



**STATE OF CONNECTICUT  
JUDICIAL BRANCH  
COURT OPERATIONS DIVISION**

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MEMO TO: Joseph Del Ciampo, Director, Legal Services

SUBJECT: Proposal for Technical Amendment to Sec. 25a-1, Family Support  
Magistrate Matters; Procedure

Deputy Assistant Public Defender Benedict Daigle has brought to our attention a potential ambiguity in the way certain subsections are referred to in Sec. 25a-1, Family Support Magistrate Matters; Procedure. In subsection (a) (2) (F), Attorney Daigle pointed out that it was unclear whether “subsections (a), (e), (f), (g) and (h)” of Section 13-27 also referred to subsections (a), (e), (f), (g) and (h) of Sections 13-28 and 13-30 through 13-32. Upon further review, it was clear that Sections 13-28 and 13-30 through 13-32 do not all contain (a), (e), (f), (g), and (h) and that the reference was therefore only to Sec. 13-27.

In a similar vein, Attorney Daigle, also suggested that the reference to subsection (a) of Section 17-33 was ambiguous in Section 25a-1 (a) (2) (I). He suggested that the current language could be interpreted as meaning that Section 17-33 and Section 17-41 both had a subsection (a). They do not.

In the interest of clarity, I respectfully propose the technical amendments attached hereto.

Please let me know if you need any further information on this issue.

## **Sec. 25a-1. Family Support Magistrate Matters; Procedure**

(a) In addition to the specific procedures set out in this chapter, the following provisions shall govern the practice and procedure in all family support magistrate matters, whether heard by a family support magistrate or any other judicial authority. The term “judicial authority” and the word “judge” as used in the rules referenced in this section shall include family support magistrates where applicable, unless specifically otherwise designated. The word “complaint” as used in the rules referenced in this section shall include petitions and applications filed in family support magistrate matters.

(1) General Provisions:

(A) Chapters 1, 2, 5, 6 and 7 in their entirety;

(B) Chapter 3, in its entirety except subsection (b) of Section 3-2 and Section 3-9;

(C) Chapter 4, in its entirety except subsections (a) and (b) of Section 4-2;

(2) Procedure in Civil Matters:

(A) Chapter 8, Sections 8-1 and 8-2;

(B) Chapter 9, Sections 9-1 and 9-18 through 9-20;

(C) Chapter 10, Sections 10-1, 10-3 through 10-5, 10-7, 10-10, 10-12 through 10-14, 10-17, 10-26, 10-28, subsections (a) and (c) of Section 10-30, 10-31 through 10-34, subsection (b) of Section 10-39, 10-40, 10-43 through 10-45 and 10-59 through 10-68;

(D) Chapter 11, Sections 11-1 through 11-8, 11-10 through 11-12 and 11-19;

(E) Chapter 12, in its entirety;

(F) Chapter 13, Sections 13-1 through 13-3, 13-5, 13-8, 13-10 except subsection (c), 13-11A, 13-21 except subdivision (13) of subsection (a), subsections (a), (e), (f), (g) and (h) of Section[s]13-27, and Sections13-28 and 13-30 through 13-32;

(G) Chapter 14, Sections 14-1 through 14-3, 14-9, 14-15, 14-17, 14-18, 14-24 and 14-25;

(H) Chapter 15, Sections 15-3, 15-5, 15-7 and 15-8;

(I) Chapter 17, Sections 17-1, 17-4, 17-5, 17-19, 17-21, subsection (a) of Section[s] 17-33 and Section 17-41;

(J) Chapter 18, Section 18-19;

(K) Chapter 19, Section 19-19;

(L) Chapter 20, Sections 20-1 and 20-3;

(M) Chapter 23, Sections 23-20, 23-67 and 23-68.

(3) Procedure in Family Matters:

Chapter 25, Sections 25-1, 25-9, 25-12 through 25-22, 25-27, 25-33, 25-48, 25-54, 25-59, 25-59A, 25-61, 25-62 through 25-64 and 25-68.

(b) Any pleading or motion filed in a family support magistrate matter shall indicate, in the lower right hand corner of the first page of the document, that it is a family support magistrate matter.

(c) Family support magistrate matters shall be placed on the family support magistrate matters list for hearing and determination.

(d) Family support magistrate list matters shall be assigned automatically by the clerk without the necessity of a written claim. No such matters shall be so assigned unless filed at least five days before the opening of court on the day the list is to be called.

(e) Family support magistrate list matters shall not be continued except by order of a judicial authority.

TECHNICAL CHANGE: In subsections (a) (2) (F) and (a) (2) (I), technical changes were made to clarify the internal subsection references to Section 13-27 and Section 17-33, respectively.