



Connecticut Judicial Branch Guidelines for Use of a Support Person in Proceedings

August, 2020

The Connecticut Judicial Branch complies with Title II of the Americans with Disabilities Act (the Act) and accommodates individuals with disabilities by providing equal access to its services, programs, and activities. As such, the Branch makes reasonable modifications to its services, programs and activities for people with visible and invisible disabilities. The Judicial Branch may allow a support person to sit next to a litigant with disabilities when he or she appears for matters before the court, or provide support remotely if the matter is by telephone or videoconference. Support persons serve as a calming influence for people with hidden disabilities in proceedings, including not only courtroom appearances but also matters that are usually closed to the public, such as mediation sessions or Family Relations conferences, or to proceedings which involve the use of confidential information, such as jury selection. No special certification is required to be a support person, and you do not need to pay someone to be your support person.

In order to ensure uniformity of services and in the spirit of the Act, the following guidelines regarding support persons are adopted.

1. Who can be a support person:

A support person can include, but is not limited to, the following:

- A person who will not disrupt the proceedings
- A person who is there for you, without their own personal agenda
- A person who can remain calm and focused
- An attorney, provided you disclose that fact in advance to the judicial authority or court personnel, and the request is approved

2. Who may not be a support person:

- A party or a witness in the hearing or trial, unless approved in advance by the court
- A person who has an order of protection entered against them, which order protects any party
- A minor

3. What a support person may do:

The following are examples of how a support person may help a litigant:

- Provide emotional and moral support
- Take notes
- Help organize and hand you documents
- Perform any other task as requested by the judicial authority to help a litigant with disabilities during proceedings

4. What a support person may not do:

A support person is not allowed to do the following:

- Give legal advice
- Address the court without permission
- Participate in mediation sessions or conferences. A support person may, however, perform the tasks listed in item #3 (above) during mediation sessions or conferences.
- Examine witnesses
- Cause disruption or interfere with the judicial authority or court personnel. If a support person interferes with the judicial authority or court personnel, the proceedings, or the parties, the authority may require the support person to be removed or disconnected from a video or telephone proceeding.

Important reminders for a support person:

- A litigant must ask for and be granted an ADA accommodation for a support person in advance.
- A support person must be physically present, if the proceeding is scheduled to be conducted in-person and not by telephone or videoconference.
- While a litigant with a disability may have various people willing to serve in a support person role, only one support person at a time may serve in that role during proceedings.
- The availability of a support person may be considered in scheduling court events, if it does not unreasonably delay the resolution of the matter or interfere with the administration of justice. If a preferred support person is not available for a particular court date, the litigant with the disability may want to find an alternative support person.
- A support person does not represent you.
- A support person must introduce themselves by name and on the record to the court, regardless of whether the proceeding is in person or by telephone or videoconference.
- A support person may be allowed to attend a mediation session, conference or proceeding that is closed to the public or that involves access to confidential information, but only if given prior approval by the judicial authority or court personnel and only if the support person signs a Confidentiality Agreement. A Confidentiality Agreement can be obtained from the ADA Contact or centralized ADA office.
- A support person may be removed from the courtroom or other court office (or disconnected from a video or telephone proceeding) if he or she is disruptive, interferes with the proceedings, violates safety rules, fundamentally alters the nature of the proceedings or otherwise violates these Guidelines.