PA 25-91—sHB 7255
Judiciary Committee
Appropriations Committee

AN ACT CONCERNING JUDICIAL BRANCH OPERATIONS AND PROCEDURES AND THE DUTIES OF JUDICIAL BRANCH PERSONNEL

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SUMMARY: This act makes various unrelated changes to court procedures and operations laws. It also makes associated minor, technical, and conforming changes. A section-by-section analysis appears below.

EFFECTIVE DATE: Upon passage, unless stated otherwise below.

§ 1 — OFFICE OF INFORMATION PRIVACY

Establishes OIP within the judicial branch and authorizes it to take steps, upon request, to direct a public agency to remove a protected individual's (e.g., a judge) personal information from the agency's website or not publish the information

Established Purpose

The act establishes the Office of Information Privacy (OIP) within the judicial branch and authorizes it to direct a public agency, upon the request of a "protected individual," to remove any specific personal information from the agency's website, including a social media or social network, or to not publish it.

Protected Individuals. The act designates the following persons as "protected individuals":

1. state justices, judges, and senior judges;
2. state referees;
3. family support magistrates and family support referees; and
4. the spouse, children, and dependents who live in the same household as someone listed above.

Personal Information. Under the act, "personal information" is a protected individual's:

1. primary residence home address or personal email address;
2. mobile or primary residence telephone number;
3. Social Security or federal tax identification number;
4. driver's license number, license plate number, or unique vehicle identifier; or
5. birth or marital record or child's name.

It does not include publicly displayed information that the protected individual has not asked to be removed, or information that is relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern.

Public Agency. "Public agencies" subject to OIP's authority under the act are the same agencies to which the state's freedom of information law applies. Specifically, they are:

1. any executive, administrative, or legislative office of the state or any of its political subdivisions, and any agency, department, institution, bureau, board, commission, authority, or official of the state or of any city, town, borough, municipal corporation, school district, regional district, or other district or other political subdivision of the state, including a committee of, or created by it, and any judicial office (e.g., the Division of Public Defender Services), official, or body or committee of it, but only for its or their administrative functions;
2. any person deemed to be the functional equivalent of a public agency according to law; or
3. the following agencies designated by a municipality under the Economic

Development and Manufacturing Assistance Act: (a) an economic development commission, redevelopment agency, sewer authority or commission, public works commission, water authority or commission, port authority or commission, harbor authority or commission, or parking authority or commission; (b) a nonprofit development corporation; or (c) any other agency designated and authorized to undertake a project and approved by the economic and community development commissioner.

OIP's Powers and Duties

The act establishes OIP's powers and duties and specifies the steps that the office must take to perform its duties as follows, based on the information's publication status.

Published Personal Information. Under the act, if the personal information has been published, OIP may:

1. certify that the requestor is a protected individual;
2. work with the protected individual to identify the specific personal information that they want removed, including the exact website address where the content appears, if available, and, if the information is a land record, the volume and page number where it is recorded and each succeeding page number in a document that has information that must be redacted; and
3. give the public agency the specific personal information to be removed, including the applicable available website address or land record information described above, and direct it to remove the information as soon as practicable.

Unpublished Personal Information. If the personal information is not yet published, OIP may:

1. certify that the requestor is a protected individual;
2. work with the protected individual to identify the specific personal information that he or she does not want to be published, including the volume and page number and each succeeding page number in a document that has personal information that needs to be redacted, if the information is recorded in a land record; and
3. give the public agency the specific personal information that the individual does not want to be published, including the applicable volume and page number and each succeeding page number if the information is recorded in a land record.

Loss of Protected Status. The act requires OIP to inform the public agency when a previously certified protected individual no longer has that status and therefore is ineligible to (1) have personal information removed from the Internet, social media, or a social network or (2) ask that an agency not publish personal information in these ways.

