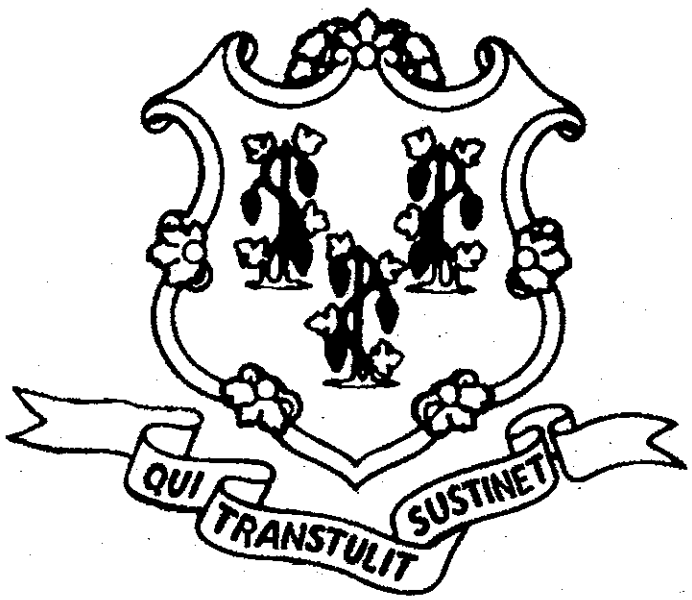
REPORT TO THE GENERAL ASSEMBLY:

PURSUANT TO SECTION 47a-73 OF THE GENERAL STATUTES



THE CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS

JANUARY 7, 2009

REPORT TO THE GENERAL ASSEMBLY

pursuant to
Section 47a-73 of the Connecticut General Statutes

January 7, 2009

Citizens Advisory Council for Housing Matters

Members of the Council

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Sheldon Hosen, Chair, New Haven-Waterbury Subcommittee
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The Council gratefully acknowledges the participation and involvement in Advisory Council meetings of the housing clerks, housing specialists, and housing prosecutors.

SUMMARY OF RECOMMENDATIONS

I. Review of Advisory Council recommendations (p. 1)

A. The Chief Court Administrator and the Chief State's Attorney should each meet with representatives of the Advisory Council early in 2009 to respond to the recommendations in this report and to determine what steps should be taken to implement them or otherwise address the underlying problems.

II. Clerk's office issues (p. 1)

A. Staffing: The housing court clerk's offices should be maintained at full staffing, including the filling of the assistant clerk positions in Norwalk and Waterbury.

B. Bridgeport housing court location: The Bridgeport Housing Court should be restored to the 5th floor courtroom at 1061 Main St. unless and until a more suitable location can be found. The Judicial Branch should assure that the Advisory Council is actively consulted in any relocation of the Bridgeport Housing Court.

C. Other housing court relocations: The Judicial Branch should make certain that those who are involved in site planning and development for any court relocation which includes a housing court site bring the Advisory Council into the discussion at an early time in the process.

D. Computerization of the housing courts:

1. Next steps: Computerization of summary process cases should be expanded to include (a) summary process cases in the non-housing court districts and (b) non-summary process cases (civil, housing code enforcement, and criminal) in the housing court districts.

2.. Identification of G.A. criminal housing cases: Criminal housing cases in the G.A. courts should be given their own identifying letter code.

3. Court calendar retention: Court calendars should be retained in the Judicial Branch database for at least one year.

4. Ability to compile, sort, and analyze computerized data: The Judicial Branch should explore ways to increase the ability of the housing court computer system to compile, sort, and analyze data.

5. "Paperless" court system: If the Judicial Branch should develop a paperless court system that includes the housing courts, it should consult with the Council and should ensure that any such system will (a) be

suitable for litigants without easy access to computers, (b) protect the integrity of documents filed with the court, and (c) perform the same essential functions as a paper-based court.

E. Recording of criminal dispositions: All conditions of nolles and probation in housing prosecutions should be recorded by the in-court clerk on the docket sheet.

F. Bilingual materials: The Judicial Branch should continue to assure that landlord-tenant publications are available in Spanish.

G. Telephone book listings: The Judicial Branch should keep the blue-page telephone book listing for the housing courts current and should correct errors that have appeared in the initial listings.

H. Cell phones in the courthouse: The Judicial Branch should maintain its new policy permitting cell phones in the courthouse.

I. Case processing: The clerk's offices should continue to maintain the goal that, if a summary process case does not settle on its scheduled trial date, it will be tried on the same day. In courts where a same-day trial is not administratively practical, the trial should be held within one week.

II. Housing specialist issues (p. 6)

A. Staffing: The Judicial Branch should immediately refill the positions of the two housing specialists who have transferred to the Foreclosure Mediation Program.

B. Eviction Prevention Program: (a) The Department of Social Services and the Community Renewal Team should reestablish the on-site aspects of the program in Hartford; (b) an on-site presence for the Eviction Prevention Program should be established at other housing court locations; (c) agencies administering eviction prevention programs should develop better systems for qualifying applicants very quickly; (d) pamphlets on how to apply for the Eviction Prevention Program should be available in the housing court clerks' offices; and (e) the General Assembly should provide the program, and particularly the Rent Bank, with sufficient funding to meet the need.

III. Prosecution and code enforcement issues (p. 7)

A. Prosecutor's Manual: The Chief State's Attorney should ensure that all prosecutors are familiar with the new Housing Prosecutor's Manual.

B. Police Academy curriculum and police training manual: (a) The new mandatory two-hour training requirement for new police classes in the Police Training

Academy should be extended to the municipal police academies; (b) a landlord-tenant component should be a mandatory part of police officer continuing education; and (c) the Chief State's Attorney should adopt a police officer training manual, based upon the recommendations of the Advisory Council.

C. Supervision of housing prosecutors: The Chief State's Attorney should clarify lines of supervisory authority so that it is clear that individual housing prosecutors are responsible to the Supervisory Assistant State's Attorney for Housing Matters and, through that supervisor, to the Chief State's Attorney, not to the judicial district state's attorneys. The method of supervision currently in place in Hartford-New Britain-Middletown should be extended statewide.

D. Training for new prosecutors: Housing law training for all new prosecutors should be made a permanent part of the prosecutor training program.

E. Housing prosecutor coverage of non-housing court districts: The housing prosecutors' unit should continue to handle all housing prosecutions in the state.

F. Scope of housing court criminal jurisdiction: Arrests for damage to landlord property under C.G.S. 53a-117e, 53a-117f, and 53a-117g and other non-code-related criminal offenses between landlords and tenants should continue to be handled on housing dockets, subject to the power of the court to transfer cases out of the housing court under C.G.S. 47a-70.

G. Investigators: The Chief State's Attorney should make funding available for at least one investigator to be assigned to the statewide housing prosecution unit.

H. Eastern Connecticut prosecutor: The eastern Connecticut prosecutor should be assigned full-time to housing matters.

I. Fifth housing prosecutor: An additional full-time permanent housing prosecutor position should be added to the housing prosecution unit.

J. Monitoring of probation, accelerated rehabilitation, and conditional discharge: Cases disposed of by probation, accelerated rehabilitation, or conditional discharge which include a requirement that repairs be made during the probation/rehabilitation/conditional discharge period should be monitored by the housing prosecutors, using local code enforcement inspectors to gather information, rather than by the state's Probation Office.

IV. Judicial issues (p. 9)

A. Judicial assignments:

1. Unity of the Bridgeport-Norwalk Housing Court: The Judicial Branch

should restore the Bridgeport-Norwalk Housing Court as a single housing court, in accordance with state statute, by assigning a single judge to hear housing cases at both court locations.

2. Use of judge trial referees: The Judicial Branch should assign judges rather than JTRs as the primary housing court judge for each housing court district.

3. Stability of housing court assignments: Judges assigned to a term at a housing court should not be reassigned mid-term except for compelling reasons and after prior consultation with the Advisory Council.

4. Timing of information to the Advisory Council: The Judicial Branch should return to earlier practice of giving the Advisory Council at least four weeks to respond on housing court judicial assignments and inviting Council comment before the finalization of assignments.

B. Small claims issues:

1. Delays in the hearing of housing small claims cases: The Judicial Branch should take action, including increasing staffing, so as to assure that housing small claims cases will be scheduled and heard promptly. In particular, it should assign sufficient full-time staff within Centralized Small Claims to expeditiously process housing cases on a separate, accelerated track. In the alternative, housing small claims cases should be removed from the centralized small claims system and returned, with appropriate staffing, to the housing courts.

2. Hearing locations: Housing small claims cases should be heard on a housing docket separate from all other small claims cases. In the housing court districts, they should be heard in the housing courtroom or, if this is not practical, then in a courtroom located in the same building as the housing court clerk's office. In particular, housing small claims hearings in Bridgeport and New Haven should be relocated to the building in which the housing court clerk's office is located.

3. Case filing: Litigants, and particularly pro se litigants, should be encouraged to make use of the housing court clerk's office in filing their cases.

4. Magistrate support and training: The Judicial Branch should strengthen magistrate support and training by (a) continuing to assure the distribution of Housing Issues in the Small Claims Division of the Superior Court, annually updating security deposit interest rate information, and publishing revisions when they are written by the Advisory Council; (b)

including a section on housing issues in its annual training program for small claims magistrates; and (c) encouraging magistrates hearing housing cases to make use of housing court resources and be in contact with housing court staff.

5. Magistrate evaluation and review: The Judicial Branch should improve magistrate evaluation and review by (a) not assigning housing dockets to magistrates who do not adequately handle housing cases, (b) systematically seeking input from the housing court clerks on magistrate performance, (c) extending the Judicial Branch's overall survey evaluation system on a pilot basis to housing small claims hearings, with the proviso that small claims surveying should also include pro se litigants, and (d) making litigants aware of how to complain about the conduct of a magistrate.

6. Preservation of housing court principles within the centralization of small claims administration: The implementation of the administrative centralization of small claims cases should be carried out in a way that preserves a linkage between housing court clerks offices and housing small claims cases. In particular, as a condition of keeping housing cases within Centralized Small Claims, the Judicial Branch should preserve at least the following elements of the housing court system: (a) the ability to file in the housing court clerk's office, (b) the availability of counter assistance at the housing court clerk's office, in conjunction with an affirmative effort to direct litigants to housing court clerk's offices for assistance, (c) preservation of a separate docket for housing small claims cases, (d) contested hearings to be heard in close proximity to the housing court clerk's office, including restoring New Haven and Bridgeport housing small claims cases to the building in which the housing court is located, (e) the ability to handle post-judgment matters through the housing court clerk's office, and (f) the expeditious movement of housing small claims cases.

