



Substitute Senate Bill No. 964

Public Act No. 19-64

AN ACT CONCERNING COURT OPERATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (b) of section 17a-101 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(b) The following persons shall be mandated reporters: (1) Any physician or surgeon licensed under the provisions of chapter 370, (2) any resident physician or intern in any hospital in this state, whether or not so licensed, (3) any registered nurse, (4) any licensed practical nurse, (5) any medical examiner, (6) any dentist, (7) any dental hygienist, (8) any psychologist, (9) any school employee, as defined in section 53a-65, (10) any social worker, (11) any person who holds or is issued a coaching permit by the State Board of Education, is a coach of intramural or interscholastic athletics and is eighteen years of age or older, (12) any individual who is employed as a coach or director of youth athletics and is eighteen years of age or older, (13) any individual who is employed as a coach or director of a private youth sports organization, league or team and is eighteen years of age or older, (14) any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer employed by a public or private institution of higher education who is eighteen years of age or older,

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excluding student employees, (15) any police officer, (16) any juvenile or adult probation officer, (17) any juvenile or adult parole officer, (18) any member of the clergy, (19) any pharmacist, (20) any physical therapist, (21) any optometrist, (22) any chiropractor, (23) any podiatrist, (24) any mental health professional, (25) any physician assistant, (26) any person who is a licensed or certified emergency medical services provider, (27) any person who is a licensed or certified alcohol and drug counselor, (28) any person who is a licensed marital and family therapist, (29) any person who is a sexual assault counselor or a domestic violence counselor, as defined in section 52-146k, (30) any person who is a licensed professional counselor, (31) any person who is a licensed foster parent, (32) any person paid to care for a child in any public or private facility, child care center, group child care home or family child care home licensed by the state, (33) any employee of the Department of Children and Families, (34) any employee of the Department of Public Health, (35) any employee of the Office of Early Childhood who is responsible for the licensing of child care centers, group child care homes, family child care homes or youth camps, (36) any paid youth camp director or assistant director, (37) the Child Advocate and any employee of the Office of the Child Advocate, (38) any person who is a licensed behavior analyst, [and] (39) any family relations counselor, family relations counselor trainee or family services supervisor employed by the Judicial Department, and (40) any victim services advocate employed by the Judicial Department.

Sec. 2. Section 46b-44a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) An action for a nonadversarial dissolution of marriage may be commenced by the filing of a joint petition in the judicial district in which one of the parties resides. The joint petition shall be notarized and contain an attestation, under oath, by each party that the conditions set forth in subsection (b) of this section exist.

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(b) An action brought pursuant to subsection (a) of this section may proceed if, at the time of the filing of the action, the parties attest, under oath, that the following conditions exist: (1) The marriage has broken down irretrievably; (2) the duration of the marriage does not exceed nine years; (3) neither party to the action is pregnant; (4) no children were born to or adopted by the parties prior to, or during, the marriage; (5) neither party has any interest or title in real property; (6) the total combined fair market value of all property owned by either party, less any amount owed on such property, is less than eighty thousand dollars; (7) neither party has a defined benefit pension plan; (8) neither party has a pending petition for relief under the United States Bankruptcy Code; (9) no other action for dissolution of marriage, civil union, legal separation or annulment is pending in this state or in a foreign jurisdiction, except as provided in subsection (g) of this section; (10) a restraining order, issued pursuant to section 46b-15, or a protective order, issued pursuant to section 46b-38c, between the parties is not in effect; and (11) the residency provisions of section 46b-44 have been satisfied. After the filing of the joint petition and prior to the court entering a decree of dissolution of marriage pursuant to section 46b-44c, if a change occurs with respect to any of the conditions set forth in this subsection, one or both of the parties shall notify the court forthwith of the changed condition. For the purposes of this subsection, "defined benefit pension plan" means a pension plan in which an employer promises to pay a specified monthly benefit upon an employee's retirement that is predetermined by a formula based on the employee's earnings history and tenure of service.

(c) In addition to attesting to the conditions enumerated in subsection (b) of this section, any joint petition filed pursuant to subsection (a) of this section shall also state the date and place of marriage and the current residential address for each party.

(d) A joint petition shall be accompanied by financial affidavits

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completed by each party on a form prescribed by the Office of the Chief Court Administrator, a request for the court to order the restoration of a birth name or former name, if so desired by either party, and a certification attested to by the parties, under oath, that: (1) The parties agree to proceed by consent and waive service of process, except as provided in subsection (g) of this section; (2) neither party is acting under duress or coercion; and (3) each party is waiving any right to a trial, alimony, spousal support or an appeal.

(e) If the parties submit a settlement agreement to the court that they are requesting be incorporated into the decree of dissolution, such settlement agreement shall be filed with the joint petition. Each party shall attest, under oath, that the terms of the settlement agreement are fair and equitable. If the court finds that the settlement agreement is fair and equitable, it shall be incorporated by reference into the decree of the court. If the court cannot determine whether such agreement is fair and equitable, the matter shall be docketed for the court's review in accordance with the provisions of section 46b-44d.

