

Minutes
Family Commission
January 14, 2009

The Family Commission met in room 607L at the Middlesex Judicial District Courthouse located at 1 Court Street, Middletown, CT on January 14, 2009.

Those in attendance: Hon. Lynda Munro (Chair), Hon. Sandra Sosnoff Baird, Hon. John Boland, Attorney Gaetano Ferro, Hon. Steven Frazzini, Attorney Constance Frontis, Hon. Elaine Gordon, Johanna Greenfield, David Iaccarino, Attorney Maureen Murphy, Attorney Thomas Parrino.

Also in attendance were: Attorneys Joseph Del Ciampo and Nancy Porter from the Judicial Branch's Legal Services Unit.

The meeting was called to order at 2:05 PM by Judge Munro.

I. Review and approval of minutes

The minutes of the meeting of the held on December 10, 2008 were approved unanimously by the members of the Commission who were in attendance.

II. Continue review of family rules

There was discussion regarding the proposals that are coming out of the Family Support Magistrate Rules Subcommittee.

Rule 25-26 There was discussion regarding "may" vs. "shall" in subsection (a) and what the language regarding contempt currently requires of the court. It was unanimously decided to recommend alternative language.

The rules regarding discovery were discussed, including whether these matters should remain arguable in family cases. It was decided that it should be proposed that they be made nonarguable unless argument is requested just as they are in the civil rules. However, if a hearing is held it was discussed that there should be a specific sanction regarding attorneys fees against the noncomplying party. Proposed language will be drafted.

There was also a suggestion to include credit cards in Rule 25-32.

The proposed rule regarding premarital agreements was reviewed.

Some suggestions for amendments were made. Judge Boland and Judge Frazzini will revise the draft, which will then be circulated to the group in approximately three weeks.

Judge Munro indicated that the rules should be completed by the September 23rd meeting.

III. Such other matters as may come before the Commission

Attorney Murphy reported out on a meeting she attended with the Chief Court Administrator that included representatives from other committees also examining rules for the civil, juvenile and criminal divisions. Attorney Murphy indicated that the discussion largely revolved around the hope that there was a way for these groups to know in advance whether the Rules Committee would consider possible proposals prior to the expenditure of great time and effort in pursuit thereof. Attorney Murphy expects to receive minutes from that meeting.

Future meeting topics for the Commission will include administrative divorce, case captions for mediated cases, attorneys for minor children/guardians ad litem, psychological evaluations, and disclosure of expert witnesses. This will be included in the discussions regarding the discovery rules. Attorney Parrino will circulate materials regarding the disclosure of experts to the members of the Commission.

IV. Next Meeting

The next meeting will be Wednesday, February 25, 2009 at 2:00 p.m. in room 607L at Middlesex Superior Court, 1 Court Street Middletown, CT.

The 2009 meeting schedule will be:

February 25, April 8, May 20, July 1, August 12, September 23, November 4 and December 16.

Judge Munro adjourned the meeting at 4:32 p.m.