

*Division of Public Defender Services
State of Connecticut*

ATTORNEY CHRISTINE PERRA RAPILLO
DIRECTOR OF DELINQUENCY DEFENSE & CHILD PROTECTION

**COMMITTEE ON THE JUDICIARY
MARCH 13, 2017**

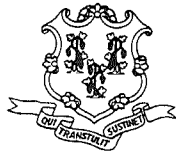
**TESTIMONY OF CHRISTINE RAPILLO
DIRECTOR OF DELINQUENCY DEFENSE AND CHILD PROTECTION
OFFICE OF CHIEF PUBLIC DEFENDER**

**Raised Bill 7195, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF
THE TASK FORCE TO STUDY METHODS FOR IMPROVING THE
COLLECTION OF PAST DUE CHILD SUPPORT.**

The Office of Chief Public Defender is concerned that passage of Raised Bill 7195, An Act Implementing the Recommendations of the Task Force to Study Methods for Improving the Collection of Past Due Child Support would result in a significant fiscal impact on the Division of Public Defender Services (DPDS). The goal of this bill is to improve the collection of child support in Connecticut. The proposal requires the Judicial Branch to “implement policies and procedures to increase state marshal participation in the serving of *capias mittimus* orders”.

Any proposal that increases the number of executed *capias* orders has a fiscal impact on the Division of Public Defender Services. Public Act 11-51 made DPDS responsible for providing and paying for lawyers for indigent contemnors in child support matters where they face incarceration. Under this law, DPDS provides lawyers for almost every person at risk of going to jail for not paying child support. This work is done by a combination of contracted assigned counsel and staff public defenders across the state. They are assigned to provide services on the days the magistrate court meets in the individual jurisdiction. There is not coverage in every court every day. When there is an executed *capias* on a day where there is no coverage, OCPD either pays a contracted assigned counsel to go to the court or looks for an available staff attorney.

This proposal is designed to increase the number of *capias* orders executed, in an effort to speed the collection of past due child support. This will result in more hearings on more days. Due process requires that the contemnor



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be given a hearing within 24 hours of being picked up, preferably on the day they are picked up. Attorneys will need to be available to provide representation at those hearings. Because of budget cuts, OCPD has decreased the amount of contract attorney coverage and the number of lawyers employed by the Division. Continued efforts to increase the number of executed capias orders will necessitate additional days where a contracted assigned counsel must be paid to represent the contemnors. The Division of Public Defender Services will need to either contract for more days or hire staff to be permanently located in the busiest Family Magistrate Courts.

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