in turn impact the ability of the housing courts to process cases quickly. The layoff and freeze also violate the statutory requirements for minimum housing specialist staffing. The layoff notice should be withdrawn and the freeze should be waived so that these positions can be filled promptly.

B. 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. Prosecutors' Manual: The Council is pleased that the housing prosecutors' manual is now in the final stages of being updated. The Council has submitted comments. The Council urges the Chief State's Attorney to finalize the Manual as soon as possible.

B. 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.

C. Prosecution of commercial code violations: Although the division of the Superior Court handling housing matters is commonly referred to as the "housing" court, its jurisdiction is not in fact limited to housing. For example, the housing courts handle all summary process cases, without regard to whether they are residential or commercial. Under C.G.S. 47a-68(f), housing court jurisdiction also includes "all actions involving one or more violations of any state or municipal health, housing, building, electrical, plumbing, fire or sanitation code," without regard to whether the premises are commercial or residential. The requirement of C.G.S. 47a-68(f) that code enforcement affect occupants of housing applies only to the final catch-all phrase of the subsection, "any other statute, ordinance or regulation." Because there is ambiguity in this language, however, the State's Attorney's Office has sometimes been reluctant to have code enforcement cases involving commercial property be transferred to the housing courts.

The Council believes that the existing statutes give the housing court jurisdiction over commercial health and safety code enforcement. It therefore recommends that the Chief State's Attorney assure that such cases are filed in or transferred to the appropriate housing court. In addition, to eliminate any ambiguity in the statute, the Council recommends that C.G.S. 47a-68(f) be amended to read as follows:

(f) All actions involving one or more violations of any state or municipal health, housing, building, electrical, plumbing, fire or sanitation code, INCLUDING VIOLATIONS OCCURRING IN COMMERCIAL PROPERTIES, or OF any other statute, ordinance or regulation concerned with the health, safety or welfare of any occupant of any housing.

D. Supervision of housing prosecutors: Under C.G.S. §51-278(b), all housing prosecutors are "designated" by the chief state's attorney. It was the intent of P.A. 84-445, which adopted this provision, that such prosecutors be responsible to the Chief State's Attorney. As a result, supervision of housing prosecutors, particularly in regard to matters affecting housing prosecution policy, should be by a clear chain which leads through the Supervisory Assistant State's Attorney for Housing Matters to the Deputy Chief State's Attorney and the Chief State's Attorney. On occasion, questions have arisen as to the role of state's attorneys in the supervision process. It is important that the lines of supervision be clear and that there be a

consistent housing prosecution policy throughout the state. The Council believes that the Chief State's Attorney has taken desirable steps to implement this policy by the designation of a supervisory attorney for housing prosecution, the updating of the housing prosecutor's manual, and the reestablishment of periodic housing prosecutor meetings. If the state's attorneys play any role at all in supervision (and the Council believes they should not), it should be only as to purely administrative matters and not as to matters of housing prosecution policy. The direct supervisor of the housing prosecutors should be the Supervisory Assistant State's Attorney for Housing Matters.

E. Prosecution staffing: The housing prosecutor for eastern Connecticut has received a layoff notice. The loss of 25% of housing prosecution staff will interfere with the ability of the housing prosecution system to cover eastern Connecticut. It will also have a serious adverse impact on the ability of all remaining prosecutors to do the outreach to code enforcement agencies, police departments, and neighborhood groups which is part of the role of housing prosecutors. The Council urges that the layoff notice to the eastern Connecticut housing prosecutor be withdrawn.

#### 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 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 and a change in the maximum dollar amount of small claims jurisdiction. The Council recommends that the booklet be revised to incorporate those changes and that a copy of the revised booklet be distributed to all current magistrates and to new magistrates as part of their initial appointment process. The Judicial Branch should continue to distribute an annual addendum updating the table of minimum security deposit interest rates and to provide for

publication of revisions of the booklet whenever the Council determines that a revision 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 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.

