

Legislative History for Connecticut Act

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JOINT
STANDING
COMMITTEE
HEARINGS

JUDICIARY
PART 5
1303-1608

1988

I am not up to speaking, and I won't say very much other than: I am here today with Assistant Chief State's Attorney Peter Salsby and Attorney William Sweeney of the New Britain Bar Association. We will jointly testify on behalf of House Bill 6111, AN ACT ESTABLISHING A JUDICIAL DISTRICT OF NEW BRITAIN.

Just briefly, I would cite the study done by Chief Court Administrator Arron Ment's office, which substantiated the possible need to break up the current Hartford Judicial District, citing that it is twice as large as the next largest Judicial District in the state. And, while Judge Ment's report offers a number of pros and cons to creating an additional Judicial District, Attorneys Sweeney and Salsby, I believe, who work with the system - Attorney Salsby as one of the State Administrators in the system, and Attorney Sweeney who represents the New Britain area legal community - can better tell you how creating a Judicial District would meet some real needs and correct some real problems in the area we are trying to serve.

I will turn this over now to Attorney Sweeney.

ATTY. WILLIAM SWEENEY: Thank you, Senator Harper. Senator Avallone, Representative Tulisano, Members of the Committee, first of all, I would like to submit a petition that was signed by members of the New Britain Area Bar Association, in support of the creation of this district. It was...I don't know if it has been passed around...a month or so ago, and I would like to submit that as evidence of the general support amongst the Bar in the area for the creation of the separate judicial district.

I think that in the last six or seven years, there hasn't been one Presiding Judge that has presided over the New Britain part of the Hartford-New Britain Judicial District who hasn't recommended to me that a separate judicial district be created, in order to alleviate the various problems that they, as Presiding Judges, saw in the administration of the district.

For those of you who aren't aware, the New Britain Judicial District is a part of the the Hartford-New Britain Judicial District. The Presiding Judge is

New Britain presides over the J.D. Courthouse in New Britain and the G.A. Courthouse in New Britain and the G.A. Courthouse in Bristol. There have been anywhere from five to six judges regularly assigned to that district by, in the normal course of events, and there have been anywhere from one to three senior judges, who have acted as Referees in the area.

The courthouse, or the court itself... I am assuming that you have all seen the report done by the Judicial, by Judge...well, let's see, done by Judge Ment and the statistics that are contained therein. I would note, by referring to those, that the, that the Hartford-New Britain Judicial District, as Senator Harper has said, is twice the size of the next district, which is New Haven. Furthermore, that the, the recommendation on page 18 indicating that if G.A. 15 and G.A. 17 are put together, that it would be the 5th largest J.D. is population.

Although I don't have any ready statistics with me right now, I know from my own experience in talking with the various Presiding Judges that the business that has gone through the New Britain courthouse, as part of the Hartford-New Britain Judicial District, has been anywhere from the 5th highest to the 3rd highest, depending on the time of the year and the number of cases that have gone through there.

So, it is a very active court, in fact, in that there are 12 judicial districts right now. And, that this district would be number 5, I think is quite significant, as a reason why you would want to create such a district. The area that keeps coming back is the question of management. A judge in New Britain has to call a Hartford Administrative Judge when a secretary is out. New Britain has been subject... And the worst offense, of course, was a few years back, when the Hartford Civic Center trial was forced on the New Britain Courthouse, and it took one of the assigned judges off the other business for almost nine, well, just about for nine months.

SEN. AVALONE: Can I just ask a couple of questions? Maybe we can do it like this. Senator Harper, this

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appears to be a very substantial piece of legislation, and I assume that the Appropriations Committee, if the Judiciary Committee were ready to send this...(laughter)... and smile favorably upon this bill, is the fiscal analysis...?

: (inaudible comments among Committee members, laughter)

REP. TULISANO: The answer is yes, right.

SEN. AVALLONE: This is not a new idea. Once it gets over to Appropriations, it is not a new idea?

SEN. HARPER: We would take care of this bill, just as we take care of all the other bills that you send to us.

SEN. AVALLONE: That is what I wanted on the record.

SEN. HARPER: ...that cost money, you know? (laughter)

SEN. AVALLONE: Let's move this along.

ATTY. WILLIAM SWEENEY: Okay. Looking at the bill that has been presented to me, and in anticipating some of the criticisms that have been leveled against this bill, I would propose that the bill be amended on page 173 and 174. And, I would propose that at line 614, there be an addition, and it would be a sub-paragraph, capital G, which would say in substance that if either the plaintiff or the defendant resides in the towns of Farmington, Avon, Simsbury or Canton, that they have co-terminus venue with Hartford.

This certainly would not be an exception, in that...

SEN. AVALLONE: Where are you taking about?

ATTY. WILLIAM SWEENEY: I am talking about line 614.

SEN. AVALLONE: Line 614?

ATTY. WILLIAM SWEENEY: I am sorry. Line 1614.

SEN. AVALLONE: Oh, line 1614. Okay.

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ATTY. WILLIAM SWEENEY: Excuse me. I will point out to you that this is not unusual, in that it has been done in other areas. I believe someone can return to Waterbury or Hartford, and I believe there are some towns in the Judicial District of Waterbury...

SEN. AVALLONE: I am sorry. I am lost. In line 1614, I don't see any sub-section G.

ATTY. WILLIAM SWEENEY: Well, I am proposing an addition there.

SEN. AVALLONE: Well, I know. But, I don't see F.

ATTY. WILLIAM SWEENEY: F? If either the plaintiff or the defendant...? (inaudible comments between Committee members and Attorney Sweeney)

SEN. AVALLONE: I am trying to follow this. Some of us are a little slow. (laughter)

ATTY. WILLIAM SWEENEY: Page 173, I am looking at page 173 of the bill.

REP. TULISANO: The small bill.

ATTY. WILLIAM SWEENEY: The one I have is rather large.

SEN. AVALLONE: 173, okay, go ahead.

ATTY. WILLIAM SWEENEY: I am proposing to insert after F a sub-paragraph G, which would state: if either the plaintiff or the defendant resides in the towns of Farmington, Avon, Simsbury or Canton, then they would have co-terminus jurisdiction with either Hartford or New Britain.

And, I would point out that in Judge Ment's report, there is a color graph of the various towns in the state, and I am just basically taking the towns that border... I am taking the towns that border G.A. 17 and...actually, just G.A. 17.

REP. TULISANO: Mr. Solsby.

ATTY. PETER SOLSBY: Thank you, Senator Avallone, Representative Tulisano, and distinguished members of the Judiciary Committee...

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SEN. UPSON: And the rest of us?

ATTY. PETER SOLSBY: And the rest of you, Senator Upson... (laughter) I do very much appreciate this opportunity to be able to address you. I have the balance of a docket of 285 cases left for 2:00 p.m. at G.A. 15 this afternoon. We processed approximately 110 between 10:00 o'clock this morning and 1:00 o'clock this afternoon.

I am here speaking personally. I am not speaking on behalf of the State's Attorney's Office, either Mr. Bailey's office or Mr. Kelly's office. I believe both are here, and certainly will have their own remarks concerning this bill. I am addressing House Bill 6111, the 184 pages of which deal, up through page 169, with what are basically name changes only.

The thrust of the bill appears beginning at page 169 and thereafter, where effectively what we would be doing is creating a separate judicial district, apart from Hartford, for the towns that are presently made up of G.A. 15, my geographical area of court, specifically: Rocky Hill, Newington, Wethersfield, New Britain and Berlin-Kensington, also the Police Department at Central Connecticut State University; G.A. 17, the Bristol jurisdiction, which includes Bristol, Plainville, Southington, Burlington, Plymouth, and the various sub-towns associated therewith.

The bill, as it is drafted now, would remove from a New Britain judicial district the towns of Rocky Hill, Wethersfield and Newington. It would bring in the town of Cromwell, which is now in Middlesex County and reports back to G.A. 9 in Middletown, and effectively, down the road, implementation date 1991, require at that time either the creation of a new geographical area courthouse or the assumption by either G.A. 14 or G.A. 16, respectively Hartford and West Hartford, of the G.A. level criminal responsibility from those three towns, and now four towns, if you include Cromwell.

I could sit here as I have in front of the New Britain Bar Association, and with Senator Harper

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present, and Mr. Sweeney, and go on at quite some length as to what I feel are the needs for something to be done now, with regard to the courthouse in which I currently work. I started with the State's Attorney's Office system in January of 1982, as a per diem employee. I worked in every G.A. court with the exception of West Hartford in this county. I worked originally at the old G.A. 13, in the basement of Windsor Town Hall. At the time, G.A.'s 13 and 15 were the last two of the old courts, Morgan Street aside, that were still operating in this county. Today, New Britain, G.A. 15, is the last of the old-style traffic courts.

We presently, as I indicated earlier, we have some 280 files on today's docket. We handle between 250 and 300 criminal cases each day of the week. Our case load has increased. I have a number of statistics here, which I can leave with you, or get to you through your staff. Basically, our case load has increased some 40-50% in just the last two years. That has been a result of the Family Relations, Domestic Violence Acts. That has been a result of vastly increased enforcement for DWI and other vehicle offenses. A simple Operating Under Suspension Charge, which was once a \$150 fine and so forth, the penalty, if it is a DWI related suspension now is a minimum mandatory \$500 fine, 30 days in jail.

This has increased our net work load appreciably. We are trying to deal, in many instances, with Class C and B felony cases, which have been returned to us from Hartford, Part A jurisdiction, because of an overworked case load there. I have two files that involve three separate defendants in each case, which are attempted murders, where an individual was shot, that were transferred back to New Britain to be handled at the G.A. level, because the Presiding Judge in Hartford did not feel that they were appropriate for transfer on the B Felony status. We have a number of serious narcotics-related prosecutions pending...

SEN. AVALLONE: Excuse me. I appreciate the import of your testimony. I just want to find out if there are any members of the Committee at this point that would like to ask some questions? Senator Upson.

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SEN. UPSON: Just one short one.

ATTY. PETER SOLSBY: Yes, sir.

SEN. UPSON: In many cases, with administrative appeals, you have them returnable to Hartford/New Britain. What, in this 250 page document, have you done or suggest for those cases involving the state where they say, you know, that you have to...?

ATTY. PETER SOLSBY: The administrative appeals are not my specialty, Senator. I would point out to that the first...

REP. TULISANO: They stay there. (inaudible)

ATTY. PETER SOLSBY: The first three-quarters of the bill, I believe, addresses....

