

The background image is a composite of two photographs of a grand, classical interior space, likely a courthouse. The top photograph shows a series of large, vaulted arches with ornate, gilded decorative elements on the walls. The bottom photograph shows a wide, sweeping staircase with a white balustrade, flanked by large, fluted columns. A warm, yellow light source is visible in the background of the staircase area.

Clerkships with the Connecticut Supreme Court & Connecticut Appellate Court

Tuesday
March 28, 2023
11:00 a.m. – 2:00 p.m.

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Program

Welcome

Chief Justice Richard A. Robinson

Chief Judge of the Appellate Court William H. Bright, Jr.

Remarks

Associate Supreme Court Justice Raheem L. Mullins

Panel Discussion

Associate Supreme Court Justice Steven D. Ecker, Moderator

Appellate Court Judge Ingrid L. Moll, Moderator

Attorney Jean Phillip Brignol, former Supreme Court law clerk

Attorney Catherine DeLanzo, former Appellate Court law clerk

Attorney Tim Holzman, former Supreme Court
and Appellate Court law clerk

Attorney Nicole Rohr, former Supreme Court law clerk

Attorney Mallori Deanna Thompson,
former Supreme Court law clerk

Attorney Nicholas Varney, former Appellate Court law clerk

Question and Answer Session

Senior Associate Justice Andrew J. McDonald

Appellate Court Judge Bethany J. Alvord

Closing Remarks

Chief Justice Richard A. Robinson



Testimonials of former Supreme Court Law Clerks

"I clerked for Justice Raheem Mullins from 2019-2020. Currently, I am an Assistant Attorney General in the Special Litigation Section of the CT Attorney General's Office. My clerkship with Justice Mullins was one of the more rewarding experiences of my career. The position allows you to play a meaningful role in helping the Court work through new and complex legal questions, which provides invaluable insight into how to become a better advocate. You also build great relationships, both with the Judge you are clerking for and with your co-clerks, that you will take with you for the rest of your career."

Tim Holzman, Assistant Attorney General
Former Law Clerk, Hon. Raheem L. Mullins, 2019-2020

"As the highest court in the state, the Connecticut Supreme Court hears complex legal issues of first impression. Ranging from criminal to corporate and constitutional to common law, clerks are exposed to myriad issues, and hear arguments crafted by the best litigators in Connecticut. Cases for which the Connecticut Supreme Court grants certification do not have clear resolutions, and they have numerous legal and practical ramifications for people and businesses in the state. I found the cases to be incredibly interesting and some of my fondest memories are simply talking through the legal issues with Justice Kahn in her office or with the other term clerks over lunch."

Nicole Rohr, Associate, Ropes and Gray
Former Law Clerk, Hon. Maria A. Kahn, 2019-2020

"Clerking for Justice Ecker was the most fun, educational, and intellectually stimulating job I've had. I'm certain there is no better job for a recent law school graduate than clerking for the Connecticut Supreme Court. The legal issues are complex and fascinating, the Justices are brilliant and kind, and it's an honor to play a role in advancing justice in Connecticut."

Colin Antaya, Associate, Koskoff, Koskoff & Bieder
Former Law Clerk, Hon. Steven D. Ecker, 2019-2020

Testimonials of former Appellate Court Law Clerks

"The immersive and practical experience of serving as a clerk at the Connecticut Appellate Court improved my writing, research, and citation skills – all of which I use daily in my current position. Moreover, I had the privilege of working closely with a judge who included me in chambers' discussions, carefully reviewed my writing, and, by example, guided me towards becoming a knowledgeable, thorough and thoughtful practitioner."

**Meryl Gersz, Deputy Assistant State's Attorney, Appellate Bureau,
Office of the Chief State's Attorney**
Former Law Clerk, Hon. Christine E. Keller, 2019-2020

"Working with Judge Alvord, and other members of the Appellate Court, improved my critical thinking and writing, and prepared me to approach complex legal issues in practice. I believe that my clerkship helped me to be a better attorney, and I often look back on that year with gratitude."

Jessica Colombo, Attorney, Motley Rice LLC
Former Law Clerk, Hon. Bethany J. Alvord, 2017-2018

"My time clerking at the Appellate Court was defined by excellent mentorship—from judges and the permanent law clerks alike. Everyone at the Appellate Court has a wealth of knowledge and experience and is eager to help each class of term law clerks grow as people and attorneys. I am a stronger writer, thinker, coworker, and lawyer thanks to my year at the Appellate Court."

**Sam Shapiro, Assistant Attorney General (Office of the Attorney General,
General Litigation Section)**
Former Law Clerk, Hon. Nina F. Elgo, 2021-2022

Biographies of the Supreme Court Justices



Chief Justice Richard A. Robinson

The Honorable Richard A. Robinson was born December 10, 1957 in Stamford, Connecticut. He graduated with a Bachelor of Arts Degree from the University of Connecticut in 1979 and a Juris Doctor degree from West Virginia University School of Law in 1984. He was admitted to the West Virginia

Bar and the Connecticut Bar, and is a member of the U.S. District Court, Northern District of West Virginia and the U.S. District Court, Connecticut.