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 court officials most directly involved in the housing courts, and particularly with the Chief Clerk for Housing Matters, the Chief Housing Specialist, and the Chief Supervisory Assistant State's Attorney for Housing Matters, has been excellent; and the Council is very pleased with their openness to new ideas and their responsiveness to comments. In addition, the Council continues to have 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 in the non-housing court districts to provide pro se assistance.

D. Law student mediation program: Law schools in the Connecticut area should be encouraged to consider replicating the mediation clinics of the University of Connecticut Law School and the Quinnipiac University Law School.

E. 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.

F. Full-time nature of prosecution position: The Council is pleased that there seems to be a greater recognition that the primary function of the eastern Connecticut housing prosecutor is housing prosecution and that the prosecution of housing cases should therefore take priority over any other cases to which that prosecutor is assigned. Nevertheless, a substantial portion of the caseload of the eastern Connecticut prosecutor continues to be motor vehicle violations. The Council believes that the eastern Connecticut prosecutor should be assigned full-time to housing matters.

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

H. 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.

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

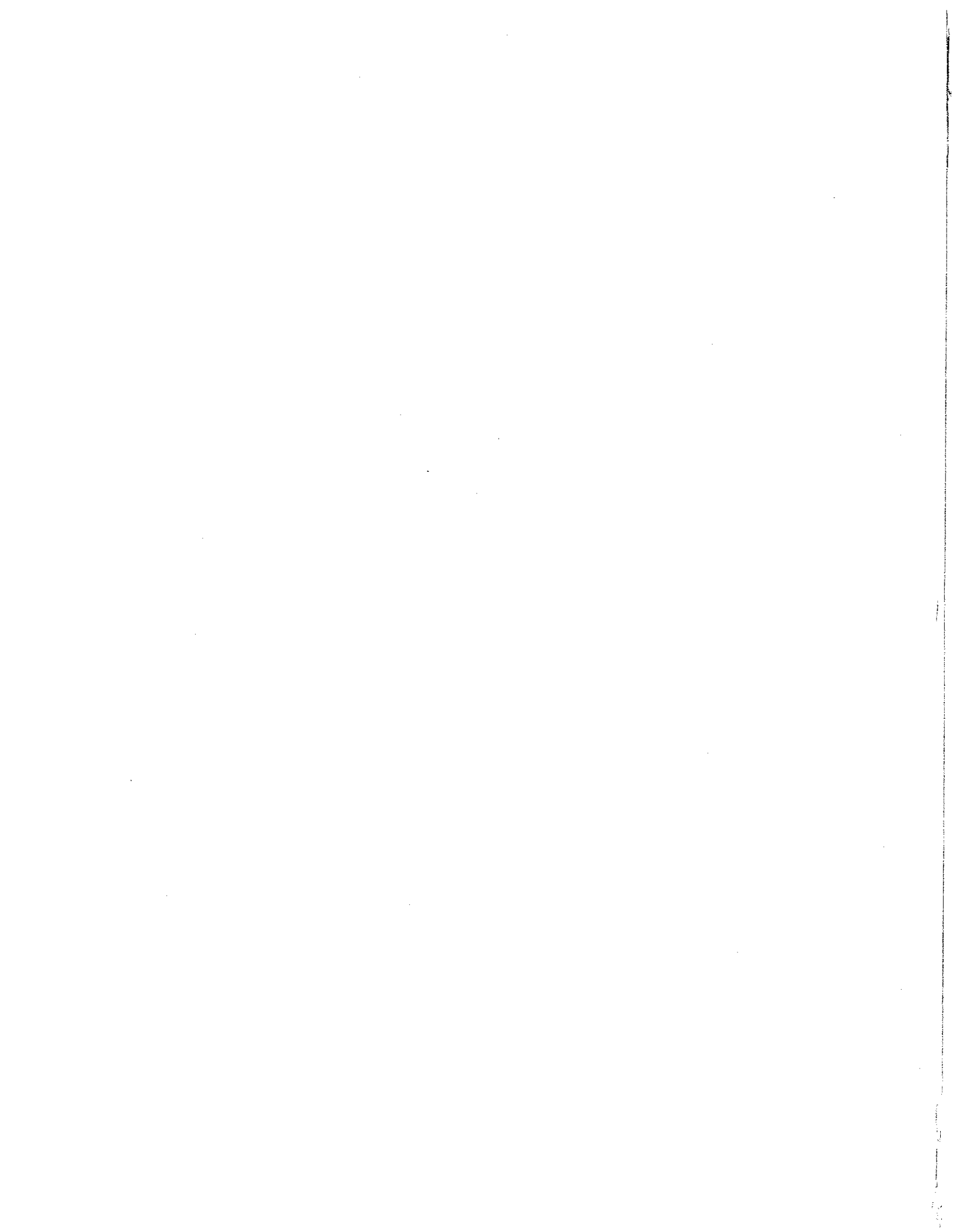


J. Standards for the hiring of housing prosecutors: The Criminal Justice Commission (or any other entity hiring housing prosecutors) should assure that the following four standards are included in the evaluation of applicants: (1) commitment to decent housing, as required by C.G.S. §51-278(b)(1)(B); (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, local police departments, and neighborhood groups; and (4) a willingness to work cooperatively with the Advisory Council on issues of mutual concern.

