

**Bench-Bar Centralized Small Claims Committee Meeting  
AGENDA**

**Tuesday, March 3, 2009 – 2:00 p.m.  
225 Spring Street-Conference Room 4B  
Wethersfield, CT**

1. Final approval on the draft of recommendations submitted by the three subcommittees:

Subcommittee on Operational Process

Legal Issues Subcommittee

Subcommittee of Access & Quality

2. Vote on five outstanding issues

*1. (Legal Issues Recommendation #18):*

Require the institution of the proposed 'Small Claims Judgment Checklist' for Magistrates which sets forth a tickler series of questions for Magistrates to review and verify before judgment is rendered. The use of the Checklist helps ensure that expected standards for evidence are being met and that the public can be confident that they are being served with consistency and fairness. (The checklist is attached as Appendix B).

***TO BE VOTED ON:*** *Incorporate plaintiff default cases in which the plaintiff fully provides all information required by checklist, the working group suggests that judgment would ordinarily be entered for the amount claimed unless facts and/or circumstances lead the magistrate to believe that the matters should be set down for hearing or the claim dismissed.*

*2. (Legal Issues Recommendation # 23):*

Include an item in the judgment checklist for magistrates to consider (a) knowingly bringing suit beyond the statute of limitations, (b) failing to verify the defendant's address, (c) using an address at which the defendant is known not to reside, (d) failing to report to the judicial authority that a mailing was returned by the U.S. Postal Service as undeliverable, (e) filing improper attorney's fee or interest claims, and (f) failing to file an appropriate military affidavit.

***TO BE VOTED ON:*** *There is belief there was consensus around this and that the group agreed to strike this and to instead require that magistrates be better educated regarding PB Section 24-33's and \$100 discretionary costs section.*

3. *(Operational Process Recommendation #9):*

Small Claims is not a court of record nor are appeals permitted from small claims judgments. Magistrates should meet appropriate standards in regard to fairness, legal knowledge and ability, and decorum. The complaint process should be reviewed and standardized.

***TO BE VOTED ON:*** *The receipt of three formal complaints against a magistrate shall trigger a review process in which a reviewing party will observe a magistrate at a docket of at least ten matters. The review is to be conducted using a pre-approved checklist. Nothing, however, prohibits the review process from taking place in response to any single complaint.*

4. *(Operational Process Recommendation #10):*

Non-attorney volume filers cannot participate in bulk e-filing.

***TO BE VOTED ON:*** *Provide a user number so non-attorneys can participate in bulk e-filing.*

5. *(Operational Process Recommendation #11):*

There is a need for an improved categorization and management of cases that are not yet fully disposed but do not need a future court event.

***TO BE VOTED ON:*** *Create a settled but not withdrawn list so these cases can be kept off the active dockets but managed to a complete disposition by withdrawal or dismissal.*

***TO BE VOTED ON:*** Motion to take the service proposal off the table.