

**MINUTES OF THE  
BENCH – BAR FORECLOSURE COMMITTEE MEETING  
FRIDAY, JULY 15, 2011**

Handouts to Committee Members: Agenda; Draft of Minutes of October 29, 2010 meeting; copy of PA11-201 §§ 1-4, copy of proposed changes to JD-CV-75; copies of Affidavit Federal Loss Mitigation Programs – current version and subcommittee's proposed revised version.

Members in attendance: Hon. Douglas C. Mintz, Chair, Attorney Ronald M. Bender, Attorney Adam L. Bendett, Attorney Jessica L. Braus, Attorney Denis R. Caron, Attorney Thomas Farrell, Attorney Robert F. Frankel, Attorney Jeffrey S. Gentes, Attorney Peggy George, Attorney Richard M. Leibert, Attorney Eugene S. Melchionne, Attorney Geoffrey Kent Milne, Hon. Richard A. Robinson, Attorney Gary P. Sklaver, Attorney Thomas W. Witherspoon, Jr., Attorney Louis C. Zowine.

The Hon. Douglas C. Mintz, Chair called the meeting to order at 2:00 PM.

1. Approval of Minutes of Oct. 29, 2010 Meeting - Motion to approve the minutes of the Oct. 29, 2010 meeting was made and the minutes were approved.
2. CHFA Program Update - Carol DeRosa updated the members regarding the Emergency Mortgage Assistance, Federal Emergency Homeowner's Loan, Connecticut Families, and the HERO programs.
3. Foreclosure Mediation Program update – Roberta Palmer updated the members with regard to the Foreclosure Mediation Program in the court. Roberta also reviewed the changes to the program pursuant to PA11-201.
4. New Haven Volunteer Attorney Program for Foreclosures – Krista Hess reported on the new volunteer attorney program that has begun at the New Haven Judicial District.
5. Subcommittee Report – Foreclosure By Sale Standing Orders – Attorney Frankel reported that although a formal meeting of the subcommittee did not take place, the members through email arrived at some suggested changes to the Committee Report, form JD-CV-75, as follows: change #2 to “Reviewed the court file on the judicial website or at the court on (date); add a new #5 “Drafted the notice for the website and posted it on (date)” and renumber others accordingly; change the current #8 to “Prepared the foreclosure sale notice and emailed or faxed to (name of newspaper) on (date)”; substitute for numbers 9 and 10, “Received confirmation of receipt of notice from the (name of

newspaper)”; add a new “C. Confirmation of online advertisement” and a new “O. Appraisal” to the Exhibits and Bills section on page 2; renumber the other items accordingly; add a standard certification to parties.

A motion was made and seconded to make these suggested changes to the form. All in favor.

6. Subcommittee Report - Federal Loss Mitigation Affidavit – Attorney Bendett reported that the subcommittee met and discussed various revisions to the Affidavit, including adding the property address to the affidavit, adding a check box to state that plaintiff does not participate in the programs, split into “not eligible” and “didn’t qualify” sections for each program with instruction to fill out if above reasons don’t apply. Attorney Bendett suggested, however, that the current form should remain. The members discussed the possible changes and the reasons. A motion was made and seconded to table the changes to the form. All were in favor. Discussion continued with respect to changes in the standing orders regarding when the Affidavit should be filed with the court. It was suggested that it be filed at a different point in the litigation process; however, the statute requires that certain requirements be met before a foreclosure action can be commenced. After further discussion, committee members determined the possible revision of the form should be referred back to the subcommittee for further review. Attorney Caron can also join the subcommittee.

5. Foreclosure Ad Posting and Editing Tutorials – Attorney George informed the committee that tutorials for how to post and edit a foreclosure advertisement on the website will be added to the E-Services resources in the near future.

6. Supplemental Judgment Form – Attorney George suggested that the committee once again consider the proposed forms for Supplemental Judgment that had previously been discussed.

Judge Mintz suggested that the next meeting of the Committee be set for sometime in October 2011.

A motion was made that the meeting be adjourned. The motion was seconded and passed. Meeting adjourned at 3:50 P.M.