



THE CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS

November 22, 1985

MINUTES OF THE MEETING OF THE HARTFORD-NEW BRITAIN SUBCOMMITTEE OF NOVEMBER 20, 1985

Members present: Elaine DiNigris, Melanee Harris, Robert Kor, Raphael Podolsky

Others present: Robert Finn, Patricia Landau, Joseph Zabbiddeo, David Pels, Linda Bantell, Yolanda Rivera, Sheryl Sha'afi, Hon. Samuel Goldstein

(1) Call to order: The meeting was called to order by Subcommittee Chairperson Robert Kor at 3:45 p.m. on Wednesday, November 20, 1985, in the housing court courtroom at the New Britain Housing Court, 177 Columbus Blvd., New Britain.

(2) Meeting with Judge Goldstein: Chairperson Kor introduced Judge Goldstein, who spoke about the operations of the Hartford-New Britain Housing Court. His remarks included:

(a) New Britain courtroom facilities: The New Britain facilities are small, which often makes it crowded in court. For example, there is not really enough table space in the courtroom for both the landlord and the tenant sides when they are presenting their cases. There are no bathrooms in the basement, where the courtroom is located. The judge's chamber, which is a tiny room with no window, is adjacent to a private business school, the noise from which can be heard through the wall.

(b) Nature of housing court assignment: The housing assignment is a difficult one for a number of reasons, which may make it more difficult in the future to attract volunteers to it. In particular, Judge Goldstein mentioned (i) "the awesome range of issues"; (ii) the need to write opinions with special care; and (iii) the difficulty of dealing with pro se litigants. The range of issues is exceptional because the court has civil, criminal, jury, and small claims dockets, all of which are heard by the same judge. Opinions have to be written with care, because many of them are published in the Connecticut Law Tribune and will therefore be seen and used by other people. This inevitably takes time. Judge Goldstein has already written more than 100 opinions in less than a year on the housing court bench. To keep the number of written opinions manageable, however, he also decides a number of cases from the bench or in the form of orders without opinions; and he rarely writes opinions in small claims cases. The heavy involvement of pro se litigants in the court can also make it difficult for the judge, since many such litigants are unfamiliar with the law and do not understand that judicial decisions must be based on the evidence relevant to the case and not merely on general judgments as to who is a "good" or a "bad" person. Eviction, Judge Goldstein noted, is a speedy procedure; but the price for speed is that the landlord is required to do things correctly. In spite of the difficulty of the assignment, Judge Goldstein said that he is glad to be serving in the housing court and finds the assignment enjoyable. He noted that the housing court is "a tremendous training ground" for a judge.

(c) Housing specialists: The court is experimenting with having the housing specialists pre-try all regular docket civil cases and, if no settlement can be worked out, having such cases assigned for trial on a particular date. This is designed to bring some old cases on the docket to a conclusion. The court will also be using the full day Friday to hear civil trials. This should permit most such trials to be finished in one day, rather than having half of the case heard one day and half on a different day. In response to a question, Judge Goldstein said that the court would explore the possibility of having housing specialists do inspections in Payment into Court Act cases before, rather than after, the first hearing.

(d) Magistrates: Recent legislation authorizes magistrates to hear small claims cases, but the system has not been implemented in any of the housing courts. Judge Goldstein does not know whether or not there are plans to assign magistrates in the future. Magistrates are lawyers who are paid by the Judicial Department to hear cases.

(e) Nature of the housing problem: Judge Goldstein commented that many housing problems are incapable of solution because they cost money, which people do not have. "One of the problems of being poor," he said, "is that you have no money, which limits your options." This affects both tenants and landlords, since housing court cases often involve poor tenants with little money to pay rent and marginal landlords with little money to make repairs. In some ways, he noted, the court would do better dispensing money to people who need it to resolve housing problems than in trying to dispense justice.

(f) Recommendations to the Advisory Council: Judge Goldstein suggested that the Advisory Council consider the following:

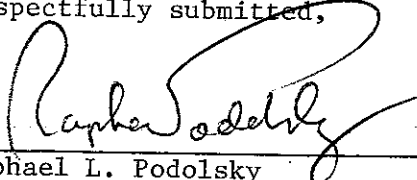
(i) Getting information out to the towns about the availability of code prosecution through the court. Some towns (such as Hartford and Bristol) use the housing court prosecutor heavily. Other towns (such as New Britain and many small towns) use the prosecutor very little.

(ii) Revision of summary process law: Judge Goldstein thinks that it would be desirable to rewrite the Connecticut eviction law in plain language.

(iii) Informing litigants of the limits of the housing court: Many pro se litigants expect the housing court to solve all of their housing problems when, in fact, the powers of a court are limited to resolving particular cases in accordance with the law.

(3) Adjournment: The meeting was adjourned at 5:00 p.m.

Respectfully submitted,


Raphael L. Podolsky
Acting Secretary, Hartford-New Britain
Subcommittee