Public Agency's Response to Request

Upon receiving OIP's request, the act requires the public agency to promptly acknowledge its receipt by email and (1) take steps reasonably necessary to ensure that any specific personal information identified by the protected individual is not published or (2) if the information is already published, remove it as quickly as practicable.

Freedom of Information Act (FOIA)

The act specifies that it does not require removing or redacting personal information in records that must be published under FOIA, such as agendas, minutes, videos, or transcripts of public meetings.

Civil Liability Protection

The act immunizes public agency employees acting in good faith from civil liability for damages or injuries due to failing to remove a protected person's personal information as requested. To meet the good faith requirement, the employee must have (1) reasonably believed that his or her actions complied with applicable laws on protecting personal information and (2) not engaged in gross negligence, willful misconduct, or intentional wrongdoing.
EFFECTIVE DATE: January 1, 2026

§§ 2, 6, 7, 10, 19 & 20 — DCF AND CSSD INFORMATION SHARING

Allows DCF and CSSD to share information about juveniles who have been in the agencies' custody

DCF Confidential Records (§ 2)

By law, records maintained by the Department of Children and Families (DCF) are generally confidential and must not be disclosed unless the department receives written consent from the person or certain laws provide for it. However, the law has exceptions that allow disclosure to certain entities for limited purposes without the consent (CGS § 17a-28(g)).

Under prior law, the judicial branch's Court Support Services Division (CSSD) had limited access to DCF's information to (1) make certain determinations (e.g., whether the child or youth had been committed to DCF's custody as a delinquent) and (2) share common case records to track juvenile offender recidivism.

The act instead allows DCF to disclose information on a child, youth, or any other person to CSSD so the division may determine supervision and treatment needs and track juvenile recidivism. It also removes the limitations on the purposes for which the information may be disclosed.

Confidential Records in Juvenile Matters (§ 6)

By law, all records in juvenile matters, with certain exceptions (e.g., delinquency proceedings) are confidential and are generally not open to inspection

or disclosure to any third party unless ordered by the Superior Court (CGS § 46b-124(b)). But the law allows the judicial branch to make records in delinquency proceedings available to certain people and government entities, such as DCF and the Department of Correction (DOC).

DCF. Under prior law, if the child was under DCF's oversight, CSSD could generally disclose information to DCF to identify that the child was, among other things, committed by a court into DCF's custody due to being uncared for, abused, or neglected. The act instead allows disclosure to identify if the child is receiving DCF services generally. Under the act and existing law, this disclosure of delinquency proceeding records is limited to when DCF is providing services to the child.

DOC. Under existing law, records of delinquency proceedings of a person convicted of a crime in adult court may be disclosed to DOC and Board of Pardons and Paroles employees and members who need them to do risk assessments to determine suitability for release from incarceration. The act expands access by allowing (1) record disclosure of people charged with a crime, not only for those convicted, and (2) disclosure for risk assessments to determine release from DOC custody, instead of incarceration.

EFFECTIVE DATE: July 1, 2025

Custody Order Central Computer System (§ 7)

Under prior law, information on a child who was the subject of a custody order or other process entered into the judicial branch's central computer system could have been disclosed to DCF if it was limited to a child the court committed into DCF's custody because he or she was uncared for, abused, or neglected. The act instead allows this disclosure if the child is receiving services from DCF.

EFFECTIVE DATE: July 1, 2025

Automated Registry of Protective Orders (§ 10)

By law, information in the judicial branch's automated registry of protective orders is not subject to disclosure, except that the chief court administrator may grant access to the information to the personnel of certain agencies, including the Department of Emergency Services and Public Protection and the Board of Pardons and Paroles. The act also allows her to grant access to this information to DCF personnel.

CSSD Information, Files, and Reports (§ 19)

By law, CSSD must establish written procedures for the release of information from its reports and files.

Existing law allows access to (1) nonidentifying information by certain persons for research related to the administration of criminal justice, (2) all information probation officers give to CSSD for compiling presentence reports, and (3) all information provided to CSSD on convicted persons in DOC's custody. The act

additionally allows access to information on any person in DCF's custody if the person's conditions of release require cooperating with the department.