SEN. UPSON: Stay in Hartford? Or stay in New Britain?
: Stay in Hartford.

ATTY. PETER SOLSBY: ...addresses the agency responsibility. I don't want to take up much more of the Committee's time.

SEN. AVALLONE: That's a great idea. That is exactly where I am going. (laughter) Representative Wollenberg.

REP. WOLLENBERG: Yes. You are talking about the G.A., right?

ATTY. PETER SOLSBY: That is correct, sir.

REP. WOLLENBERG: So, if we were to put a G.A. in Rocky Hill, as this bill suggests, that is what you are talking about.

ATTY. PETER SOLSBY: What I am talking about...

REP. WOLLENBERG: How would a J.D. help you?

ATTY. PETER SOLSBY: A J.D. courthouse, at this point, is something that I think economically is down the road.

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REP. WOLLENBERG: How would it help you? You are telling us about the cases. How would it help you in your day to day work, in being able to do it (inaudible - Attorney Solsby interrupts)...

ATTY. PETER SOLSBY: Let me point out this, Representative Wollenberg. We now handle approximately 30 prisoners per day, through the G.A. courthouse in New Britain. There is a female lock-up, which is designed to safely hold two or three women. There have been as many as nine in that lock-up. The male lock-up, which I know you for a fact are familiar with, can safely accommodate 10 individuals. We have had as many as 47 in that one area.

We deal routinely with serious felony matters, where we have individuals transported to us, either from Danbury federal prison or the local lock-ups, Morgan Street, Weston Street, or Somers. We don't have adequate facilities now.

REP. WOLLENBERG: We know all that. How would a J.D. district, a new J.D. district help you with the problem?

ATTY. PETER SOLSBY: It would accommodate for the...

REP. WOLLENBERG: The G.A. in Rocky Hill, let's say, to take some of the work away from you.

ATTY. PETER SOLSBY: I think honestly the creation of the separate J.D. would further locate administrative responsibility within its own district, within New Britain, and alleviate what is, I feel, a strong burden on our part...

REP. WOLLENBERG: No question of that. That is an end result. How would it help you in your work load, which you are telling us about today? If we get a G.A. in Rocky Hill to take three or four towns away from you? I agree, probably the most crowded facility in the state. How would the creation of a J.D. help you?

ATTY. PETER SOLSBY: Well, it would help us specifically by giving us adequate resources to deal with what we are dealing with now.

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REP. WOLLENBERG: What additional resources would you have in the G.A., if we take some of it and put it in Rocky Hill? What additional resources would you have, if we establish a J.D.?

ATTY. PETER SOLSBY: We would not be dealing with attempted murder cases. We would not be dealing with first degree kidnapping cases. We would not have to handle first degree sexual assaults. We are handling those cases now.

REP. WOLLENBERG: How many cases did you send to Hartford last year? A and B felonies? About?

ATTY. PETER SOLSBY: I don't have exact figures. My guess is, on a weekly basis, we send anywhere from one to three cases up to Hartford.

REP. WOLLENBERG: So, there haven't been all that many that you sent to Hartford?

ATTY. PETER SOLSBY: There are A felonies. You have read about them.

REP. WOLLENBERG: I understand that, yes. But, there aren't that many that have to go to Hartford now, right?

ATTY. PETER SOLSBY: We have routinely sent a number, and they have been sent back.

REP. WOLLENBERG: So, what we are doing now isn't going to change very much?

ATTY. PETER SOLSBY: I think it is going to significantly going to change it. I am working with three fellow Assistant State's Attorneys and one investigator in handling our case load, which is I think beyond what we should be dealing with. The adoption of a J.D., the inspectors that come with, the increased personnel and staff...

REP. WOLLENBERG: Excuse me... to handle the one to three cases a week that you send to Hartford?

ATTY. PETER SOLSBY: But, do you remember that those one to three are murders, are first degree kidnapping? They are not the kind of cases that

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are disposed of in three, four or five hearings.

REP. WOLLENBERG: But, you are handling all but that now, under the present system. Crowded, I admit. But, if we make a new G.A. and split the G.A. off for you and take three or four towns, I am led to believe that that alleviates the G.A. problem. It has nothing at all to do with the creation of a J.D. And, that is what we are talking about here.

I just want to get to the bottom... If we need it, we need it. But, I don't see why we need a new J.D. district...

ATTY. PETER SOLSBY: If I could defer to Attorney Sweeney, sir?

ATTY. WILLIAM SWEENEY: I've had experience in Part A. I was a Special Public Defender in Part A for about five years, and I can tell you that the volume of business in New Britain does not provide the state with the opportunity to properly prepare the serious cases it has to deal with there. It is not in the position to deal with serious drug cases. It is not in a position to deal with serious violent crimes, because the resources aren't allocated.

In many cases, in many situations, the State's Attorney's Office and the Public Defender's Office, for that matter, in New Britain, are trying cases as best they can, but certainly, certainly not in the fashion in which they would have been handled in Part A.

REP. WOLLENBERG: But that reasoning, I think, can be made throughout the state, throughout the state. We are not doing those drug cases we should. We are not doing those sexual assault cases we should, because we don't have the personnel. If you are suggesting to me that we set up this J.D. in New Britain, and we are going to have the epitome of justice in the State of Connecticut, then I think there are a lot of other areas that we should hit before this, in setting up this J.D.

Now, I just don't think, aside from the G.A. - and I don't think that has necessarily anything to do with the J.D. - aside from the G.A., and we can

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take care of that. Set up a new G.A., let them...and then you are going to send them to Hartford, so I don't know how that, you know, helps Hartford at all. Hartford was set up to do this, when they did the building program and all. And, Mr. Bailey is on record as saying this. They set up the buildings and so on to handle this amount of business.

So, when you start telling me that you have got too much business, there isn't too much. Sure, it's the heaviest and the most busy court in the state, J.D. in the state, I agree with that. But, that is the way it is all set up. I can't see where anybody has shown me that we need a J.D. in New Britain. We need to relieve the G.A. I agree with that, and this is the way to do it: set up a new G.A.

But, to set up a J.D.? I don't see what that is going to do at all, instead of what we are doing now. We are doing the same thing now, and as far as financing, I would like to ask a question...or I can make a statement, Senator.... Is there money in the budget for this, this year? Will it be considered in the budget this year? It seems like a big nut.

SEN. HARPER: It is my understanding that the impact of this bill would be felt maybe some three fiscal years down the road. There will probably be the need for some start-up money, and it would be, well, I don't know the exact amount of money... It would be in the magnitude of dollars that we could probably add it in. We are not looking at a significant add-on to the '88-'89 budget.

REP. WOLLENBERG: No, exactly the point.

SEN. HARPER: And future expenses would be phased in, in terms of I believe a State's Attorney, Public Defender positions, staff to augment a State's Attorney's office, and some additional clerical...

REP. WOLLENBERG: Any new facilities, Senator?

SEN. HARPER: I don't deal with new facilities, the bonding act does. (laughter and exclamations)
But, eventually, I think you would be looking at a

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new courthouse.

REP. WOLLENBERG: Yes, I... Maybe Mr. Sweeney has the answer to that one. Any new facility, Mr. Sweeney?

ATTY. WILLIAM SWEENEY: Well, are you asking me whether a new facility is eventually going to be necessary? I would certainly think so.

REP. WOLLENBERG: About when?

ATTY. WILLIAM SWEENEY: When?

REP. WOLLENBERG: Yes. About when? 5 years? 20 years?

ATTY. WILLIAM SWEENEY: Well, how about tomorrow?

REP. WOLLENBERG: Fine. You are sitting next to...
(inaudible - Attorney Sweeney interrupts)

ATTY. WILLIAM SWEENEY: I understand that, but I think in order to properly analyze this problem, the biggest problem that keeps coming back is the question of security. There was...I don't know. Peter can answer this better than I can, but there were at least 1, maybe 2 breaks that have already occurred in the G.A. courthouse.

That is perhaps the biggest problem. There is also, as you may be aware a, quote, "courthouse" in Bristol, that is contemplated as being used, usable within this system.

REP. WOLLENBERG: But, we tried to do that once with Bristol, remember? We were going to do some Family Relations thing, cases in Bristol. What ever happened to that plan?

ATTY. WILLIAM SWEENEY: I don't think it was executed. I think, I know what you are talking about, and I know it was attempted on Friday afternoons, and I know it didn't work. My suggestion would be that I think that part of the problem has to go back to the issue of management. And, the Presiding Judge in New Britain does not have the kind of management authority that is necessary, at least according to one.

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REP. WOLLENBERG: Well, that is fine, and you mentioned the Clerk and all, but we can alleviate that. We can set up something, where the Chief Administrative Officer, Judge will take those kinds of things into consideration perhaps, and maybe allow a Presiding Judge down there to hire and fire a Clerk, instead of having to go to Hartford and run through the whole gamut of things. That is simple administration. I think we can do that.

ATTY. WILLIAM SWEENEY: Well, when you say simple administration, you have got to take into consideration the numbers involved here. Under what you propose, that is to leave things alone, you still have the largest judicial district in the state by two times. It is twice the size of New Haven, which is the next largest one. And, I would submit that the numbers alone are causing, is a good enough reason.

REP. WOLLENBERG: And you know, and I know that we can get a negligence heard within about a year.

ATTY. WILLIAM SWEENEY: In New Britain. That is correct.

REP. WOLLENBERG: That's right.

ATTY. WILLIAM SWEENEY: That is correct.

REP. WOLLENBERG: And, New Britain is now used as an overflow for Hartford, when New Britain has the time and the space, and so on. And, it may be a little inconvenience to somebody sitting down there and to some other attorneys. But, don't they use it for an overflow?

ATTY. WILLIAM SWEENEY: That is what... The Civic Center is the worst example of that.

REP. WOLLENBERG: Well, they did the Wood case in G.A. 16 in West Hartford. That was (inaudible - Attorney Sweeney interrupts)

ATTY. WILLIAM SWEENEY: But they assigned a separate judge for it, I believe. They didn't take a judge out of the pool.

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REP. WOLLENBERG: Yes, I think they did.

ATTY. WILLIAM SWEENEY: Well, they took a judge out of our pool to try that case.

REP. WOLLENBERG: And we still moved a lot of business in New Britain. It did move quickly.

ATTY. WILLIAM SWEENEY: It didn't move when that case was on trial.

REP. WOLLENBERG: I think New Britain is moving business about as fast as any other place in the state.