C. Meriden housing cases: If the New Haven-Waterbury Housing Court judge's full time is not taken up with housing cases, then that judge should heard Meriden housing cases at the Meriden courthouse, rather than non-housing cases in New Haven.

D. Canvassing of litigants: Housing court judges should permit the parties to waive canvass in summary process cases if both the landlord and the tenant are represented by an attorney and the parties have signed a written stipulation for judgment that expressly waives canvass.

V. Issues concerning the Advisory Council itself (p. 14)

A. Consultation with the Council: The Judicial Branch should make certain that the Council is informed of proposed changes affecting the housing courts in a timely manner so that the Council can offer comments. In particular, it should assure contact with the Council on such matters as changes in housing court job descriptions and requirements, physical modifications to court locations, courthouse construction, and similar matters.

B. Advisory Council webpage: The Judicial Branch should arrange for and host a webpage for the Advisory Council.

C. Appointment of Council members: The Governor should appoint a full Council, in accordance with the membership requirements of C.G.S. 47a-71a.

VI. Carryover recommendations (p. 15)

A. Minimum job requirements for housing clerks: Supervisory/administrative experience should not be a precondition for consideration of an attorney candidate for housing court clerk.

B. Spanish-speaking staff: Every housing clerk's office be staffed so as to have at least one bilingual employee who can handle telephone and counter work with litigants who are primarily Spanish-speaking. The ability to speak Spanish should be viewed as an important job-related skill in filling all clerk's office positions, including temporary ones.

C. Pro se assistance: C.G.S. §51-52(d) should be amended to explicitly require clerks who handle housing matters in the non-housing court districts to provide pro se assistance.

D. Toll-free call-in lines: The Judicial Branch should arrange for appropriate incoming toll-free lines to the Norwalk Housing Court (for Greenwich) and the New Britain Housing Court (for Bristol).

E. Fee for modification of stay of execution: Because a modification of a summary process stay is not a modification of a judgment for possession, clerk's offices should not charge an entry fee for a motion to modify a stay of execution.

F. Case reporting services: Case reporting services should review their case data bases against a list of the officially-numbered housing court decisions and add to that data base any cases not already included.

G. Court mediation program: Law schools in the Connecticut area should be encouraged to consider replicating the mediation clinics of the University of

Connecticut Law School and the Quinnipiac University Law School.

H. Glass partitions: Glass "security" partitions should not be added to housing court clerk's offices that do not already have them.

I. Consultation in the hiring of housing prosecutors: A representative of the Advisory Council should be a participant in the screening process for the hiring of new housing prosecutors.

J. Standards for the hiring of housing prosecutors: The Criminal Justice Commission (or any other entity hiring housing prosecutors) should assure that the following four standards are included in the evaluation of applicants: (1) commitment to decent housing, as required by C.G.S. §51-278(b)(1)(B); (2) an understanding that the prosecutor's role in the administration of local housing code enforcement will effectively control housing code enforcement administration by every local municipality in the entire region within the prosecutor's jurisdiction; (3) a commitment to active community outreach, particularly to local code officials, police departments, and neighborhood groups; and (4) a willingness to work cooperatively with the Advisory Council on issues of mutual concern.

REPORT OF THE CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS

Pursuant to C.G.S. §47a-73, every two years the Citizens Advisory Council for Housing Matters makes a report to the General Assembly on the operation of the housing courts. This report constitutes the Council's recommendations for 2009.

I. Review of Advisory Council recommendations

Most, although not all, recommendations in this report are directed to the Judicial Branch. Most of the remainder are directed to the Chief State's Attorney. A number of these recommendations are similar or identical to recommendations made in 2007, and some reiterate recommendations going back many years. The Council requests that, as soon as practicable after this report is issued, the Chief Court Administrator and the Chief State's Attorney each meet with representatives of the Advisory Council for the explicit purpose of reviewing all recommendations contained in this report, responding to them, and determining what steps should be taken to implement them or otherwise to address the problems that underlie each recommendation.

II. Clerk's office issues

A. Staffing: The housing court clerk's offices should be maintained at full staffing at all times. Adequate staffing in the housing court clerks' office is particularly critical because of the tight timelines that surround summary process cases, which are by far the largest number of cases heard by the housing courts. There are presently two housing court locations where the lack of full staffing is having an adverse impact on the ability of the clerks' offices to function properly. First, both the Norwalk and the Bridgeport Housing Courts are now operating without an assistant clerk. Those two housing courts had been sharing a single permanent assistant clerk, who recently transferred to the Foreclosure Mediation Program. Bridgeport now has a temporary assistant clerk (TAC), but TACs do not have the qualifications or skills of assistant clerks and do not perform the same function. The Norwalk position has not been replaced at all. An assistant clerk is essential for providing daily courtroom coverage and for running the clerk's office when the clerk is not there. The position of permanent assistant clerk shared between Bridgeport and Norwalk should be filled. Second, the Waterbury office is currently down one temporary assistant clerk, leaving the clerk with only one employee other than herself. These staff shortfalls should be addressed promptly.

B. Bridgeport housing court location: The Council believes that it is time to undo changes made 18 months ago in the courtroom space allocated for the Bridgeport Housing Court and, unless and until a better solution is devised, to restore the use of the 5th floor courtroom at 1061 Main Street to the housing court. The housing court clerk's office has made a good faith effort to make the small hearing room on the 6th floor work as the primary housing courtroom, but it is simply too small. The courtroom situation also creates collateral problems, including interference with the effective work of the housing specialists and failure to treat housing

litigants with the respect and dignity that they deserve.

About 18 months ago, the location for hearing housing cases in Bridgeport was moved out of a suitable 5th floor courtroom at 1061 Main Street. The original Judicial Branch plan would have used a courtroom in the Geographical Area building at 172 Golden Hill Street, an entirely different building from the one in which the housing court clerk's office is located. The decision to relocate the courtroom was apparently driven by the desire of the Family Division to have access to all courtrooms on the 5th floor. The Council protested the planned separation of the hearing room from the clerk's office and, as a compromise, the housing court was given a small hearing room on the 6th floor. The room is inadequate for the volume of cases heard by the housing court, leaving people standing in the hallways. In addition, with the housing specialist offices on the 5th floor, the move forced litigants to move back and forth between the two floors. In some instances, litigants failed to understand the need to return to the 6th floor after negotiations. In order to accommodate litigant movement, the housing specialists now negotiate out of small, inappropriate rooms on the 6th floor; but those rooms lack computers, telephones, and easy access to a copier and printer, all of which are essential to the efficient performance of their job. In order to relieve overcrowding in and around the courtroom, the clerk's office has tried staggering cases. That helped in some ways but did not solve the problem, especially with caseloads rising. The Bridgeport summary process caseload has increased 22% in the past two years, more than any other housing court location (see Appendix C). In addition, the need to limit the number of cases handled by an attorney on the staggered dockets resulted in significant inconvenience to plaintiff attorneys with multiple cases by requiring their attendance at both morning and afternoon dockets. This entire patchwork is the result of the original decision to take the 5th floor courtroom away from the housing court.

After spending almost two years trying to make this decision work, the Council believes that it cannot be fixed. It is not unusual for Courtroom 5B to be unused when the housing court is in session on the 6th floor. The Bridgeport housing courtroom should be returned to the 5th floor on a full-time, permanent basis, unless and until a better solution is devised.

The Council understands that the opening of a new courthouse in Bridgeport may create additional options for the housing courtroom, its clerk's office, and space for its staff. The Council strongly urges the Judicial Branch to bring the Advisory Council into the process and to proactively seek its input. If space other than the present space is explored, efforts should be made to assure (a) that the courtroom, the clerk's office, and the offices of the housing specialists and housing prosecutor are in close proximity to each other within the same building and (b) that the housing court is placed in a building that primarily handles civil rather than criminal matters.

C. Other housing court relocations: The early experience with the Bridgeport courtroom illustrates a larger problem, which is that the Council has not been routinely included in discussions involving relocation plans for the housing courts prior to the time that the decisions are made. In particular, the Council has not been invited proactively to participate on Judicial Branch committees planning relocation, nor has it been offered preliminary proposals for relocation on which it can comment. In Bridgeport, for example, the Council's involvement

was necessarily reactive, after the initial decisions had already been made. The Council urges the Judicial Branch to make certain that those who are involved in site planning and development for any court relocation which includes a housing court site bring the Advisory Council into the discussion at an early time in the process. The Council's interest, it should be noted, is not merely whether a court location will be moved but also where the new location will be and what will be the arrangement and suitability of space for housing matters at the new location. These are matters to which the Council sometimes brings a unique perspective.

D. Computerization of the housing courts:

The Council believes it is important that the records of the housing courts be open and easily accessible to litigants and the general public and that web access to those records be maximized.

1. Next steps: Since 2006, all six housing court locations have been computerized and their case reports are available on-line through the Judicial Branch website. The next step is to computerize (a) summary process cases in the nine geographical area courts that handle summary process cases and (b) non-summary process cases (civil, housing code enforcement, and criminal) in the housing courts, and to make all such cases available on the Judicial Branch website.

2. Identification of G.A. criminal housing cases: The upcoming computerization of criminal dockets makes this the right time to provide proper identification for criminal housing cases in the G.A. courts. Such cases should be given their own identifying letter code (such as "CRH"), just as they have a separate letter code in the housing courts. This code should be applied to (a) all cases initiated by the housing prosecutors and (b) all criminal prosecutions filed under a list of specific housing-related statutes, as already identified by the Chief State's Attorney's Office. A separate code will be helpful, both in counting such cases and in encouraging their referral to the housing prosecutor (see III(D) below). The Judicial Branch, in conjunction with the Chief State's Attorney's Office, should work out a mechanism for implementing this proposal.

3. Court calendar retention: At present, housing court calendars are deleted from the computer database immediately after the day on which the calendar is called. This presents problems identifying counsel and parties involved in matters when only the court date is known. Court calendars should be retained in the computer database for at least one year.

4. Ability to compile, sort, and analyze computerized housing data: The Council also recommends that the Judicial Branch explore ways to increase the ability of the housing court computer system to manipulate data through "definable queries," i.e., to compile, sort, and analyze data in response to inquiries. This is particularly important for conducting studies of the housing courts. While much data is entered into the system's database, it appears that the ability of the system to compile and classify that data is limited. In the past, for example, manually-conducted studies of the housing courts have

correlated data involving case-processing timeframes, representation by attorneys and the impact on case outcomes, numbers of motions filed, and many other factors. It appears that, even after computerization, much of this information can still be analyzed only by manual methods. A more flexible system would help enhance understanding of how the housing courts operate in practice.

