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April 29, 2025

Rules Committee of the Superior Court
Attn - Counsel to the Committee
P.O. Box 150474
Hartford, CT 06115-0474
RulesCommittee@jud.ct.gov

Subject: Request to Conform Practice Book Rule 38-18 to CGS 54-53a

Dear Rules Committee Members,

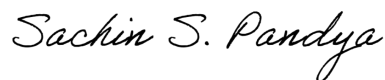
I hereby ask the Rules Committee to amend Connecticut Practice Book Rule 38-18 to conform to the express requirements of Connecticut General Statutes § 54-53a.

Section 54-53a of the general statutes provides that “[n]o person who has not made bail may be detained in a correctional facility pursuant to the issuance of a bench warrant of arrest or for arraignment, sentencing or trial for an offense” for more than forty-five (45) days “unless at the expiration of the forty-five-day period the person is presented to the court having cognizance of the offense.” CGS § 54-53a(a). For “an offense classified as a class D or E felony,” the maximum time period of detention before the person “shall be presented” to the court for such detention review is thirty (30) days, absent certain exceptions or waiver. CGS § 54-53a(b). For misdemeanors, absent certain exceptions or waiver, the maximum time period is fourteen (14) days. CGS § 54-53a(c)(1).

As written, Practice Book Rule 38-18 (2025) departs from CGS § 54-53a in at least three ways. First, the rule does *not* provide that persons detained for class E felonies are subject to the thirty-day time period. Compare Practice Book 38-18(b) (setting thirty-day time period “[i]f the offense is classified as a class D felony or as a misdemeanor”) with CGS § 54-53a(b) (“class D or E felony”). Second, the rule applies a thirty-day period for misdemeanors, not the fourteen-day period set forth in CGS § 54-53a(c)(1). *Id.* Third, the rule does not mention that detention review may be “waived by the person.” CGS §§ 54-53a(b),(c)(1).

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Sachin S. Pandya". The signature is written in a cursive, flowing style.

Sachin S. Pandya