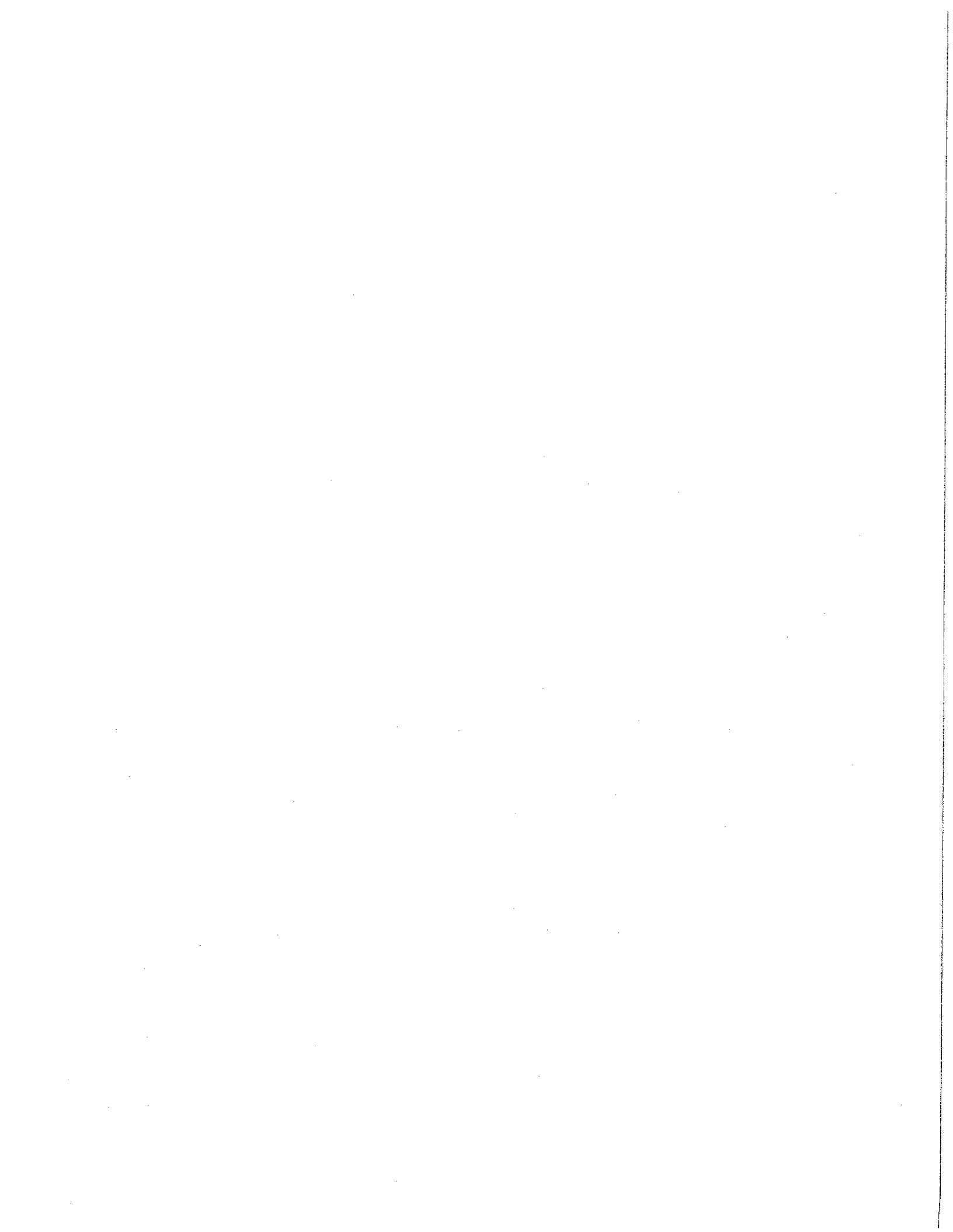


## LIST OF APPENDICES

Appendix A	Map of housing court districts
Appendix B	Housing Court Act
Appendix C	Table of housing caseloads
Appendix D	List of housing court judges
Appendix E	Status of 2001 Citizens Advisory Council recommendations







## APPENDIX B

### HOUSING COURT ACT as amended through December 31, 2002

#### **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:...(3) housing matters as defined in section 47a-68, except that (A) in the judicial districts of Hartford, New Britain, New Haven, Fairfield, Waterbury, Middlesex, Tolland 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 New Britain such matters shall be heard by the judge assigned to hear housing matters in the judicial district of Hartford, 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