(f) The provisions of subsection (a) of section 46b-67 shall not apply to a nonadversarial dissolution action brought under this section.

(g) (1) If after filing an action for dissolution of marriage on the regular family docket, pursuant to section 46b-45, but prior to the court entering a decree of dissolution of marriage, the parties to such action satisfy all the conditions for a nonadversarial dissolution of marriage as set forth in this section, then such parties may file a joint petition for a nonadversarial dissolution of marriage in the existing dissolution of marriage action pursuant to subsection (a) of this section, except that such joint petition need not include a waiver of service of process. Upon the filing of such joint petition, the original complaint for dissolution of marriage is deemed superseded by operation of law and the action may proceed in the manner set forth in sections 46b-44b to 46b-44d, inclusive.

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(2) No new filing fee shall be imposed by the court for a joint petition filed pursuant to this subsection.

Sec. 3. Section 46b-136 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(a) In any proceeding in a juvenile matter, the judge before whom such proceeding is pending shall, even in the absence of a request to do so, provide an attorney to represent the child or youth, the child's or youth's parent or parents or guardian, or other person having control of the child or youth, if such judge determines that the interests of justice so require, and in any proceeding in which the custody of a child is at issue, such judge shall provide an attorney to represent the child and may authorize such attorney or appoint another attorney to represent such child or youth, parent, guardian or other person on an appeal from a decision in such proceeding. [Where]

(b) (1) When, under the provisions of this section, the court appoints counsel in a proceeding in a juvenile matter in the civil session and orders the Division of Public Defender Services to provide such counsel, the cost of such counsel shall be shared as agreed to by the Division of Public Defender Services and the Judicial Department. When, under the provisions of this subdivision, the court so appoints counsel for any party who is found able to pay, in whole or in part, the cost thereof, the court shall assess as costs against such party, including any agency vested with the legal custody of the child or youth, the expense incurred and paid by the Division of Public Defender Services and the Judicial Department in providing such counsel, and order reimbursement to the Division of Public Defender Services and the Judicial Department to the extent of the party's financial ability to do so.

(2) When, under the provisions of this section, the court [so] appoints counsel in a proceeding in a juvenile matter in the criminal

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session and orders the Division of Public Defender Services to provide such counsel, the cost of such counsel shall be incurred by the Division of Public Defender Services. When, under the provisions of this subdivision, the court so appoints counsel for any [such] party who is found able to pay, in whole or in part, the cost thereof, the court shall assess as costs against such [parents, guardian or custodian] party, including any agency vested with the legal custody of the child or youth, the expense [so] incurred and paid by the Division of Public Defender Services in providing such counsel, and order reimbursement to the Division of Public Defender Services to the extent of [their] the party's financial ability to do so.

(c) The Division of Public Defender Services shall establish the rate at which counsel provided pursuant to this section shall be compensated.

Sec. 4. Section 51-60 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(a) As used in this chapter:

(1) "State's attorney" means a state's attorney, assistant state's attorney, deputy assistant state's attorney and special deputy assistant state's attorney;

(2) "Public defender" means a public defender, assistant public defender, deputy assistant public defender and Division of Public Defender Services assigned counsel;

(3) "Public official" means any official of (A) the state, (B) any state agency, board or commission, or (C) a municipality of the state acting in an official capacity;

(4) "Transcript" means the official written record of a proceeding, or any part thereof, including, but not limited to, testimony and

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arguments of counsel, produced in the Superior, Appellate or Supreme Court, by an official court reporter or a court recording monitor designated by the Chief Court Administrator; and

(5) "Transcript page" means a page consisting of twenty-seven double-spaced lines on paper eight and one-half by eleven inches in size, with sixty spaces available per line.

~~[(a)]~~ (b) The judges of the Superior Court shall appoint official court reporters for the court as the judges or an authorized committee thereof determines the business of the court requires.

[(b) A person shall not be appointed a court reporter under the provisions of this section who has not passed the entry level examination provided for under section 51-63 and a reporter shall not be placed in the higher court reporter salary classification who has not passed the examination provided for in said section for such higher classification, provided each person serving on July 1, 1978, as a court reporter or assistant court reporter in the Court of Common Pleas shall continue to serve in the Superior Court for the balance of the term for which he was appointed. In no event shall the compensation of such person be affected solely as a result of the transfer of jurisdiction provided in section 51-164s.]

(c) The Chief Court Administrator shall adopt policies and procedures necessary to implement the provisions of this chapter, including, but not limited to, the establishment and administration of a system of fees for production of expedited transcripts.

Sec. 5. Section 51-61 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(a) Each official court reporter, before entering upon the duties of [his] the office, shall be sworn to faithfully perform [them] such duties and shall then be an officer of the court. [He shall] Each official court

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reporter may attend [the] court proceedings and make accurate records of all proceedings in the court, except sessions of small claims. [and the arguments of counsel, provided upon the request of any party, he shall make accurate records of the arguments of counsel.]

