

Interim COVID-19 Criminal Procedures and Technical Standards

I. Scope/Authority

Under the authority of Section 51-193c of the Connecticut General Statutes and Section 4-4 of the Connecticut Practice Book, and consistent with the measures undertaken by the Judicial Branch to stem the spread of the coronavirus (COVID-19) and the public health and civil preparedness emergencies declared by Governor Lamont related to COVID-19, Office of the Chief Court Administrator establishes the following Interim COVID-19 Criminal Procedures and Technical Standards, to become effective immediately and until further notice. They apply to continuance mittimuses generated electronically and electronically submitted Probable Cause Determination Requests.

II. Electronic Continuance Mittimuses

- A. In any criminal case in which the judicial authority has issued or approved a continuance in accordance with Section 44-18 of the Connecticut Practice Book and the defendant has failed to meet any conditions of release, the clerk, as provided in sections 51-52 and 51-52a of the Connecticut General Statutes, may generate continuance mittimuses electronically through the CRMVS CR30, Hearing Data/Plea Data, or CR57, Bulk Continuance, function, and may transmit continuance mittimuses electronically by e-mail to the Department of Corrections.
- B. Any electronic continuance mittimus generated within the CRMVS CR30, Hearing Data/Plea Data, function shall be signed by pressing "Enter" to finalize the continuance transaction and the electronic population of the first and last name of the clerk signing, which must be the same as the clerk logged in to CRMVS and which cannot be changed by the user of the computer, on the resulting mittimus. No continuance transaction may be processed by a user under another person's name.
- C. Any electronic continuance mittimus generated within the CRMVS CR57, Bulk Continuance, function shall be signed by the electronic entry of PF1-U to finalize the bulk continuance transaction and the electronic population of the first and last name of the clerk signing, which must be the same as the clerk logged in to CRMVS and which cannot be changed by the user of the computer, on the resulting mittimuses. In addition, given that the CRMVS CR57, Bulk Continuance, feature allows authorized users to finalize multiple continuances in a single transaction, the entry of PF1-U to finalize the continuance transaction for more than one case and the electronic population of the logged in clerk's name on the resulting mittimuses shall constitute the electronic signature of the clerk for all mittimuses generated as a result of finalizing the continuance transaction.
- D. The clerk shall review all electronic continuance mittimuses generated electronically through the CRMVS CR30, Hearing Data/Plea Data and CR57, Bulk Continuance, functions and select those appropriate for transmission to the Department of Corrections.

- E. The clerk of court shall print any electronic continuance mittimus transmitted electronically to the Department of Corrections and place the printed copy in the associated case file.

III. Probable Cause Determinations

- A. Any Probable Cause Determination Request, form JD-CR-94, for electronic submission must be signed by a law enforcement official either on paper and scanned into an electronic file or signed electronically in accordance with the Law Enforcement Electronic Signature Procedures and Technical Standards, and saved with the following naming convention: [Police Department]_[Date]_[Defendant's Last name].pdf (Ex. Hartford_5-1-2020_Doe.pdf);
- B. Any documents in support of a Probable Cause Determination Request for electronic submission, which are required to be submitted under oath, must be signed and verified either on paper and scanned into an electronic file or electronically in accordance with the Law Enforcement Electronic Signature Procedures and Technical Standards.
- C. A properly signed Probable Cause Determination Request, accompanied by properly signed and verified supporting documents, may be submitted electronically to an on-call judicial authority by e-mail.
- D. Upon receipt of an electronically submitted Probable Cause Determination Request and the supporting document(s) via e-mail, the on-call judicial authority shall review such Request and document(s) and enter their probable cause finding.
- E. The judicial authority may enter their probable cause finding on an electronically submitted Probable Cause Determination Request either:
 - 1. On paper, by:
 - a. Printing the submitted Probable Cause Determination Request form;
 - b. Selecting the appropriate options in the Finding section, writing the date and time, and signing the form pen-to-paper; and
 - c. Scanning the completed and signed form into an electronic file, and saving the file as a PDF with the following naming convention:
[Police Department]_[Date]_[Defendant's Last name]_Executed.pdf
(Ex. Hartford_5-1-2020_Doe_Executed.pdf); or
 - 2. Electronically, by:
 - a. Electronically selecting the appropriate options in the Finding section and entering the date and time;

- b. Electronically signing the document by entering their First name, Middle initial, and Last name, followed by their juris number in parentheses (Ex. Judge John A. Doe (123456));
 - c. Printing the executed form as a PDF by clicking the “Print” button on the bottom of the form or selecting “Print” from the “File” menu, and selecting “Microsoft Print to PDF” as the printer in the print dialog box, so that any fillable fields on the form become no longer fillable; and
 - d. Saving the non-fillable PDF with the following naming convention:
[Police Department]_[Date]_[Defendant's Last name]_Executed.pdf
(Ex. Hartford_5-1-2020_Doe_Executed.pdf)
- F. The judicial authority shall return the non-fillable PDF of any executed Probable Cause Determination Request form to the submitting law enforcement official via e-mail.
- G. The law enforcement official receiving a completed Probable Cause Determination Request form from a judicial authority shall print three (3) copies of the executed PDF and:
- 1. Return one copy to the G.A. Clerk's office prior to the defendant's arraignment;
 - 2. Retain one copy for their file; and
 - 3. Give the third copy, together with any supporting documents submitted in support of the initial Probable Cause Determination Request, to the State's Attorney's Office.

IV. Validity and Status

- A. Any document signed in accordance with these Procedures and Technical Standards shall have the same validity and status as a paper document that was physically signed (pen-to-paper) by a judicial authority or a clerk of court.
- B. The printed copy of any continuance mittimus generated, signed, and transmitted electronically that is placed in the associated case file in accordance with these Procedures and Technical Standards shall be deemed the original of the document.
- C. The printed copy of any Probable Cause Determination Request form executed and returned to the submitting law enforcement official in accordance with these Procedures and Technical Standards that is filed with the G.A. Clerk's Office with the applicable supporting document(s) prior to the defendant's arraignment shall be deemed the original of the document.

V. Document Retention and Destruction

- A. Probable Cause Determinations

There is no need for the judicial authority to retain any initial Probable Cause Determination Request form or the associated supporting document(s) submitted by a law enforcement official, the executed fillable PDF file, or the non-fillable PDF of any executed Probable Cause Determination Request after returning the non-fillable PDF to the submitting law enforcement official in accordance with these Procedures and Technical Standards.

The original of any executed Probable Cause Determination Request that the law enforcement official returns to the G.A. Clerk's Office prior to the defendant's arraignment shall be retained in accordance with Section 7-11 of the Connecticut Practice Book, concerning the retention and destruction of court files.

B. Electronic Continuance Mittimus

There is no need to retain any continuance mittimus generated and signed electronically that is not transmitted to the Department of Corrections in accordance with these Procedures and Technical Standards.

There is no need to retain any electronic continuance mittimus transmitted electronically to the Department of Corrections after the mittimus is printed and placed in the associated case file.

The original of any electronic continuance mittimus that has been transmitted to the Department of Corrections, printed, and placed in the court file shall be retained in accordance with Section 7-11 of the Connecticut Practice Book, concerning the retention and destruction of court files.