Youthful Offender Confidential Records and Information (§ 20)

Generally, under the law, when a juvenile matter is transferred to adult criminal court, certain juvenile offenders may qualify for youthful offender status, which provides more confidentiality of his or her records (CGS § 54-76*l*).

Under prior law, the records could be disclosed to DCF if the child was under the oversight of its administrative unit and the disclosure was limited to information identifying the child as residing in a justice facility or incarcerated. The act allows disclosure to DCF without these conditions.

§ 3 — BOARD OF FIREARMS PERMIT EXAMINERS

Reduces the Board of Firearms Permit Examiners' membership from nine to eight by removing the retired Superior Court judge appointee

The act reduces the Board of Firearms Permit Examiners' membership from nine to eight. It does so by removing the retired Superior Court judge, who the chief court administrator appointed under prior law. Under existing law, the governor appoints the remaining eight members, two of which are members of the public and the other six are selected among nominees from specified agencies and organizations.

By law, the board hears appeals from people aggrieved by decisions of gun permit-issuing authorities.

EFFECTIVE DATE: July 1, 2025

§ 4 — UCC FALSE RECORDS

Makes permissive the Superior Court's hearing on certain petitions to invalidate false records filed under the UCC for secured transactions

By law, when a record is falsely filed or amended under the Uniform Commercial Code (UCC) for secured transactions, a person identified in the record may petition the court to invalidate it. The court must review the petition and determine whether cause exists to doubt the record's validity.

Under prior law, if the court determined that cause existed, it had to hold a hearing to determine whether to invalidate the record or grant any other appropriate relief. The act instead makes this hearing permissive, so the court is not required to hold it. But if it does, the hearing must be held within 60 days after the cause determination, as under prior law.

Relatedly, the act specifies that the court's finding may be made solely on a review of the documentation attached to the petition and the responses, if any, of the person named as a secured party in the financing statement record and without hearing any oral testimony if the secured party offers none.

EFFECTIVE DATE: July 1, 2025

§ 5 — FAMILY RELATIONS PERSONNEL

Makes a conforming change for consistency with other statutory references

The act makes a conforming change in the family relations statutes, by changing a reference to family relations "officers" with "personnel" for consistency with other references.

§§ 8 & 9 — APPEAL OF SUMMARY PROCESS JUDGEMENT

Clarifies that the Superior Court orders the amount a tenant must pay the court for rent that accrues during an appeal of an eviction judgment and removes an obsolete reference to a bond requirement

By law, in a summary process (eviction) proceeding where the court has issued a judgment, the defendant-tenant may appeal. When this occurs, the court may order, after a hearing, an amount that the defendant-tenant must deposit with the court as a reasonable fair rent value to use and occupy the premises while the appeal is pending.

The act clarifies that it is the Superior Court that (1) determines how much the defendant must pay or (2) sets a bond in other appeals (§ 9). It also removes an obsolete reference to a bond requirement eliminated by PA 24-108 (§ 8).

§§ 11-13 & 17 — REFERENCES TO STA-FED, ADR, INC.

Eliminates obsolete references to a nonprofit organization that used to oversee alternative dispute resolutions

The act eliminates obsolete references to the organization, STA-FED ADR, Inc., that used to oversee alternative dispute resolutions in Connecticut.

PA 93-108 established STA-FED ADR, Inc., as a nonprofit, private corporation to oversee an alternative dispute resolution program that used state and federal senior judges and judge referees to resolve civil disputes referred by the state and federal court systems. This organization no longer exists.

§ 14 — MOTION TO FILE A LATE APPEAL

Allows the state Supreme Court to review the Appellate Court's decision to deny a motion to file a late appeal

Under existing law, there is no right to further review after the state Appellate Court's final determination of an appeal, except that the Connecticut Supreme Court may certify cases for its review either upon petition by an aggrieved party or by the appellate panel that heard the matter.