ATTY. WILLIAM SWEENEY: Well, again...

REP. WOLLENBERG: Except Litchfield, maybe.

ATTY. WILLIAM SWEENEY: Again, that may be another reason why it is necessary to have an Administrative Judge, as opposed to the Presiding Judge. In other words, despite all of that, the judges that I have talked to have all said that you need to be a separate J.D. in order to have your own authority, and in order to be able to deal with your system like Ansonia/Milford.

REP. WOLLENBERG: Okay. I don't have any quarrel with that. I agree with you. You need your own Administrative Judge if you are going to run your own show completely, and I think what this bill is all about. I don't think the people in New Britain like to be under Hartford, and they want to run their own show with their Clerks and their State's Attorneys, and that is the whole story about this bill.

: No, no, no, no, no.

REP. WOLLENBERG: So, don't try to justify... Let's not spend any more time. I am going to shut up and go away, but in trying to justify why we should have a J.D., because I think you hit it right on the head, Mr. Sweeney, exactly. If you want to run your own show, you can't do it with the A.D. in Hartford, the A.J. in Hartford. You have to have your own. And, I don't see anything wrong with the way it is

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running right now, and I know... I know a lot of you folks over there, and I make a lot of enemies doing this. But, I firmly believe that we are on the right track.

If it is Political, with a capital "P", then let's do it. I understand it. But, if it's for...

ATTY. WILLIAM SWEENEY: Representative...

REP. WOLLENBERG: If it's for a good reason, don't sit here and waste our time trying to jerk, trying to justify that court, because you can't do it if you talk all day.

SEN. AVALLONE: Is that in the form of a question, Representative Wollenberg? (several people speaking at the same time - inaudible)

ATTY. WILLIAM SWEENEY: I don't want to belabor. If I could just make one quick point...?

SEN. AVALLONE: Hold on one second. Unless there is somebody on the Committee who has a very important question and they wish to ask, then, I am going to ask these gentlemen to step aside. We have taken up a half an hour of the Agency and Public Head time. If you want to stay, we will be here all night to hear your testimony. But, we are going to give somebody else a chance on some other bills.

ATTY. WILLIAM SWEENEY: We will be back here at the end.

SEN. AVALLONE: We will be here. Senator Harper, I appreciate your coming over from your busy schedule.

SEN. HARPER: (inaudible response)

SEN. AVALLONE: (inaudible comment to Senator Harper). We have a pretty good handle on it here, Senator.

SEN. HARPER: I know you do.

SEN. AVALLONE: Thank you.

REP. WOLLENBERG: They have full control over me, Senator. (laughter)

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SEN. AVALLONE: Thank you. Representative Chase.

REP. TULISANO: Just for the record. This is the petition being submitted from the New Britain Bar Association concerning the bill.

SEN. AVALLONE: Is that right? Make sure it is notarized?

REP. CHASE: Senator Avallone, Representative Tulisano, Members of the Committee, I appreciate the opportunity to speak today on two bills. One bill is 6027, AN ACT REINSTATING AND VALIDATING THE CORPORATE EXISTENCE OF CERTAIN CORPORATIONS. And, the second bill, AN ACT CONCERNING VIDEO TAPE RENTAL AND PRIVACY.

With me, Mr. Chairman, I have Attorney Sandra McDonough, who is just here to be on hand, in case you have any specific questions concerning House Bill 6027 and more specifically regarding Section 6. I am in favor of passage of this bill. Flight Unlimited, through - quite frankly - an administrative mix-up at the time of the set-up has failed to receive its, has lost its corporate existence, if you will, through the Secretary of State's Office. We are asking that the Committee extend the creative time, to allow Flight Unlimited that period of time, in order to file.

The second bill... before I go on to the second one, if there are any questions on that one? None? The second bill is....

SEN. AVALLONE: Just one question.

REP. CHASE: Yes, sir.

SEN. AVALLONE: Is there any reason we shouldn't do this, these validating acts?

ATTY. SANDRA MCDONOUGH: No, Senator Avallone. We have a letter from Unemployment saying that all the bills are paid, and the Department of Revenue Services is forthcoming.

SEN. AVALLONE: Thank you.

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wished legislation of this type, that perhaps a dialogue could take place between the Legislature and the Judicial Department, so that we could not have a conflict between the rules and the statutes. A similar effort was successful, I believe it was two years ago, when the state-wide Grievance Committee was revamped.

There is another bill, 6079, AN ACT CONCERNING MEMBERSHIP ON THE JUDICIAL REVIEW COUNCIL. This bill would eliminate judges and attorneys from sitting on the Council. We think that both are necessary to make the Council work, and we would oppose this bill. We did, one year.... I believe it was one or two year ago, suggest that perhaps non-court appearing attorneys could be substituted for the current language. That was not favorably considered, and at this time, it would appear, to us at least, that the current make-up of the Committee should remain.

Now that Representative Wollenberg has returned, I will comment on 6111, AN ACT CONCERNING THE JUDICIAL DISTRICT IN NEW BRITAIN.

SEN. AVALONE: Gee, Judge. I was out of the room for a few minutes, and you didn't make any statement like that when I returned.

HON. AARON MENT: Well, you didn't cross-examine the prior....

SEN. AVALONE: Oh, I see...

SEN. UPSON: Three witnesses?

HON. AARON MENT: Three witnesses. Thank you, Senator Upson. (laughter)

REP. WOLLENBERG: It is known as putting on the black hat, Judge, which is often done...(inaudible - laughter)

HON. AARON MENT: As you know, ladies and gentlemen, this was not our bill. We simply proposed a... We did a study on the situation and made it available to those Legislators who had expressed an interest. Now that the bill has been drawn, we would speak favorably towards the bill.

I think, Representative Wollenberg, the point you made earlier was well made, that this bill would allow a more efficient administration of justice, both in Hartford and in New Britain. We have found that the very large judicial districts, with multiple sides, are difficult for us to manage. Without boring you with all of the details and how we are re-organizing the complete Superior Court administrative structure, in an effort to get more direct responsibility for management, and in an effort to get management in the hands of administrators rather than in the hands of judges...

Without boring you with all those details, I would simply say that this bill, in general, would help us with those developments. This is a bill that would be effective, I believe, in 1991. It would take us that long to get the organization necessary and to acquaint the Legislature with whatever needs might be necessary to make this transition a reality.

I would point out that when the Legislature established the Stamford/Norwalk Judicial District, it did so initially without transferring criminal jurisdiction. It allowed the criminal jurisdiction to remain in the Fairfield Judicial District. I just point that out to you, somewhat in response to some of the other questions you had asked earlier witnesses, Representative Wollenberg.

Another bill is 6080, AN ACT PROHIBITING EMPLOYMENT IN THE JUDICIAL DEPARTMENT AND PRACTICE OF LAW BY FELONS. We think that all state employees should be treated equally, and we think that these matters should be treated on a case by case basis, that blanket legislation is not necessarily the best way to go. And, we do think that all state employees should be treated equally.

Finally, there is a corrections bill, 6078, AN ACT CONCERNING SUPERVISED HOME RELEASE. I would simply say that there has been a problem with whether, technically, an individual could be charged with escape following his or her leaving this particular program, and I would ask that the Legislature look into this area, and perhaps favorably consider this

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how I feel about the one tier court anyway. I think, you know, that maybe it is a step in the right direction, but it is backwards more than forwards, but anyway.... (laughter)

Now, Judicial District in New Britain?

HON. AARON MENT: Yes.

REP. WOLLENBERG: Now, and I know that is why you came to see me.

HON. AARON MENT: Well, I really came on the Grand Jury bill, but that is okay.

REP. WOLLENBERG: If you can tell me why it is necessary that we set up a J.D. in New Britain now, HB 6111 and don't wait until your study is done... And, you mentioned you were doing some kind of a survey, and you are getting all that kind of administrative thing in line, and you are going to come out with something, someday. Is that true?

HON. AARON MENT: I don't believe so.

REP. WOLLENBERG: Well, what did you say? Maybe....

HON. AARON MENT: What I said was that we have been asked whether or not this was a, would be advantageous. We were asked by several Legislators, and under my direction, a survey was done. And, we gave that to several Legislators who had expressed an interest.

That had both pluses and minuses, because there are pluses and minuses in the creation of a new J.D. at any time. We gave that to the Legislature, and the result of that was this bill. That is what I said about a study. I said that if, in fact, this bill is favorably viewed by the Legislature, then we would need a good two years or better lead time to get the thing established.

REP. WOLLENBERG: You also said that you were looking at administrative areas, and other areas besides...

HON. AARON MENT: Yes, I did.

REP. WOLLENBERG: And, kind of state-wide? And...

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HON. AARON MENT: Yes.

REP. WOLLENBERG: And is there a study going on, or...?

HON. AARON MENT: No. No, it is not a study going on. What we have completed... We have completed a management reorganization study.

REP. WOLLENBERG: That's the one, yes.

HON. AARON MENT: For the Judicial Department. It was, it is about three months old now. We are in fact looking now towards the central operation, central administration, and as we reorganize that, we have posted new job positions, incidentally, just last week. Once that is done, we are going to go into each of the Judicial Districts and try to reorganize the districts to have more responsive administration and to put that administration into the hands of the administrators as opposed to judges, allowing judges to spent more time on the bench and less time worrying about whose parking space is where.

REP. WOLLENBERG: So, this... There is an overall plan, then, that is being worked on now?

HON. AARON MENT: It has nothing to do with particular bill, however. That plan is in effect.

REP. WOLLENBERG: Yes.

HON. AARON MENT: ...to deliver a speedier justice to the people of the state.

REP. WOLLENBERG: But, it is a state-wide study of administration of the court system, and you are going to meld into that good justice and efficiency and so on, is that correct?

HON. AARON MENT: Yes.

REP. WOLLENBERG: Wouldn't you say that this is premature then? Shouldn't you be allowed to do your thing, with regard to the whole state?

HON. AARON MENT: Representative Wollenberg, it really has nothing to do with G.A. or J.D. lines.

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REP. WOLLENBERG: All right.... Good point. Let's stick with the G.A. for a second. Pretty soon, it will just be you and I, Judge, and it won't make any difference, and Representative Tulisano.

REP. TULISANO: I will be here.

REP. WOLLENBERG: But, it won't make any difference.

HON. AARON MENT: The NIT is at eight. But, other than that...

: Looked good yesterday.

REP. WOLLENBERG: But, let's stick with the G.A. Now, if we move a G.A. to Rocky Hill, now does that alleviate the G.A. problem in 15?

