

Legislative History for Connecticut Act

SB 266 (PA 13) 1998

House 1014-1016 (3)

Senate 697, 790-792 (4)

Judiciary 124-125, 185-187 (5)

(12)

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
and House of Representatives Proceedings

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1998

VOL. 41

PART 3

678-1059

gmh

001014

137

House of Representatives

Wednesday, April 8, 1998

The House of Representatives is voting by roll call. Members, to the Chamber. The House is voting by roll call. Members to the Chamber, please.

SPEAKER RITTER:

Have all members voted? Please check the roll call machine to make sure your vote is properly recorded.

If it has, the machine will be locked.

The Clerk will take the tally.

Clerk, announce the tally.

CLERK:

Senate Bill Number 236, in concurrence with the Senate

Total Number Voting	147
Necessary for Passage	74
Those voting Yea	147
Those voting Nay	0
Those absent and not voting	4

SPEAKER RITTER:

The bill passes.

Clerk, please call Calendar 277.

CLERK:

On page 20, Calendar 277, Substitute for Senate Bill Number 266, AN ACT CONCERNING THE ELECTRONIC FILING OF PLEADINGS IN SUPERIOR COURT. Favorable

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001015
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House of Representatives

Wednesday, April 8, 1998

Report of the Committee on Judiciary.

SPEAKER RITTER:

The Honorable Representative from the 83rd. You have the floor, Representative Abrams.

REP. ABRAMS: (83RD)

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

SPEAKER RITTER:

The motion is on acceptance and passage. Please proceed.

REP. ABRAMS: (83RD)

Thank you, Mr. Speaker. Mr. Speaker, what this bill does is it makes the necessary statutory changes that will permit the Judicial Department to adopt rules to allow litigants to file court pleadings by computer, fax, or other new technology. Also, it prescribes -- consequently prescribes alternate ways in which you can verify a pleading instead of signing it.

It also permits the Superior Court to collect electronically transmitted court fee payments and permits the Chief Court Administrator to require additional information on a summons.

Mr. Speaker, I move its acceptance and passage.

SPEAKER RITTER:

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House of Representatives

Wednesday, April 8, 1998

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

CLERK:

The House of Representatives is voting by roll call. Members, to the Chamber. The House is voting by roll call. Members to the Chamber, please.

SPEAKER RITTER:

Have all the members voted? Please check the roll call machine to make sure your vote is properly recorded. If it has, the machine will be locked.

Clerk, please take the tally.

Announce the tally.

CLERK:

Senate Bill Number 266 in concurrence with the Senate

Total Number Voting	144
Necessary for Passage	73
Those voting Yea	144
Those voting Nay	0
Those absent and not voting	7

SPEAKER RITTER:

The bill passes.

Clerk, please call Calendar 278.

CLERK:

S-420

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1998

VOL. 41

PART 3

667-922

SEN. JEPSEN:

Calendar 165, Substitute for SB503 I move to the
Committee on Transportation.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

Calendar 166, SB214 I move to the Committee on
Banks.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

Calendar 167, Substitute for SB266 I move to the
Consent Calendar.

THE CHAIR:

Motion is refer this item to the Consent Calendar.

Without objection, so ordered.

SEN. JEPSEN:

Calendar 168, Substitute for SB489 I move to the
Committee on Transportation.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

Calendar 169, Substitute for SB567 I move to the
Committee on Appropriations.

THE CHAIR:

that we vote the Consent Calendar.

THE CHAIR:

Mr. Clerk, would you announce a roll call vote and then we will read the Consent Calendar before the machine is opened.

THE CLERK:

An immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

An immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

Madam President, the first Consent Calendar begins with Senate Agenda No. 1 Page 3, Substitute for HB5051.
Substitute for HB5715.

And to today's Calendar, Calendar Page 3, Calendar 99, Substitute for SB376.

Calendar Page 5, Calendar 113, Substitute for
SB346.

Calendar Page 7, Calendar 122, Substitute for
SB229.

Calendar 124, Substitute for SB299.

Calendar 125, Substitute for SB236.

Calendar 126, SB195.

Calendar Page 8, Calendar 128, SB390.

Calendar Page 12, Calendar 154, Substitute for
HB5036. HB5306

Calendar 155, HB5322.

Calendar Page 13, Calendar 159, Substitute for
HB5376.

Calendar 162, SB402.

Calendar Page 14, Calendar 167, Substitute for
SB266.

Calendar Page 16, Calendar 176, SB516.

Calendar Page 17, Calendar 183, SB458.

Calendar Page 20, Calendar 72, SB267.

Calendar Page 21, Calendar 96, SR12.

Calendar Page 22, Calendar 97, SR13.

Calendar 104, SR14.

Calendar 184, SR16.

Madam President, I believe that completes the
first Consent Calendar.

THE CHAIR:

Will the Clerk please once again announce a roll
call vote on the Consent Calendar. The machine will be
opened.

THE CLERK:

An immediate roll call has been ordered in the
Senate on the Consent Calendar. Will all Senators
please return to the Chamber.

An immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

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

THE CLERK:

Motion is on the adoption of Consent Calendar.

Total number voting, 35; necessary for adoption, 18; those voting "yea", 35; those voting nay, 0. Those absent and not voting, 1.