(b) [Each official court reporter shall, if the judge or judges of the court so direct, employ assistant court reporters and monitors to attend such court as the judge or judges may desire. He shall not employ assistant reporters or monitors receiving a per diem rate to attend any session unless their employment is authorized by the judge holding the session. Each assistant court reporter or monitor, before entering upon his duties, shall be sworn to faithfully perform them.] The Judicial Branch shall employ court recording monitors. Each court recording monitor, before entering upon the duties of the office, shall be sworn to faithfully perform such duties.

(c) Each official court reporter [, assistant court reporter] and court recording monitor shall, when requested, furnish to the court, to the state's attorney, [or any assistant or deputy assistant state's attorney,] to any party of record and to any other person, within a reasonable time, a transcript [of the proceedings, or such portion thereof] as may be desired, except that, if the proceedings were closed to the public, such official court reporter or court recording monitor shall not furnish such transcript [or portion thereof] to such other person unless [the proceedings were commenced on or after October 1, 1988, and] the court in its discretion determines that such disclosure is appropriate.

[(d) Whenever a transcript of proceedings, or a portion thereof, has been requested by any party of record pursuant to subsection (c) of this section, the court reporter or monitor shall furnish a transcript or portion thereof to the state's attorney, assistant state's attorney or deputy assistant state's attorney at no cost as provided in subsection (c) of section 51-63.

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(e) Whenever a transcript of proceedings, or a portion thereof, has been requested by the state's attorney, assistant state's attorney or deputy assistant state's attorney and the public defender, assistant public defender or deputy assistant public defender, the court reporter or monitor shall provide a transcript or portion thereof, in a form that may be photocopied, to either such state's attorney or such public defender and the cost of such transcript, or portion thereof, shall be shared by such state's attorney and such public defender.]

(d) Each official court reporter and court recording monitor shall inform the state's attorney whenever a transcript has been requested by a party to a case in which the state's attorney has an appearance. If such request is made by a party, or by a party represented by counsel other than a public defender, the state's attorney shall, upon request, receive from such official court reporter or court recording monitor a copy of the transcript at no cost, as provided in subsection (a) of section 51-63, as amended by this act.

(e) If a transcript has been requested by the state's attorney or a public defender in a matter in which each is a party to the case, the official court reporter or the court recording monitor shall inform the party that has not made the original request that the request has been made. If the nonrequesting party requests a copy of the transcript, prior to its delivery to the requesting party, the cost of such transcript shall be shared by the parties. The official court reporter or the court recording monitor shall provide the transcript in a form that may be photocopied, to either the state's attorney or the public defender. If a request for a transcript is received by the official court reporter or court recording monitor subsequent to delivery of the transcript, the requesting party in this instance shall be responsible for payment of the full copy rate of such transcript as provided in subsection (a) of section 51-63, as amended by this act.

(f) Each official court reporter [, assistant court reporter] and court

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recording monitor shall inform the court whenever a transcript of proceedings [, or a portion thereof,] has been requested by the state's attorney [, assistant or deputy assistant state's attorney] or any party of record pursuant to subsection (c) of this section. If such transcript [or portion thereof] has been requested, the court, upon request, shall receive from such official court reporter or court recording monitor a transcript [, or portion thereof,] at no cost as provided in subsection [(c)] (a) of section 51-63, as amended by this act.

(g) Whenever the court deems it necessary, it may order a transcript [of the proceedings, or any part thereof,] to be filed with the clerk of the trial court.

[(h) All records of the proceedings taken on the trial of any action shall, within thirty days after the action has been submitted, be filed with the clerk or the clerk's designee, except that for the purpose of transcribing such records the court reporter or monitor may at any time withdraw them for a reasonable time.]

Sec. 6. Section 51-62 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(a) Whenever a judge of the Superior Court, a judge trial referee or a family support magistrate sitting in chambers [, a family support magistrate or a state referee] deems it necessary, the judge, [or referee] judge trial referee or family support magistrate may call upon the official court reporter or court recording monitor for the judicial district in which any action pending [before the judge sitting in chambers, family support magistrate or state referee] is to be heard to take the evidence therein. The judge, [magistrate or referee] judge trial referee or family support magistrate shall have and may exercise all the powers conferred by law upon a judge of the Superior Court when sitting as a court, with respect to transcripts of the official records of the official court reporter or court recording monitor.

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(b) The official court reporter or court recording monitor when called upon [, or a competent assistant designated by him,] shall attend the hearings, and shall have all the powers, be subject to the same duties and receive the same compensation for attendance and fees for transcripts of [his] the official records as are authorized by law. [for official court reporters of the Superior Court.]

[(c) Compensation for attendance and fees for copies ordered by the judge or state referee, when approved, shall be paid by the clerk of the superior court for the judicial district in which the action is heard in the same manner as other court expenses.]

Sec. 7. Section 51-63 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

[(a) Each official court reporter of the Superior Court, and as many assistant reporters as the judges of the Superior Court consider necessary, shall receive a salary. Each other assistant reporter shall receive a per diem rate fixed by the judges, to be paid as court expenses.

(b) The salaries of the court reporters and assistant court reporters shall be established as provided in section 51-12 and shall be in two classes. Examinations shall be held to determine level of skills and placement in a class.