5. "Paperless" court system: Plans to develop a "paperless" court system in the housing courts have surfaced from time to time. The Council has no position on such a system. If, however, such plans move forward in a way that includes the housing courts, the Council urges the Judicial Branch to include the Council in consultations and to assure that any such system will (a) be suitable for litigants (and attorneys) who do not have easy access to computers, (b) protect the integrity of documents filed with the court (whether filed on paper or electronically), and (c) perform the same essential functions as the present paper-based docketing and filing systems (e.g., a method to verify the original documents served on a defendant).

E. Recording of criminal dispositions: All conditions of nolles and probation in housing prosecutions should be recorded by the in-court clerk on the docket sheet.

F. Bilingual materials: The housing court's three basic pro se booklets -- Rights and Responsibilities of Landlords and Tenants in Connecticut, Tenant's Guide to Summary Process, and Landlord's Guide to Summary Process -- can now be found in both English and Spanish in the "Publications" portion of the Judicial Branch website directly at www.jud.ct.gov/pub.htm#housing or by going to www.jud.ct.gov, clicking on "Publications" under "Quick Links" on the right-hand side of the page, and scrolling down. The Spanish-language publications can also be found at www.jud.ct.gov by clicking on either "español" under "Quick Links" on the right or "Español" then "Publicaciones" on the left and scrolling down.

G. Telephone book listings: The Council is pleased that the telephone numbers for each housing session clerk's office and for the housing prosecutors are finally now grouped together in the Government Blue Pages portion of the telephone directory. This should make it easier for pro se litigants to make telephone contact with the housing courts. The Council urges the Judicial Branch to keep these listings current and to correct any errors that may occur. The New Britain Housing Court, for example, is presently omitted from the listings.

H. Cell phones in the courthouse: Two years ago the Council expressed concern about the impact on litigants of the prohibition against cell phones in courthouse buildings. The Judicial Branch recently dropped the rule, and cell phones are now permitted. The Council supports this new policy.

I. Case processing: Case processing data in eviction cases, which can now be obtained for all six housing court locations, continues to confirm that summary process cases move very rapidly. This remains generally true, even though the summary process caseload in the housing courts has increased significantly in the past two years. The caseload data can be found in Appendix C, which shows an 11% increase overall, with an increase of 22% in Bridgeport and

15% in New Haven. It is likely that increases of this magnitude are driven by the downturn in the economy. There is also anecdotal evidence that the state's wave of foreclosures is resulting in more evictions by foreclosing lenders so as to be able to resell buildings vacant rather than occupied.

The case processing data are summarized in Table 1 below. It shows, as it has for years, a median disposition time from return day to entry of judgment of about 2½ weeks for all summary process cases and just over 3 weeks for contested summary process cases. For example, for Calendar Year 2007, the median disposition time in the Hartford Housing Court, the state's busiest housing court, was 18 days for all cases and 20 days for contested cases. The contested case median was actually three days shorter at that location than in 2005, even though the caseload was 6.6% higher. More than 95% of all cases and more than 93% of contested cases went to final judgment within 60 days of the return date. Compared with 2005, processing times were slightly shorter in Hartford and Bridgeport, slightly longer in New Britain, and somewhat longer in New Haven. No comparative data were available for Waterbury and Norwalk because those courts had just been computerized at the time of the Council's last biennial report. Average processing times for Norwalk (the smallest housing court) are significantly longer than the other housing court locations, most likely because it has the lowest default rate in the state and, it is believed, a larger percentage of commercial evictions.

Table 1
Cases disposed of between January 1, 2007 and December 31, 2007
Disposition time
Return day to date of final judgment

	Hartford	New Britain	New Haven	Waterbury	Bridgeport	Norwalk	All locations
	All cases *(including defaults for failure to appear)*						
Median	16 days	19 days	21 days	19 days	17 days	26 days	18 days
Per cent disposed of after:							
30 days	82.5%	83.2%	73.4%	80.7%	81.9%	60.4%	78.8%
60 days	95.5%	95.1%	93.3%	96.0%	95.6%	89.8%	94.7%
90 days	98.2%	97.5%	97.3%	98.3%	98.5%	95.0%	97.8%
Default rate:	37.3%	36.2%	38.1%	40.1%	36.7%	32.2%	37.5%
	Contested cases						
Median	20 days	22 days	25 days	22 days	18 days	31 days	22 days
Per cent disposed of after:							
30 days	75.8%	79.0%	65.4%	76.5%	79.6%	46.4%	72.5%
60 days	93.7%	94.7%	91.8%	95.3%	95.3%	86.6%	93.3%
90 days	97.3%	97.4%	96.5%	97.8%	98.2%	93.8%	97.1%

The effectiveness of the housing courts is also reflected in the relatively low default rate and the fact that approximately 94% of contested cases are successfully settled by the housing specialists. The system-wide rate of default for failure to appear in summary process cases in the housing courts is about 37%, a figure which the Council believes is well below the average for most other parts of the civil court system.

The Advisory Council continues to recommend that cases which do not settle on the day scheduled for trial should be tried on that day or, if that is not administratively practicable, within no more than one week after that day. It appears that these guidelines are in fact the rule in the housing courts. In most housing court locations, cases which do not settle receive a same-day trial. Where this does not happen, trial is usually held within one week. It appears that the only housing court locations having some difficulty meeting this time frame are Hartford and, in regard to commercial evictions only, Norwalk. Taken as a whole, despite the volume of cases, case processing remains rapid throughout the state and is a credit to the efficiency of housing court staffs.

II. Housing specialist issues

A. Staffing: The creation of the new Foreclosure Mediation Program has created a serious problem for the adequate staffing of housing specialists. By statute, it is required that the Judicial Branch at all times employ a minimum of nine housing specialists, although full staffing for the housing court system has historically been ten housing specialists (three for Hartford-New Britain, two for New Haven-Waterbury, two for Bridgeport-Norwalk, and three for the remainder of the state). See C.G.S. 47-69(a). Two housing specialists have recently accepted positions with the Foreclosure Mediation Program, thereby creating two vacancies that have not so far been filled. This places tremendous pressure on the remaining housing specialists and threatens to destabilize the entire system. It is critical that both of the housing specialist vacancies be filled immediately. Moreover, past experience has shown that recruitment solely through internal Judicial Branch postings is not likely to generate qualified applicants. Outside posting of the positions is necessary. Any shortage of qualified housing specialists has serious implications for the ability of the housing court system to effectively resolve cases. It is certainly ironic that the housing court mediation system, which is the model for the Foreclosure Mediation Program, has been placed at risk because of the failure to replace the housing specialists who have left to implement the new foreclosure program.

B. Eviction Prevention Program: At various times in the past, representatives of the state Department of Social Services' Eviction Prevention Program were stationed at the Hartford Housing Court on summary process days. Their presence made it easier for the housing specialists to negotiate settlements that included partial payment of arrearages from the state Rent Bank program by accelerating the determination of tenant eligibility. This practice was very helpful to the settlement process, and the Council regrets its discontinuation. The Council recommends that (a) the Department of Social Services and the Community Renewal Team should reestablish the on-site aspects of the program in Hartford, (b) an on-site presence for the Eviction Prevention Program should be established at other housing court locations, (c)

agencies administering eviction prevention programs should develop better systems for qualifying applicants and making payments very quickly, (d) pamphlets on how to apply for the Eviction Prevention Program should be available in the housing court clerks' offices, and (e) the General Assembly should provide the program, and particularly the Rent Bank, with sufficient funding to meet the need.

III. Prosecution and code enforcement issues

A. Housing Prosecutors' Manual: The Council is pleased that the Housing Prosecutors' Manual has now been finalized and issued. The Chief State's Attorney should ensure that all prosecutors are familiar with the new manual.

B. Police academy curriculum and police training manual: The Council is also pleased that the Police Officer Standards and Training (POST) Council has agreed to include two hours on landlord-tenant law within the curriculum for all new police recruits. The Advisory Council recommends that (a) the same curriculum requirements be required in the municipal police academies and (b) a landlord-tenant component be a mandatory part of police officer continuing education. The Council, in conjunction with the Supervisory Assistant State's Attorney for Housing Matters, has just completed work on a housing manual for police officers that can, in addition, be used as training material in the Police Academy course. The final document will be issued by the Chief State's Attorney's Office and the Council's role, although substantial, is advisory in nature. The manual, in question-and-answer format, focuses on the issues with which police officers ordinarily deal -- what constitutes an illegal lockout, how complaints of lack of heat should be handled, what degree of intent is needed for an arrest for damage to landlord's property, etc. The Council hopes that the manual will be approved by the Chief State's Attorney and in use by the spring of 2009.

C. Supervision of housing prosecutors: Under C.G.S. 51-278(b), all housing prosecutors are "designated" by the chief state's attorney. It was the intent of P.A. 84-445, which adopted this provision, that such prosecutors be responsible to the Chief State's Attorney. As a result, supervision of housing prosecutors, particularly in regard to matters affecting housing prosecution policy, should be by a clear chain which leads through the Supervisory Assistant State's Attorney for Housing Matters to the Deputy Chief State's Attorney and the Chief State's Attorney. On occasion, questions have arisen as to the role of state's attorneys in the supervision process. It is important that the lines of supervision be clear and that there be a consistent housing prosecution policy throughout the state. The Council believes that the Chief State's Attorney has taken desirable steps to implement this policy by the designation of a supervisory attorney for housing prosecution, the updating of the housing prosecutor's manual, and the reestablishment of periodic housing prosecutor unit meetings. If the state's attorneys play any role at all in supervision (and the Council believes they should not), it should be only as to purely administrative matters and not as to matters of housing prosecution policy. The direct supervisor of the housing prosecutors should be the Supervisory Assistant State's Attorney for Housing Matters. At the present time, the Supervisory Assistant State's Attorney for Housing Matters has formal direct supervisory authority only for the Hartford-New Britain-Middletown

prosecutor. The Council recommends that her supervision be extended over all four housing prosecutors.

D. Training for new prosecutors: Although training in housing law has in some years been included in the training program for new prosecutors, it has not been included consistently and has not been formally incorporated as a permanent part of new prosecutor training. The training program for new prosecutors should include training in identifying criminal cases which are housing matters and instruction on the referral of such cases to a housing prosecutor. The Council, in conjunction with the Supervisory Assistant State's Attorney for Housing Matters, has prepared a list of criminal statutes, the violation of which should ordinarily be referred to a housing prosecutor for prosecution. The Chief State's Attorney should adopt this list and instruct prosecutors to use it.

