

Minutes of the Meeting
Rules Committee of the Superior Court
Monday, October 19, 2020

On October 19, 2020, the Rules Committee met using Microsoft Teams from 2:00 p.m. to 2:48 p.m. The meeting was streamed live on YouTube.

Members in attendance were:

HON. ANDREW J. McDONALD, CHAIR
HON. HOLLY ABERY-WETSTONE
HON. BARBARA N. BELLIS
HON. SUSAN QUINN COBB
HON. JOHN B. FARLEY
HON. ALEX V. HERNANDEZ
HON. TAMMY T. NGUYEN-O'DOWD
HON. SHEILA M. PRATS
HON. ANTHONY D. TRUGLIA JR.

Also in attendance were Joseph J. Del Ciampo, Counsel to the Rules Committee; Lori Petruzzelli, Counsel, Legal Services; and Shanna O'Donnell, Research Attorney, Legal Services.

1. The Committee approved the minutes of the meetings held on September 14, 2020, with no revisions.

2. The Committee considered a proposal from Judge Adelman to amend section 3-8 regarding hybrid appearances; a subsequent proposal from Judge Albis's working group for a new Section 25-6A, and a redrafted proposal from Counsel concerning "dual representation" in family matters (RC # 2018-003).

Judge Adelman and Judge Albis were present and addressed the Committee regarding this proposal.

After discussion, the Committee tabled this proposal for one month for further discussion and for Counsel to prepare a revised proposal, which Counsel was instructed to submit to Judge Albis to be circulated to the family judges.

3. The Committee considered a proposal from Natasha M. Pierre, the State Victim Advocate, to amend several rules and sections to advise crime victims of their rights and to provide for notice to victims and opportunities for victims to provide statements, and a subsequent redrafted version of this proposal (RC # 2019-004).

Judge Gold, Chief Administrative Judge – Criminal Matters; State Victim Advocate Natasha Pierre, Office of the Victim Advocate; and Deputy Chief State's Attorney Kevin Lawlor, Office of the Chief State's Attorney, were present and addressed the Committee concerning this proposal.

After discussion, the Committee tabled this proposal for one month to allow Judge Gold to work with representatives of the various stakeholder agencies (Office of the Victim Advocate, Office of the Chief Public Defender, and Office of the Chief State's Attorney) on addressing the underlying issues through the use of new court forms and other changes to procedures. Counsel is to assist Judge Gold and facilitate these efforts.

4. The Committee considered a proposal from Judge Noble to amend section 10-60 concerning amending pleadings.

After discussion, the Committee tabled this proposal for Counsel to prepare a revised proposal addressing sections 10-44, 10-59, 10-60, and 25-8; to provide the revised proposal to Judge Abrams and Judge Albis; and to request their comments.

5. The Committee considered a proposal from Attorney Lori Petruzzelli, Counsel, Legal Services, to revise section 2-8 to replace outdated language regarding persons with

disabilities with more appropriate, neutral language, and to be consistent with revisions previously made to section 2-9.

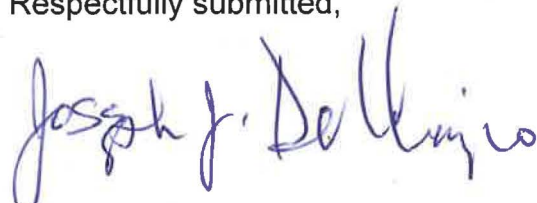
Attorney Petruzzelli was present and addressed the Committee concerning this proposal.

After discussion, the Committee voted unanimously to submit to public hearing the proposal to revise section 2-8 to replace outdated language regarding persons with disabilities with more appropriate, neutral language, as set forth in Appendix A to these minutes.

6. The Committee considered a report to the Rules Committee pursuant to section 1-9C, informing the Committee of orders issued by the Chief Administrative Judges to lift the suspension on processing defaults under Sections 3-2 and 17-30.

After discussion, the Committee determined to take no action on this report.

Respectfully submitted,



Joseph J. Del Ciampo
Counsel to the Rules Committee

Appendix A (101920)

Sec. 2-8. Qualifications for Admission

To entitle an applicant to admission to the bar, except under Section 2-13 of these rules, the applicant must satisfy the bar examining committee that:

(1) The applicant is a citizen of the United States or an alien lawfully residing in the United States, which shall include an individual authorized to work lawfully in the United States.

(2) The applicant is not less than eighteen years of age.

(3) The applicant is a person of good moral character, is fit to practice law, and has either passed an examination in professional responsibility, which has been approved or required by the committee, or has completed a course in professional responsibility in accordance with the regulations of the committee. Any inquiries or procedures used by the bar examining committee that relate to [physical or mental disability] the health diagnosis, treatment, or drug or alcohol dependence of an applicant must be narrowly tailored and necessary to a determination of the applicant's current fitness to practice law, in accordance with the Americans with Disabilities Act and amendment twenty-one of the Connecticut constitution, and conducted in a manner consistent with privacy rights afforded under the federal and state constitutions or other applicable law.

(4) The applicant has met the educational requirements as may be set, from time to time, by the bar examining committee.

(5) The applicant has filed with the administrative director of the bar examining committee an application to take the examination and for admission to the bar, all in

accordance with these rules and the regulations of the committee, and has paid such application fee as the committee shall from time to time determine.

(6) The applicant has passed an examination in law in accordance with the regulations of the bar examining committee.

(7) The applicant has complied with all of the pertinent rules and regulations of the bar examining committee.

(8) As an alternative to satisfying the bar examining committee that the applicant has met the committee's educational requirements, the applicant who meets all the remaining requirements of this section may, upon payment of such investigation fee as the committee shall from time to time determine, substitute proof satisfactory to the committee that: (A) the applicant has been admitted to practice before the highest court of original jurisdiction in one or more states, the District of Columbia or the Commonwealth of Puerto Rico or in one or more district courts of the United States for ten or more years and at the time of filing the application is a member in good standing of such a bar; (B) the applicant has actually practiced law in such a jurisdiction for not less than five years during the seven year period immediately preceding the filing date of the application; and (C) the applicant intends, upon a continuing basis, actively to practice law in Connecticut and to devote the major portion of the applicant's working time to the practice of law in Connecticut.

COMMENTARY: The change in subdivision (3) replaces language referencing the disability of an applicant with language that is more neutral and inclusive and is consistent with previous changes made to Section 2-9 (b).