

Minutes
Public Service and Trust Commission
Committee on Self-represented Parties
Subcommittee on Support Services
December 16, 2008

The Public Service and Trust Commission Committee on Self-represented Parties, Subcommittee on Support Services met at 225 Spring Street, Wethersfield, CT in Room 204 on December 16, 2008.

Those in attendance: Attorney Hugh C. Macgill (chair), Hon. Barry C. Pinkus, Ms. Priscilla Arroyo, Attorney Anthony DiPentima, Ms. Krista Hess, Attorney Norman Janes, and Family Support Magistrate Christopher F. Oliveira

Krista Hess called the meeting to order at 4:05 p.m.

1. The subcommittee approved the minutes of the December 11, 2008 subcommittee meeting. Judge Pinkus abstained from voting.
2. Subcommittee members reviewed the areas for consideration under the charge and reported out on the information gathered since the last meeting. The subcommittee reported that Attorney Dan Horwitch from the Judicial Branch's Legal Services Unit had been contacted regarding the specific areas of concern surrounding the feasibility of advice days for self-represented parties. Attorney Horwitch opined that the volunteer attorneys would be reliant upon their own individual insurance policies for liability coverage and suggested that the subcommittee consider an alternate route for implementing advice days, such as proposing new legislation for this specific purpose. Attorney Macgill agreed to talk to the Uconn Law School clinics to see if they would be interested in assisting in this area. The subcommittee members agreed to invite Attorney Horwitch to attend the next subcommittee meeting to discuss additional options such as selecting the attorneys from a list similar to the GAL (Guardian ad Litem) or AMC (Attorney for the Minor Child) lists that are currently utilized by many courts, or structure the program so the volunteer attorneys are appointed by the court.

The subcommittee also discussed the portion of their charge concerning the implementation of dedicated dockets for self-represented parties. Priscilla Arroyo reported that she had contacted the National Center for State Courts and was waiting to hear back from someone there. The subcommittee discussed the option of sub-dividing dockets between multiple judges and assigning one judge to hear all of the cases with self-represented parties. The subcommittee also discussed what a true self-represented dedicated docket would look like, and if a case which had one party represented by counsel and the opposing side was self-represented, if such a case would be handled on the docket dedicated to self-represented parties.

Subcommittee members also engaged in a discussion about the implementation of courthouse greeters. Robyn Oliver, Program Manager of the Judicial Branch Volunteer and Intern Program was contacted regarding exploring the courthouse greeter program through her office. The subcommittee agreed that additional information should be gathered from Ms. Oliver to report at the next meeting. Additionally, the subcommittee discussed that the courthouse greeter program should focus on court locations that do not have Court Service Centers or Public Information Desks located near the entrance to the courthouse or in close proximity to the metal detectors.

The need for creating a dedicated clerk at the trial and appellate courts was also discussed. Attorney Susan Reeve from the Appellate Clerk's Office was contacted regarding whether there was a need for such a clerk at the Appellate level. After consultation with Chief Appellate Clerk, Michele Angers, Attorney Reeve reported that there wasn't a need for a dedicated clerk for self-represented parties at the Appellate level. Attorney Reeve explained that the Appellate Court has a case manager system which assigns a clerk to every appeal and every pre-appeal motion that is filed, so the self-represented party has a contact name and telephone number for a clerk at the Appellate Court. The subcommittee agreed this matter should be tabled for the time being.

The subcommittee engaged in a discussion regarding creating a dedicated clerk at the trial court level. The subcommittee discussed the challenges and obstacles of creating such a clerk, such as the overwhelming volume of cases assigned to one clerk, and the potential issues of providing legal advice to self-represented parties. The subcommittee agreed that the volume of cases would be overwhelming for a dedicated clerk and potentially unmanageable at the trial court level. The subcommittee further agreed that the focus should be on the Court Service Centers to offer such assistance in lieu of a dedicated clerk. Priscilla Arroyo suggested that the subcommittee visit the New Britain Court Service Center to tour the facility and learn more about the resources and services that are provided. The subcommittee agreed to hold its next meeting at the New Britain Superior Court.

3. Finally, the subcommittee members continued their discussion from the last meeting about making mediation services more readily available to self-represented parties. A discussion was held about the use of Family Relations Officers in mediating contested custody and visitation cases. The subcommittee reviewed the statistics on mediation success rates for housing cases and family relations' mediations. Further discussion was held regarding mandating mediation for certain case types and consideration was given to housing mediations and special masters programs and judicial pretrials which are conducted in most family cases.

The next meeting of the Committee on Self-represented Parties, Subcommittee on Support Services will be on January 13, 2009 at 9:30am at New Britain Superior Court, 20 Franklin Square, New Britain, CT in Courtroom 3G, 3rd Floor.

The meeting was adjourned at 4:50 p.m.