HON. AARON MENT: G.A.'s have to be within a J.D. line, according to the statute. My recollection is, and it is only a recollection, that decision is made by Judicial, where we set up the G.A.'s by authority that you have given to us, within a J.D.

REP. WOLLENBERG: Yes?

HON. AARON MENT: And, you asked, if we made a G.A. surrounding Rocky Hill, would that be beneficial to New Britain? Was that the question?

REP. WOLLENBERG: Would that alleviate the overcrowding situation we hear from and your figures show that we have, and so on? And, I know...

HON. AARON MENT: The figures referred to by the earlier witnesses, incidentally, are not New Britain figures. That is why we keep coming back and saying that we need help. Those figures are up state-wide. I thought I would get a plug in.

REP. WOLLENBERG: Well, maybe we can get a question in, soon? But, is this going to help the G.A. in New Britain, if we establish a new G.A. with Cromwell, Newington, Wethersfield, or whatever...?

HON. AARON MENT: It will more equally distribute the load, yes.

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REP. WOLLENBERG: All right.

HON. AARON MENT: See?

REP. WOLLENBERG: What will that do to the J.D. situation, if anything?

HON. AARON MENT: Remembering now that G.A.'s have to be within J.D. lines...

REP. WOLLENBERG: Yes?

HON. AARON MENT: With that exception, it would have no effect on the J.D.

REP. WOLLENBERG: Okay. So, we have got a problem in the G.A. We know that.

HON. AARON MENT: Yes.

REP. WOLLENBERG: And we may have problems all over the state, as you point out. But, this one has been identified, and we are hearing evidence on that. But, it won't alleviate, it won't help this J.D. situation. Why does the J.D. situation in New Britain need help?

HON. AARON MENT: Because the...like any other management situation, absentee management isn't the best. We should not try to manage the courts in the New Britain area through Hartford. They should have separate on-site administration and management.

REP. WOLLENBERG: Well, don't we do that in other areas of the state as well?

HON. AARON MENT: No, not really. There is one other area that might be similar, which is the... Well, Ansonia/Derby has two sites, but they are both so small that the Administrative Judge who does go between the two often is able to manage.

The other possibility of problems in the future would be the Meriden/New Haven, because those are separated by roughly 20 miles geographically. But, none of the other areas has the business that the Hartford/New Britain J.D. has. The Hartford J.D.,

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in and of itself, has proven to be too large to be managed efficiently by us.

REP. WOLLENBERG: So, you put somebody in New Britain who manages that.

HON. AARON MENT: Yes.

REP. WOLLENBERG: With some overseeing from Hartford.

HON. AARON MENT: Yes.

REP. WOLLENBERG: So, you split it up. How is the J.D. going to help this, Judge Ment?

HON. AARON MENT: The J.D. will help this by allowing New Britain decisions to be made in new Britain and not through Hartford.

REP. WOLLENBERG: What decisions are those that are not being made properly now?

HON. AARON MENT: I think perhaps I can answer that question, if I just tell you which decisions are being made there now. And, whether they are proper or not is really subject for another discussion, because I am not sure as to which are proper and which are not, at the moment. There are a lot of decisions.

They are decisions... Let me say... First of all, the judges are assigned in a separate block, so the number of judges would not change. And the Assistant Administrative Judge in New Britain has the right to reassign those judges as he or she wishes, so that is one area we really should not discuss, because it will not change.

There are maintenance questions. There are administrative questions of all.... staffing questions. There are...

REP. WOLLENBERG: Give an example of these. I...

HON. AARON MENT: Okay. Shifting personnel within a, within the Clerk's office. We have Case Load Coordinators through the courtesy of the Legislature. We have Clerks similarly, and there is, at some point, conflicts between the two groups

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that have to be resolved. There are attendance situations. There are work shifting, work load shifting situations. All of these situations should be handled without having to resort to a Hartford-based judge or administrator.

REP. WOLLENBERG: Well, why don't we just set that up so that it can be handled in New Britain? Certainly, the judges you have in New Britain, who sit as A.D.'s around the state, could handle the Clerks over there, and could handle those types of things over there, couldn't they?

HON. AARON MENT: No, I don't believe so. The judges who are assigned on a six month basis, although most of them do remain for far longer than that, are there to act as judges, to make judicial decisions, not to act as administrators. We found a lot of judge time was lost over the years with judges making the decisions as to who would park where, or which Clerk would do what.

REP. WOLLENBERG: So, Judge, then is it fair to say that the reason we need a J.D. in New Britain is to handle the Clerks and to take care of parking situations and those kinds of things? Is that...?

HON. AARON MENT: No. That would not be fair. That certainly would be part of it.

REP. WOLLENBERG: (inaudible - interrupts Judge Ment)
Can you give me some other examples?

HON. AARON MENT: Yes.

REP. WOLLENBERG: Why we need a J.D. in New Britain?

HON. AARON MENT: The court, the Judicial Department feels that for management purposes, once J.D.'s get beyond a certain size, it becomes difficult. When the number of facilities, G.A.'s and Juvenile facilities and Probation facilities...

REP. WOLLENBERG: Judge, excuse me, but we are going to move the G.A. out. That is a given. Let's say that that is a given.

HON. AARON MENT: No, I am sorry, Representative Wollenberg, it is not a given, because what I am

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referring to are the remaining Hartford G.A.'s and J.D. sites, to be explicit. You have Manchester. You have Enfield. You have West Hartford, and you have Hartford, four separate G.A.'s, 12, 13, 14, and 15.

REP. WOLLENBERG: And, isn't the plan, then, to make a new G.A. report to Hartford?

HON. AARON MENT: Yes.

REP. WOLLENBERG: So, we are putting some more....(inaudible - Judge Ment interrupts)

HON. AARON MENT: But we are taking out some. That is what we are doing. We are closing the circle on the area that Hartford will have to administer, by taking some of that area and giving it to the New Britain area.

REP. WOLLENBERG: Okay, Judge Ment, I am not going to belabor this. I could go on a long while. We can probably discuss this later. But, we are not closing the circle by adding Cromwell and taking New Britain away.

HON. AARON MENT: You take more than you add. If you take out more than you add, you are closing the circle. Now, we haven't even gotten into the area of jurors and litigants. It is much more convenient for the jurors and the litigants if they can go to a court that is less distant from their home.

REP. WOLLENBERG: We always hear Enfield, New Britain. Granted. Do we have any other places in the state where anyone has to travel that far, or almost that far?

HON. AARON MENT: Not where the parking and commute is so difficult. In some of the more rural areas, Putnam and Danielson, etc., the distances are as long, but the commute is not as difficult, and the parking, obviously, is not the same.

REP. WOLLENBERG: Well, it is going to be as difficult or more difficult to get to the new position in Rocky Hill, isn't it, as New Britain? Why would it be any more difficult? We take 91/84/72. We are

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right sitting at the courthouse.

HON. AARON MENT: One reason it will be less difficult is that there will be less congestion in Hartford, since we are going to be taking out more than we are adding.

REP. WOLLENBERG: And, you mentioned parking. Is that another reason we need an A.D.? You said the parking situation is bad in New Britain?

HON. AARON MENT: No...well, I am talking now about parking for litigants and jurors. That is a separate question.

REP. WOLLENBERG: Does that have anything to do with establishing a J.D., really?

HON. AARON MENT: Yes.

REP. WOLLENBERG: What does that have to do with it?

HON. AARON MENT: The convenience of the citizens of the state is one of the things that we have often been told must be taken into consideration. My predecessor, Judge Sponzo, in an attempt to save some funds for the state, tried to close a G.A. or J.D. facility in Windham. He went into a firestorm. And, it was pointed out correctly by the Legislature that convenience of the people of the state is important.

REP. WOLLENBERG: But, Judge Ment, if we establish a J.D., does that give us better parking in New Britain? Don't we have to put some money into parking in New Britain?

HON. AARON MENT: What it does is... We think it would be easier for jurors and litigants to travel to New Britain and to park in New Britain, rather than to come to Hartford and do the same here.

REP. WOLLENBERG: You can guess that I am again, probably, the lone voice crying in the wilderness with the black hat on, because this is probably going to shoe right in and everything. But, I don't think that anyone has told us why we need a J.D. in New Britain, and my x-friends in the Bar from Plainville and New Britain are all glaring at

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me and can't understand why I take this position.

But, they have not justified to me either, only the same reasons you do: to take care of the Clerks, to take care of parking, and all these minor, what I consider minor administrative things, as opposed to justice being served in the New Britain area.

HON. AARON MENT: In closing, then...

REP. WOLLENBERG: No one has told me that justice will be better served by a J.D. in New Britain. As a matter of fact, we will probably lose something. Right now, we can bring a negligence case and probably get it heard in ten or twelve months in New Britain. I am sure once we get the A.D. there, and we have all these other things, that it will take us 15 to 20 months, probably. It would straighten out. We ought to leave it the way it is. We are serving the people of the State of Connecticut.

Judge, thank you. I didn't mean to badger you, and I apologize...

HON. AARON MENT: Oh, that wasn't badgering, Representative Wollenberg.

SEN. UPSON: I have a quick question, if I may.

SEN. AVALLONE: Senator Upson.

SEN. UPSON: And that is, if I may, and you have been very fair to Waterbury, but we also need a courthouse, and you know that.

HON. AARON MENT: Yes, you do.

SEN. UPSON: If I end up voting for this J.D. and they needed a courthouse, what...how does that jeopardize us getting in line?

HON. AARON MENT: My understanding is....

SEN. UPSON: (several committee members talking - also, Senator Upson continues his question as Judge Ment begins to answer - inaudible) personally, but I want to know about it for the Waterbury Courthouse.

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HON. AARON MENT: I have a feeling that the Waterbury situation will be resolved prior to the J.D. in New Britain becoming a reality, which is 1991. My understanding from conversations this last week is that there is a plan being devised by Commissioner Tassin, Commissioner of Public Works. He even, in fact, asked me on Sunday, we were both together on Sunday, with Representative Wollenberg as well...

: How come I wasn't invited?

HON. AARON MENT: I don't know. And, he said we have to meet this week, because he wanted to go forward with that plan. So, I would suggest that that would be done shortly.

SEN. UPSON: That would be my only fear. Thank you.

REP. WOLLENBERG: I just have one more, Representative Tulisano.

REP. TULISANO: Representative Wollenberg...