(c) In addition to other compensation, official and assistant reporters and monitors shall be entitled to charge a party or other individual three dollars for each transcript page which is or previously was transcribed from the original record as provided by law, provided the charge to any such party or other individual shall be one dollar and seventy-five cents for each page for which a charge of three dollars already has been made, except that (1) the charge to any official of the state, or any of its agencies, boards or commissions or of any

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municipality of the state, acting in his or her official capacity, shall be two dollars for each transcript page which is or previously was transcribed from the official record, provided the charge to any such official shall be seventy-five cents for each page for which a charge of two dollars already has been made, (2) there shall be no charge to the state's attorney, assistant state's attorney or deputy assistant state's attorney for a transcript provided pursuant to subsection (d) of section 51-61, and (3) there shall be no charge to the court for a transcript provided pursuant to subsection (f) of section 51-61. For the purposes of this subsection, "transcript page" means a page consisting of twenty-seven double-spaced lines on paper eight and one-half by eleven inches in size, with sixty spaces available per line. The Chief Court Administrator shall adopt policies and procedures necessary to implement the provisions of this section, including, but not limited to, the establishment and administration of a system of fees for production of expedited transcripts.]

(a) (1) In addition to a salary, an official court reporter and a court recording monitor shall be entitled to charge an individual, who is not a public official, three dollars for each transcript page which is ordered and transcribed from the original record as provided by law, provided such rate may only be charged once. Any subsequent charge for a transcript page previously produced for an individual who is not a public official shall be one dollar and seventy-five cents.

(2) In addition to a salary, an official court reporter and a court recording monitor shall be entitled to charge any public official two dollars for each transcript page which is ordered and transcribed from the official record as provided by law, provided such rate may only be charged once. The charge to any public official shall be seventy-five cents for each transcript page previously produced, except (A) there shall be no charge to the state's attorney for a transcript provided pursuant to subsection (d) of section 51-61, as amended by this act, and

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(B) there shall be no charge to the court for a transcript provided pursuant to subsection (f) of section 51-61, as amended by this act.

[(d)] (b) The fee for a transcript of such record, when made for the court or for the state's attorney when acting in [his] the court's or state's attorney's official capacity, and for one copy each to the plaintiff and the defendant, shall, upon the certificate of the presiding judge having so ordered such transcript, be paid as other court expenses and, in all other cases, by the party ordering the same, and such copies shall be furnished within a reasonable time.

[(e)] (c) Official and assistant stenographers in the offices of the workers' compensation commissioners shall be entitled, in addition to the compensation otherwise provided for, to the same fees for preparing transcripts as are provided for official court reporters and court recording monitors in the Superior Court.

[(f)] Official court reporters shall be allowed such clerical assistance in each judicial district as may be determined to be necessary by the judges of the Superior Court at such compensation as may be fixed by the judges.

(g) Official court reporters and assistant reporters shall receive, in addition to the compensation allowed by law, necessary traveling expenses to be taxed and paid as other court expenses.]

Sec. 8. Section 51-74 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

[(a)] The record of proceedings in any court required to be made by an official court reporter [, assistant court reporter, stenographer or assistant stenographer may in the first instance be made by shorthand, by shorthand writing machine, or by a mechanical or sound recording device] or court recording monitor shall be made by digital recording equipment approved by the Chief Justice of the Supreme Court.

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[(b) Whenever the general statutes provide that a court reporter or stenographer attend a court, or be appointed to attend a court, to make a record of the proceedings therein, the court reporter or stenographer may be a person competent to make the record by shorthand, by a shorthand writing machine or by an approved mechanical or sound recording device.

(c) The term "shorthand notes", "stenographic notes" or "official notes", when used in the general statutes to mean the original record of court proceedings, shall include the record made by a shorthand writing machine or other approved mechanical or sound recording device.]

Sec. 9. Section 51-197a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2020*):

(a) Appeals and writs of error from final judgments or actions of the Superior Court shall be taken to the Appellate Court in accordance with section 51-197c, except for small claims, which are not appealable, [appeals within the jurisdiction of the Supreme Court as provided for in section 51-199,] appeals as provided for in sections 8-8, as amended by this act, and 8-9, and except as otherwise provided by statute.

(b) The Appellate Court may issue all writs necessary or appropriate in aid of its jurisdiction and agreeable to the usages and principles of law.

(c) All matters pending in the appellate session of the Superior Court on July 1, 1983, shall be construed as pending with the same status in the Appellate Court on said date.

(d) Notwithstanding subsection (c) of this section, the appellate session of the Superior Court shall continue to have jurisdiction over appeals which it heard prior to July 1, 1983, pursuant to the provisions which were applicable at such time.

