CITIZENS ADVISORY COUNCIL FOR HOUSING MATTERS

CACHM

Reply to: 44 Capitol Avenue, Suite 301
Hartford, CT 06106
860-278-5688 x203

Next meeting

2:00 pm
Wednesday, September 17, 2008

Connecticut Bar Association
30 Bank St., New Britain
(860-223-4400 for directions)

Minutes of the June 17, 2008 meeting

Attendees: Judith-Anne Hayes, Rich DeParle, Joe Wincze, Robert Chesson, Beth Duffy Burns, Sharon Levy, Sonja Devitt, Richard Tenenbaum, David Pels, Rafie Podolsky, Carl Lupinaci, Rocco Guarnieri.

Call to order: The meeting was called to order at 2:20PM by Chairperson Raphael Podolsky at Burroughs Community Center at 2470 Fairfield Ave. in Bridgeport.

Approval of the minutes: The minutes of the March 19, 2008 meeting were approved unanimously without additions or corrections (motion by Joe Wincze, second by Richard Tenenbaum).

Housing Court Operations Reports

Clerks' Offices

Bridgeport courtroom: The Bridgeport Clerk's Office has adjusted to the 6th floor hearing room as best it can in light of the small size of the room. The current schedule is two dockets on Mondays in the 6th floor hearing room (9:30AM -15 cases/ 2:00PM - 15 cases), one docket on Wednesdays in the larger Courtroom 5B on the 5th floor (9:30AM – 35 cases), and one docket on Fridays in the 6th floor hearing room (9:30AM – 15 cases). Housing specialists use their own offices on the 5th floor to mediate only on Wednesdays. On Mondays and Fridays they mediate in small offices on the 6th floor so as to be near the hearing room but in space that is unsatisfactory because of the absence of phones and computers on the 6th floor. Starting June 18,

cases initially called in Courtroom 5B on Wednesdays will have subsequent proceedings in the 6th floor hearing room so as to be near Judge Cocco's chambers, which are on the 6th floor.

These arrangements remain less than fully satisfactory. Discussion revealed that the Council continues to believe that all housing court functions should be restored to the 5th floor on all days, including the courtroom and the judge's chambers. Since judicial assignments will change in September, the Council concluded that September would be an appropriate time to reevaluate the arrangement in Bridgeport. The Council directed the Chairperson to recommend to the Chief Court Administrator that the courtroom allocations be reevaluated at that time.

Small claims hearings in Bridgeport: The Council has previously recommended that housing small claims cases be heard in the 6th floor hearing room on Tuesdays and Thursdays. It was reported that no change has been made by Judicial and that those cases are still being heard in the Golden Hill courthouse. The housing court clerk is not aware of any plan to move those cases to the Main Street courthouse.

Staff vacancies: With regard to staff vacancies, Clerk Duffy Burns reported that the Bridgeport and Hartford Housing Courts have both received new office clerks. Bridgeport, however, no longer has a temporary assistant clerk.

Housing Specialists

New Haven-Waterbury housing specialist: The Chairperson reported that Leanne Kennedy has been appointed housing specialist for the New Haven-Waterbury Housing Court.

Transfer of housing specialists to the Foreclosure Mediation Program: It was reported that at least one, and possibly several, housing specialists are likely to transfer to the new Foreclosure Mediation Program on July 1, creating potential vacancies in the housing specialist positions. It is anticipated that Roberta Palmer will be moving to that program. Judicial is presently under a hiring freeze, although exceptions are being made to fill essential vacancies. The Council unanimously approved a motion urging the Judicial Branch promptly to fill any housing court staff vacancy, including housing specialists and housing clerk's office personnel, created by the transfer of housing court staff to the foreclosure program and that any such replacement be exempted from the Judicial Branch hiring freeze (motion by Richard Tenenbaum, second by Joe Wincze). The Chairperson was directed to communicate this request to the Chief Court Administrator.