REP. WOLLENBERG: Judge, is this your... If you had your pick, all over the state.... Now, this could be a pretty good building program. We are not going to have to worry about it until 1991, and I understand that, and a whole different administration, and we will all be gone...and somebody else, maybe our grandchildren... Maybe our grandchildren will have to worry about paying for it.

But, if you had your choices in the State of Connecticut of the money to be spent on building a facility, such as we are going to build in New Britain, would you build it in New Britain?

HON. AARON MENT: Yes...

REP. TULISANO: You can pass if you want to.

HON. AARON MENT: No, no, no. We have a published priority list. Number one is Stamford, and...

REP. WOLLENBERG: Then you wouldn't build it in Stamford.

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SEN. UPSON: No, Stamford is first. What is the other....?

HON. AARON MENT: Okay, Stamford is number 1. Waterbury has to be number two.

SEN. UPSON: Thank you.

REP. TULISANO: Do you want this bill?

HON. AARON MENT: We have certain commitments...

: What about the parking garage in New Haven?
(laughter)

HON. AARON MENT: That would be 2A. (laughter)
We have...

REP. TULISANO: This is the current edition of the priority.

HON. AARON MENT: Yes. If we get the appropriations, we will shift it a little....

REP. WOLLENBERG: Which I assume we are doing something about Golden Hill Street in Bridgeport?

HON. AARON MENT: Yes, that program is almost complete.

REP. WOLLENBERG: Yes, that would be to me, a place that we could stand at least some renovation.

HON. AARON MENT: We did... There is some... Representative Testa believes that we should have a parking garage, and he is correct.

REP. WOLLENBERG: So, we have named three or four, but we haven't got to New Britain yet.

HON. AARON MENT: These are imminent. That is, we expect funding this next fiscal year for, for example, Stamford. The following fiscal year may very well be Waterbury and New Britain. Those are not going to be extremely large...

REP. WOLLENBERG: Was it on the table before this bill? Was New Britain on the table as being number 3, before this bill?

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HON. AARON MENT: New Britain was not on the table because we had no authority from the Legislature, and we still don't, unless this bill passes, to expand the New Britain facility. If in fact we are to do so, through this bill, then of course, we will need a facility, and we will put it on the table in order to accomplish the will of the Legislature.

REP. WOLLENBERG: Was some of the crowding that we are talking about taken into consideration when we just built a new facility in Hartford? And, I know it has probably outgrown itself.

HON. AARON MENT: Yes. I don't think anybody forecasted the unusual growth in activity on the criminal side. We had been in a down trend, up until about two or three years ago, but the emergence of crack and other vicious drugs have really put us again behind the eight ball.

REP. WOLLENBERG: That is a state-wide...

HON. AARON MENT: It was drug rings.

REP. WOLLENBERG: We are doing a bad job on that. We just don't have the people. We just don't have the time. I understand that. It is a shame. Thank you, Judge.

HON. AARON MENT: I thank you for allowing me this opportunity to speak to you.

SEN. AVALLONE: We appreciate it.

REP. TULISANO: We are going to have to get some of the public over. Marion Honiss.

MARION HONISS: Here. Senator Avallone and Representative Tulisano...

SEN. AVALLONE: You knew you were first?

MARION HONISS: Well, I was just announced.

SEN. AVALLONE: Oh, I didn't hear. I am sorry.

: Don't worry. There are professionals available.

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GEN. ASSEMBLY
SENATE

PROCEEDINGS
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PART 9
2940-3313

MONDAY
MAY 2, 1988

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Immediate roll call has been ordered in the Senate.

Will all Senators please return to the Chamber.

THE CHAIR:

The item before us, Calendar No. 523, Substitute for House Bill No. 5864 as amended by House Schedule "A", File No. 440. The machine is open, please cast your vote. Has everyone voted? The machine is closed. Clerk please tally the vote.

The result of the vote.

21 Yea

14 Nay

The bill is adopted. Clerk please call the next item.

THE CLERK:

Calendar Page 6, Calendar 538, File 625, Substitute for House Bill 6111, AN ACT ESTABLISHING A JUDICIAL DISTRICT OF NEW BRITAIN. (As amended by House Amendment Schedule "A") Favorable Report of the Committee on APPROPRIATIONS.

THE CHAIR:

Senator Owens.

SENATOR OWENS:

Mr. President, I move acceptance of the Joint Committee's Favorable Report...hold on a second...as amended by the House and passage of the bill.

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THE CHAIR:

You may proceed.

SENATOR OWENS:

Yes. What the bill does, Mr. President, is it separates the Hartford/New Britain judicial district into two separate JD's and moves Cromwell from the Middlesex JD to the Hartford JD. The bill will take effect on September 1, 1991. The bill is derived mainly from the fact that there is an overwhelming amount of business in the New Britain area and it creates a new judicial district, in essence, for New Britain.

It also separates the towns of Cromwell from the Judicial District of Middlesex and adds to what will now be called the Judicial District of Hartford.

The bill was amended in the House and it provided that the parties of litigation in the Town of Newington, the action could be made returnable at the option of the plaintiff to either Hartford or the new Judicial of New Britain, except for actions where venue is in the GA as provided already in the statute or by rules of court. And it also provided if the land is located in the Town of Newington neither the plaintiff or defendant reside in the Town of Newington the action may be returnable at the option of the plaintiff to

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either the Judicial District of Hartford or the
Judicial District of New Britain.

The House Amendment was well thought out. I would
ask if there is no objection that this bill be placed
on Consent.

THE CHAIR:

Senator Robertson.

SENATOR ROBERTSON:

Thank you, Mr. President. Mr. President, if
Senator Owens will allow through you a number of
questions.

THE CHAIR:

You may proceed.

SENATOR ROBERTSON:

Thank you, Mr. President. Senator Owens, I
understand that the creation of this new district
presently, I am wondering if you have any idea as to
the number of cases that would now be forced back into
the Hartford District which are presently now being
heard in New Britain, as a joint district?

THE CHAIR:

Senator Owens.

SENATOR OWENS:

Through you, Mr. President, I don't have the exact
figures, but it is my understanding that it would be

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minimal.

THE CHAIR:

Senator Robertson.

SENATOR ROBERTSON:

Again, through you to Senator Owens. Senator Owens, I understand that the case about the Hartford Civic Center roof was moved along quite more rapidly because it was heard in New Britain rather than waiting for its place on the Calendar in Hartford. Do you offhand know whether that is true?

THE CHAIR:

Senator Owens.

SENATOR OWENS:

It might well be that the matter was referred there and it was certainly expedited, but there is certainly, from the testimony that we have before the Committee on Judiciary, the evidence and support was that there was ample work in the civil area in the New Britain area to warrant and justify creating a Judicial District in New Britain.

THE CHAIR:

Senator Robertson.

SENATOR ROBERTSON:

Mr. President, I won't further...by asking Senator Owens other questions. I would imagine that those

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people testifying were primarily New Britain area attorneys. It would certainly make it more convenient for them. I have not seen a fiscal note. There is no need for a fiscal note because it has no fiscal impact until 1991. But again, I think it is something that will cost the state substantially. The information which I have received is going to create a greater burden on the Hartford court which will then incur greater expense, therefore I would like to cast my vote no. Thank you.

THE CHAIR:

Will you remark further? The request has been made for a roll call. Clerk please make the announcement for immediate roll call.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Will all Senators please return to the Chamber.
Immediate roll call has been ordered in the Senate.
Will all Senators please return to the Chamber.

THE CHAIR:

The item before us is Calendar 538, Substitute for House Bill 6111, File 625. The machine is open, please cast your vote. Has everyone voted? The machine is closed. Clerk please tally the vote.

The result of the vote.

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30 Yea

6 Nay

The bill is adopted.

THE CLERK:

Calendar Page 7, Calendar ...

THE CHAIR:

Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, on Calendar 523, House Bill 5864 may I be recorded in the negative?

THE CHAIR:

The record will so note.

THE CLERK:

Calendar Page 6, Calendar 539, File 403, Substitute for House Bill 6123, AN ACT CONCERNING TEACHER CERTIFICATION. (As amended by House Amendment Schedule "A") Favorable Report of the Committee on APPROPRIATIONS.

THE CHAIR:

Senator Kevin Sullivan.

SENATOR SULLIVAN:

Mr. President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1988

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PART 14
4754-5076

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House of Representatives

Tuesday, April 26, 1988

of Representatives is taking a roll call vote. Will all members of the House please report to the Chamber immediately? Will all members of the House please report to the House Chamber immediately? The House is in the course of a roll call vote.

Have all the members voted? Have all the members voted, and is your vote properly recorded? If all the members have voted, the machine will be locked, and the Clerk will take a tally.

Will the Clerk please announce the tally?

CLERK:

House Bill 5780, as amended.

Total Number Voting	102
Necessary for Passage	52
Those Voting Yea	102
Those Voting Nay	0
Those absent and not Voting	49

SPEAKER STOLBERG:

The bill is passed.

CLERK:

Please turn to page 17. Calendar... Please turn to page 15, Calendar 523, Substitute for House Bill 6111. AN ACT ESTABLISHING A JUDICIAL DISTRICT OF NEW BRITAIN. Favorable Report of the Committee on APPROPRIATIONS.

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House of Representatives

Tuesday, April 26, 1988

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER STOLBERG:

Will you remark?

REP. TULISANO: (29th)

In concurrence with the Senate.

SPEAKER STOLBERG:

Will you remark, sir?

REP. TULISANO: (29th)

No, it is a House Bill. I am sorry. Yes, Mr. Speaker. Mr. Speaker, the bill will establish a new judicial district of New Britain, as well as establish a new G.A. district. The new G.A. district will include the towns of Wethersfield, Newington, Rocky Hill and Cromwell.

The judicial district of New Britain, and those towns would stay in the judicial district of Hartford. The current towns of Newington... I mean, I am sorry, of Berlin and New Britain will stay in the new judicial district of New Britain.

I move for passage of the bill.

SPEAKER STOLBERG:

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Will you remark further on the bill?

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Thank you, Mr. Speaker. Mr. Speaker, a few questions to the proponent?

SPEAKER STOLBERG:

Please frame your question.

REP. WOLLENBERG: (21st)

Yes, through you, Mr. Speaker, Representative Tulisano, I asked some of these questions at the public hearing, and they really weren't answered. There were no answers to them. But, let me start by asking you why they need a judicial district court in New Britain. Don't they have one already?

REP. TULISANO: (29th)

Through you, Mr. Speaker?