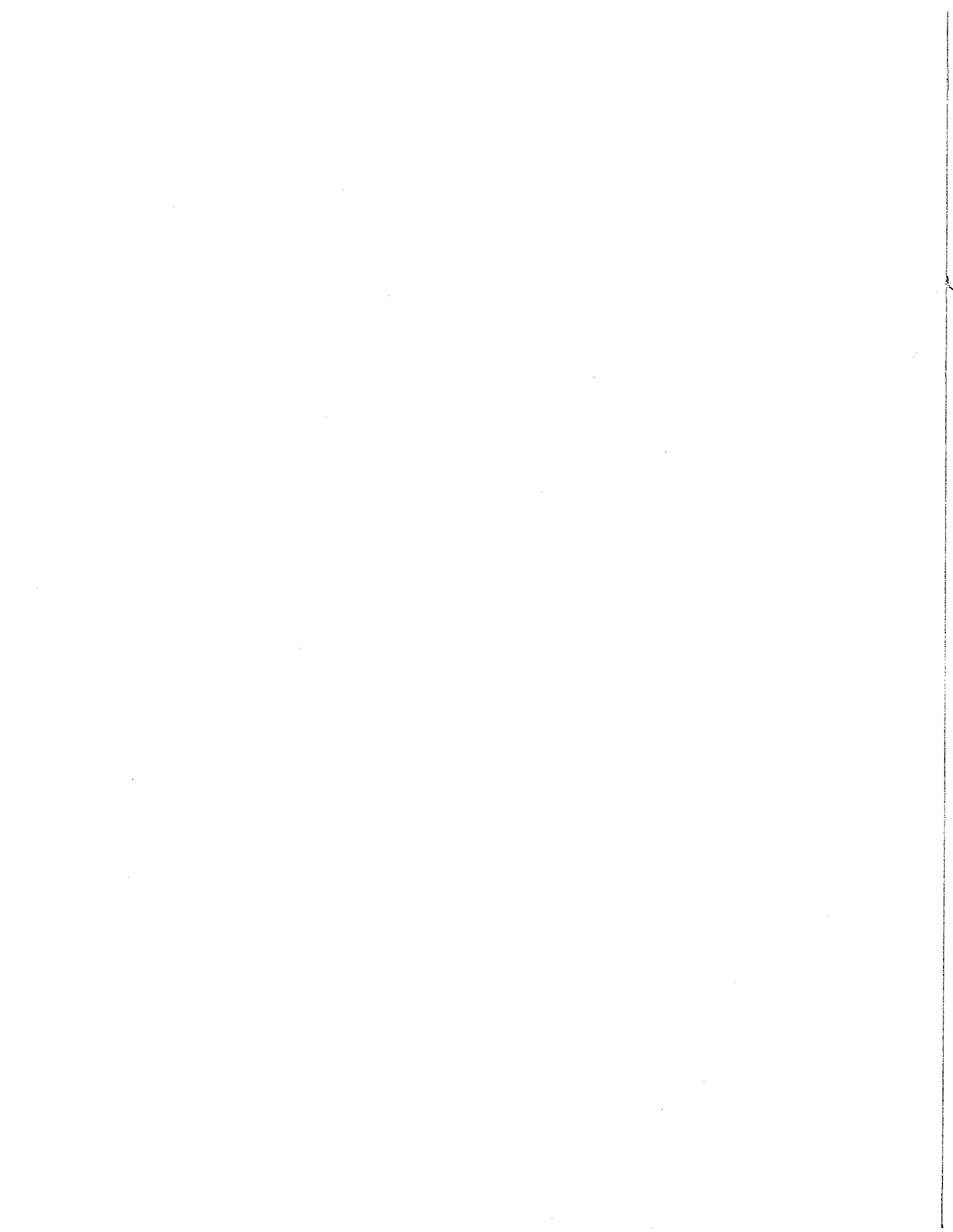
HOUSING CASELOADS

July 1, 2001 to June 30, 2002

	<u>Summary</u>	<u>Increase since</u>	<u>Small</u>	<u>Civil</u>	<u>Criminal</u>	<u>%summary</u>			
	<u>process</u>	<u>1999-00</u>	<u>1983-84</u>	<u>claims</u>	<u>47a-14h</u>	<u>process</u>			
					<u>(n. 1)</u>				
					<u>Total</u>				
<u>Housing courts</u>									
Hartford-New Britain									
Hartford	5,004	- 9.6%	+11.0%	745	203	20	95	6,067	82.5%
New Britain	<u>2,176</u>	<u>- 9.1%</u>	<u>+112.3%</u>	<u>279</u>	<u>59</u>	<u>2</u>	<u>57</u>	<u>2,573</u>	<u>84.6%</u>
	7,180	- 9.5%	+29.7%	1,024	262	22	152	8,640	83.1%
New Haven-Waterbury									
New Haven	3,987	- 6.0%	+58.7%	474	483	10	132	5,086	78.4%
Waterbury	<u>1,906</u>	<u>- 0.2%</u>	<u>+106.9%</u>	<u>265</u>	<u>51</u>	<u>1</u>	<u>154</u>	<u>2,377</u>	<u>80.2%</u>
	5,893	- 4.2%	+71.6%	739	534	11	286	7,463	79.0%
Bridgeport-Norwalk									
Bridgeport	2,959	+ 0.4%	+34.4%	292	179	8	133	3,571	82.9%