The act also allows the Supreme Court to review the Appellate Court's decision to deny a motion to file a late appeal.

EFFECTIVE DATE: July 1, 2025

§§ 15 & 16 — COURT VENUE AND SERVICE OF PROCESS

Makes changes related to the judicial districts of Hartford, Litchfield, and New Britain for establishing court venue and where civil process must be returned

Venue (§ 15)

For establishing venue, which is where a case will be heard, the Superior Court is divided into judicial districts.

The act removes five towns (Avon, Canton, Farmington, Granby, and Simsbury) from the Hartford judicial district and one town (Burlington) from the New Britain district, and it adds all six of them to the Litchfield judicial district.

EFFECTIVE DATE: October 1, 2025

Service of Process (§ 16)

The act changes some of the options for where civil process must be returned. Generally, when the action involves the towns of Avon or Simsbury, it switches the plaintiff's option to choose between the Hartford or New Britain judicial districts to choosing between the Hartford or Litchfield judicial districts.

Specifically, under the act, this pertains to a civil action:

1. in which either party lives in Avon or Simsbury;
2. that involves land, and the land and either party is located in Avon or Simsbury;
3. in which the plaintiff is a domestic business organization and has an office or a place of business in Avon or Simsbury; or
4. that involves a housing matter, and the premises is located in Avon or Simsbury.

The act also eliminates prior law's option for the plaintiff to choose between the Hartford or New Britain judicial districts for an action involving the towns of Canton or Farmington. Instead, under the act, for civil actions involving these towns, process must be returned to the judicial district where the town is located, which is the Litchfield judicial district under the act.

EFFECTIVE DATE: October 1, 2025

§ 18 — CRIMINAL PROTECTIVE ORDER FOR ELECTRONIC STALKING

Expands the availability of criminal protective orders to cover electronic stalking victims by allowing a court to issue the order against someone arrested for that crime

By law, upon arrest for certain crimes, the court may issue a criminal protective order against the offender. Under existing law, this applies to the following: 1st, 2nd, 3rd, and 4th degree sexual assault; 3rd degree sexual assault with a firearm; 1st degree aggravated sexual assault; aggravated sexual assault of a minor; and certain violations of injury or risk of injury to, or impairing morals of children. A person who is arrested for 1st, 2nd, and 3rd degree stalking may also be the subject

of a criminal protective order, as may someone arrested for harassment if the victim has reasonable fear for his or her physical safety. The act also allows the court to issue a criminal protective order against someone arrested for the crime of electronic stalking, which is a class D felony (see Table on Penalties).

By law, a criminal protective order may include provisions needed to protect the victim from threats, harassment, injury, or intimidation by the defendant, including enjoining the defendant from (1) imposing any restraint on the victim's self or liberty; (2) threatening, harassing, assaulting, molesting, or sexually assaulting the victim; or (3) entering the victim's home. It may also protect the victim's animal (CGS § 54-1k(b)).

EFFECTIVE DATE: October 1, 2025

§§ 21 & 22 — OFFICE OF VICTIM SERVICES

Allows crime victims to make a statement to the prosecutor and the court on any plea agreement; allows victim notifications to be sent electronically to those who request it

Victim Statement (§ 21)

By law, the Office of Victim Services (OVS) must give crime victims a list with specified information within 10 days after receiving their application for victim compensation.

Under prior law, among other things, this list had to inform victims about their right to present a statement of losses, injuries, and wishes to the prosecutor and the court before the court accepts a plea of guilty or nolo contendere made under a plea agreement in which the defendant pleads to a lesser offense than the original charge.

The act expands the circumstances under which a victim may present the statement by requiring the list to inform victims that it may be presented on any plea agreement, not just those involving a pleading to a lesser offense.