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

It is my understanding that they do not have a judicial district in New Britain. What they do have is the judicial district of Hartford/New Britain, of which cases are established but can be brought to a - for want of a better word - a division of the Hartford court in the city of New Britain. But, it is not a

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separate judicial district. It is administered from Hartford.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker, another question?

SPEAKER STOLBERG:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Yes. What would be the difference if they had their own J.D. and if they run it administratively through Hartford than is now happening in New Britain, Representative Tulisano?

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker, control of the case flow will shift from Hartford to, as for those cases handled in New Britain, will shift to the New Britain area for their own management purposes. It will also establish, it would also, very importantly, reduce some of the case load in the Hartford, which handles most of the, or all of the Part A criminal matters. And, this would allow some of that to be handled locally. It would allow all of the civil matters to be handled in this new G.A. district in New Britain.

It would make the New Britain judicial district the

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6th largest in the state. Currently, the first district is a combination of two, as Representative Wollenberg has indicated. And, this will just establish a better case flow management for them. It looks to the future growth of the area. And, of course, the bill establishes a new G.A., which is also required for the future development of business in the area.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker, another question?

SPEAKER STOLBERG:

Please frame your question.

REP. WOLLENBERG: (21st)

Representative Tulisano, is it not so at the present time, if I return a case to New Britain, isn't it administered there? The judge who is administering there, he sets it up and he sets up his rules, as far as pre-trials and things of that nature? Isn't that true now, that it is administered through New Britain?

REP. TULISANO: (29th)

Through you, Mr. Speaker, I guess that it is true to an extent, but the final rules are made in Hartford, and it seems to be a full development from the Hartford area as to final decisions with regard to these matters.

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REP. WOLLENBERG: (21st)

Through you, Mr. Speaker?

SPEAKER STOLBERG:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Representative Tulisano, could you expand upon that a little bit? You indicated that through Hartford, the final word is at Hartford. What does that mean? Does that mean anything, or is that just a phantom?

REP. TULISANO: (29th)

Excuse me. What was the last word? Phantom? Oh, I didn't quite understand what you said.

SPEAKER STOLBERG:

Just a moment, gentlemen. What was the last word that you said, that Representative Tulisano did not hear?

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker, or is this a phantom? Is this a spectre?

SPEAKER STOLBERG:

Phantom. Representative Tulisano, is it a phantom?

REP. TULISANO: (29th)

Through you, Mr. Speaker. Through testimony at the public hearing from the Honorable Judge Ment, he indicated they would be able to reorganize the

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district, have more responsive administration and put that administration in the hands of administrators, as opposed to judges. And, for that reason, I would gather, I would say the answer is no, it is not a phantom. There would be more administrative control with a separate J.D.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker?

SPEAKER STOLBERG:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Representative Tulisano, what do you mean by more? I agree. If you set up a whole hierarchy to do administering of this J.D., you are going to do more administering. But, is this good or bad? Is it needed? Will it give us better justice in the State of Connecticut?

SPEAKER STOLBERG:

Representative Tulisano, what do you think?

REP. TULISANO: (29th)

Through you, Mr. Speaker? I really think it will improve justice in the State of Connecticut.

SPEAKER STOLBERG:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

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Through you, Mr. Speaker, how?

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker, I think that is a subjective decision on how. But, I will certainly be happy to do, how I think it improves justice, in terms of criminal justice. To begin with, I think it would bring the serious cases out of the Hartford court and bring them into the New Britain area, for those cases that arise out of there. I think it is more appropriate that it be done in that one urban center. I think they will be addressed quicker.

As you know, the homicide rate in the Hartford/New Britain J.D. district is very large, and that would divide that up so that trials could be held more appropriately. As this area grows, we will have to address these issues sometime in the future. This bill, of course, doesn't take effect for a couple of years. It gives us implementing time.

Therefore, I think justice, at least particularly at the criminal side, will be better served in the future. This bill also addresses dividing up the G.A., and I think the administration of justice at the G.A. level, certainly, if anybody has been in New Britain

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would find it clear that administration of justice in motor vehicle cases and in smaller cases, in which all the citizens are involved in, would be better served, if that G.A. particularly is divided.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker?

SPEAKER STOLBERG:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Representative Tulisano, for a moment, can we set the G.A. aside? That is a whole other issue.

REP. TULISANO: (29th)

Through you, Mr. Speaker, is that a question?

REP. WOLLENBERG: (21st)

No. The question is coming. I am not going to respond this time to the G.A. question. Representative Tulisano, about how many cases go to Part A that are felonies, a week, let's say, or even a month? From the New Britain, Plainville, Bristol area?

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker, I have this big file of statistics that I will have to go through for these questions. If he will repeat the question and give me

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the time, I will go through all the statistics that are here for each one of them.

SPEAKER STOLBERG:

Representative Wollenberg, you have the floor.

REP. WOLLENBERG: (21st)

Mr. Speaker, if I may answer, it came out at the public hearing that probably no more than 3 or 4 a week go to Hartford. So, this isn't a very big deal, and I don't see how justice is going to be helped by that.

But, anyway, on with the questioning.

Representative Tulisano, we built a building here in Hartford on Washington, on Lafayette Street. It was opened a couple of years ago. It was supposed... Was it supposed to take care of New Britain and Hartford and the communities thereabouts? Isn't that why we built it that big and spent all that money, to take care of that? And, here, two years later, we have a problem?

REP. TULISANO: (29th)

Through you, Mr. Speaker?

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Yes, we did, and that building is now at capacity.

SPEAKER STOLBERG:

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Representative Wollenberg.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker, is 95 Washington Street now at full capacity, Representative Tulisano?

REP. TULISANO: (29th)

Through you, Mr. Speaker, I gather that it is being made us of on the civil side, as much as possible. As we all know, at least the civil side in Hartford has gone down to some extent.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker. Representative Tulisano, can you tell the Chamber how long it takes to get a case, a civil case of negligence heard in New Britain?

REP. TULISANO: (29th)

Through you, Mr. Speaker?

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

I don't know. I never bring a case in New Britain. I only go to Hartford.

SPEAKER STOLBERG:

Representative Wollenberg, have you argued New Britain?

REP. WOLLENBERG: (21st)

Yes, I have, Mr. Speaker.

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SPEAKER STOLBERG:

Perhaps you could enlighten the Chair.

REP. WOLLENBERG: (21st)

And, I can answer my own question, and Representative Tulisano knows well that it takes about a year to get a negligence case heard to a jury in New Britain. It is probably the fastest, other than Litchfield, in the State of Connecticut. It is, any attorney who doesn't bring his negligence case to New Britain, the judicial district of New Britain, ought to be disbarred, Mr. Speaker, rather than take 6 or 7 years to put it through Hartford or some other J.D.

But, in any event, on with the questioning.

Representative Tulisano, there was testimony at the...

REP. TULISANO: (29th)

Through you, Mr. Speaker?

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

A Point of Order. I would hope that the Representative would keep the level of this debate in a proper area and a proper plane.

REP. WOLLENBERG: (21st)

I will try to compose myself, Mr. Speaker. It is very difficult with all this adagio and dancing going

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on. (laughter)

Representative Tulisano, is it true that there may have to be a new building built to house the J.D. in New Britain? Have you got any information on that?

REP. TULISANO: (29th)

Through you, Mr. Speaker, I would expect, in the future, you will see a new building, which will house not only the... Well, you may not need a new building, but the...that is in New Britain. It has to move out where it is. So, you will have a building that will have to handle the business of both the G.A. and the J.D. The current building, where the J.D. building is, is probably too small to do both of those; and the G.A. building is currently inappropriate, and the town wants to take that building over. So, there probably will be a new building sometime in the future, to handle both new courts.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker?

SPEAKER STOLBERG:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Do you have any idea of the cost of that facility, Representative Tulisano?

REP. TULISANO: (29th)

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Through you, Mr. Speaker, I have stayed far away from bonding, because I believe it is against the law for Legislators to get involved with building new buildings.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker, a question to Representative Tulisano.

SPEAKER STOLBERG:

Please proceed.

REP. WOLLENBERG: (21st)

Representative Tulisano, just off the top of your head... You have been in on many building programs on J.D.'s in other courts. Would you care to hazard a guess to what it is going to cost to build that facility? And, by the way, I understand this will be a facility to house a J.D. and a G.A.? Is that what you said?

REP. TULISANO: (29th)

Through you, Mr. Speaker, I would anticipate the needs of the new area of New Britain that is proposed in this bill ultimately will have to house the G.A. court that is now in New Britain, because the police department want them out of that building. So, the appropriate thing, of course, would be a facility that handles all of the business, rather than two separate

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buildings.

Obviously, that would be more cost effective. I suspect in time the building will have to be...at least over a million dollars.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker? Representative Tulisano, does that mean then that the G.A. that is scheduled for Rocky Hill will then move back to New Britain?

REP. TULISANO: (29th)

Through you, Mr. Speaker, I think I heard that correctly. The G.A. which Rocky Hill is now part of, which is now part of New Britain, would be taken out of New Britain. I think I said that in the introductory remarks.

REP. WOLLENBERG: (21st)

Through you, Mr. Speaker.

SPEAKER STOLBERG:

Representative Wollenberg.

REP. WOLLENBERG: (21st)

Representative Tulisano, you have indicated to us that from an administrative standpoint, more administration can be carried on, if they have their own J.D. in New Britain. Can you give me some other reasons why justice is going to be better served in the State of Connecticut?

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(small gap between tapes 3 and 4)

REP. WOLLENBERG: (21st)

Mr. Speaker, I think this is important for the record. Whether the members are listening or not, I think, is one point, and it is well taken, and I think they should be listening, but...far be it from me to... But, in any event, I do think that for the record, what I am trying to do here is establish that there are no good reasons for a J.D. to be in New Britain. What we have now is working well. It is not broken. As a matter of fact, it is working better than probably any J.D. we have in the State of Connecticut.

There are a few people in New Britain, and by the way, that is not all the attorneys in New Britain, but a few of them have been pushing this concept for years and years. And, I have no problem with it, if that is why we are doing it, to satisfy a few attorneys. I have a big problem with it if we are trying to be told that the administration of justice is going to be improved by this J.D. in New Britain. Because, it absolutely is not going to. As a matter of fact, it probably now will take you two or three years to get a negligence case heard in New Britain, rather than the one.

