

CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS

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Minutes of the meeting of March 9, 2011

Attendance: Penny Trick, HERC; Rocco Guarnieri, GBPOA; Carl Lupinacci, CCPO / FCPO; David Pels, GHLA; Richard Tenenbaum, CLS; Judith Dicine, OCSA; and Raphael Podolsky, LARCC

The meeting was called to order at 2:00 pm by Raphael Podolsky, chairperson. There was a brief discussion of changing the June meeting to June 16, but no such change was made. In 2011, the Advisory Council will meet at 1:30 pm on the second Wednesday of June, September, and December, as approved at the December meeting. The next meeting is June 8, 2011.

Agenda 1(a): The Agenda was approved.

Agenda 1(b): The minutes of the December 15, 2010, meeting were approved.

Agenda 2(b): Meeting with Judge Quinn

On March 4, representatives of the Advisory Council met with Chief Court Administrator Barbara Quinn to discuss the recommendations in the Advisory Council's biennial report. The chairperson handed out a summary of the meeting.

Bridgeport Housing Court: Judge Quinn is leaving the assignment of courtrooms in Bridgeport up to the Bridgeport Administrative Judge, who has already rejected the Council's recommendation that all housing court functions be returned to the 5th floor. On motion of Mr. Guarnieri, seconded by Mr. Lupinacci, the Council voted as follows:

General principles: (1) All spaces in the Bridgeport courthouse should be appropriate for their function. (2) Signage should be improved. (3) The prosecutor and the prosecutor's secretary should have separate offices. (4) The mediators should have appropriate equipment in any room in which they conduct negotiations, including a computer and a telephone. To the extent that a mediator continues to use the small room on the 6th floor, the lighting should be improved.

If the housing court staff is not moved back to the 5th floor, the following less satisfactory alternatives are recommended, in order of preference:

Alternative #1: Move the prosecutor and the prosecutor's secretary to the 5th floor and move one of the mediators out of the small 6th floor office and into the prosecutor's 6th floor office.

Alternative #2: Relocate one of the mediators to a larger room on the 6th floor.

Alternative #3: Have the mediators do mediation in their 5th floor offices; improve signage to help redirect litigants to the 6th floor after mediation; give the prosecutor an extra room on the 6th floor so that the prosecutor and the secretary can have separate offices.

Computerization: Judicial have been upgrading the computer system, and the housing court computer system will eventually be merged into the new system-wide computer program. The goal is a new system by 2013. It appears, however, that the housing court's computer ability to identify property addresses may be lost in the new the new system, which does not seem to have a field for property addresses. The Advisory Council reaffirmed its position that property addresses in all housing court cases, including summary process and criminal, should be searchable in any new system and that the new system should not reduce the information that is in the current housing court system. It reaffirmed its recommendation that foreclosure cases have fields for property addresses, law days, and sale dates.

Public access to case files: The Council affirmed its view that public access to case files by computer is important. Judicial is reluctant to make it easy for non-attorneys to access files away from the courthouse because of the danger of data mining and privacy breaches. Such information is available to the general public at the courthouse, including via the computer terminals at the court service centers. The Advisory Council agreed to table the matter for now because of the privacy issues but believes that a long-term solution is needed to provide adequate public computer access to files. The Council also believes that it should be possible to provide pro se litigants with a user number so that, at the least, they can access files in cases in which they have an appearance. There was a brief discussion of the Housing Court requiring e-filings in the future.

Criminal case dispositions: To the extent that criminal case dispositions are not being recorded, Judicial will try to make sure that the clerks record them. There is serious doubt that the present computer systems will allow docket numbers to be given to Geographical Area criminal cases so as to identify them as housing cases. The Chief States's Attorney and the Chief Court Administrator have, however, agreed to discuss this issue.

Telephone book listings: Judge Quinn agreed to arrange for a blue pages listing for the housing courts under "HOUSING COURTS" rather than under "JUDICIAL."

Staffing levels: Due to lack of funding, vacant positions for housing mediators and clerk's office support staff are not expected to be filled in the near future.

Bridgeport and Norwalk judicial assignments: It is anticipated that the housing court judicial assignments for Bridgeport and Norwalk will be reunified in September.

Small claims: Judicial agrees that housing matters are to be heard on a separate track from other small claims cases. Rocco Guarneri will try to verify that this is in fact the practice. The time lag has been reduced to about three months, which Judicial considers acceptable. Judicial will look into moving housing small claims hearings in New Haven and Bridgeport into the same building as the housing court clerk's office but does not see their present location as a problem. Judicial will make housing a part of the annual magistrate training. Judicial will work out a no-cost arrangement by which files can be accessed in multi-day trials without requiring a trip to Hartford.

Agenda 3(a): The agenda item concerning the Public Service and Trust Commission was tabled because of the absence of updated information.

Agenda 2(b): The chairperson handed out a summary of the meeting of the Council's Prosecution Subcommittee with Chief State's Attorney Kevin Kane on February 16, 2011. Subjects that Mr. Kane indicated a willingness to pursue include strengthening centralized supervision of the eastern Connecticut housing prosecutor, making housing prosecution a permanent and regular part of the training of all new prosecutors, beginning a training program in housing law for experienced prosecutors in 2012, exploring making greater use of existing investigators in housing prosecutions and including housing in their training program, and including the Advisory Council's recommended standards for housing prosecutors in the evaluation packet used by the panel that hires each housing prosecutor.

Agenda 3(b): A concern was raised at the Council's December meeting about the seizure of cell phones by marshals. Some marshals have required a charitable contribution before releasing a phone. The chairperson will contact the Marshal Commission to determine whether there is a consistent policy on cell phones.

Agenda 3(c): The size of the CACHM was discussed. There are currently 36 authorized positions from four districts based on geography. The Council in December approved a recommendation that the size of the Council be reduced to 24, but no legislative proposal was filed to change the statute. The Council will review this proposal before the 2012 legislative session.

Agenda 4: Rocco Guarneri suggested that the Advisory Council generate new topics for discussions at Council meetings or develop informational programs for its meetings. This proposal will be taken up at the June meeting.

The meeting was adjourned at 4:00 pm.

Respectfully submitted,

Penny Trick, co-secretary