Victim Notification (§ 22)

By law, OVS must notify the crime victim or any other person who requests notification (i.e. the registrant), when certain things happen related to the person incarcerated for the crime. Specifically, the notice must be made when the incarcerated person (1) applies for release or sentence reduction or review; (2) files (a) an application with the court to be exempt from registering for committing an offense against a minor or a nonviolent sexual offense or (b) a court petition to have registration information restricted or the restriction removed; or (3) is scheduled for release.

Prior law required that this notice be sent by mail. The act instead allows the registrant to choose whether to receive it by first class mail or electronically. It requires victims to give OVS their email address if they request electronic notification.

EFFECTIVE DATE: October 1, 2025

§ 23 — REMOTE ACKNOWLEDGEMENT OF RECORDS

Adds executing an agreement as to the division of an estate to the list of records that cannot be remotely acknowledged

By law, no record can be acknowledged remotely in the following circumstances: making and executing a will, codicil, trust, or trust instrument; executing certain health care instructions; executing a designation of a standby guardian; executing a living will; executing a power of attorney; executing a self-proving affidavit for an appointment of a health care representative or for a living will; executing a mutual distribution agreement; executing a disclaimer; or in a real estate closing.

The act adds executing an agreement as to the division of an estate to this list. It also makes a technical change by replacing "document" with "record" for term consistency.

§ 24 — TASK FORCE ON HABEAS CORPUS PROCEEDINGS

Establishes a 13-member task force to review the habeas corpus procedures of the federal government and other states; requires it to report findings and recommendations to the Judiciary Committee by January 1, 2027

Purpose and Required Recommendations

The act establishes a 13-member task force to review the habeas corpus procedures the federal government and other states use. The task force must also make recommendations to the General Assembly that include best practices that could be implemented in Connecticut to:

1. ensure a timely review and adjudication of habeas corpus claims,
2. establish standards for the presentation of repeated claims associated with the same incident,
3. prioritize credible claims and limit filings of repetitive or meritless ones, and
4. achieve balance between providing public counsel in habeas corpus claims and the cost to litigate repetitive or meritless claims.

Members and Appointments

Under the act, the six legislative leaders and the four Judiciary Committee leaders must each appoint one member to the task force, which must be done within 30 days after the act passes. The appointing authorities must fill any vacancies.

The chief court administrator, chief public defender, and chief state's attorney, or their designees, must also serve as members.

The act requires the House speaker and the Senate president pro tempore to select the chairpersons from among the taskforce members and the chairpersons must schedule and hold the first meeting within 60 days after the act passes.

Administrative Staff

The chief court administrator must designate judicial branch employees to serve as the task force's administrative staff.

Reporting

Under the act, the task force must report its findings and recommendations to the Judiciary Committee by January 1, 2027. It terminates the later of when it submits the report or January 1, 2027.

§ 25 — COERCED DEBT

Changes the lookback period for debt to be eligible to be waived as coerced debt, by requiring that it be less than, rather than more than, 10 years old

By law, coerced debt is any debt incurred in the name of a debtor who is a victim of domestic violence when the debt was incurred in response to any duress, intimidation, threat of force, force, or undue influence used to specifically coerce the debtor into incurring the debt. The law prohibits anyone from knowingly causing another person to incur coerced debt and subjects a violator to civil liability.

Under prior law, "debt" was an unsecured credit card debt, or any portion of one, incurred on or after January 1, 2025, for personal, family, or household use that was (1) not subject to a final judgment in an action for dissolution of marriage or collection matter that occurred before the time when a debtor asks that the claimant waive the debt or (2) incurred more than 10 years before the request.

The act changes the 10-year lookback period for when the debt was incurred for purposes of waiving coerced debt. Specifically, under the act, it must have been incurred less than 10 years, rather than more than 10 years, before the waiver request date.

§ 26 — MONEY JUDGMENT ENFORCEMENT

Adds provisions for an action to enforce a money judgment by foreclosure of a real property lien

By law, a money judgment may generally be enforced against any property of the judgment debtor unless state or federal law exempts it from being used to satisfy the judgment.