As far as the G.A. goes, there is no question. The

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G.A. court in New Britain is overcrowded. They need to do something there. If they want to put it in Rocky Hill or they want to put it in Wethersfield, or wherever, whatever they want to do with it, and divide it up, I don't have a problem with that. I think that should be done. The facts and figures support that.

The facts and figures do not support a J.D., an autonomous J.D. in New Britain, at all. When asked at the public hearing, when Judge Ment was asked... And, he is the Administrative Judge in the State of Connecticut, where he would place this as a priority, he rattled off some 8 to 10 other locations. Now, you people who are looking for some relief in your J.D.'s in Stamford, where it takes you 7 years to get a case up... If you are talking about Waterbury, you are talking about Danbury, you are talking about Middletown or other places, then you ought to sit up and listen to this.

Because, if this goes through, it was about 10th on the list of priority. And, all of a sudden, it is going to jump those 8 or 10 numbers, only because, politically some people want it in New Britain. Ladies and gentlemen of the Chamber, that is absolutely wrong, when we are setting up courts in the State of Connecticut. I could understand jumping one or two

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spots, maybe, or three or four. But, Judge Ment indicated that it was about 8 to 10th on his list of priorities. Now, if that is going to add to the administration of justice in the State of Connecticut, I can't see it, and I don't think anyone else can.

I was told by the, by one of the proponents of this bill, not by Representative Tulisano, that a certain constituent seemed to want it, and therefore, it seemed like a good idea. A million dollars to build this building? Who are we kidding? The thing is going to cost 5 or 6 or 8 or 10 million dollars before we are done.

We were very cautious, we were very, very cautious in the Appropriations Committee, and not to put a tag on this and postpone it and say it will be built in 1992 or something, so that we can pass on that 6 or 8 million dollar tag. It is not coming to this Chamber on a question of how much it will cost, because we don't have to worry about that today. We only have to worry about that down the road.

Ladies and gentlemen, this, if we do any of the other bills for, to take back home regarding money, this is the real boon-dogle. This one doesn't make any sense at all. Do what you have to do with the G.A., and that ought to be a separate bill. They are

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crowded; they need relief. There is no relief needed for that J.D. in New Britain. It is absolutely ridiculous. If the proponents want to stand up and tell me it is totally politically motivated, I will vote for it. But, don't tell me... Too late, Representative Tulisano.

But, don't tell me it is needed, and don't tell me it is going to help justice in the State of Connecticut. It is not going to, for any reason whatsoever, and I ask you, please. Let this court, if it should be a court in 8 or 10 years, let it take its normal progression. Let it take its place in priority in the State of Connecticut, after we take care of Bridgeport, and after we take care of Stamford. Have you ever been to Golden Hill Street in Bridgeport? Run down there and see if you need a new court. It is a disgrace to the State of Connecticut that we do business there.

Judge Ment, the Administrative Judge, will admit all this, but he says, "Well, if that's what you people at the Legislature want, what should I do?" Chief State's Attorney in Hartford, who also have control over New Britain and other G.A.'s in the surrounding area has written a three page letter that says we built in Hartford to take care of the criminal cases in

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Hartford. Those 3 or 4 criminal cases that may come up a week or a month from New Britain, to Part A, are not excessive load. It is not going to help one bit to take them out.

It may accommodate two or three attorneys, but maybe not. They may still bring them somewhere else. But, ladies and gentlemen, to do what they are saying we should do here, for the reasons they are saying, are absolutely poppy cock. You heard it all when you hear this. Don't go for this J.D. It doesn't help anyone in the State of Connecticut, excepting a few attorneys, who may have to drive to Hartford once a year, to handle their Part A case. Everything else works over there fine. And they will all admit it.

But, remember one other thing. When you get a J.D., you get control by the Bar Association over there. You get some appointments for Clerks and this kind of thing. Representative Tulisano hasn't mentioned all that. It has nothing to do with justice. It has nothing to do with the things we are trying to do up here, to create a decent and a better court system. This tears at the very fabric of what we are trying to do, moving into an area like New Britain, spending the money there and not putting it into courts that are needed badly throughout the State of

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Connecticut for the execution of justice.

This does nothing but salve a few egos. It does nothing for justice, and I ask you, please to vote this down. Let it come back another day, five or six years, when perhaps it is properly in its priority position. It is not today. It is way out. And, you people from other parts of the state, if you want to do this, don't come crying in two or three years about what is happening in Bridgeport or Stamford or Waterbury in the court system. It is abominable. It ought to be taken care of, but don't let this happen, because it is taking the place of your court.

It is wrong. It shouldn't be done. The Judicial Department should be ashamed of themselves for even saying, "I won't object, because the Legislature wants it." They should be...and I have told them that, too, and they kind of walked the other way. They don't face me head-on these days, on this issue, certainly. And, anyone else, and I have a lot of respect for Representative Tulisano. He knows it as well as I do. He is smiling over there, because he knows this is going to go through, because you are going to vote for it.

But, Representative Tulisano, you know better. We ought to have a G.A. We ought to do something about

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that system, but this J.D. is pure, pure poppy cock.
Vote it down.

SPEAKER STOLBERG:

Will you remark further? Representative
Schlesinger.

REP. SCHLESINGER: (114th)

Thank you, Mr. Speaker. A question, through you,
to Representative Tulisano.

SPEAKER STOLBERG:

Please frame your question.

REP. SCHLESINGER: (114th)

Yes. Representative Tulisano, I am kind of puzzled
with this legislation also. I have talked to some of
the attorneys that practice in the area, and they
didn't really understand why they needed a J.D. Is
there some ulterior motive, as far as perhaps moving a
G.A., or G.A.'s around, to create a new G.A. for the
area? And, that is why you are starting with the J.D.?
Is there some rationale like that?

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker. The characterization as
ulterior offends me, but no. I think if you heard
Representative Wollenberg, he indicated that it there

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is clearly unanimity and agreement that a G.A. must be addressed and established in this area, that the one in New Britain is overloaded, and that the bill before us does do that job also. And, certainly, there were interests in New Britain that wanted a J.D.

We have tied them together.

REP. SCHLESINGER: (114th)

Through you, Mr. Speaker.

SPEAKER STOLBERG:

Representative Schlesinger.

REP. SCHLESINGER: (114th)

Thank you, Mr. Speaker. Through you, Mr. Speaker, as I read the file copy, it is just a rearrangement of the towns. I don't see any new G.A. being formed here. They talk about moving Cromwell into G.A. 9, and the rest of the towns are just shifted around. Where is the new G.A. here?

REP. TULISANO: (29th)

Through you, Mr. Speaker. Cromwell comes out of G.A. 9 and joins the towns of Newington, Wethersfield, Rocky Hill, to create a new G.A., yet to be numbered. I think it is... There is planning going on right now, that will be called G.A. #22. Middletown itself, looking into the '90's, is already beginning to... is a small courthouse, and with the growth of the shoreline,

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G.A. 9 itself is getting overcrowded, as is its J.D.

This will create a new G.A., and ultimately, I suspect, there will be new, more arrangements and rearrangements made in the future. But, this is the beginning. It does create a new G.A., somewhere in those four towns. It has been referred to as the G.A. of Rocky Hill. I am not quite sure that that is where it will go, but... I hope so.

REP. SCHLESINGER: (114th)

Through you, Mr. Speaker, let's call it the Rocky Hill G.A. If indeed it is the Rocky Hill G.A., can you tell us what percentage of the cases, roughly... You don't have to give me an exact number, that those towns have, as compared to the New Britain case load currently? In other words, how many of the New Britain G.A. are made up by New Britain cases, and how much are made up by the surrounding communities?

As I understand it, it is a massive proportion is made up by New Britain cases, and very few come from the outlying communities. If you could tell the Chamber those numbers, I would appreciate that.

REP. TULISANO: (29th)

Through you, Mr. Speaker, I don't have the exact numbers, but I can tell you that most of the motor vehicle cases, which take up most of the docket, come

from the suburban communities, because that is where the highway is located, for one thing. Most of the DWI's come from the suburban communities, Rocky Hill and Wethersfield, Newington, because the highways are there. The interstate runs through those towns, as does the Merrit Parkway. So, most of the motor vehicle and minor criminal offenses are coming out of there.

The more serious offenses, I think you are correct, are coming out of New Britain. But, in terms of volume, I would say... If I go there, and look at the courthouse, 50% of the people, or at least a third of the people are coming from the suburban districts at any one time, and that is a growing area. Rocky Hill, as an example, will probably double in population in the next ten years.

REP. SCHLESINGER: (114th)

I appreciate that response. Perhaps it is the time factor, the time consumption that the New Britain cases take compared to the traffic offenses out of the outlying communities.

Mr. Speaker, again, reluctantly, I am still a little confused by the file. I don't really see where the new G.A. is coming out this file. I see a new J.D. But, reluctantly, I would have to oppose this bill, because there is no necessity for a new J.D. in the

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city of New Britain. Representative Wollenberg has articulated, very effectively...I mean, I couldn't agree with him more, that certainly that the J.D. case load coming out of New Britain certainly, under any circumstance, does not warrant its own J.D., and there seems to be some other motivation.

If "ulterior" is too strong a word for Representative Tulisano, maybe there is a better word to substitute, but it seems to me that there are some questionable reasons for a J.D. If we want to address the G.A. situation, which I think has some merit, we should have a piece of legislation before us addressing the G.A. court system. Therefore, this file just doesn't make any sense, and it is millions of dollars again, in fiscal '91-'92.

I don't know who is going to be paying the bills. I have a funny feeling it is going to be the new income taxpayer of the State of Connecticut, but we are just going to have to draw the line somewhere, and this is certainly not a priority in the State of Connecticut Judicial Department.

Thank you, Mr. Speaker.

SPEAKER STOLBERG:

Members, please be seated. Staff and guests, to the Well of the House. Will you remark further? Will

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you remark further?

REP. TULISANO: (29th)

Mr. Speaker, Clerk has an amendment.

SPEAKER STOLBERG:

Terrific.

REP. TULISANO: (29th)

LCO 4502. Permission to summarize?

SPEAKER STOLBERG:

We are waiting for copies of the amendment, Representative Tulisano. I know that you have got one. I can see that you have one. The Clerk has an amendment, LCO 4502, House "A". Would the Clerk please call?

CLERK:

LCO 4502, designated House "A", offered by Representative Balducci et al.

REP. TULISANO: (29th)

Permission to summarize, Mr. Speaker?