From 1985 – 1988, Justice Robinson was Staff Counsel for the City of Stamford Law Department. In 1988, he became Assistant Corporation Counsel in Stamford where he remained until his appointment as a Judge of the Superior Court in 2000. He remained a Superior Court Judge for the next seven years during which time he served as Presiding Judge (Civil) for the New Britain Judicial District (May 2003 – September 2006); Presiding Judge (Civil) and Assistant Administrative Judge for the Ansonia/Milford Judicial District (September 2006 – September 2007); and Presiding Judge (Civil) for the Stamford Judicial District (September 2007 – December 2007). He was appointed as a Judge of the Connecticut Appellate Court on December 10, 2007, a Justice of the Supreme Court on December 19, 2013 and the Chief Justice of the Supreme Court on May 3, 2018.

Justice Robinson's career is complemented by an array of public and judicial service. He served as President of the Stamford Branch of the NAACP (1988 – 1990); General Counsel for the Connecticut Conference of the NAACP (1988 – 2000); President of the Assistant Corporation Counsel's Union (AFSCME) (1989 - 2000); Commissioner of the Connecticut Commission on Human Rights and Opportunities (1997 – 2000); Chair of the Connecticut Commission on Human Rights and Opportunities (1999 – 2000); New Haven Inn of Court member (2002 – present); Judicial Education Curriculum Committee member (2002 – 2014); Judicial Education Committee member (2003 – 2014); Faculty at several Judicial Institutes as well as spring and fall lectures (2003 – present); Civil Commission member (2005 – 2014); Court Annexed Mediator (2005 – 2014); Lawyers Assistance Advisory Board member (2007 – present); Bench-Bar Foreclosure Committee (2007 – 2014); Legal Internship Committee (2013 – 2017); Chairperson of the Advisory Committee on Cultural Competency (2009 – 2022); Chairperson of the Rules Committee (2017 – 2018); Connecticut Bar Association Young Lawyers Section Diversity Award (2010); Connecticut Bar Association's Henry J. Naruk Judiciary Award for Integrity (2017); NAACP 100 Most Influential Blacks in Connecticut; Connecticut Bar Foundation James W. Cooper Fellows, Life Fellow; Discovering Amistad National Advisory Board; Commission on Human Rights and Opportunities' Alvin W. Penn Award for Excellence in Leadership (2018); Ebony Magazine Power 100 Award (2018); Quinnipiac School of Law Black Student Association Thurgood Marshall Award (2019); ABOTA Judicial Excellence Award (2019); Connecticut Bar Foundation Distinguished Service Award (2020); National Board of Directors of the Conference of Chief Justices (2019 – 2022); Conference of Chief Justices Civil Justice Board of Directors (2020 – 2022); National Judicial Task Force to Examine State Courts' Response to Mental Illness (2020 – 2022); Committee on Federal-State Jurisdiction of the Judicial Conference of the United States (2022 – present).



Senior Associate Justice Andrew J. McDonald

Justice Andrew J. McDonald is a Connecticut native. Born in Stamford on March 11, 1966, he attended public schools there before entering college. After graduating from Cornell University with a Bachelor of Arts degree in 1988, he earned a Juris Doctor degree, with honors, from the University of Connecticut School of Law in 1991, where he served as the Managing Editor of the Connecticut Journal of International Law. Justice McDonald also holds honorary Doctor of Laws degrees from the Quinnipiac University School of Law and the Western New England University School of Law.

In January of 2013, Governor Dannel P. Malloy nominated Justice McDonald to be an associate justice of the Connecticut Supreme Court, and he was confirmed by the Connecticut General Assembly later that month. He was sworn into office on January 24, 2013. In January of 2021, Governor Ned Lamont re-nominated Justice McDonald to the Supreme Court, and later that month he was again confirmed by the General Assembly.

In addition to his service as an associate justice, Justice McDonald also serves as the Chairman of the Connecticut Criminal Justice Commission and the Chairman of the Rules Committee of the Superior Court. Justice McDonald is the senior associate justice of the Supreme Court.

Prior to his appointment to the Supreme Court, Justice McDonald served as the General Counsel to the Office of the Governor for the State of Connecticut from 2011 to 2013. In this role, he served as chief legal advisor to the Governor, the Lieutenant Governor and senior staff of the Executive Branch of government. His responsibilities included providing legal counsel and analysis on all aspects of Executive Branch functions and operations, including its interactions with the federal government and the Judicial and Legislative branches of state government.

From 1991 to 2011, Justice McDonald was engaged in the private practice of law, first as an associate and then as a partner, with the firm of Pullman & Comley, LLC. He was a commercial litigator and handled all stages of litigation in federal and state courts at both the trial and appellate levels.

