



State of Connecticut
DIVISION OF PUBLIC DEFENDER SERVICES

OFFICE OF CHIEF PUBLIC DEFENDER
30 TRINITY STREET - 4th Floor
HARTFORD, CONNECTICUT 06106

DEBORAH DEL PRETE SULLIVAN
LEGAL COUNSEL, DIRECTOR
(860) 509-6405 Telephone
(860) 509-6495 Fax
deborah.d.sullivan@jud.ct.gov

Testimony of
Deborah Del Prete Sullivan, Legal Counsel, Director
Office of Chief Public Defender

Proposed Bill No. 650
An Act Concerning Temporary Restraining Orders

Judiciary Committee Public Hearing
March 11, 2014

While not opposed in its entirety to *Raised Bill No. 650, An Act Concerning Temporary Restraining Orders*, the Office of Chief Public Defender has a concern as to the intent of the language contained in subsection (4) of the bill at lines 12-13. The bill is new legislation which proposes that *C.G.S. §46b-15 (Relief from physical abuse, stalking or pattern of threatening by family or household member. Application. Court orders. Duration. Copies. Expedited hearing for violation of order. Other remedies)*, be amended to improve the process for service of a temporary restraining order that has been issued by the court. Currently, C.G.S. §46b-15 provides the process for a person to apply to the court for an order of protection and obtain relief from the court via a court order. An applicant for such has the obligation of providing to the respondent notice of a hearing to be held on the application pursuant to subsection (b) of 46b-15, and, to provide a copy of the application, the applicant's affidavit, and ex parte order previously entered, if any. Subsection (g) provides for the costs of service of notice to be paid by the Judicial branch.

The proposed language of subsection (4) provides that the statutes be amended to "broaden the methods by which respondents may be given legal notice of such orders by sworn peace officers" without articulating more. Without specific articulation as to the intent of this subsection as well as what "broaden the methods" contemplates, we cannot be sure that the language meets with the consensus of the Task Force nor whether it would survive a constitutional challenge.