E. Housing prosecutor coverage of non-housing court districts: C.G.S. 51-278(b)(1) requires that "all prosecutions in the state" of criminal housing matters be handled by the housing prosecutors designated by the Chief State's Attorney. Until recently, however, prosecutions in J.D. Danbury and G.A. 5 (Derby) were not handled by housing prosecutors. The Council is pleased that, at long last, all parts of the state are now covered by the housing prosecutors.

F. Scope of housing court criminal jurisdiction: Under the Housing Court Act, "housing matters," as defined in C.G.S. 47a-68, are to be heard in the housing courts. The Advisory Council has long advocated for a broad construction of the term "housing matters." In the context of criminal prosecutions, this view is reflected in the *Criminal Housing Matters Prosecution Manual*, which the Advisory Council helped to draft. Questions have recently arisen as to whether arrests for damage to landlord property under C.G.S. 53a-117e, 53a-117f, and 53a-117g and other non-code-related criminal offenses between landlords and tenants are within the scope of the housing courts. The Council believes that they fall under C.G.S. 47a-68(h) and 47a-68(i) and should therefore be handled on housing dockets, subject to the power of the court to transfer cases out of the housing court under C.G.S.. 47a-70.

G. Investigators: Housing prosecutors have no access to investigators and, as a result, are dependent for their investigations on local code inspectors over whom they have no formal authority. The Chief State's Attorney should make funding available for at least one investigator to be assigned to the statewide housing prosecution unit.

H. Eastern Connecticut prosecutor: The Council continues to believe that the eastern Connecticut housing prosecutor should devote full-time to housing and should not on a regular basis be assigned to motor vehicle or other criminal cases. Because of the large number of small towns in eastern Connecticut, the need for outreach by the prosecutor to code enforcement agencies is disproportionately great, and it is important for prosecutor time to be freed up for that purpose. The Council believes that there is more than enough work to justify a housing prosecutor for eastern Connecticut to spend full-time on housing prosecution.

I. Fifth housing prosecutor: The work of the housing prosecutors has grown over time.

The housing prosecution unit, which includes the supervisory housing prosecutor, now handles such matters as police training, manual development, and regulation and statutory development in conjunction with other agencies (e.g., concerning lead paint and a statewide housing code). This is in addition to the housing prosecutors' basic duties of prosecution and outreach. The increased workload has resulted in the temporary assignment of a 21-hour per week prosecutor to the New Haven-Waterbury Housing Court. The Council urges the Chief State's Attorney to convert that position (not necessarily at the New Haven location) into a full-time permanent position.

J. Monitoring of probation, accelerated rehabilitation, and conditional discharge: Cases disposed of by probation, accelerated rehabilitation, or conditional discharge which include a requirement that repairs be made during the probation/rehabilitation/conditional discharge period should be monitored by the housing prosecutors, using local code enforcement inspectors to gather information, rather than by the state's Probation Office, which has neither the interest nor the expertise to determine if repairs are being made in a timely and proper manner.

IV. Judicial issues

A. Judicial assignments: The Council has long played an active advisory role in the assignment of housing court judges and wishes to continue in that role. The Council is particularly grateful for the Judicial Branch's willingness to share information with the Council in the assignment process but requests that, in the future, the Council be given more time in which to respond. A four-week response time would maximize the Council's ability to meet with judges and prepare recommendations to the Chief Court Administrator. In addition, the Council has long advocated that housing court judges, barring unexpected problems, remain in their housing assignments for two or three terms so as to maintain continuity and predictability in housing decisions. On the other hand, the Council also believes that housing court judges should at some point rotate assignments and should not remain in housing indefinitely.

Unfortunately, changes in the last three years in the Judicial Branch procedure for assignments have made it difficult for the Council to exercise its statutory authority under C.G.S. 47a-72(b) to recommend judges for housing court assignment, and the Council has been left in doubt as to whether or not its input is even being considered. This is a departure from the 28-year history of Council participation. Four distinct concerns have arisen.

1. Unity of the Bridgeport-Norwalk Housing Court district: Contrary to the provisions of C.G.S. 51-348(c), the Norwalk housing court location has been split from the Bridgeport location through the assignment of a different judge. That statute, which is part of the Housing Court Act, requires explicitly that the judge assigned to hear housing in Bridgeport "shall" be assigned to hear housing in Norwalk. No such split has ever before occurred in the nearly 30-year history of the housing courts. In spite of the Council's expressed concern, the Bridgeport and Norwalk locations of the Bridgeport-Norwalk Housing Court continue to have different judges.

2. Use of judge trial referees: C.G.S. 51-348(c) and 51-165(c) both require that the person assigned to hear housing matters be a "judge." Judge trial referees (JTRs), who are retired judges over the age of 70, have historically heard cases in the housing courts as vacation and illness fill-ins for housing court judges, as supplemental judges to help reduce backlogs, and as JTRs to hear specifically assigned cases. The Council has also recognized an exception to the general rule on behalf of sitting housing court judges who become JTRs by virtue of turning 70. The Council is concerned, however, that the Judicial Branch not view the housing assignment as one for retired judges and that JTRs (with the possible exception of those already actively sitting in the housing court) should not be assigned as primary or presiding housing court judges. The statutory requirements concerning the assignment of judges were part of the broader elevation of housing from the G.A. level to the J.D. level in the housing court districts, and the Council believes that this aspect of the Housing Court Act should be followed in judicial assignments.

3. Mid-term transfer of housing court judges: In the spring of 2007, four months before the end of his housing court term, Judge Bentivegna was suddenly transferred out of his housing court assignment, without consultation with the Advisory Council and with no apparent necessity for the transfer, and a substitute judge was brought in. This followed the transfer of Judge Baldwin in New Haven in 2006 and Judge Pinkus in Bridgeport in 2005, each only a very short time into their assigned term. Such transfers are destabilizing for the housing court system, suggest that the assignment is not viewed as important, and ignore the Advisory Council's role in the process. The Council urges that mid-term transfers not be made except for compelling reasons and that the Council's advice be sought before any decision on a mid-term transfer is finalized.

4. Timing of information to the Advisory Council: Until three years ago, the Chief Court Administrator usually made judicial assignments for the September term in early July and the Council received information about one month earlier. Since then, the Chief Court Administrator has moved the assignment date up by about a month so that judges will know their September assignments at the annual meeting of Superior Court judges. The provision of information to the Council has, however, not been adjusted in an equivalent manner. The Council urges the Chief Court Administrator to make appropriate adjustments and provide the Council with at least four weeks in which to respond. The Council also urges the Chief Court Administrator to return to the long-standing prior practice of contacting the Council and inviting comment prior to finalizing assignments if the Chief Court Administrator intends to assign a judge not included in the Council's comments.

B. Small claims issues:

The Council continues to receive complaints about the administration of the small claims system. The centralization of small claims has resulted in extensive hearing delays that adversely impact both landlords and tenants. Cases which used to take two to three months to be heard can now easily take eight or nine months. In addition, much of the link-up between

housing small claims and the rest of the housing court system is being lost. In some housing court districts, almost no cases go through the housing court clerk's office at all, and in others the percentage of housing cases processed through the housing clerk's office is small and likely to decline further in the future. In Bridgeport and New Haven, small claims cases are not even heard in the same building as the housing court clerk's office. This separation of housing small claims from the housing court system has many adverse peripheral impacts, such as the loss of clerks as a legal resource for magistrates, the elimination of easy access to summary process files collateral to a small claims action, a reduced likelihood that litigants will contact the housing clerk's office for help, and a reduction in the ability of housing court clerks to impact the assignment of small claims magistrates to housing. Small claims had been the second-largest housing court docket and is an important part of the interface between pro se litigants and the housing court system.

1. Speed of processing: The long delays that have become routine in the hearing of housing small claims cases are simply unacceptable. It appears unlikely, however, that the Judicial Branch will have the resources to shorten these delays in small claims cases generally. The housing cases, however, are a small percentage of all small claims cases (about 5%) and have a unique profile. In particular, the default rate is much lower, the presence of non-corporate litigants and contested cases is much higher, and no cases (including default cases) can be decided without a hearing in damages. The uniqueness of the housing docket should allow Judicial to separate the housing small claims from the other small claims cases so that they can be handled far more expeditiously. In particular, the Council recommends that the Judicial Branch either (a) assign sufficient full-time staff within Centralized Small Claims to expeditiously process housing cases on a separate accelerated track on a time schedule that approximates the timeline before centralization or (b) remove housing cases from the centralized system and return them instead to the housing courts, with sufficient clerk's office personnel to permit the system to run efficiently and expeditiously.

2. Hearing locations: The hearings on housing small claims cases should continue to be heard on a separate housing docket. They should also be assigned to a courtroom in reasonable proximity to the housing court clerk's office, preferably in the same courtroom in which other housing cases are heard. At the very least, they should be heard in the same building as the clerk's office. At present, small claims cases in Bridgeport and New Haven are held in a different building. The Judicial Branch should find space for those hearings in the buildings that contain the housing court. This should be particularly easy in Bridgeport, because the fifth floor housing courtroom is not used on Tuesdays or Thursdays, when housing court cases are heard in Norwalk.

3. Case filing: Litigants, and particularly pro se litigants, should be encouraged to make use of the housing court clerk's office in filing their cases.

4. Magistrate support and training: The Council recommends that magistrate training in housing be strengthened. First, it should assure that the Council's booklet, Housing Issues in the Small Claims Division of the Superior Court, is received by all magistrates.

The booklet, which is primarily a substantive law resource book (a kind of "bench book") for magistrates who hear housing cases, is printed and distributed by the Judicial Branch. A copy of the booklet should continue to be given by the Judicial Branch to each new magistrate, and it should also periodically be redistributed to all magistrates. The Judicial Branch should also continue to distribute an annual addendum updating the table of minimum security deposit interest rates and should provide for publication of revisions of the booklet whenever the Council determines that a revision is needed in light of changing statutes or case law.

Second, the Council urges that a section on housing issues should be included in the annual training program for small claims magistrates. Third, the Council believes that a linkage between the magistrates and the housing court clerks offices should be promoted as a part of the magistrate support system. This has numerous benefits, including access to resource materials (including a complete set of numbered housing court decisions and related legal research tools), to housing court clerks (all of whom are attorneys experienced in housing law), and to summary process, civil, and criminal files related to the small claims case. Magistrates hearing housing cases should be trained in the resources that are available in the housing court clerks' offices.

