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Proposal by Judge Alexander to amend Section 37-1 regarding waiver of the presence of the defendant at arraignment.



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STATE OF CONNECTICUT
SUPERIOR COURT
JUDGE'S CHAMBERS

20 Franklin Square, New Britain, Connecticut 06051

Chambers of
Honorable Joan K. Alexander
Chief Administrative Judge
Criminal Division

Telephone: (860) 515-5050
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January 3, 2019

Joseph J. Del Ciampo
Director of Legal Services
State of Connecticut
Judicial Branch
100 Washington Street/3rd Floor
Hartford, Connecticut 06106

Dear Attorney Del Ciampo:

I would like to propose a change to Practice Book 37-1. This change would allow the court to waive the presence of a defendant in the courtroom after a finding of good cause shown on the record. This change would allow the court to appoint counsel, to preserve any discovery requests, to issue orders of protection and to take any other steps necessary for the arraignment without undue delay. The following language is proposed:

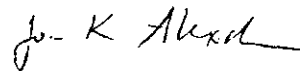
Proposed Change to Practice Book Section 37-1

A defendant who is not released from custody sooner shall be brought before a judicial authority no later than the first court day following arrest. Any defendant who is hospitalized, has escaped, or is otherwise incapacitated shall be presented no later than the next court day following such defendant's medical discharge or return to police custody. Upon a finding of good cause shown that is placed on the record, the judicial authority may waive the presence of the defendant at the arraignment. A defendant not in custody shall appear for arraignment in person at the time and place specified in the summons or the terms of release, or at such other date or place fixed by the judicial authority. (Effective Oct. 1, 2019)

Joseph J. Del Ciampo
January 3, 2019
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Thank you for your time and assistance in this matter. Please let me know if you need any additional information from me regarding this proposal.

Very truly yours,



Joan K. Alexander
Chief Administrative Judge
Criminal Division

jka
cc: Honorable Patrick L. Carroll III,
Chief Court Administrator
Honorable Elizabeth A. Bozzuto,
Deputy Chief Court Administrator