



STATE OF CONNECTICUT
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

231 Capitol Avenue
Hartford, Connecticut 06106
(860) 757-2270 Fax (860) 757-2215

**Testimony of the Judicial Branch
Housing Committee Public Hearing
March 4, 2021**

H.B. 6531, An Act Concerning the Right to Counsel in Eviction Proceedings

Thank you for the opportunity to provide written testimony on behalf of the Judicial Branch regarding *H.B. 6531, An Act Concerning the Right to Counsel in Eviction Proceedings*.

The Judicial Branch is the neutral arbiter in all cases and is concerned that the bill would require it to provide legal representation, trainings, workshops, written information, and education to one party, and not the other party in summary process cases. Additionally, the Judicial Branch has operational and funding concerns with the proposal.

The bill provides for the right to counsel in summary process cases where the tenant is indigent. Persons are considered indigent if they don't have the financial ability to secure competent legal representation. It would be helpful to provide clarification as to the criteria to determine indigency. Is there a threshold income limit? Additionally, Section 1 (b) provides that an indigent person has the right to be informed by a judge at the commencement of a summary process proceeding of his or her right to counsel. Generally, a tenant does not appear before a judge until later in the proceedings. This may require an additional hearing at case initiation if someone requests counsel.

Section 1 (c) requires the Judicial Branch to work with designated community groups to inform and educate tenants about their rights, including hosting trainings and workshops. This is outside of the current role of the Judicial Branch and will require additional staff to be hired and trained, which will require funding.

Section 1 (d) requires the Judicial Branch to pay organizations designated to provide legal representation with “fair and just compensation.” The Judicial Branch would need the funding to provide such fair and just compensation.

Thank you for your time and attention to this matter. We would be pleased to discuss our concerns in greater detail with the proponents of the bill.