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(e) Except as otherwise provided in sections 2-40, 2-42, 7-143, 7-230, 8-8, as amended by this act, 8-9, 8-132, 8-132a, 10-153e, 12-4, 13a-76, 31-109, 31-118, 31-249b, 31-272, 31-301b, 31-301c, 31-324, 31-491, 31-493, 38a-470, 46a-94, 46a-95, 46b-142, 46b-143, 46b-150c, 51-1a, 51-14, 51-49, 51-50j, 51-164x, 51-165, 51-197a, as amended by this act, 51-197b, 51-197c, 51-197e, 51-197f, [51-199,] 51-201, 51-202, 51-203, 51-209, 51-210, 51-211, 51-213, 51-215a, 51-216a, 52-235, 52-257, 52-259, 52-263, 52-267, 52-405, 52-434, 52-434a, 52-470, 52-476, 52-477, 52-592, 54-63g, 54-95, 54-96, 54-96a, 54-96b and 54-143, all jurisdiction conferred upon and exercised by the appellate session prior to July 1, 1983, of the Superior Court shall be transferred to the Appellate Court.

Sec. 10. Subsection (b) of section 51-199 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2020*):

(b) The following matters shall be taken directly to the Supreme Court: (1) Any matter brought pursuant to the original jurisdiction of the Supreme Court under section 2 of article sixteen of the amendments to the Constitution; (2) an appeal in any matter where the Superior Court declares invalid a state statute or a provision of the state Constitution; (3) an appeal in any criminal action involving a conviction for a capital felony under the provisions of section 53a-54b in effect prior to April 25, 2012, class A felony or any other felony, including any persistent offender status, for which the maximum sentence which may be imposed exceeds twenty years; (4) review of a sentence of death pursuant to section 53a-46b; (5) any election or primary dispute brought to the Supreme Court pursuant to section 9-323 or 9-325; (6) an appeal of any reprimand or censure of a probate judge pursuant to section 45a-65; (7) any matter regarding judicial removal or suspension pursuant to section 51-51j; (8) an appeal of any decision of the Judicial Review Council pursuant to section 51-51r; (9) any matter brought to the Supreme Court pursuant to section 52-265a;

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and (10) [writs of error; and (11)] any other matter as provided by law.

Sec. 11. Section 51-292 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

[Reasonable] Except as provided in section 46b-136, as amended by this act, reasonable expenses of, or incurred by, the commission, the Chief Public Defender, or those serving pursuant to the provisions of this chapter, including rental of facilities, witnesses summoned, costs of transcripts ordered from the official court reporters or court recording monitors, costs of service of process, and costs of equipment, and other necessary disbursements or costs of defense shall be paid from the budget of the commission upon approval of the commission.

Sec. 12. Section 54-91a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) No defendant convicted of a crime, other than a capital felony under the provisions of section 53a-54b in effect prior to April 25, 2012, or murder with special circumstances under the provisions of section 53a-54b in effect on or after April 25, 2012, the punishment for which may include imprisonment for more than one year, may be sentenced, or the defendant's case otherwise disposed of, until a written report of investigation by a probation officer has been presented to and considered by the court, if the defendant is so convicted for the first time in this state or upon any conviction of a felony involving family violence pursuant to section 46b-38a for which the punishment may include imprisonment; but any court may, in its discretion, order a presentence investigation for a defendant convicted of any crime or offense other than a capital felony under the provisions of section 53a-54b in effect prior to April 25, 2012, or murder with special circumstances under the provisions of section 53a-54b in effect on or after April 25, 2012.

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(b) A defendant who is convicted of a crime and is not eligible for sentence review pursuant to section 51-195 may, with the consent of the sentencing judge and the prosecuting official, waive the presentence investigation, except that the presentence investigation may not be waived when the defendant is convicted of a felony involving family violence pursuant to section 46b-38a and the punishment for which may include imprisonment.

(c) Whenever an investigation is required, the probation officer shall promptly inquire into the circumstances of the offense, the attitude of the complainant or victim, or of the immediate family where possible in cases of homicide, and the criminal record, social history and present condition of the defendant. Such investigation shall include an inquiry into any damages suffered by the victim, including medical expenses, loss of earnings and property loss. All local and state police agencies shall furnish to the probation officer such criminal records as the probation officer may request. When in the opinion of the court or the investigating authority it is desirable, such investigation shall include a physical and mental examination of the defendant. If the defendant is committed to any institution, the investigating agency shall send the reports of such investigation to the institution at the time of commitment.

(d) In lieu of ordering a full presentence investigation, the court may order an abridged version of such investigation, which (1) shall contain (A) identifying information about the defendant, (B) information about the pending case from the record of the court, (C) the circumstances of the offense, (D) the attitude of the complainant or victim, (E) any damages suffered by the victim, including medical expenses, loss of earnings and property loss, and (F) the criminal record of the defendant, and (2) may encompass one or more areas of the social history and present condition of the defendant, including family background, significant relationships or children, educational

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attainment or vocational training, employment history, financial situation, housing situation, medical status, mental health status, substance abuse history, the results of any clinical evaluation conducted of the defendant or any other information required by the court that is consistent with the provisions of this section. If the court orders an abridged version of such investigation for a felony involving family violence, as defined in section 46b-38a, the abridged version of such investigation shall, in addition to the information set forth in subdivision (1) of this subsection, contain the following information concerning the defendant: (A) Family background, (B) significant relationships of children, (C) mental health status, and (D) substance abuse history.