Norwalk	<u>1,311</u>	<u>- 9.1%</u>	<u>+ 7.5%</u>	<u>240</u>	<u>178</u>	<u>3</u>	<u>34</u>	<u>1,766</u>	<u>74.2%</u>
	4,270	- 2.2%	+24.8%	532	357	11	167	5,337	80.0%
Total	17,343	- 6.0%	+37.8%	2,295	1,153	44	605	21,440	80.9%
<u>Non-housing court districts (n. 2)</u>									
Meriden (n. 3)	625	-23.3%	+215.7%	128	13	0	0	766	81.6%
Eastern Connecticut									
New London (GA 10)	1,023	+ 7.6%	+51.6%						
Norwich (GA 21)	760	+ 6.4%	+71.6%						
Danielson (GA 11)	742	+ 4.5%	+100.0%						
Rockville (GA 19)	397	-15.2%	+43.8%						
Middletown (GA 9)	<u>561</u>	<u>+12.4%</u>	<u>+46.9%</u>						
	3,483	+ 4.2%	+62.2%						
Western Connecticut									
Danbury (GA 3)	393	-21.2%	+20.6%						
Bantam (GA 18)	<u>514</u>	<u>+18.2%</u>	<u>+185.6%</u>						
	907	- 2.9%	+79.2%						
Derby (GA 5)	407	+20.1%	+ 7.7%						
Total	<u>5,422</u>	<u>- 0.1%</u>	<u>+67.9%</u>						
<u>Connecticut total</u>	22,765	- 4.7%	+45.8%						