5. Magistrate evaluation and review: The Council has long recommended that the Judicial Branch establish a system for magistrate evaluation that includes litigant and attorney input. The Council carried out its own pilot in the New Haven Housing Court from 1995 to 1997 but lacked the resources to continue the pilot as volunteers. In 2007, for the first time, serious issues were raised to the Council about the appropriateness of a particular magistrate to hear housing cases. In the particular case, one magistrate's unique (and, the Council believes, incorrect) interpretation of the Security Deposit Act has significantly interfered with the ability of housing counselors and housing counseling agencies to advise pro se litigants as to how to get a contested security deposit back. Prior to centralization, when housing small claims cases were heard in the housing court, it was possible for the housing court clerk to monitor both magistrate performance and litigant complaints and effectively to impact hearing assignments based on that knowledge. Centralization has reduced or eliminated that informal control. Nevertheless, the housing court clerks continue to receive some feedback on magistrates.

   First, the Judicial Branch should not assign housing dockets to magistrates who do not adequately handle housing cases. Second, it should systematically seek input from the housing court clerks on magistrate performance. Third, it should extend the Judicial Branch's overall survey evaluation system on a pilot basis to housing small claims hearings, with the proviso that small claims surveying should also include pro se litigants. The completed questionnaires should be used for purposes of magistrate training, evaluation, and reappointment. In addition, the magistrates themselves should receive a periodic (perhaps annual) summary of results in a form which does not jeopardize the confidentiality promised to respondents. Fourth, it should make litigants aware of how to complain about the conduct of a magistrate and should be particularly sensitive in its review of complaints that suggest lack of judicial temperament, bias, or

lack of knowledge of applicable law.

6. Preservation of housing court principles within the centralization of small claims administration: The Advisory Council has never taken a position against centralization but, from the beginning, it was concerned about the preservation of the unity of the housing courts, which is a central principle of the Housing Court Act. The principle is that all cases concerning housing go to the same court. As a result, the Council's decision not to oppose centralization was conditioned upon centralization's respecting the following standards:

    - That litigants continue to be able to file housing small claims cases in the housing court clerk's office;
    - That those clerk's offices continue to provide in-person assistance to litigants at the counter and by telephone, so that litigants are not limited to telephone contact with a central small claims number, and that the small claims system be organized so that litigants, especially pro se litigants, are actively directed to housing court clerk's offices for assistance, questions, and complaints.
    - That housing small claims cases be segregated from other small claims cases so as to be heard on separate housing-only small claims dockets;
    - That hearings before magistrates in housing small claims cases be held in the general vicinity of the housing court clerk's office within the same building in which housing cases are heard, rather than in the location where general small claims cases are tried; and
    - That it be possible to file post-judgment motions in housing small claims cases (e.g., motions to reopen and executions) at the housing courts.

Since centralization has begun, the Council has added the following additional standard:

- That housing small claims cases be handled expeditiously.

Unless all of these standards can be met effectively, the Council recommends the removal of housing cases from the centralized system and their return to the housing courts.

C. Meriden housing cases: The Meriden courthouse is part of J.D. New Haven, and C.G.S. 51-348(c) assumes that a single judge will hear all housing cases in J.D. New Haven. Because of the inconvenience to litigants of having Meriden area cases heard in New Haven, however, the Meriden location has historically been treated as if it were a G.A., with housing cases there heard by a judge assigned to the G.A. court. It was felt that the New Haven housing court judge had insufficient time to sit a day or a half-day a week in Meriden. In the last few years, however, some New Haven-Waterbury housing court judges have been able to manage the housing docket in a way that has left time to hear foreclosure cases outside of the housing court one day per week. If such time is available, the Council believes it would be preferable as a matter of policy and more appropriate in terms of statutory requirements for the New Haven housing court judge to handle the housing caseload in Meriden.

D. Canvassing of litigants: The Council believes that it is important for the judge to canvass litigants, and especially pro se litigants, before a stipulated judgment is entered in a summary process action. Canvasses, however, can slow down the movement of cases and require litigants and attorneys to remain in court for an extended period of time. The Council recommends that the parties be permitted to waive canvass if both (a) the landlord and the tenant are represented by an attorney and (b) a written stipulation for judgment, signed by the parties themselves, expressly waives canvass.

V. Issues concerning the Advisory Council itself

A. Consultation with the Council: The Council has long been concerned that it cannot advise on housing court matters unless it is informed of proposed new developments by the Judicial Branch and the Chief State's Attorney in advance of their occurring. The Council's communication with the court officials most directly involved in the housing courts, and particularly with the Chief Clerk for Housing Matters, the Manager of Dispute Resolution Programs, and the Chief Supervisory Assistant State's Attorney for Housing Matters, has been excellent; and the Council is very pleased with their openness to new ideas and their responsiveness to comments. In addition, the Council continues to have a representative on the screening and interviewing panels for the positions of housing specialist, housing clerk, and Manager of Dispute Resolution Programs.

Nevertheless, the Council sometimes learns of policy changes affecting housing matters -- including some major changes -- more by happenstance than by design. The problem is greatest when the change is initiated by some source outside the regular housing court system, e.g., by staff within the Judicial Branch dealing with forms, by building security staff, or by persons dealing with new courthouse construction. Similarly, the Judicial Branch has failed to consult with the Council on changes in the job descriptions and job qualifications for housing court staff, especially when those changes have been part of broader job classification reviews affecting all Judicial Branch employees. Changes made without offering opportunity for comment in regard to both housing court clerks and housing specialists have had the potential severely to restrict the ability of the housing courts to hire the best applicants. The Council strongly urges the Judicial Branch to assure that the Council's comments will be sought out in these matters at an early point in the decision-making process, well before final decisions are made. This necessitates the Department's informing key people with general responsibility over broad areas (e.g., security, courthouse construction, forms, employment) that they should initiate contact directly with the Council when the housing courts will be affected.

B. Advisory Council webpage: In 2007, the General Assembly amended C.G.S. 1-225(c) to require each public agency (of which the Advisory Council is one) to post its regular meeting agendas "on the public agency's and the Secretary of the State's web sites." In 2008, it further amended the statute to require public agencies to post their regular meeting schedule, notices of special meetings, and the minutes of all meetings "on such public agency's Internet web site, if available" (June 11 Special Session P.A. 08-3, Sec. 11). The "if available" exception does not apply to regular meeting agendas. The Advisory Council, however, is not

part of any state agency and has no website; and its request for website hosting has been turned down by both the Judicial Branch and the Department of Economic and Community Development. For lack of a better alternative, the Council has been sending its agendas and minutes to the Secretary of the State for posting, but it is clear that the General Assembly anticipates that each public agency will have a website. In addition to the mandatorily required meeting schedules, agendas, and minutes, the Council would also like to be able to post its biennial reports and its booklets (e.g., Housing Issues in the Small Claims Courts). The Council believes that, because its job is to advise on the administration of the housing courts, the Judicial Branch website would be the most appropriate location to host its webpage. It therefore recommends that the Judicial Branch arrange for a webpage for the Advisory Council on its website and that it post new materials for the Council when provided by the Council.

C. Appointment of Council members: At full strength, the Advisory Council is a 36-member board appointed by the Governor. C.G.S. 47a-71a spells out the requirements for Council membership, which include that the Council "reflect a balance of the interests of tenants and landlords" and that the Council consist of "representatives of tenants, landlords, and others concerned with housing." The Council is to have nine residents of each of the three housing court districts and nine residents from the non-housing court portions of the state. By custom, Governors have attempted to appoint an approximately equal number of landlord and tenant representatives within each nine-member grouping, with the remaining members being "others concerned with housing."

Unfortunately, only one appointment to the Advisory Council has been made since 1994. Because Council members continue to serve under their prior appointments until they are reappointed or replaced, the Advisory Council has continued to function in what we believe to be an effective manner. The membership of the Council has, however, been reduced through attrition. The Council urges the Governor to appoint a full Council, in accordance with the requirements of C.G.S. 47a-71a, in part by reappointing Council members who wish to continue to serve and in part by bringing new members onto the Council.

VI. Long-standing Advisory Council proposals still not implemented

While many of the Council's suggestions have been accepted and implemented by the Judicial Branch and the Chief's States Attorney, a number of proposals have appeared every two years in the Advisory Council's biennial reports, without having been resolved to the Council's satisfaction. Rather than discuss these again in detail in the primary body of this report, we have noted them here as a separate section. Most of these items have not been active on the Council's agendas over the past two years. Nevertheless, the Council continues in support of these positions and hopes that the appropriate entity will at some point agree to implement them. They are all discussed in more detail in earlier reports of the Council.

A. Minimum job requirements for housing clerks: Supervisory/administrative experience should not be a precondition for consideration of an attorney candidate for housing court clerk.

B. Spanish-speaking staff: Every housing clerk's office should be staffed so as to have at least one bilingual employee who can handle telephone and counter work with litigants who are primarily Spanish-speaking. The ability to speak Spanish should be viewed as an important job-related skill in filling all clerk's office positions, including temporary ones.

C. Pro se assistance: C.G.S. §51-52(d) should be amended to explicitly require clerks who handle housing matters in the non-housing court districts to provide pro se assistance.

D. Toll-free call-in lines: The Judicial Branch should arrange for appropriate incoming toll-free lines to the Norwalk Housing Court (for Greenwich) and the New Britain Housing Court (for Bristol).

E. Case reporting services: The Council had, at one point, been led to believe that all officially-numbered housing court decisions were being incorporated into all major case reporting services (e.g., WestLaw, Lexis, Casemaker). It appears, however, that none of those services has fully incorporated all past cases. The Council urges those reporting services to review their case databases against a list of the officially-numbered housing court decisions and to add to those databases any cases not already included.

F. Fee for modification of stay of execution: C.G.S. 52-259c imposes a fee of $35 whenever a party moves to "open, set aside, modify or extend any civil judgment." It is the Council's view that this provision does not apply to a motion to modify a stay of execution, because the summary process statutes, and particularly C.G.S. 47a-35, 47a-37, 47a-39, and 47a-40, clearly treat the stay of execution as separate and distinct from the judgment itself. A motion to modify a stay is thus not a motion to modify the judgment. Most housing court clerk's offices follow this policy, but at least one does not. The Council recommends that clerk's offices not impose a fee for the filing of a motion to modify a stay of execution.

G. Court mediation program: Law schools in the Connecticut area should be encouraged to consider replicating the mediation clinics of the University of Connecticut Law School and the Quinnipiac University Law School.

H. Glass partitions: Glass "security" partitions over the public counter in the clerk's offices adversely affect the interaction between clerk's office staff and pro se litigants and are not, in the opinion of the Council, necessary for security. They should not be added to housing court locations which do not already have them. To the extent that such security partitions are nevertheless in place or being put into place, they should be designed so as to be as open as possible to promote ease of conversation between clerk's office staff and litigants and should not block the passing of papers. Security partitions should also be designed so that they can be slid into an open or closed position by clerk's office staff.