The act adds provisions for an action to enforce a money judgment by foreclosure of a real property lien. Specifically, the amount of the judgment lien to attach to the property must be calculated by taking the property's fair market value, less any priority liens and the amount of any applicable exempt property under certain state laws. The chief court administrator must also ensure that any judicial branch-prescribed form for these foreclosure actions, including the foreclosure worksheet, includes the property not subject to debt collection under the same state laws.

EFFECTIVE DATE: July 1, 2025

§§ 27 & 28 — PROBATION PERIOD FOR ANIMAL CRUELTY CONVICTION

Establishes a five-year probation period for someone convicted of animal cruelty

The probation period for offenders convicted of certain crimes is set in law. The act adds conviction of animal cruelty to the list of crimes for which the law provides a probation period and sets the period at five years (§ 27). It makes a related conforming change (§ 28).
EFFECTIVE DATE: October 1, 2025

§§ 29 & 30 — COMMERCIAL WAIVERS AND CIVIL PROCESS FOR PREJUDGMENT REMEDIES

Adds provisions concerning return of process for a prejudgment remedy in actions about commercial transactions

Commercial Waivers (§ 29)

The act provides that in actions about commercial transactions when a defendant waives the right to notice and a hearing on a prejudgment remedy, the plaintiff's attorney must issue the writ for the prejudgment remedy without a court order if, in addition to meeting requirements in existing law, the lawyer serves process of the complaint to be returned to the court:

1. within 12 days, inclusive, after the earlier of (a) service of process upon the defendant preventing the dissipation of property or (b) service of process upon any third person holding property of the defendant and
2. at least six days before the return date.

EFFECTIVE DATE: October 1, 2025

Process in Civil Actions (§ 30)

Under existing law, process in civil actions returnable to the state Supreme Court must be returned to its clerk at least 20 days before the return day and, if returnable to Superior Court (except in evictions and petitions for parentage and support), to the clerk of the court at least six days before the return day.

The act also exempts from the above process return time frames the commencement of a civil action containing the issuance of a prejudgment remedy when, in a commercial transaction, the defendant waives notice and hearing as provided above.
EFFECTIVE DATE: October 1, 2025

§§ 31-33 — CONSULTANT SERVICE CONTRACTS FOR JUDICIAL BRANCH CAPITAL PROJECTS

Allows the chief court administrator to contract for consultant services for certain capital projects if the estimated cost for the services is $300,000 or less

The act allows the chief court administrator, or her designee, to:

1. compile a list of architects, professional engineers, and construction administrators to provide consultant services for a particular program involving various projects for constructing new buildings or renovating existing ones operated or controlled by the judicial branch and
2. enter into a contract with any of the professionals on the list for the consultant services when the service's estimated cost is $300,000 or less.

The act also allows the administrative services commissioner to compile a list of these professionals for the judicial branch and enter into a consultant service contract with them.

EFFECTIVE DATE: July 1, 2025

§ 34 — JUDICIAL CONSTRUCTION CONTRACT SUPERVISION

Increases, from $1.25 million to $3 million, the cost cap for construction contracts for projects that the chief court administrator may supervise; allows the chief court administrator to execute associated consultant services contracts of up to $300,000

By law, the chief court administrator must, among other things, supervise the care and control of all property where the Judicial Department is the primary occupant. This supervision includes planning, executing certain contracts, overseeing, and supervising work involving the construction, repair, or alteration of a building or premises under the chief court administrator's supervision, for construction contracts that, under prior law, were $1.25 million or less.

The act increases the construction contract supervision cap to $3 million. Also, as stated above, it allows the chief court administrator to execute associated consultant service contracts estimated at $300,000 or less, where under prior law she was unable to execute these contracts at any amount.

Under existing law, unchanged by the act, this oversight does not apply to the probate courts, Division of Criminal Justice, and Public Defender Services Commission, except where they share facilities in state-maintained courts.

EFFECTIVE DATE: July 1, 2025