SPEAKER STOLBERG:

Is there objection to summarization? Seeing none, Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this would allow the Newington are to continue to file in both Hartford and New Britain, in its J.D. area, just as we allow Enfield two courts, and

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a number of areas, especially during this transition period. There is a section of Newington, traditionally developed with an orientation to New Britain, which it has continued to do so, while the rest of the town is oriented towards the Hartford area. This allows some of that to continue on. It reflects the natural movement within that area.

I move adoption, Mr. Speaker.

SPEAKER STOLBERG:

Will you remark further on House Amendment "A"? Representative Wollenberg, somehow I knew.

REP. WOLLENBERG: (21st)

Thank you, Mr. Speaker. Your intuition is correct. Mr. Speaker, with regard to the amendment, there were several talked about, and we were going to amend the bill in Committee to include some of the towns that already can return to either Hartford or New Britain. And, I think that this amendment really falls short of doing any justice to what New Britain can handle, if it has a J.D.

They are going to be sitting there with... Now, Newington can return there and Plainville and Bristol and New Britain, with very little to do. When it was...now, as it is a part of Hartford, and Hartford is a very, very busy district. There is no question about

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that. But, remember, folks, when we pass a bill here, many, many times, we have the case returned to Hartford/New Britain, one: because the Attorney General is handy, because the Commissions are all here.

So, a big part of the load in the Hartford/New Britain J.D. at the present is because we assign the cases there. When we pass legislation for Commissions and they can bring suits, we assign the case to Hartford/New Britain, because it is handy to Hartford.

Now, what Hartford does is they have the valve, so that they can send cases to New Britain, if they have too many. The Civic Center case was a case that took about a year to try. There was room at the New Britain J.D. They sent the case down to New Britain to be tried. And, it was tried very effectively down there for about 11 months. It didn't hurt anyone; it didn't harm anyone. However, the attorneys down there didn't like the idea that some of the lawyers from Hartford were down there day after day, using their courthouse.

That is one of the big reasons for this. But, to put Newington, and to allow only Newington cases to be returned to a J.D. that, without the Hartford cases they are sending there to be virtually empty, is ludicrous. If you want to put an amendment out here, put an amendment out with 8 or 10 towns going to New

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Britain, to make use of the facility you intend to build here. But, just Newington doesn't make any sense at all. Let them go to Hartford, where they ought to go, where everybody else is going to go, and enjoy the 7 or 8 year wait. Don't give them the opportunity to have the year to have their case heard.

Again, I would like to just advise the Chamber that doing this kind of judicial organization on a piecemeal basis like this is not the way to do it. And, I know Representative Balducci wants it over there, Representative Duffy from Bristol is in favor of this. It is not going to make one bit of difference to Representative Duffy, so he is representing a constituency. I understand that, and likewise, Representative Balducci. But, Representative Balducci sees a year wait for a negligence case, or less now, and he wants to get his people in there.

Don't do this to all the other towns. Many of you are from here. You West Hartford people, you Windsor people, any of you people who can go now to Hartford/New Britain. All of you should be able to go to New Britain. We can do that, and take a year to get your case heard, rather than 6 or 7. Again, a noble effort on the part of Representative Balducci for his constituents. I don't deny that. A good idea.

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But, it doesn't help justice in the State of Connecticut. It is undermining it, because you are putting all the eggs in this basket, ladies and gentlemen, and we are all going to suffer. If we want an amendment on this, we ought to move for a P.T. and put an amendment on it to take the J.D. off and just do the G.A. That makes sense. This doesn't. Vote it down.

SPEAKER STOLBERG:

Will you remark further on the amendment? If not, all those in favor of the amendment, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary, nay.

REPRESENTATIVES:

No.

REP. BALDUCCI: (27th)

Mr. Speaker?

SPEAKER STOLBERG:

Representative Balducci.

REP. BALDUCCI: (27th)

Mr. Speaker, I would ask for a roll call vote.

SPEAKER STOLBERG:

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Roll call has been requested. All those in favor of a roll call vote, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

Roll call will be ordered. The Chair... We didn't need that. The Chair will order a roll call. Members, please be seated. Staff and guests, to the Well of the House. The machine will be opened.

CLERK:

The House of Representatives is presently voting by roll. Will all members please return to the Chamber? The House is taking a roll call vote. Members, to the Chamber immediately.

SPEAKER STOLBERG:

Have all the members voted? Have all the members voted, and is your vote properly recorded? Have all the members voted? If all the members have voted, the machine will be locked. Clerk will take a tally.

Will the Clerk please announce the tally?

CLERK:

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House Bill 6111, House Amendment Schedule "A".

Total Number Voting	147
Necessary for Adoption	74
Those Voting Yea	91
Those Voting Nay	56
Those absent and not Voting	4

SPEAKER STOLBERG:

The amendment is adopted, ruled technical.

House Amendment Schedule "A":

After line 382, add the following:

"(H) IF EITHER THE PLAINTIFF OR DEFENDANT RESIDES IN THE TOWN OF NEWINGTON, THE ACTION MAY BE MADE RETURNABLE AT THE OPTION OF THE PLAINTIFF TO EITHER THE JUDICIAL DISTRICT OF HARTFORD OR THE JUDICIAL DISTRICT OF NEW BRITAIN, EXCEPT FOR ACTIONS WHERE VENUE IS IN THE GEOGRAPHICAL AREA AS PROVIDED IN SECTION 51-348, AS AMENDED BY SECTION 11 OF THIS ACT, OR IN RULES OF COURT."

After line 439, add the following:

"(8) IF THE LAND IS LOCATED IN THE TOWN OF NEWINGTON AND EITHER THE PLAINTIFF OR THE DEFENDANT RESIDES IN THE TOWN OF NEWINGTON, THE ACTION MAY BE MADE RETURNABLE AT THE OPTION OF THE PLAINTIFF TO EITHER THE JUDICIAL DISTRICT OF HARTFORD OR THE JUDICIAL DISTRICT OF NEW BRITAIN, EXCEPT FOR ACTIONS WHERE VENUE IS IN THE GEOGRAPHICAL AREA AS PROVIDED IN SECTION 51-348, AS AMENDED BY SECTION 11 OF THIS ACT, OR IN THE RULES OF COURT."

SPEAKER STOLBERG:

Will you remark further? Representative Wollenberg.

REP. WOLLENBERG: (21st)

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Yes, for the second time, Mr. Speaker.

SPEAKER STOLBERG:

Proceed.

REP. WOLLENBERG: (21st)

Yes, Mr. Speaker, I guess we are on the bill now. With the passage of the last amendment, I just must say again, in order to have this make any sense, and it looks like it is going to go, whether it makes any sense or that, and that is a tragedy. But, it isn't the first, I suppose.

What I would like to ask is if this bill could be P.T.'ed so that an amendment can be prepared, Mr. Speaker, that would make some sense out of picking some towns that surround this proposed J.D., so that we will have enough business there to at least justify opening the court. Now, Representative Balducci's amendment makes sense, if we are going to build a court, but it leads us into other towns that ought to be brought into that, so that we can have the busy courthouse here.

We are not going to be able to be sending cases from Hartford any longer. It is just what they generate. The 3 or 4 Part A criminal cases each week or each month is not going to keep a State's Attorney and his staff very busy. So, we probably ought to bring in other towns, and Representative Tulisano knows

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what the towns are. He can probably recite them without even going to the papers.

So, I would ask that at this time, that this be P.T.'ed in order to prepare an amendment that would include surrounding towns other than Newington, who are able to return to either Hartford or New Britain J.D. We have done that time and time again, and I think we ought to do that at this time, Mr. Speaker, and I would make that motion, Mr. Speaker.

REP. FRANKEL: (121st)

Mr. Speaker?

SPEAKER STOLBERG:

Representative Wollenberg, did you move to P.T.?

REP. WOLLENBERG: (21st)

Yes, I did, Mr. Speaker.

SPEAKER STOLBERG:

Motion is to pass temporarily.

REP. FRANKEL: (121st)

Mr. Speaker, there is no objection.

SPEAKER STOLBERG:

Without objection, the item is passed temporarily.

The House will come to order. Clerk, please continue with the call of the Calendar.

CLERK:

Calendar 527, Substitute for House Bill 5281. AN

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to the Chamber, please.

SPEAKER STOLBERG:

Have all the members voted? Have all the members voted? If all the members have voted, the machine will be locked. Clerk will take a tally.

Will Clerk please announce the tally?

CLERK:

House Bill 5284.

Total Number Voting	144
Necessary for Passage	73
Those Voting Yea	89
Those Voting Nay	55
Those absent and not Voting	7

SPEAKER STOLBERG:

The bill is passed. Clerk, please continue.

CLERK:

Returning to Calendar 523, Substitute House Bill 6111. AN ACT ESTABLISHING A JUDICIAL DISTRICT OF NEW BRITAIN. Favorable Report of the Committee on APPROPRIATIONS.

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I move for acceptance of the Joint Committee's Favorable Report and passage of the bill,

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as amended.

SPEAKER STOLBERG:

Will you remark?

REP. TULISANO: (29th)

Mr. Speaker, I think that the issues were of concern before we passed it have been, had been taken care of in the bill before us. We have other towns being able to file in both places. I also think that any other towns who are expecting to have their courthouses built will not be placed in any jeopardy by this bill.

I would move passage of the bill, as amended.

SPEAKER STOLBERG:

Will you remark further? If not, will members please be seated? Staff and guests, to the Well of the House. The machine will be opened.

CLERK:

The House of Representatives is taking a roll call vote. Members, to the Chamber, please. The House of Representatives is taking a roll call vote. Will members kindly return to the Chamber immediately?

SPEAKER STOLBERG:

Have all the members voted? Have all the members voted? If all the members have voted, the machine will be locked, and the Clerk will take a tally.

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Will Clerk please announce the tally?

CLERK:

House Bill 6111, as amended by House "A".

Total Number Voting	142
Necessary for Passage	72
Those Voting Yea	89
Those Voting Nay	53
Those absent and not Voting	9

SPEAKER STOLBERG:

The bill is passed. Are there announcements or points of personal privilege? Are there announcements? If not, Clerk, please continue with the call of the Calendar.

CLERK:

Calendar 531, Substitute for House Bill 5508. AN ACT CONCERNING GENERAL ASSISTANCE ELIGIBILITY AND ADMINISTRATION. Favorable Report of the Committee on APPROPRIATIONS.

SPEAKER STOLBERG:

Representative Taborsak.

REP. TABORSAK: (109th)

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER STOLBERG:

Will you remark?