I. Consultation in the hiring of housing prosecutors: The Advisory Council is appreciative that the Supervisory Assistant State's Attorney for Housing Matters now participates in the screening of applicants for housing prosecutor positions. The Council continues to recommend, however, that a representative of the Advisory Council also be a

participant in the screening process in a manner similar to the way in which it participates in an advisory capacity in the hiring of housing court clerks and housing specialists.

J. Standards for the hiring of housing prosecutors: The Criminal Justice Commission (or any other entity hiring housing prosecutors) should assure that the following four standards are included in the evaluation of applicants: (1) commitment to decent housing, as required by C.G.S. §51-278(b)(1)(B); (2) an understanding that the prosecutor's role in the administration of local housing code enforcement, i.e., that the prosecutor's approach to code enforcement (e.g., the level of proof required, the offenses prosecuted or not prosecuted, the degree of compliance required for a nolle) will effectively control housing code enforcement administration by every local municipality in the entire region within the prosecutor's jurisdiction; (3) a commitment to active community outreach, particularly to local code officials, local police departments, and neighborhood groups; and (4) a willingness to work cooperatively with the Advisory Council on issues of mutual concern. The Council is pleased that the most recent job posting -- for the eastern Connecticut housing prosecutor position – included a reference to a commitment to decent housing and stated that the ability to speak Spanish is desirable. The Council urges the Criminal Justice Commission to formally adopt these standards.

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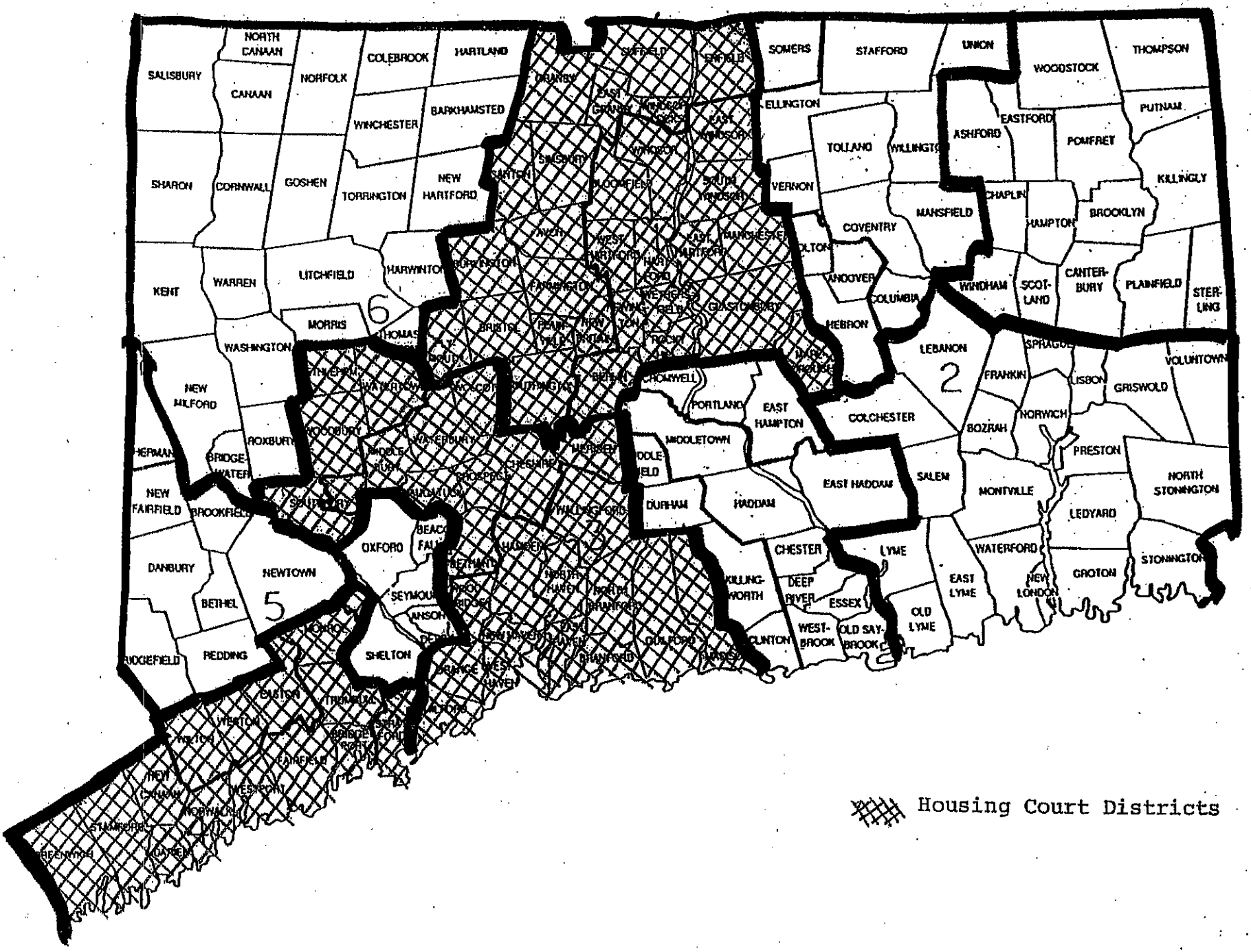
APPENDIX A -- HOUSING COURT DISTRICTS



APPENDIX B

HOUSING COURT ACT
as amended through December 31, 2008

Sec. 47a-68. Definitions.

As used in this chapter, sections 51-51v, 51-165, 51-348 and subsection (b) of section 51-278, "housing matters" means:

(a) Summary process;

(b) Appeals from the decisions of a fair rent commission under sections 7-148e and 7-148f;

(c) Actions and administrative appeals involving discrimination in the sale or rental of residential property;

(d) All actions regarding forcible entry and detainer;

(e) Actions under the provisions of title 47a, chapter 412 or section 47-294;

(f) All actions involving one or more violations of any state or municipal health, housing, building, electrical, plumbing, fire or sanitation code, including violations occurring in commercial properties, or of any other statute, ordinance or regulation concerned with the health, safety or welfare of any occupant of any housing;

(g) All actions under sections 47a-56a to 47a-59, inclusive;

(h) All actions for back rent, damages, return of security deposits and other relief arising out of the parties' relationship as landlord and tenant or owner and occupant;

(i) All other actions of any nature concerning the health, safety or welfare of any occupant of any place used or intended for use as a place of human habitation if any such action arises from or is related to its occupancy or right of occupancy.

Sec. 47a-70. Housing docket. Entry and transfer of cases on docket.

(a) All proceedings involving a housing matter in the judicial district of Hartford, New Britain, New Haven, Fairfield, Waterbury or Stamford-Norwalk shall first be placed on the housing docket for that district, provided that the judge before whom such proceeding is brought may transfer such matter to the regular docket for a geographical area or judicial district if he determines that such matter is not a housing matter or that such docket is more suitable for the disposition of the case. Any case so entered or transferred to either docket shall be proceeded upon as are other cases of like nature standing on such docket.

(b) If two or more actions are pending between the same parties, including for the purposes hereof any other court proceedings arising out of or connected with the same housing accommodation, of which one or more of such actions is on the housing docket and one or more of such actions is on some other docket, the judge handling such other docket, upon motion of any party to any such actions, may order that the action pending on such docket, with all papers relating thereto, be transferred to the housing docket; and such action or actions shall thereafter proceed as though originally entered there.

Sec. 51-348(b) and (c). Venue for housing matters. Housing docket.

(b) Such geographical areas shall serve for purposes of establishing venue for the following matters:...(3) housing matters as defined in section 47a-68, except that (A) in the judicial districts of Hartford, New Britain, New Haven, Fairfield, Waterbury, Middlesex, Tolland and Stamford-Norwalk, venue shall be in the judicial district, and (B) in the judicial district of Ansonia-Milford, venue shall be in the geographical area unless (i) the plaintiff requests a change in venue to either the judicial district of New Haven or the judicial district of Waterbury, or (ii) the premises are located in the town of Milford, Orange or West Haven, in which case venue shall be in the judicial district of New Haven...

(c) ...Housing matters, as defined in section 47a-68, shall be heard on a docket separate from other matters within the judicial districts of Hartford, New Britain, New Haven, Fairfield, Waterbury and Stamford-Norwalk, provided in the judicial district of New Britain such matters shall be heard by the judge assigned to hear housing matters in the judicial district of Hartford, in the judicial district of Waterbury such matters shall be heard by the judge assigned to hear housing matters in the judicial district of New Haven, and in the judicial district of Stamford-Norwalk such matters shall be heard by the judge assigned to hear housing matters in the judicial district of Fairfield. The records, files and other documents pertaining to housing matters shall be maintained separate from the records, files and other documents of the court...

Sec. 51-165(c). Assignment of judges to hear housing matters.

Any judge assigned to hear housing matters should have a commitment to the maintenance of decent, safe and sanitary housing and, if practicable, shall devote full time to housing matters. If practicable, he should be assigned to hear matters for not less than eighteen months. Any judge assigned to housing matters in a judicial district should reside in one of the judicial districts served by the housing session after he is assigned thereto.

Sec. 51-51v(a). Appointment of clerks for housing matters.

The judges of the superior court, at their annual meeting in June, shall appoint...clerks for housing matters, including a chief clerk for housing matters.

Sec. 51-52(d). Duties of clerks for housing matters.

Each clerk for housing matters and the clerks for the judicial district of New Haven at Meriden shall supervise the handling of housing matters and the maintenance of court records relating thereto and shall provide assistance to pro se litigants and perform such other duties in connection with housing matters as the chief court administrator or the judge assigned to hear the matters may assign to him.

Sec. 51-278(b)(l). Appointment of assistant and deputy assistant state's attorneys for housing matters.

...At least three such assistant state's attorneys or deputy assistant state's attorneys shall

be designated by the chief state's attorney to handle all prosecutions in the state of housing matters deemed to be criminal. Any assistant or deputy assistant state's attorney so designated should have a commitment to the maintenance of decent, safe and sanitary housing and, to the extent practicable, shall handle housing matters on a full-time basis.

Sec. 51-286b. Duties re housing matters.

The deputy assistant state's attorney assigned to handle housing matters may initiate prosecutions for violations of any state or municipal housing or health law, code or ordinance either upon the affidavit of an individual complainant or upon complaint from a state or municipal agency responsible for the enforcement of any law, code or ordinance concerning housing matters.

Sec. 47a-69. Appointment of housing specialists. Qualifications. Duties.