[[d)] (e) Any information contained in the files or report of an investigation pursuant to this section shall be available to the Court Support Services Division for the purpose of performing the duties contained in section 54-63d and to the Department of Mental Health and Addiction Services for purposes of diagnosis and treatment.

Sec. 13. Subsection (a) of section 54-210 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(a) The Office of Victim Services or a victim compensation commissioner may order the payment of compensation under sections 54-201 to 54-218, inclusive, for: (1) Expenses actually and reasonably incurred as a result of the personal injury or death of the victim, provided coverage for the cost of medical care and treatment of a crime victim who does not have medical insurance or who has exhausted coverage under applicable health insurance policies or Medicaid shall be ordered; (2) loss of earning power as a result of total or partial incapacity of such victim; (3) pecuniary loss to the spouse or dependents of the deceased victim, provided the family qualifies for compensation as a result of murder or manslaughter of the victim; (4)

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pecuniary loss to an injured victim or the relatives or dependents of an injured victim or a deceased victim for attendance at court proceedings, juvenile proceedings and Board of Pardons and Parole hearings with respect to the criminal case of the person or persons charged with committing the crime that resulted in the injury or death of the victim; (5) loss of wages by any parent or guardian of a deceased victim, provided the amount paid under this subsection shall not exceed one week's net wage; and (6) any other loss, except as set forth in section 54-211, resulting from the personal injury or death of the victim which the Office of Victim Services or a victim compensation commissioner, as the case may be, determines to be reasonable.

Sec. 14. Subdivision (2) of subsection (b) of section 1-206 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(2) In any appeal to the Freedom of Information Commission under subdivision (1) of this subsection or subsection (c) of this section, the commission may confirm the action of the agency or order the agency to provide relief that the commission, in its discretion, believes appropriate to rectify the denial of any right conferred by the Freedom of Information Act. The commission may declare null and void any action taken at any meeting which a person was denied the right to attend and may require the production or copying of any public record. In addition, upon the finding that a denial of any right created by the Freedom of Information Act was without reasonable grounds and after the custodian or other official directly responsible for the denial has been given an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive, the commission may, in its discretion, impose against the custodian or other official a civil penalty of not less than twenty dollars nor more than one thousand dollars. If the commission finds that a person has taken an appeal under this subsection frivolously, without reasonable

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grounds and solely for the purpose of harassing the agency from which the appeal has been taken, after such person has been given an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive, the commission may, in its discretion, impose against that person a civil penalty of not less than twenty dollars nor more than one thousand dollars. The commission shall notify a person of a penalty levied against him pursuant to this subsection by written notice sent by certified or registered mail. If a person fails to pay the penalty within thirty days of receiving such notice, the [superior court for the judicial district of Hartford] Superior Court shall, on application of the commission, issue an order requiring the person to pay the penalty imposed. If the executive director of the commission has reason to believe an appeal under subdivision (1) of this subsection or subsection (c) of this section (A) presents a claim beyond the commission's jurisdiction; (B) would perpetrate an injustice; or (C) would constitute an abuse of the commission's administrative process, the executive director shall not schedule the appeal for hearing without first seeking and obtaining leave of the commission. The commission shall provide due notice to the parties and review affidavits and written argument that the parties may submit and grant or deny such leave summarily at its next regular meeting. The commission shall grant such leave unless it finds that the appeal: (i) Does not present a claim within the commission's jurisdiction; (ii) would perpetrate an injustice; or (iii) would constitute an abuse of the commission's administrative process. Any party aggrieved by the commission's denial of such leave may apply to the superior court for the judicial district of [Hartford] New Britain, within fifteen days of the commission meeting at which such leave was denied, for an order requiring the commission to hear such appeal.

Sec. 15. Subsections (f) and (g) of section 46b-231 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

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(f) (1) (A) The Family Support Magistrate Division shall include nine family support magistrates who shall, (i) prior to January 1, 2017, be appointed by the Governor to serve in that capacity for a term of three years, and (ii) on and after January 1, 2017, be nominated by the Governor and appointed by the General Assembly to serve in that capacity for a term of five years, except that each family support magistrate serving on December 31, 2016, shall continue to serve in that capacity on and after January 1, 2017, until the expiration of such magistrate's three-year term, unless removed from office pursuant to this subsection. [and shall continue to serve after the expiration of such three-year term until a successor is appointed or the family support magistrate's nomination has failed to be approved in accordance with this subsection.] A family support magistrate may be nominated by the Governor for reappointment. If a family support magistrate continues to serve after the expiration of such three-year term and such family support magistrate is nominated by the Governor for reappointment, the family support magistrate's five-year term shall begin on the date that the General Assembly approves the nomination for reappointment pursuant to subdivision (3) of this subsection.

(B) To be eligible for nomination as a family support magistrate, a person shall have engaged in the practice of law for five years prior to appointment and be experienced in the field of family law. The family support magistrate shall devote full time to the duties of a family support magistrate and shall not engage in the private practice of law. A family support magistrate may be removed from office by the Governor for cause and is subject to admonishment, censure, suspension and removal from office as provided in chapter 872a.