Housing Prosecutors

Eastern Connecticut prosecutor: Prosecutor Hayes reported that the eastern Connecticut vacancy has not yet been filled. The Chairperson reported that, as previously directed, he had written Chief State's Attorney Kevin Kane to remind him of the Council's previous recommendation that the Supervising State's Attorney for Housing Matters (Judith Dicine) be included in the hiring process for the new housing prosecutor and that the Council's standards for the hiring of housing prosecutors be followed.

Bridgeport police practices: Judy Dicine and Judith-Anne Hayes conducted a training of Bridgeport police supervisors in April.

Police training manual: The redraft of the proposed manual is not yet completed. The matter was tabled until the next meeting in September.

Staff support: Prosecutor Hayes confirmed that she has a full-time secretary in Bridgeport to assist her, although both have to share the same small office. The situation is, however, acceptable for now.

Computerization of criminal cases: Prosecutor Hayes stated that the computerization of criminal cases is expected to begin in New Haven and then spread to the other courts.

Judicial Matters

Judicial assignments for September: The housing court judge assignments for September 1 are Judge Robert Gilligan in Hartford-New Britain, Judge Bruce Levin in New Haven-Waterbury, Judge Sheridan Moore in Bridgeport, and Judge Jack Grogins in Norwalk. Judge Grogins is the only judge continuing in his assignment from the previous term. Concern was expressed about the failure to retain Judge Cocco in Bridgeport and, if he were being replaced with a regular judge, that Judge Moore had not been assigned to Norwalk as well as Bridgeport, as is required by the Housing Court Act, so that the Bridgeport-Norwalk Housing Court would again have a single judge. Instead of covering Norwalk on Tuesdays and Thursday, as was done in the past, it appears that Judge Moore will hear civil housing cases in Bridgeport on those days. Bridgeport would thus be the only housing court courthouse in the state with a five-day-a-week judge.

At this point, a contingent of landlords was permitted to make a presentation to the Council. Robert Fernandez, speaking on behalf of the group, urged that Judge Cocco be retained as housing court judge in Bridgeport. Another member of the group, Oliver Burgeois, also spoke for the same position. The Chairperson noted that the Council had already made its recommendations and that communications from others should probably be sent directly to the Chief Court Administrator. Some members of the Council raised questions as to the extent that the Council's recommendations had been considered by the Judicial Branch in the assignment process. After discussion, it was felt that it would be helpful for the Council to meet with the Chief Court Administrator so that it would better understand the ways in which it could be most helpful to the Judicial Branch in making recommendations. The Council directed the Chairperson to request a meeting of Council members with the Chief Court Administrator in the fall.

Bench/Bar Small Claims Committee: The Chairperson reported that he had been appointed to a committee organized by Judicial to examine the handling of small claims cases. He is one of two members of a much larger committee whose primary focus is on housing small claims cases (the other is Atty. Marshall Collins, who represents a property owners' group). The Council has previously urged the Judicial Branch to find a way to eliminate the long delays in the hearing of housing small claims cases and to strengthen their relationship to the housing

courts. The Chairperson indicated that he would attempt to have the committee consider that issue.

Magistrate Charlton: The Council has conveyed its concern about Magistrate Charlton to the Chief Court Administrator. It has not yet received a response.

Other Business

Advisory Council website: At this point, neither Judicial nor DECD has been willing to host a website for the Council. After discussion, it was felt that the gracious offer by Atty. Lowry to host the website could not be accepted because the hosting of a state agency website on a private server was likely to raise too many problems. The Chairperson was directed to contact Judicial and DECD again to request reconsideration.

Biennial Advisory Council report: It was agreed that the Council would continue to follow its prior procedure for preparing its biennial report, which is due on January 1, 2009. The Chairperson will prepare the initial draft and circulate it to the Council before the September meeting. The Council will review the draft at that meeting and make changes. A final draft will then be approved at the December meeting.

Adjournment

A motion to adjourn was adopted unanimously at approximately 4:35PM (motion by Richard Tenenbaum, second by Joe Wincze).

Respectfully submitted,

Joe Wincze, Acting Secretary