

Minutes
Family Commission
March 10, 2010

The Family Commission met in room 607L at the Middlesex Judicial District Courthouse located at 1 Court Street, Middletown, CT on March 10, 2010.

Those in attendance: Hon. Lynda B. Munro (Chair), Hon. Holly Abery-Wetstone, Attorney Michael Blanchard, Hon. John D. Boland, Attorney Constance Frontis, Johanna Greenfield, David Iaccarino, Attorney Maureen Murphy, Attorney Thomas Parrino.

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

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

I. Review and approval of minutes

The minutes of the meeting held on January 27, 2010 were approved by the members of the Commission who were in attendance.

II. Summary and discussion of ideas from January meeting

Judge Munro gave a recap of the outcome of the brainstorming exercise from the Commission meeting on January 27th. Thereafter, further thoughts were expressed on some of the topics from that meeting:

Unified Family Court – This would require a look from a more global strategic vantage point by the whole Branch. It presents many issues involving such things as security, Judges and staffing, and could require legislation. Where probate matters would fit in was also discussed. Perhaps it is something to look at down the road.

2-week short calendar markings – Clarification was made that this meant when you mark your case, the hearing would not be for the immediate Monday, but rather for the one after that. This could assist parties and attorneys in managing their own calendars and getting time off from work to come to court. There could be certain logistics set up to assign cases their date with family relations (such as by docket number). This could result in fewer continuances. Judges would not have to wait for cases to be ready to come before them on their calendar day. There would be fewer people waiting in the hallway, which could help ease tension. Some drawbacks are that the clerk's

office might have to spend more time pulling files, though this may not be so. We would have to see whether calendar technology could achieve this. There could be an extra day that the parties have to take off from work, though if they have an agreement it could be taken on the day it is reached at family relations, and, when they come to court for a hearing it can be held more promptly. The Commission viewed this item favorably.

Individual Calendaring – There are some locations that already do some method of individual calendaring but in more of an informal way where the Presiding Judge decides whether it is a case that should stay with a certain judge or the Judge hearing the matter decides it should stay with him or her. One concept was that once a case contains more than a certain number of pleadings it becomes a candidate for assignment to a specific Judge. When the term changes, if that Judge leaves, his or her list of cases would then be heard by the incoming Judge.

Early identification of cases that need more judicial intervention – Judge Munro will consult with PJ Deak and Family Relations and report to the group about how some of this could work. Some locations are using some early intervention techniques. One of the challenges is determining when the right time to intervene would be.

Complex family docket – Who would decide that a case should be referred to a complex docket? There would have to be some kind of criteria. Would local Judges want to keep their complex family cases? This topic had mixed feedback. It was discussed that perhaps the subject merits more thought.

More explicit/clear orders – Judge Munro asked if there was anything more to this item than the Judges issuing clearer orders and there were no further thoughts offered.

Re-examine the rotation of Judges – The Judges get their assignments earlier now and that seems helpful. Regarding Judges taking cases with them to their new assignments, that seems to happen now when necessary. There is no institutional response needed.

Increase the use of status conferences – There are differing philosophies regarding the use of status conferences. Perhaps the case management form could flag the issues that are of concern.

III. Administrative divorce

Judge Abery-Wetstone led the discussion. An article written by Hon. Lloyd Cutsumpas in 2007 as well as a compilation of data by Attorney Murphy from other states web sites were referenced. The following items were discussed with regard to administrative divorce:

- It would decrease self-represented litigation
- Legislation would be needed
- Criteria would have to be set for which cases would qualify (No children? Assets under a certain amount? Etc.)
- Under what circumstances there could be a challenge
- Whether the parties would have to come to court at all, and requiring at least a notary if not.
- Would this help much in Connecticut?
- Court time could be saved
- It would be less adversarial
- Would a Judge review the papers? Not all states have that and there is some concern both ways.
- It could send a message with regard to marriage that may not be a desired one.

Perhaps a joint petition could be a preferable alternative. A look at other states might be helpful in that regard as well.

Judge Munro will invite Judge Cutsumpas to attend a Commission meeting.

IV. Such other matters that may come before the Commission

Judge Munro indicated that there has been a great deal of public interest in the Commission meetings. She informed the Commission that members of the public are being informed that they are welcome to attend the meetings, but that any comments they may have should be submitted in writing.

Judge Munro updated the Commission members on the GAL/AMC training. There will be a rule proposal whereby only those who have been through the training may be appointed. The training is set up so that two sessions for up to 200 people could be conducted twice a year.

V. Next Meeting

The next meeting is scheduled for April 21, 2010. The June 2nd meeting is rescheduled for June 21st and the July 14th meeting is cancelled.

Judge Munro adjourned the meeting at 4:05 p.m.