(a) The judges of the superior court or an authorized committee thereof may appoint such housing specialists as they deem necessary for the purpose of assisting the court in the prompt and efficient hearing of housing matters within the limit of their appropriation therefor. Such judges or such committee shall appoint not less than two such specialists for each of the judicial districts of Hartford, New Haven and Fairfield and may designate one of them in each judicial district as chief housing specialist. Such judges or committee shall also appoint not less than three such housing specialists for all other judicial districts. The housing specialists for the judicial district of New Haven shall assist the court in the hearing of housing matters in the judicial district of Waterbury and the housing specialists for the judicial district of Fairfield shall assist the court in the hearing of housing matters in the judicial district of Stamford-Norwalk.

(b) Housing specialists shall be knowledgeable in the maintenance, repair and rehabilitation of dwelling units and the federal, state and municipal laws, ordinances, rules and regulations pertaining thereto. They shall also have knowledge necessary to advise parties regarding the type of funds and services available to assist owners, landlords and tenants in the financing of resolutions to housing problems. The housing specialists shall make inspections and conduct investigations at the request of the court, shall advise parties in locating possible sources of financial assistance necessary to comply with orders of the court and shall exercise such other powers and perform such other duties as the judge may from time to time prescribe.

(c) Such housing specialists (l) shall be responsible for the initial screening and evaluation of all contested housing matters eligible for placement on the housing docket pursuant to section 47a-68, (2) may conduct investigations of such matters including, but not limited to, interviews with the parties, and (3) may recommend settlements.

Sec. 47a-71a. Citizens advisory council for housing matters.

There is hereby created a citizens advisory council for housing matters consisting of thirty-six persons. The members of the council shall be appointed by the governor for terms ending June 30, 1987, and thereafter the members of the council shall be appointed by the

governor for terms of four years. The council shall consist of representatives of tenants, landlords, and others concerned with housing and shall reflect a balance of the interests of tenants and landlords. The members of the advisory council shall elect their own chairman. Nine members shall be residents of the judicial district of Hartford or New Britain; nine members shall be residents of the judicial districts of New Haven, Waterbury or Ansonia-Milford; nine members shall be residents of the judicial districts of Fairfield or Stamford-Norwalk; and nine members shall be residents of the judicial districts of Danbury, Litchfield, Middlesex, New London, Tolland or Windham. Any member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from office.

Sec. 47a-72. Duties of citizens advisory council. Meetings. No compensation or reimbursement.

(a) The council shall from time to time view the housing docket proceedings and review the manner in which the housing docket is functioning, consult with the judges assigned to housing matters and the chief court administrator and assist them in such manner as is appropriate, assist in making the public aware of the existence of the housing docket, receive comments from the general public about the handling of housing matters, and make such recommendations as it may choose. The council shall meet as a full body at least two times a year and on such additional occasions as it may require. The council may divide itself into subcommittees as it deems appropriate. The council may submit its recommendations concerning housing matters to the chief court administrator, to any judge hearing housing matters and to the general assembly. Members of the council shall receive no compensation and, notwithstanding the provisions of section 4-1, shall not receive their actual and necessary expenses incurred in the performance of their official duties.

(b) The council may recommend to the governor and to the chief court administrator the names of persons it believes to be suitable for appointment or assignment to hear housing matters in any judicial district for which a special housing session has been established, pursuant to subsection (a) of section 47a-70.

Sec. 47a-73. Judges and council to report to general assembly.

The judges hearing housing matters and the citizens advisory council shall each make a report with respect to the operation of the special docket for housing matters and their respective recommendations to the general assembly at the opening of its regular sessions in the odd-numbered years. Such reports may also include recommendations for legislation with respect to housing matters.

Sec. 47a-74. Rules of practice to be adopted.

The judges of the superior court may adopt such rules of practice and procedure not inconsistent with the general statutes to implement the provisions of this chapter and section 51-51v, 51-l65, 51-348 and subsection (b) of section 51-278.

APPENDIX C

HOUSING CASELOADS
July 1, 2007 to June 30, 2008

	Summary process	Increase since 2005-06	Increase since 2003-04	Small claims	Civil	47a-14h	Criminal
Housing courts							
Hartford-New Britain							
Hartford	4,956	+ 6.6%	+15.1%	4	166	10	95
New Britain	2,126	- 2.5%	- 2.8%	34	33	10	40
	7,082	+ 3.7%	+ 9.0%	38	199	20	135
New Haven-Waterbury							
New Haven	4,096	+15.1%	+16.9%	43	355	10	103
Waterbury	2,395	+11.3%	+25.2%	4	33	1	371
	6,491	+13.7%	+19.8%	47	388	11	474
Bridgeport-Norwalk							
Bridgeport	3,254	+21.9%	+17.2%	267	168	6	310
Norwalk	1,246	+10.7%	- 2.5%	172	185	1	371
	4,500	+18.6%	+11.0%	439	353	7	681
Total housing courts	18,073	+10.7%	+13.2%	524	940	46	2,127
Non-housing courts							
Central Connecticut							
Meriden[1]	646	- 1.1%	-19.9%	8			
Derby (GA 5)	537	+ 2.3%	+27.9%	76			
				84			
Eastern Connecticut							
New London (GA 10)	1,068	+20.3%	+ 8.9%	268			
Norwich (GA 21)	930	+16.3%	+29.9%				
Danielson (GA 11)	737	+12.4%	+ 2.8%	4			
Rockville (GA 19)	481	+ 1.9%	+17.9%				
Middletown (GA 9)	605	- 2.4%	+ 4.3%	64			
	3,821	+ 9.4%	+12.3%	336			
Western Connecticut							
Danbury (GA 3)	435	+12.4%	-15.5%	10			
Bantam (GA 18)	590	+ 4.2%	+25.5%	61			
	1,025	+ 7.6%	+ 4.1%	71			
Other locations[2]							
Centralized Small Claims				2,841			
Non-housing offices in housing court districts				580			
Total non-housing cts	6,029	+10.7%	+11.0%	3,912			
Connecticut total	24,102	+ 9.8%	+12.6%	4,436			

Summaries: 75.0% of all summary process cases are filed in the housing courts.
11.8% of all housing small claims cases are filed in the housing courts.

[1] Meriden is technically part of the New Haven-Waterbury Housing Court district but does not have full housing court services.

[2] Housing small claims cases no longer need to be filed in the housing court clerks' offices. Most are now filed through the Centralized Small Claims office in Hartford. Others are filed locally but in the regular clerks' offices, rather than in the housing court clerks' offices.

APPENDIX D

HOUSING COURT JUDGES

	Hartford-New Britain	New Haven-Waterbury	Bridgeport-Norwalk
1-1-79	Arthur Spada		
1-1-80	Arthur Spada		
1-1-81	Robert Satter	Paul Foti (10-1-81)	
1-1-82	John Maloney	Paul Foti	Margaret Driscoll (10-1-82)
1-1-83	John Maloney/Arnold Aronson	Dennis Harrigan	Margaret Driscoll
1-1-84	Arnold Aronson	Dennis Harrigan/Jerrold Barnett	Margaret Driscoll
1-1-85	Samuel Goldstein	Jerrold Barnett	Margaret Driscoll/Thomas Gerety
1-1-86	Samuel Goldstein	William Ramsey	Thomas West
1-1-87	J. Kaplan/S. Goldstein/Edward Doyle	William Ramsey	Thomas West/Morton Riefberg
3-1-88	Edward Doyle	William Ramsey	Morton Riefberg
9-1-88	Edward Doyle/Wendy Susco	Anthony DeMayo	Morton Riefberg
9-1-89	Wendy Susco	Anthony DeMayo	L. Scott Melville
9-1-90	Marshall Berger	Christine Vertefeuille	L. Scott Melville/Sandra Leheny
9-1-91	Marshall Berger/Robert Holzberg	Christine Vertefeuille	Sandra Leheny
9-1-92	Robert Holzberg	Clarine Nardi Riddle	L. Scott Melville
9-1-93	Robert Holzberg	Clarine Nardi Riddle/Douglas Mintz	L. Scott Melville
9-1-94	Alexandra DiPentima	Clarance Jones	Kevin Tierney
9-1-95	Alexandra DiPentima	Clarance Jones	Kevin Tierney
9-1-96	Robert E. Beach, Jr.	Lynda B. Munro/Bruce L. Levin	Leonard M. Cocco
9-1-97	Robert E. Beach, Jr.	Bruce L. Levin	Leonard M. Cocco
9-1-98	Lois Tanzer	Edward J. Leavitt	Leonard M. Cocco
9-1-99	Lois Tanzer	Edward J. Leavitt	Leonard M. Cocco
9-1-00	L. P. Sullivan/Juliette L. Crawford	Edward J. Leavitt	Leonard M. Cocco
9-1-01	Juliette L. Crawford	Edward J. Leavitt	Leonard M. Cocco
9-1-02	Angelo L. dos Santos	Edward J. Leavitt	Leonard M. Cocco
9-1-03	Angelo L. dos Santos	Edward J. Leavitt/Barry Pinkus	Leonard M. Cocco
9-1-04	Angelo L. dos Santos	Barry Pinkus	Leonard M. Cocco
9-1-05	James Bentivegna	Joseph Doherty	Barry Pinkus/Leonard M. Cocco
9-1-06	James Bentivegna	Juliette L. Crawford	Leonard M. Cocco/Jack Grogins
9-1-07	David Wiese	Juliette L. Crawford	Leonard M. Cocco/Jack Grogins
9-1-08	Robert Gilligan	Bruce L. Levin/James Abrams	Sheridan Moore/Jack Grogins

