

Minutes
Family Support Magistrate Rules Subcommittee
May 11, 2009

The Family Support Magistrate Rules Subcommittee met in room 607L at the Middlesex Judicial District Courthouse located at 1 Court Street, Middletown, CT on May 11, 2009.

Those in attendance: Hon. Sandra Sosnoff Baird (Co-Chair), Paul Bourdoulous, Jane Grossman, David Mulligan, Hon. Lynda Munro (Co-Chair), Hon. Joseph Pellegrino, Hon. Linda Wihbey, Lucia Ziobro.

Also in attendance were Attorney Joseph Del Ciampo and Johanna Greenfield. Dalia Panke, Deputy Director of Support Enforcement Services attended this meeting.

The meeting was called to order at 2:07 PM by Judge Munro.

1. Review and Approval of Minutes

The minutes of the meeting of the Subcommittee held on April 27, 2009 were approved unanimously by the members in attendance.

2. Continue consideration of items that are not yet in the rules, and rules that may have been postponed for consideration

A draft proposal regarding telephonic hearings was circulated, discussed, and significant changes were made. There was then a unanimous vote in favor of proposing the draft as amended.

There was then a discussion regarding the impleading of parties. A proposal was made to change the language of 9-22 as it relates to family support magistrate court and a vote was taken. Among those members of the Subcommittee in attendance the following vote in favor of adopting the proposal resulted:

Munro – Yes
Sosnoff Baird – Yes
Grossman – Yes
Pellegrino – Yes
Wihbey – Yes

Mulligan – No
Ziobro – No

Bourdoulous – Abstain

A proposal regarding challenging acknowledgments of paternity that are made pursuant to C.G.S. §46b-172(a)(2) was drafted by the group and there was a unanimous vote in favor of proposing the draft.

Language was discussed regarding rule 3-9 regarding motions to withdraw appearances in Family Support Magistrate Court as well as regarding appearance in cases that are in both Family Court and Family Support Magistrate court. However, full discussion regarding these items will be at the next meeting.

There was discussion regarding proposed rules of conduct for Support Enforcement Services personnel who appear in court. Concern regarding such proposals was expressed by various Subcommittee members. Perhaps the paramount issue raised was the sense that Support Enforcement Personnel are part of a separate procedure for conduct matters that is already contained within the Judicial Branch, since they are employees of the Branch.

Judge Munro asked that the Subcommittee members think about existing and possible solutions other than a proposed rule. Several strategies were discussed.

3. Status of drafting

Additional drafting of proposed rules was distributed to the members of the Subcommittee by Attorney Del Ciampo. The Subcommittee will review all drafts for the next meeting.

4. Such other matters that may come before the Subcommittee

It was noted with regard to the challenging of acknowledgments of paternity proposal, that Joseph Del Ciampo will need to provide an opinion as to what fees are to be collected when the challenge is brought as a new case and when the challenge is brought within the context of a pending support petition.

5. Next Meeting

The next meeting will be on June 1, 2009 but it will now begin at 10:00 a.m. with a possibility of meeting all day at the same location. Topics will include those noted above as well as automatic orders regarding health insurance and Attorney Ziobro's comments regarding rule 10-10. The Subcommittee will also review Magistrate Wihbey's suggestions for the next meeting.

Magistrate Sosnoff Baird adjourned the meeting at 5:00 p.m.