



CONNECTICUT ADVISORY COUNCIL ON HOUSING MATTERS



Reply to: 16 Main St., 2nd floor
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NOTICE OF THE NEXT MEETING

2:00 pm

Wednesday, September 11, 2019

**Quinnipiac University Law School, Room 317
370 Bassett Rd., North Haven, CT**

Please mark the date on your calendar.

Minutes of the meeting of June 12, 2019

(assignments for the next meeting in boldface type)

Council members present: Michael Clinton, Richard DeParle, Kathy Flaherty, Venoal Fountain, Carl Lupinacci, Stephanie Ma, Yamini Menon, David Pels, Raphael Podolsky, J.L. Pottenger, Jr., Dave Purvis, Richard Tenenbaum, John Wirzbicki

Council members absent: Loo Dahlke, Jane Kelleher, Houston Putnam Lowry, Samuel Neves, Margaret Suib

Others present: William Pitt (Judicial), Nancy McGann (Judicial), Judith Dicine (Div. Criminal Justice), Jeff Mastrianni, V. Edward Quinto

The meeting was called to order by the Chairperson, Raphael Podolsky, at 2:08 pm at the Quinnipiac University Law School, Legal Clinic (3rd floor, Room 317), 370 Bassett Road, North Haven, CT.

1. Preliminary matters
 - a. Approval of agenda – The agenda was approved unanimously on a motion made by Richard Tenenbaum, seconded by Yamini Menon.
 - b. Approval of the minutes – The minutes of the March 13, 2019 meeting were approved unanimously on a motion by John Wirzbicki, seconded by Stephanie Ma.
2. Public comment – None.
3. Selection of deputy secretary – Tabled, since no members of the Council volunteered for the position.

4. Committee reports

- a. Computer Data and Research Committee: **Raphael Podolsky will draft a document including proposed categories/computer fields for research/data purposes and then schedule another meeting of this committee.** If members have suggestions for categories or fields that would be helpful in collecting data for analysis of summary process, please get those suggestions to him. One other question for the committee: How is e-filing working and how is the process going?
- b. Forms Committee: The four most recently-revised forms will be circulated to members of the committee and there will be a meeting of this committee before the next Council meeting. **Jay Pottenger will organize circulation and comments.** Nancy McGann from Judicial noted that, if the Council has recommendations, they should be submitted to her and Bill Pitt for circulation within the Branch. Forms go through multiple levels of review before they are revised. Jeff Mastrianni was added to this committee. A question was also raised about the inconsistency of the various judges' military affidavit requirements for John and Jane Does on default judgments. **The issue was referred to the Forms Committee. See also Paragraph 9 below, which includes an additional referral to the Forms Committee.**

5. Follow up with Judicial Branch on 2019 biennial report

- a. Judge Elizabeth Bozzuto is the new Deputy Chief Court Administrator. The Chairperson has spoken with her about meeting with the Council. He is trying to set up an initial small group meeting with Judge Bozzuto and six or seven Council members, probably in Hartford at the Supreme Court building. Possible topics for discussion at the meeting were identified by the Council, including: the wording and placement of the disclaimer on the Judicial Branch website and the misuse of data obtained from the website, the designation of clerks for housing matters in New Britain and Waterbury, the location of the housing court within the Bridgeport court house, the role of the Advisory Council in the assignment of housing court judges, and the degree of procedural advice for self-represented litigants available in non-housing court districts. The disclaimer issues require a balancing of transparency against the inappropriate use of public information. Bill Pitt noted that the Judicial provides procedural rather than substantive assistance and that he has done training at the non-housing court locations. He also noted that the amount of available assistance is sometimes driven by what a particular judge wants done. Nancy McGann noted the presence of court service centers for providing information to self-represented litigants. The following members of the Council indicated interest in participating in the meeting with Judge Bozzuto: Michael Clinton, Venoal Fountain, Yamini Menon, J.L. Pottenger, Jr. Kathy Flaherty, Raphael Podolsky.

