

Minutes
Workgroup on Family Rules
October 8, 2008

The Workgroup on Family Rules met in room 607L at the Middlesex Judicial District Courthouse located at 1 Court Street, Middletown, Connecticut on October 8, 2008.

Those in attendance were: Hon. Lynda Munro (Chair), Hon. Holly Abery-Wetstone, Hon. Sandra Sosnoff-Baird, Hon. John Boland, Attorney Steven Dembo, Attorney Gaetano Ferro, Attorney Constance Frontis, Hon. Elaine Gordon, 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 and Judge Munro's clerk, Jason.

The meeting was called to order at approximately 9:30 a.m. by Judge Munro.

I. Introductory Remarks/Overview

Judge Munro opened the meeting by informing the workgroup that she and Chief Family Support Magistrate Sosnoff-Baird are co-chairs of the Family Support Magistrate Rules Workgroup, a subcommittee of this workgroup. That subcommittee will periodically bring rules to this workgroup. Judge Munro recommended that those members on this workgroup who have not recently spent time in Family Support Magistrate Division should do so in order to become familiar with the processes and the challenges of that division.

Judge Munro informed the workgroup of other work that is proceeding in the Family Division for the training of attorneys from minor children and guardians ad litem and examination of other issues affecting families in our courts.

II. Approval of Minutes of September 17, 2008, Meeting of Workgroup

The minutes of the meeting of the workgroup held on September 17, 2008 were approved unanimously by the members of the workgroup who were in attendance.

III. Review of Existing Family Rules

The workgroup continued its review of the existing family rules. At this meeting, Section 25-5 concerning the orders that enter automatically upon commencement of certain family actions was discussed. Judge Munro indicated that in the more than ten years since adoption of the automatic orders provision, certain of those provisions and/or the interpretation of those provisions should be refined. The following issues were discussed:

- Whether Section 25-5 should be reorganized.

- Whether automatic orders survive judgment, and if so, to what extent.
- What effect does the court's final judgment have on the applicability of the automatic orders post-judgment.
- How do the automatic stay provisions of the appellate rules/statutes affect the post-judgment application of automatic orders and vice versa.
- As a matter of policy, should automatic orders survive the judgment pending appeal.
- Should an appeal bond be required of parties taking an appeal from a judgment in a family matter.
- Should the parties be allowed to sell or transfer any properties of the parties during the pendency of the proceeding, or post-judgment pending appeal, in an attempt to preserve the property from depreciation?

It was agreed that the workgroup would continue its review of Section 25-5 at its next meeting on October 29, 2008, from 2:00 p.m. until approximately 5:00 p.m. in Room 607L at the Middlesex Judicial District Courthouse.

Judge Munro adjourned the meeting at 12:35 p.m.