

*Division of Public Defender Services  
State of Connecticut*

ATTORNEY CHRISTINE PERRA RAPILLO  
DIRECTOR OF DELINQUENCY DEFENSE & CHILD PROTECTION

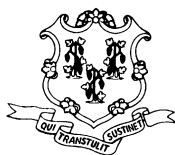
**COMMITTEE ON THE JUDICIARY  
MARCH 31, 2014**

**TESTIMONY OF CHRISTINE RAPILLO  
DIRECTOR OF DELINQUENCY DEFENSE AND CHILD PROTECTION  
DIVISION OF PUBLIC DEFENDER SERVICES**

**Raised Bill No. 458  
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 458, 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. This bill would appropriate \$1,000,000 (one million dollars) to create a special class of judicial marshals empowered to execute *capias* orders in child support actions. This occurs when an individual obligated to make child support payments fails to make the payments and then fails to appear for a hearing to determine whether he or she is in contempt of court. Currently, these orders get executed when the individual has some incidental contact with the judicial system or is arrested. This proposed bill would fund special marshals to locate these contemnors and bring them to court, in an effort to collect child support owed to individuals or to the State of Connecticut.

However, this proposal would have a fiscal impact on the Division of Public Defender Services. Public Act No. 11-51 made the Division of Public Defender Services responsible for providing and paying for lawyers for indigent contemnors in child support matters where they face incarceration. Under current law, the Division of Public Defender Services 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 who 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. But this proposal is designed to increase the number of



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capias orders executed, in an effort to speed the collection of past due child support. As a result, there will be more hearings on more days. Due process requires that the contemnor be given a hearing within 24 hours of being picked up, preferably on the day he/she is picked up. Attorneys will need to be available to provide representation at those hearings. Therefore, 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 at a substantially increased cost to itself.

Raised Bill 458 No. 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. The Office of Chief Public Defender believes that it has 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. The Office of Chief Public Defender respectfully requests that the Chief Public Defender or her designee be added to the Task Force.