(2) Each nomination made by the Governor to the General Assembly for a family support magistrate shall be referred, without debate, to the committee on the judiciary, which shall report thereon

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within thirty legislative days from the time of reference, but not later than seven legislative days before the adjourning of the General Assembly.

(3) Each appointment of a family support magistrate shall be by concurrent resolution. The action on the passage of each such resolution in the House of Representatives and in the Senate shall be by vote taken on the electrical roll-call device. No resolution shall contain the name of more than one nominee. The Governor shall, within five days after the Governor has notice that any family support magistrate nomination has failed to be approved by the affirmative concurrent action of both houses of the General Assembly, make another nomination to such office.

(4) Notwithstanding the provisions of section 4-19, no vacancy in the position of a family support magistrate shall be filled by the Governor when the General Assembly is not in session unless, prior to such filling, the Governor submits the name of the proposed vacancy appointee to the committee on the judiciary. Within forty-five days, the committee on the judiciary may, upon the call of either chairperson, hold a special meeting for the purpose of approving or disapproving such proposed vacancy appointee by majority vote. The Governor shall not administer the oath of office to such proposed vacancy appointee until the committee has approved such proposed vacancy appointee. If the committee determines that it cannot complete its investigation and act on such proposed vacancy appointee within such forty-five-day period, it may extend such period by an additional fifteen days. The committee shall notify the Governor in writing of any such extension. Failure of the committee to act on such proposed vacancy appointee within such forty-five-day period or any fifteen-day extension period shall be deemed to be an approval.

(5) Prior to a public hearing on a family support magistrate, the committee on the judiciary may employ a person to investigate, at the

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request of the chairpersons of said committee, any family support magistrate nominee with respect to the suitability of such nominee for magisterial office. Such investigator shall report his or her findings to said committee and any such report shall be confidential and shall not be subject to public disclosure. Such person shall receive such compensation as may be fixed by the Joint Committee on Legislative Management for each day such person is engaged in his or her duties as an investigator.

(g) A Chief Family Support Magistrate shall be designated by the Chief Court Administrator of the Superior Court from among the nine family support magistrates appointed pursuant to subsection (f) of this section. [except that the Chief Family Support Magistrate serving in that capacity on December 31, 2016, shall continue to serve in that capacity on and after January 1, 2017, until the expiration of such family support magistrate's term, unless a successor is designated by the Chief Court Administrator or such family support magistrate is removed from office pursuant to subsection (f) of this section or such family support magistrate's nomination has failed to be approved in accordance with subsection (f) of this section.] Under the direction of the Chief Court Administrator, the Chief Family Support Magistrate shall supervise the Family Support Magistrate Division and perform such other duties as provided in this section.

Sec. 16. Subsection (b) of section 52-190a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(b) Upon petition to the clerk of [the court where the civil action will be filed] any superior court or any federal district court to recover damages resulting from personal injury or wrongful death, an automatic ninety-day extension of the statute of limitations shall be granted to allow the reasonable inquiry required by subsection (a) of this section. This period shall be in addition to other tolling periods.

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Sec. 17. Subsection (c) of section 52-196a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(c) Any party filing a special motion to dismiss shall file such motion not later than thirty days after the [date of] return date of the complaint, or the filing of a counterclaim or cross claim described in subsection (b) of this section. The court, upon a showing of good cause by a party seeking to file a special motion to dismiss, may extend the time to file a special motion to dismiss.

Sec. 18. Section 52-264 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective September 1, 2019*):

The judges of the Supreme Court shall make such orders and rules as they deem necessary concerning the practice and procedure in the taking of appeals and writs of error, [to the Supreme Court,] and concerning the giving of security by the appealing party, the stay of execution during the pendency of appeal, the payment of costs and the taxation of reasonable costs when the same have not been fixed by statute.

Sec. 19. Section 51-181 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective September 1, 2019*):

[(a)] The Superior Court shall sit continuously throughout the year, at such times and places and for such periods as are set by the Chief Court Administrator or, with the approval of the Chief Court Administrator, his or her designee, in the following cities or towns, except as otherwise provided by law: (1) In the judicial district of Ansonia-Milford, at Ansonia or Derby and at Milford; (2) in the judicial district of Danbury, at Danbury; (3) in the judicial district of Fairfield, at Bridgeport; (4) in the judicial district of Hartford, at Hartford and, whenever suitable accommodations are provided

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without expense to the state, at Manchester; (5) in the judicial district of Litchfield, at [Litchfield, New Milford, Winchester and] Torrington; (6) in the judicial district of Middlesex, at Middletown; (7) in the judicial district of New Britain, at New Britain; [and Bristol;] (8) in the judicial district of New Haven, at New Haven and Meriden; (9) in the judicial district of New London, at Norwich and New London; (10) in the judicial district of Stamford-Norwalk, at Stamford; (11) in the judicial district of Tolland, at Rockville; (12) in the judicial district of Waterbury, at Waterbury; and (13) in the judicial district of Windham, at Putnam.

[(b) The court shall sit not less than forty weeks in Bristol and Stamford.]