APPENDIX E

STATUS OF 2007 CITIZENS ADVISORY COUNCIL RECOMMENDATIONS

I.	Clerk's office issues	
A.	Computerization of the housing courts:	
1.	Expansion of computerization: Computerization of summary process cases should be expanded to include summary process cases in the non-housing court districts. Computerization of cases in the housing court districts should be expanded to include the non-summary process cases (civil, housing code enforcement, and criminal).	Not implemented.
2.	Manipulatability of computerized data: The Judicial Branch should explore ways to increase the ability of the housing court computer system to manipulate data.	Not implemented.
B.	Staffing: The housing court clerk's offices should be maintained at full staffing, including the filling of clerical positions in New Haven and Hartford, by general posting (rather than in-house transfer) if necessary.	Partially implemented but new staffing shortages have developed.
C.	Bilingual materials: A direct link to the Spanish-language housing booklets available on the Judicial Branch website should be included in the portion of the website where the housing forms are located.	Not implemented.
D.	Telephone book listings: The Judicial Branch should implement the agreed-upon plan for blue-page listings for every telephone book to contain a section on "housing courts" or "housing sessions," under which would be listed in one place the telephone numbers for the offices of all housing clerks and housing prosecutors which are covered by that particular telephone book.	Implemented.
E.	Housing court decision availability: The Judicial Branch should assure that the State Library and all state law libraries are receiving current housing court decisions and maintaining an up-to-date set for use by the public.	Implemented.
F.	Cell phones in the courthouse:	
1.	Hearing notices: All notices of housing court hearings	Unnecessary because cell

	should contain a conspicuous explicit statement of the cell phone rule that is being enforced at that courthouse.	phones are now permitted in courthouses.
2.	Minimization of cell phone prohibition: Any prohibition of cell phones should be limited to those which have camera capacity or would otherwise violate Practice Book Section 1-10.	Unnecessary.
3.	Checking of cell phones: Persons seeking to enter a courthouse with a prohibited cell phone should be permitted to check the cell phone at the security desk or elsewhere.	Implemented but no longer necessary.
4.	Pay phones: There should be available within each courthouse an adequate number of pay phones or other public use phones.	Unnecessary.
G.	Small claims hearings:	
1.	Essential elements of the centralization of small claims administration: The implementation of the administrative centralization of small claims cases should be carried out in a way which preserves a linkage between housing court clerks offices and housing small claims cases and should preserve at least the following elements of the housing court system: (a) the ability to file in the housing court clerk's office, (b) the availability of counter assistance at the housing court clerk's office, (c) preservation of a separate docket for housing small claims cases, (d) contested hearings to be heard in close proximity to the housing court clerk's office, including restoring New Haven and Bridgeport housing small claims cases to the building in which the housing court is located, and (e) the ability to handle post-judgment matters through the housing court clerk's office.	Items (a), (b), (c), and (e) implemented in principle, but in practice the linkage to the housing courts continues to decline. Item (d) not implemented.
2.	Identification of housing small claims cases: Small claims forms should contain a box in which the litigant can check whether or not the case is a housing case.	Implemented.
3.	Delays in the hearing of housing small claims cases: The Judicial Branch should take action, including increasing staffing, so as to assure that housing small claims cases will be scheduled and heard promptly.	Not sufficiently implemented.

H.	Compilation of housing data: The Judicial Branch should assure that its data base can track the number of housing small claims, civil, code enforcement, and criminal cases.	Implemented.
I.	Fee for modification of stay of execution: Because a modification of a summary process stay is not a modification of a judgment for possession, clerk's offices should not charge an entry fee for a motion to modify a stay of execution.	Not implemented.
J.	Housing court relocations: The Judicial Branch should make certain that those who are involved in site planning and development for any court relocation which includes a housing court site bring the Advisory Council into the discussion at an early time in the process.	Not implemented.
K.	Case reporting services: Case reporting services should review their case data bases against a list of the officially-numbered housing court decisions and add to that data base any cases not already included.	Not implemented.
L.	Case processing: The clerk's offices should continue to maintain the goal that, if a summary process case does not settle on its scheduled trial date, it will be tried on the same day. In courts where a same-day trial is not administratively practical, the trial should be held within one week.	Generally implemented.
II.	Housing specialist issues	
A.	Staffing: The Judicial Branch should maintain a full staff of housing specialists, including (a) replacing the housing specialist whose resignation will take effect imminently and (b) bringing the total number of housing specialists to ten statewide, which is the historic full-staffing level for housing specialists.	A new housing specialist was hired for New Haven-Waterbury but other vacancies have not been replaced and the housing specialist unit is now two specialists below the statutory minimum.
B.	Printers: The Judicial Branch should provide a printer close to the work station of the housing specialist in each courthouse and particularly in Rockville.	Implemented as to Rockville, but the housing specialists in Bridgeport must now do much of their work without adequate access to computers, phones, printers and copiers.

III. Prosecution and code enforcement issues

A.	Prosecutor's Manual: The Chief State's Attorney and the housing prosecutors should finalize the revised Housing Prosecutors Manual, after consultation with the Advisory Council on the newest section.	Implemented.
B.	Police Academy curriculum and police training manual:	
1.	Police academy curriculum: The housing prosecutors, in conjunction with the State Police Academy and local police academies, should develop a section on landlord-tenant law as part of the regular training curriculum of all police officers.	Implemented.
2.	Police training manual: The Chief State's Attorney, in conjunction with the Advisory Council, should develop a housing manual for police officers.	Work in progress.
C.	Supervision of housing prosecutors: The Chief State's Attorney should clarify lines of supervisory authority so that it is clear that individual housing prosecutors are responsible to the Supervisory Assistant State's Attorney for Housing Matters and, through that supervisor, to the Chief State's Attorney, not to the judicial district state's attorneys. The method of supervision currently in place in Hartford, New Britain, and Middletown should be extended statewide.	Not implemented.
D.	Training for new prosecutors: Housing law training for all new prosecutors should be made a permanent part of the prosecutor training program.	Not implemented.
E.	Housing prosecutor coverage of non-housing court districts: All housing prosecutions in the state should be handled by one of the four state housing prosecutors. In particular, J.D. Danbury and the portion of J.D. Ansonia-Milford covered by G.A. 5 should be brought into the housing prosecution system.	Implemented.
F.	Investigators: The Chief State's Attorney should make funding available for at least one investigator to be assigned to the statewide housing prosecution unit.	Not implemented.
G.	Support staff: The clerical position which supports the Bridgeport-Norwalk prosecutor should be upgraded to a	Implemented.

full-time permanent position.

H.	Eastern Connecticut prosecutor: The eastern Connecticut prosecutor should be assigned full-time to housing matters.	Not implemented.
I.	Fifth housing prosecutor: An additional full-time permanent housing prosecutor position should be added to the housing prosecution unit.	Not implemented.

IV. Judicial issues

A.	Magistrate evaluation:	
1.	Input from housing clerks: The Judicial Branch should systematically seek input from all housing court clerks prior to reappointment of magistrates or assignment of magistrates to hear a housing court docket.	Not implemented.
2.	Surveying of attorneys and litigants: The Judicial Branch's overall survey evaluation system for judges should be extended on a pilot basis to housing small claims hearings, with the proviso that small claims surveying should also include pro se litigants.	Not implemented.
B.	Small claims booklet: The Judicial Branch should (a) continue to distribute the small claims booklet to all new magistrates as part of the initial appointment process and periodically to all current magistrates, (b) continue to issue and distribute annual addenda, particularly for changes in the security deposit interest rate, and (c) arrange for the immediate updating of the booklet, in conjunction with the Advisory Council.	Implemented.
C.	Magistrate training: The Judicial Branch should include a section on housing issues in its annual training program for small claims magistrates.	Not implemented.
D.	Judicial assignments:	
1.	Advisory Council recommendations: The Judicial Branch should allow a reasonable amount of time for the Council to make recommendations on judicial assignments.	Not sufficiently implemented.
2.	Unity of the Bridgeport-Norwalk Housing Court: The	Not implemented.

Judicial Branch should, in due course, restore the Bridgeport-Norwalk Housing Court as a single housing court, in accordance with state statute, by assigning a single judge to hear housing cases at both court locations. In the interim, the Judicial Branch should assure that a single judge hears all housing cases in the Norwalk office of the Bridgeport-Norwalk Housing Court.

3. Use of judge trial referees: Except for judge trial referees (JTRs) already sitting as housing court judges, the Judicial Branch should assign judges rather than JTRs as the primary housing court judge for each housing court district. — Partially implemented.

4. Stability of housing court assignments: Judges assigned to a term at a housing court should not be reassigned mid-term except for compelling reasons and after prior consultation with the Advisory Council. — Status uncertain.

E. Meriden housing cases: If such time is available, the Judicial Branch should permit the New Haven-Waterbury Housing Court judge to hear Meriden housing cases at the Meriden courthouse. — Not implemented.

V. Issues concerning the Advisory Council itself

A. Consultation with the Council: The Judicial Branch should make certain that the Council is informed of proposed changes affecting the housing courts in a timely manner so that the Council can offer comments. In particular, in recent years the Council has not always been contacted on changes in housing court job descriptions and requirements, physical modifications to court locations, and courthouse construction. — Not implemented.

B. Appointment of Council members: The Governor should appoint a full Council, in accordance with the membership requirements of C.G.S. 47a-71a. — Not implemented.

VI. Carryover recommendations

A. Minimum job requirements for housing clerks: Supervisory/administrative experience should not be a precondition for consideration of an attorney candidate for — Not implemented.

	housing court clerk.	
B.	Spanish-speaking staff: Every housing clerk's office be staffed so as to have at least one bilingual employee who can handle telephone and counter work with litigants who are primarily Spanish-speaking. The ability to speak Spanish should be viewed as an important job-related skill in filling all clerk's office positions, including temporary ones.	Not implemented.
C.	Pro se assistance: C.G.S. §51-52(d) should be amended to explicitly require clerks who handle housing matters in the non-housing court districts to provide pro se assistance.	Not implemented.
D.	Toll-free call-in lines: The Judicial Branch should arrange for appropriate incoming toll-free lines to the Norwalk Housing Court (for Greenwich) and the New Britain Housing Court (for Bristol).	Not implemented.
E.	Law student mediation program: Law schools in the Connecticut area should be encouraged to consider replicating the mediation clinics of the University of Connecticut Law School and the Quinnipiac University Law School.	No new law school participation but participation by some undergraduate programs.
F.	Glass partitions: Glass "security" partitions should not be added to housing court clerk's offices that do not already have them.	Not implemented.
G.	Identification of G.A. criminal housing cases: Criminal housing cases in the G.A. courts should be given their own identifying letter code.	Not implemented.
H.	Recording of criminal dispositions: All conditions of nolles and probation in housing prosecutions should be recorded by the in-court clerk on the docket sheet.	Not implemented.
I.	Monitoring of probation and accelerated rehabilitation: Cases disposed of by probation or accelerated rehabilitation which include a requirement that repairs be made during the probation/rehabilitation period should be monitored by the housing prosecutors, using local code enforcement inspectors to gather information, rather than by the state's Probation Office.	Not implemented.

J.	Consultation in the hiring of housing prosecutors: A representative of the Advisory Council should be included in the panel selecting new housing prosecutors.	Not implemented.
K.	Standards for the hiring of housing prosecutors: The Criminal Justice Commission (or any other entity hiring housing prosecutors) should assure that the following four standards are included in the evaluation of applicants: (1) commitment to decent housing, as required by C.G.S. §51-278(b)(1)(B); (2) an understanding that the prosecutor's role in the administration of local housing code enforcement will effectively control housing code enforcement administration by every local municipality in the entire region within the prosecutor's jurisdiction; (3) a commitment to active community outreach, particularly to local code officials, police departments, and neighborhood groups; and (4) a willingness to work cooperatively with the Advisory Council on issues of mutual concern.	Status uncertain, but commitment to decent housing included in job posting and Supervisory Assistant State's Attorney for Housing Matters included in applicant screening.