THE CHAIR:

The Consent Calendar is adopted. Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. That concludes today's business. I would like to inform the Chamber before we do points of privilege and adjourn for the day that we expect to be in session next Wednesday. That would include, we will get the information but I would think at 1:00 o'clock or 2:00 o'clock for a session.

I would hold Thursday open. I don't expect to be in Thursday, but you never can tell.

THE CHAIR:

JOINT
STANDING
COMMITTEE
HEARINGS

JUDICIARY
PART 1
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JUDICIARY COMMITTEE

February 17, 1998

To clarify that the Division of Criminal Justice, the Division of Public Defender Services, and Judicial Branch employees are authorized to have access to juvenile delinquency and family with service needs records in the performance of their duties.

And finally, to allow information contained in juvenile records to be disclosed in open court in connection with bail and sentencing reports.

This would only come into play when someone with a juvenile record has been subsequently arrested as an adult and is being evaluated for bail purposes or for sentencing. At that time, the juvenile record could be disclosed as a part in open court as a part of the open adult proceedings by the bail commissioner or as part of a PSI.

That's it for that bill. We urge your support.

The second bill that I want to testify in favor of is HB5321, AN ACT CONCERNING COURT OPERATIONS AND PROCEDURES. This bill provides for a variety of administrative and procedural changes. I've submitted written testimony that lists them out in bullets and we would appreciate your support for the bill.

I have attached an amendment to that bill. We have some corrections that we would like to have incorporated.

Thank you.

MELISSA FARLEY: I'll be brief. I'm Melissa Farley, representing the Judicial Branch, as well.

I have three bills today. SB266, AN ACT CONCERNING THE ELECTRONIC FILING OF PLEADINGS IN THE SUPERIOR COURT. This bill provides enabling legislation to allow the Superior Court to accept filings in accordance with technology available and authorizes the judges of Superior Court to set the standards and procedures for alternative methods of signing, subscribing, and verifying.

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JUDICIARY COMMITTEE

February 17, 1998

There is an amendment that I suggested. It's just a few minor changes there.

The next bill is HB5318, AN ACT CONCERNING THE RELEASE OF INFORMATION BY THE OFFICE OF THE BAIL COMMISSIONER. Currently, files and reports held by the Bail Commissioner's office may be disclosed to just a limited number of people, qualified persons for criminal justice research to the Department of Correction and to the Office of Adult Probation. This bill would expand the entities that can receive access to these files to the Family Division of Superior Court for purposes of making appropriate recommendations for protective or restraining orders and to the Office of Alternative Sanctions. So to their agencies and organizations that contract out so that they can effectively monitor and supervise offenders.

And the last bill is HB5316, AN ACT CONCERNING VIOLATIONS OF CONDITIONS OF RELEASE. Basically what this bill does is it makes it a crime if an individual has been released pre-trial and ordered to avoid all contact with the alleged victim or to use or possess a dangerous weapon. And the purpose, as I think was discussed before, that there are instances where an individual violates the condition, particularly to avoid contact with the alleged victim and because it's not a crime, the police are unable to take immediate action.

REP. LAWLOR: Thank you. Are there questions? If not -
- Representative Farr.

REP. FARR: Just on that last one. Does it matter really then whether it's misdemeanor or a felony?

MELISSA FARLEY: No.

REP. FARR: Because as you said, the purpose is to allow the police to take an action.

MELISSA FARLEY: Correct.

REP. FARR: They arrested the person. It was a misdemeanor charge, maybe the bond would be less, but they would still be able to intervene.

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Judiciary Committee Public Hearing
February 17, 1998

S.B. 266, Act Concerning the Electronic Filing of Pleadings in Superior Court

Testimony of Melissa A. Farley

Thank you for the opportunity to appear before you today as a representative of the Judicial Branch. I am here to testify in support of Senate Bill 266, An Act Concerning the Electronic Filing of Pleadings in Superior Court, which is a Judicial Branch initiative.

This bill provides enabling legislation to allow the Superior Court to accept filings in accordance with the technology available to and approved by the Judges of the Superior Court, authorizes the Judges of the Superior Court to set the standards and procedures for alternative methods of signing, subscribing or verifying a submitted document and amends the statutes to permit the payment of fees by electronic transmission.

The Connecticut Judicial Branch is in the process of updating the computer system that is used to process civil and family cases. A committee was formed, chaired by the Honorable William J. Sullivan, to ensure that the new system meets the needs of judges, parties, the bar and court staff. The committee has reviewed the issue of electronic filing of pleadings and is recommending that the Branch obtain a computer system which is capable of accepting pleadings electronically and to prepare for such filing by seeking legislation and adopting rules which allow for the filings and are, whenever appropriate, compatible with the U.S. District Court of Connecticut.

The Judicial Branch anticipates that the request for proposal for the new civil and family computer system will be distributed in the Spring and that, depending on the product selected, it will take 18 months to install the new system. One of the components of this project is expected to be electronic filing. It is estimated that electronic filing will be available in a few, selected pilot areas soon after installation of the new system and that it will take approximately five years for electronic filing to be available statewide.

I would like to suggest two minor changes to the bill, as drafted, and have attached an amendment for your consideration.

Thank you, again, for the opportunity to comment on one of the Judicial Branch's initiatives.

Suggested Amendment

S.B. 266, Act Concerning the Electronic Filing of Pleadings in Superior Court

In line 18, insert "OR FACSIMILE" after "computer"

In line 28, insert "EXISTING TECHNOLOGY OR" after "any"