6. Updates

a. Prosecution

- i. Police/prosecutor manual – The police training manual is being rewritten. John Kirwan, the new New Haven prosecutor, is assisting in the rewrite. The goal is completion this calendar year. The Advisory Council will have an opportunity to review and comment on the draft. There is no plan to rewrite the prosecutors' manual.
- ii. Use of restraining orders – V. Edward Quinto raised the question of the impact of family violence restraining orders on the respondent's ability to remain in the household or reclaim possessions. The Council expects to address the issue in the context of its review of the police training manual.
- iii. New prosecutor – John Kerwin is the new prosecutor in New Haven/Waterbury.
- iv. Outreach – The plan is to reach out to every judicial district over the summer for local trainings on housing issues for state's attorneys, to be followed by health and safety code trainings in the fall. The emphasis is on re-training across the state.
- v. Coverage: Maura Coyne covers Fairfield County; John Kerwin covers New Haven/Waterbury; Diane Parker covers Hartford/New Britain, Middletown, and New London; and Judith Dicine covers districts not otherwise assigned.
- vi. Criminal cases data base – The State's Attorney's Housing Unit (which has been renamed the Housing Bureau), is reviewing criminal housing statutes to see how they are coded so as to create an internal data base that they can be tracked. The data base will include negotiation-only cases but not cases that are handled by someone other than a housing prosecutor.
- vii. Hoarding conference – Atty. Dicine is organizing a conference on the legal aspects of hoarding for September 6, 2019. There were three fatalities in Connecticut last year resulting from hoarding. Information about the conference will become available at www.ct.train.org.
- viii. Prosecution data: The legislature this year adopted S.B. 880 (Public Act 19-59, which requires the Division of Criminal Justice to collect extensive data on the cases it prosecutes, including demographic data on the race, sex, ethnicity, and age of defendants).

b. Clerks' offices

- i. Case processing time – Bill Pitt reports that all courts have same-day trials currently
- ii. Staffing – Seven people are doing housing mediation. Judicial hopes to bring two more people on board (2 slots are not yet authorized). There is a freeze on clerks. They are trying to get an assistant for Waterbury and a Temporary Assistant Clerk for Bridgeport/Norwalk.

c. Lawyer for a day – J.L. Pottenger described this pilot program

- d. Mediators and mediation – The Judicial Branch's online mediation program began on January 2. The program is only for regular-docket (not small

claims) civil contract cases and involves voluntary mediation using housing mediators (but the cases are not housing cases). Judicial would like to see more defendants opt in to the program. If successful, it could expand to a broader range of cases.

7. Legislative report – The Chairperson provided a handout on legislation adopted in 2019 of likely interest to the Advisory Council (attached as Appendix A).
8. Access to online data -- The Council discussed the extent to which individual summary process case information should be available online and how to control its use. Questions raised included: Should one have to sign in to use state database? Should there be a statutory penalty for failure to use data appropriately? Should there be a shorter time period during which data can be accessed online? **The issue was referred to the Forms Committee for further discussion and recommendation.**
9. Adjournment –a motion to adjourn was made by Michael Clinton and seconded by Venoal Fountain

The meeting adjourned at 4:04 pm.

Respectfully submitted,

Kathleen Flaherty
Secretary

NEXT MEETING -- 2:00 pm, Wednesday, September 11, 2019, Room 317, Quinnipiac Law School Library, 370 Bassett Rd., North Haven, CT

Housing legislation adopted in 2019 session

SB 996	Commercial lockouts (§5)
SB 926	Advance anti-homelessness rental payments
HB 7424	DOH study of DCF-related families on RAP and RAP waiting list
HB 7424	State Elderly/Disabled pilot
SB 1070	“Party in interest” receiverships for abandoned or blighted properties in towns of 35,000+ population
HB 7225	Disclosure of subsidized housing ownership
HB 6996	Four-year extension of Foreclosure Mediation Program