

Minutes
Bench-Bar Centralized Claims Committee
Subcommittee on Legal Issues

The Subcommittee on Legal Issues met in the Superior Court Operations OVS Conference Room located at 225 Spring Street, Wethersfield, Connecticut at 10:00 a.m. on December 2, 2008.

Subcommittee Members in attendance were Attorney Joanne Faulkner, Chairperson, Attorney Natalie Erickson, Attorney Maureen Finn, Attorney Adam Olshan, Attorney Joseph Patchen, Attorney Rafie Podolsky, Attorney Michael Ross and Attorney Richard Terry. Judge Clarence Jones attended as well as Attorney Joseph Del Ciampo, Attorney Nancy Kierstead, Attorney Russell London, and Jacqueline Ivel.

The minutes from the meeting of November 12, 2008 were unanimously approved.

The committee reviewed the following practice book sections and made the following revisions:

24-4 Attorney Podolsky's proposal regarding the last sentence was unanimously approved.

24-9 The committee unanimously agreed on a 6 month period for address verification. The committee as a whole also agreed to the addition of the following language "The plaintiff shall not use an address for service that it knows is not the defendant's current address." And that "No default shall enter in the absence of such verification or if it is apparent that the defendant did not reside at that address at the time of service."

24-10 It was unanimously adopted to have delivery confirmation as an option as a means of service.

24-10 & 24-11 The committee unanimously agreed to remove the provision for service by an indifferent person.

24-17 The committee unanimously agreed to rename the section "Allowable Filings" and change the word "pleadings" to "filings". The following filings are now included in the proposed list: Motion to Implead, Motion for Articulation, Motion for Discovery and Motion for Order.

24-24 Attorney Podolsky's version of this section was discussed and Attorney Olshan offered to redraft a portion for submission to the committee prior to our next meeting.

24-24(b)(1)(e) as drafted by Attorney Podolsky was not approved. Attorney Faulkner and Attorney Podolsky voted to keep the section as drafted. Attorney Terry offered to continue to work on the language in order to present an agreeable alternative.

24-31 – The addition of language to permit the opening of a judgment, for lack of actual notice to a party without a time limit, was unanimously approved.

There was discussion of the current “Notice of Judgment” form. Attorney Faulkner, Attorney Finn and Attorney Olshan will work on revising the form.

The next meeting is scheduled for Thursday, December 11, 2008 at 1:00 p.m.

The meeting was adjourned at 12:30 p.m.

Submitted by Natalie Erickson
Deputy Chief Clerk
Centralized Small Claims