

Del Ciampo, Joseph

From: Giovanna Shay <GShay@ghla.org>
Sent: Wednesday, December 1, 2021 1:42 PM
To: Del Ciampo, Joseph; Rules Committee
Cc: Carroll, Patrick; Bozzuto, Elizabeth; Abrams, James; Shelley White; Rafie Podolsky; Nilda Havrilla; Moses Beckett
Subject: FW: Proposal from Legal Services for Rules Committee Consideration - Retention and Destruction of Eviction Records
Attachments: Final_Legal Services_Comment_Proposed_PB_Eviction_Records 12-1-21.docx.pdf

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Dear Attorney Del Ciampo and Rules Committee Members and Staff, Judge Carroll, Judge Bozzuto, and Judge Abrams:

Please find attached a proposal from Greater Hartford Legal Aid, Connecticut Legal Services, New Haven Legal Assistance Association, and Statewide Legal Services, seeking to amend Practice Book §§ 7-10 and 7-11 regarding retention and destruction of summary process records. Specifically, we propose that all identifying information regarding evictions resulting in withdrawal, dismissal, nonsuit, or judgment for the defendant tenant be removed from the Judicial Branch web site as soon as is administratively feasible and no later than 30 days following disposition, and that identifying information about all other summary process matters be removed within one year. We also ask that a new Practice Book section, § 7-11A, be enacted requiring commercial purchasers of Judicial Branch data to agree to disclose only the most recent version of these records, in keeping with the current Judicial Branch User Acknowledgment Form (JD-ES-251).

We are making this proposal because internet records of an eviction can all too often be misused in screening tenants for housing. Any mention of a tenant's name in connection with a summary process matter can disqualify them for a new rental, even if the case was dismissed or decided in the tenant's favor. This proposal is critical now because, in the wake of the pandemic, so many of Connecticut's residents have faced eviction, some for the first time. Even with UniteCT assistance to resolve the situation, an internet record of an eviction can make finding adequate housing in the future very difficult. This proposal is all the more important because of the disparate rate of eviction filings against households of color in Connecticut's cities, and in particular against households headed by African-American women.

We hope that this proposal can be given initial consideration at the Rules Committee meeting set for December 13, 2021. Please confirm receipt and let us know if the Committee or its staff need anything further from us. We thank the Committee for its consideration.

Respectfully submitted,

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