Sec. 20. Subsection (a) of section 51-346 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective September 1, 2019*):

(a) Process in all civil actions brought to a judicial district, except small claims as provided in subsection (b) of this section, shall be made returnable as follows:

(1) If brought to the judicial district of Ansonia-Milford, to the court at Ansonia or Milford as the plaintiff elects;

(2) If brought to the judicial district of Danbury, to the court at Danbury;

(3) If brought to the judicial district of Fairfield, to the court at Bridgeport;

(4) If brought to the judicial district of Hartford, to the court at Hartford;

(5) If brought to the judicial district of Litchfield, to the [courthouse

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for the judicial district of Litchfield] court at Torrington;

(6) If brought to the judicial district of Middlesex, to the court at Middletown;

(7) If brought to the judicial district of New Britain, to the court at New Britain; [or Bristol as the plaintiff elects;]

(8) If brought to the judicial district of New Haven, to the court at New Haven or Meriden as the plaintiff elects;

(9) If brought to the judicial district of New London, to the court at New London or Norwich as the plaintiff elects;

(10) If brought to the judicial district of Stamford-Norwalk, to the court at Stamford;

(11) If brought to the judicial district of Tolland, to the court at Rockville;

(12) If brought to the judicial district of Waterbury, to the court at Waterbury;

(13) If brought to the judicial district of Windham, to the court at Putnam.

Sec. 21. Subsection (a) of section 51-347 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective September 1, 2019*):

(a) Except as provided in subsection (b) of this section, any writ returnable to a judicial district and any motion, pleading or appearance shall be filed with the clerk of the judicial district to which the writ is returnable as follows:

(1) At the courthouse for the judicial district of Ansonia-Milford if

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returnable to the judicial district of Ansonia-Milford at Ansonia or Milford;

(2) At Danbury if returnable to the judicial district of Danbury;

(3) At Bridgeport if returnable to the judicial district of Fairfield;

(4) At Hartford if returnable to the judicial district of Hartford;

(5) At [the courthouse for the judicial district of Litchfield] Torrington if returnable to the judicial district of Litchfield;

(6) At Middletown if returnable to the judicial district of Middlesex;

(7) At New Britain if returnable to the judicial district of New Britain; [at New Britain or Bristol;]

(8) (A) At New Haven if returnable to the judicial district of New Haven at New Haven, (B) at Meriden if returnable to the judicial district of New Haven at Meriden;

(9) (A) At New London if returnable to the judicial district of New London at New London, (B) at Norwich if returnable to the judicial district of New London at Norwich;

(10) At Stamford if returnable to the judicial district of Stamford-Norwalk;

(11) At Rockville if returnable to the judicial district of Tolland;

(12) At Waterbury if returnable to the judicial district of Waterbury;
and

(13) At Putnam if returnable to the judicial district of Windham.

Sec. 22. Subsection (d) of section 1-205 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective*

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October 1, 2019):

(d) The commission shall, subject to the provisions of the Freedom of Information Act promptly review the alleged violation of said Freedom of Information Act and issue an order pertaining to the same. Said commission shall have the power to investigate all alleged violations of said Freedom of Information Act and may for the purpose of investigating any violation hold a hearing, administer oaths, examine witnesses, receive oral and documentary evidence, have the power to subpoena witnesses under procedural rules adopted by the commission to compel attendance and to require the production for examination of any books and papers which the commission deems relevant in any matter under investigation or in question. In case of a refusal to comply with any such subpoena or to testify with respect to any matter upon which that person may be lawfully interrogated, the superior court for the judicial district of [Hartford] New Britain, on application of the commission, may issue an order requiring such person to comply with such subpoena and to testify; failure to obey any such order of the court may be punished by the court as a contempt thereof.

Sec. 23. Subsection (d) of section 52-549z of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(d) An appeal by way of a demand for a trial de novo [must be filed with the court clerk within twenty days after the deposit of the arbitrator's decision in the United States mail, as evidenced by the postmark, and it] shall be filed with the court clerk not later than twenty days after the date on which (1) notice of the arbitrator's decision is sent electronically to the parties or their counsel, or (2) the arbitrator's decision is deposited in the United States mail, whichever is later, and shall include a certification that a copy thereof has been served on each party or counsel of record, to be accomplished in

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accordance with the rules of court. The decision of the arbitrator shall not be admissible in any proceeding resulting after a claim for a trial de novo or from a setting aside of an award in accordance with section 52-549aa.

Sec. 24. Subsection (o) of section 8-8 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(o) There shall be no right to further review except to the Appellate Court by certification for review, on the vote of [two] three judges of the Appellate Court so to certify and under such other rules as the judges of the Appellate Court establish. The procedure on appeal to the Appellate Court shall, except as otherwise provided herein, be in accordance with the procedures provided by rule or law for the appeal of judgments rendered by the Superior Court unless modified by rule of the judges of the Appellate Court.

Sec. 25. Section 51-65 of the general statutes is repealed. (*Effective July 1, 2019*)

Sec. 26. Section 52-158 of the general statutes is repealed. (*Effective October 1, 2019*)

Approved June 28, 2019