Summary: 76.2% of all summary process cases are filed in the housing courts. 80.9% 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	
1-1-83 John Maloney	Paul Foti	Margaret Driscoll (10-1-82)
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	Margaret Driscoll
1-1-86 Samuel Goldstein	Jerrold Barnett	Thomas Gerety
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	Thomas West
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	Morton Riefberg
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	CN Riddle/Douglas Mintz	L. Scott Melville
9-1-94 Alexandra DiPentima	Douglas Mintz	L. Scott Melville
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.	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 Lois Tanzer	Bruce L. Levin	Leonard M. Cocco
9-1-99 Lois Tanzer	Edward J. Leavitt	Leonard M. Cocco
9-1-00 L. P. Sullivan/J. L. Crawford	Edward J. Leavitt	Leonard M. Cocco
9-1-01 Juliette L. Crawford	Edward J. Leavitt	Leonard M. Cocco
9-1-02 Angelo L. dos Santos	Edward J. Leavitt	Leonard M. Cocco



## APPENDIX E

### STATUS OF 2001 CITIZENS ADVISORY COUNCIL RECOMMENDATIONS

#### I. Clerk's office issues

- |   |  |
|---|--|
| A. <u>Computerization of the housing courts</u> : 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). | Computerization has been extended to New Britain and is complete in New Haven. The piloting of a paperless system remains on hold. |
| B. <u>Web site access</u> : The dockets of the housing courts should be added to the Judicial Branch web site as soon as possible.  | Implemented in those housing court locations which have been computerized.   |
| C. <u>Bilingual materials</u> : <u>Rights and Responsibilities of Landlords and Tenants in Connecticut</u> and <u>The Tenant's Guide to Summary Process</u> should be published in Spanish; and the Spanish versions should be updated whenever the English versions are updated.   | Implemented.   |
| D. <u>General availability of housing publications</u> : 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.   | Implemented.   |
| E. <u>Staff vacancies</u> : 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.   | A new clerk was hired for Norwalk, but candidates were limited to Judicial Branch employees.                                       |
| F. <u>Toll-free call-in lines</u> : 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).   | Not implemented.   |
| G. <u>Telephone book listings</u> : The Judicial Branch should arrange for blue-page listings for every telephone book so that  | Partially implemented.   |

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. Not consistently implemented.
  - 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. Not implemented
  - 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. Implemented by Practice Book change.
- II. Housing specialist issues
- A. Computers: The Judicial Branch should assure that each housing specialist has access to a computer. Partially implemented.
- 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. Not implemented.
  - 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.. Implementation nearly completed.
  - 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 Not implemented.



officers.

#### IV. Judicial issues

##### A. 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. Not implemented.

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. Not implemented.

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. No need for implementation as yet.

#### 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. Not consistently implemented.

#### VI. Carryover issues

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. Not implemented.

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. Not implemented.

- 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. Not implemented.
- 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. A new mediation clinic has been initiated by the Quinnipiac University School of Law.
- 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). Not implemented in this form, but some centralization of responsibility has been adopted through the designation of one of the housing prosecutors as a supervisory prosecutor, the updating of the prosecutors' manual, and the resumption of periodic housing prosecutor meetings.
- 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. Not implemented.
- G. 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 prosecutor should be assigned full-time to housing matters. Not implemented, although it appears that greater priority is being given to housing matters.
- H. Recording of criminal dispositions: All conditions of nolle and probation in housing prosecutions should be recorded by the in-court clerk on the docket sheet. Not implemented.
- I. 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 manner. It appears that, to the extent interim monitoring occurs, it is through the housing prosecutors. It is not clear, however, to what extent monitoring occurs prior to the end of the probation/accelerated rehabilitation

and proper manner.

period.

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

Not implemented.

K. 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 Council's standards for housing prosecutors are included in the evaluation of applicants.

Not clear whether or not there has been implementation.