



***Division of Public Defender Services
State of Connecticut***

ATTORNEY CHRISTINE PERRA RAPILLO
DIRECTOR OF DELINQUENCY DEFENSE & CHILD PROTECTION

**COMMITTEE ON THE JUDICIARY
MARCH 11, 2015**

**TESTIMONY OF CHRISTINE RAPILLO
DIRECTOR OF DELINQUENCY DEFENSE AND CHILD PROTECTION
OFFICE OF CHIEF PUBLIC DEFENDER**

**Raised Bill 1030 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE TASK
FORCE TO STUDY METHODS FOR IMPROVING THE COLLECTION OF PAST DUE CHILD
SUPPORT.**

The Office of Chief Public Defender is concerned that passage of *Raised Bill 1030, An Act Implementing the Recommendations of the Task Force to Study Methods for Improving the Collection of Past Due Child Support* would result in a significant fiscal impact on the Division of Public Defender Services (DPDS). The goal of this bill is to improve the collection of child support in Connecticut by increasing the number of special judicial marshals empowered to execute *capias* orders in child support actions. The Judicial Branch and specifically Support Enforcement Services has been making efforts to improve collection of past due child support and has received funding to support those efforts. During the last fiscal year, these efforts included running *capias* "sweeps" in several jurisdictions. This results in a large number of contemnors being brought to court and being placed at risk of incarceration.

Any proposal that increases the number of executed *capias* orders has a fiscal impact on the Division of Public Defender Services. Public Act 11-51 made DPDS responsible for providing and paying for lawyers for indigent contemnors in child support matters where they face incarceration. Under this law, DPDS provides lawyers for almost every person at risk of going to jail for not paying child support. We currently employ 13 lawyers across the state. They are contracted to provide services on the days the magistrate court meets in the individual jurisdiction. Currently, the court tries to take measures to ensure that *capias* presentments are done on the contractor's court days. This proposal is designed to increase the number of *capias* orders executed, in an effort to speed the collection of past due child support. This will result in more hearings



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on more days. Due process requires that the contemnor be given a hearing within 24 hours of being picked up, preferably on the day they are picked up. Attorneys will need to be available to provide representation at those hearings. When the sweeps occurred, this agency needed to arrange for counsel to be available to represent the contemnors on additional days, resting in unexpected expense. Continued efforts to increase the number of executed capias orders will necessitate additional days where a contracted assigned counsel must be paid to represent the contemnors. The Division of Public Defender Services will need to either contract for more days or hire staff to be permanently located in the busiest Family Magistrate Courts.

Raised Bill 1030 also creates a Task Force to study technological and other initiatives that could be implemented by the state to maximize the collection of child support due and owing to state residents. We believe that we have the expertise to assist this Task Force. Division lawyers, investigators and social workers have extensive expertise working with indigent people and could provide valuable insight and ideas on how to improve their ability to pay child support. We respectfully ask that the Chief Public Defender or her designee be added to the Task Force.