



CITIZENS ADVISORY
COUNCIL FOR HOUSING MATTERS



Reply to: 80 Jefferson St.
Hartford, CT 06106
860-278-5688 x13

NEXT MEETING

2:00 p.m.

Wednesday, September 20, 2006

Connecticut Bar Association
30 Bank St., New Britain
(860-223-4400 for directions)

Minutes of June 21, 2006 Citizens Advisory Council meeting

Attendees: Robert Chesson, Charles Coviello, Richard DeParle, J. Andre Fournier, Rocco Guarnieri, Jeff Hammer, Abram Heisler, Sharon Levy, Carl Lupinacci, George Papallo, David Pels, Barry Piesner, Rafie Podolsky, Richard Tenenbaum, Penny Trick, Joe Wincze, Noel Whitney

(1) PRELIMINARY MATTERS

- (a) Call to order: The meeting was called to order at 2:15 p.m. by Rafie Podolsky, chairperson.
- (b) Approval of agenda: The agenda was approved with the addition of Item 2(b)(4) below.
- (c) Approval of minutes: The minutes of the March 15, 2006, meeting were approved.

(2) HOUSING COURT OPERATIONS REPORTS

(a) Prosecution

(1) Staffing issues: The chairperson presented the report for Judy Dicine, who was absent. Judy Hayes has access to a part-time secretary in Bridgeport. Judy Dicine is spending so much time on the University of Connecticut case that another prosecutor, Patrice Columbo, will be covering for her in New Haven and Waterbury starting on June 28. Jennifer Barry is helping with the University of Connecticut case, in addition to her regular eastern Connecticut responsibilities, so that she is spending a higher percentage of time on housing and code enforcement matters. No information was available on the use of prosecution interns.

(2) Prosecutors' manual: The manual as drafted has been approved, but the Chief

State's Attorney wants to add a section on administrative search warrants. Judy will provide the Council with a draft of the new section when it is available, so that the Council can submit comments.

(3) Police training manual: Both Penny Trick and Rafie Podolsky had prepared preliminary material for a police training manual. The Council agreed to the use of a question-and-answer format focusing on questions to which police officers are likely to want answers. Areas to be covered will probably include criminal lockouts, no-heat complaints, and property damage. The Committee, which is chaired by Rich DeParle, will work on the manual during the summer and report on its progress at the September Council meeting.

(4) Other police issues: Joe Wincze reported that at least two Bridgeport police incident reports suggest that training by Judy Dicine is having an impact, in that the police there seem to be treating lockouts as criminal matters. He also reported that there has been no response from the prosecutor regarding the lockout policy for Homes for the Brave, which claims to be exempt from the lockout laws. The Chairperson will contact Judy Dicine about the matter.

(b) Clerks

(1) Staffing: The Hartford clerk's office is presently down one clerical assistant and may be down two by next week. Bridgeport has posted for a position but has not successfully found a suitable candidate. There is concern that staff which moves from a housing court clerk's office to the new centralized small claims bureau will not be replaced in the housing court. This is unsatisfactory, because small claims is only a small part of the work which those persons do in the housing court clerks' offices. The Council believes it is important that all vacant clerical positions be filled. The Chairperson was authorized to communicate the Council's position to the Judicial Branch if necessary.

(2) Electronic case-reporting services: Discussion was tabled to the September meeting in light of Houston Putnam Lowry's absence. Sharon Levy and Abram Heisler were added to the committee. The committee will explore whether the Council can effectively press electronic case-reporting services to incorporate all numbered housing court decisions into their data bases. The practical problem is determining which of those decisions are already incorporated and which are not. There are more than 2,600 such decisions.

(3) Housing court decision availability: It appears that some law libraries do not have current sets of the housing court decisions. The Council believes that all law libraries are supposed to be receiving copies of all decisions. Sharon Levy and Abram Heisler were appointed as a committee to attempt to make sure that the law libraries all have and will maintain current sets of the housing court decisions.

(4) Cell phones in the courthouse: David Pels reported that the Hartford courthouse no longer allows the general public to bring cell phones into the building. In the past, the ban on cell phones was limited to camera phones, and the security staff would tag and hold such phones at the entry desk so that litigants could enter the building. The security staff will no longer hold phones. Under the new policy, at least one pro se litigant was defaulted in a summary process case after being barred from the building because she was carrying a cell phone. It appears that the policy is not uniform among all court locations. In some, the

security staff will tag and hold cell phones, and in some the ban is limited to camera phones. The Council was concerned about a policy which could result in litigants being unable to get to the courtroom. The policy seems to have the greatest potential for harm to litigants who come to court without a car and therefore cannot store a cell phone in the car.

After discussion, the Council recommended that (a) all notices of housing court hearings should contain a conspicuous explicit statement of the cell phone rule that is being enforced at the courthouse and (b) any prohibition of cell phones be limited to those which have a camera or would otherwise violate Section 1-10 of the Practice Book. The Chairperson was directed to communicate the Council's views to the Judicial Branch.

(c) Housing specialists: Discussion was tabled in light of Cynthia Teixeira's absence.

(3) JUDICIAL ASSIGNMENTS FOR 2006

The Chairperson reported. Contrary to its usual practice, the Chief Court Administrator's Office gave the Council only one day to respond after providing information related to judge assignments for September. As a result, the Council was forced to provide feedback without invoking its usual subcommittee procedure. The Council requests that, in the future, the Chief Court Administrator provide it with a more reasonable amount of time to respond. In regard to specific assignments, the Council voted to inform the Chief Court Administrator that it wishes to include Judge Cocco's name on its list of recommended judges for the Bridgeport-Norwalk Housing Court. The Chairperson was directed to convey this information to the Chief Court Administrator.

(4) 2007 BIENNIAL REPORT

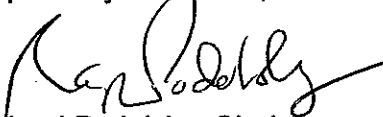
The Chairperson will draft the report, based on the 2005 report, for discussion at the September Advisory Council meeting. The intention is to revise the report at that meeting and to approve a final draft at the December meeting.

(5) ADVISORY COUNCIL APPOINTMENTS

The Chairperson reported. The Governor is considering appointments and reappointments to the Council. Anyone interested in appointment should submit a letter of interest to the Governor. It is not known how soon appointments are likely to be made.

(6) ADJOURNMENT: The meeting was adjourned at 4:15 pm.

Respectfully submitted,


Raphael Podolsky, Chairperson