

**MINUTES OF THE MEETING OF THE
BENCH-BAR FORECLOSURE SUBCOMMITTEE RE SUMMARY JUDGMENT**

August 28, 2013 at 2:00 PM

Members in attendance: Hon. Mark Taylor, Chair, Attorney Adam Bendett, Attorney Denis R. Caron, Attorney Jeffrey S. Gentes, Attorney Geoffrey Milne and Attorney Sarah Poriss

Meeting called to order at 2:22 PM by Judge Taylor.

The issue to be discussed is whether the Civil Commission's suggested revisions to Practice Book Rule 17-45 should apply to foreclosure cases.

Members discussed the various areas of concern, such as: new affidavits that are required to be filed; many self-represented parties appearing in foreclosure actions; if a self-represented party files an answer, then the only recourse is a motion for summary judgment; time and cost of preparing motion; whether there are there counterclaims; is there a problem in foreclosure actions that would require a procedure change; mortgage foreclosure cases go to mediation.

After discussion, members recommend keeping the current rule for foreclosure cases. Attorney Frankel, a member of the subcommittee, also had recommended that the current rule remain as is for mortgage foreclosure actions. Judge Taylor will draft a proposal to exclude the foreclosure cases from the proposed revised Practice Book Rule 17-45.

Meeting adjourned at 3:10 PM.