From January of 1999 to July of 2002, Justice McDonald additionally served as the Director of Legal Affairs and Corporation Counsel for the City of Stamford. In this capacity, he served in the Mayor's Cabinet and oversaw the administration, supervision and performance of all legal, human resource and labor relations functions of the city, and its boards, commissions and agencies.

Justice McDonald was a State Senator from 2003 to 2011. He served as the Senate Chairman of the Judiciary Committee for all eight years he was in the General Assembly. During periods of his legislative career he also served as the Senate Vice Chairman of the Energy and Technology Committee and as a member of the Finance, Revenue and Bonding Committee, the Transportation Committee, the Education Committee and the Regulations Review Committee. From 2005 to 2011, he served as Deputy Majority Leader of the Senate.

Earlier in his career, Justice McDonald served on the Stamford Board of Finance from 1995 to 1999, including serving as the board's Chairman from 1997 to 1999, and as Co-Chair of the Audit Committee from 1995 to 1997. He began his public service career in 1993 as a member of the Stamford Board of Representatives, where he served until 1995.

Justice McDonald and his husband, Charles, live in Hartford.



Associate Justice Gregory T. D'Auria

Justice Gregory T. D'Auria is a Connecticut native. Born on June 24, 1963, Justice D'Auria was sworn in as an Associate Justice on March 8, 2017. Prior to his appointment to the Supreme Court, he had worked in the Office of the Attorney General for over twenty-three years in a variety of roles. Justice D'Auria argued dozens of appeals in state and federal appellate courts during his years of service with the Office of the Attorney General, and until just before his appointment to the Court had served as Connecticut's first Solicitor General, appointed to that position by Attorney General George Jepsen in 2011. Prior to that, he headed the Special Litigation and Charities Unit (2010-11), and also served as Associate Attorney General for Litigation (2000-09) and as an Assistant Attorney General (1993-2000). Justice D'Auria was an associate at Shipman & Goodwin from 1989 to 1993, and also served as a law clerk to Chief Justice Ellen A. Peters from 1988 to 1989. *(continued)*

In 2009, he was nominated and inducted as a fellow into the American Academy of Appellate Lawyers, a distinguished national organization that works to advance the administration of justice and promote the highest standards of professionalism and advocacy in appellate courts. Justice D'Auria has also served as a UCONN Moot Court instructor and was a founding director of the Connecticut Supreme Court Historical Society.

Justice D'Auria graduated from the University of Connecticut, Magna Cum Laude, in 1985, with a Bachelor of Arts degree, Phi Beta Kappa, in Political Science. He received his Juris Doctor from the University of Connecticut School of Law, with high honors, in 1988, where he also served as editor-in-chief of the Connecticut Journal of International Law.



Associate Justice Raheem L. Mullins

Justice Raheem L. Mullins was nominated to the Supreme Court on October 4, 2017 by Governor Dannel P. Malloy, and was sworn in on November 1, 2017. He is the youngest person to be nominated to the Supreme Court. Prior to this appointment, Justice Mullins served as a judge of the Appellate Court and as a judge of the Superior Court.

Justice Mullins received his Bachelor of Arts degree in Sociology from Clark University in Worcester, Massachusetts in 2001 and his Juris Doctor from Northeastern University School of Law in 2004. Justice Mullins is admitted to the Bar of the United States Supreme Court as well as the Connecticut Bar.

Prior to his appointment to the bench, Justice Mullins was an Assistant State's Attorney for the Appellate Bureau, Division of Criminal Justice, in Rocky Hill, and an Assistant Attorney General in the Child Protection Division in Hartford. He worked as a law clerk for the Honorable Frederick L. Brown of the Massachusetts Appeals Court from 2004 to 2005.

Justice Mullins is a member of the Oliver Ellsworth Inn of Court and the George W. Crawford Black Bar Association. He serves as Chair to the Code of Evidence Oversight Committee, 2018 to present. He also served as a member of the Young Lawyers Section of the Connecticut Bar Association, the Board of Directors for the Fund for Greater Hartford and, in 2007, as an Executive Committee Member of the Government Division of the Connecticut Bar Association.



Associate Justice Steven D. Ecker

Justice Steven D. Ecker was born April 19, 1961, in Chicago, Illinois, and grew up in the Midwest. He received his B.A. degree from Yale University, magna cum laude, in 1984, and his J.D. from Harvard Law School, magna cum laude, in 1987. At law school, Justice Ecker was an editor of the Harvard Law Review from 1985 to 1987, and a member of the winning team in the Ames Moot Court Competition in 1987. Justice Ecker served as a law clerk to Judge Jon O. Newman of the United States Court of Appeals for the Second Circuit from 1987 to 1988.

Justice Ecker began practicing law with the New Haven firm Jacobs, Grudberg, Belt & Dow, P.C., where he worked from 1988 to 1994. Between 1994 and 2014, he practiced in Hartford with Cowdery, Ecker & Murphy, L.L.C. Justice Ecker's private practice consisted primarily of civil litigation in trial and appellate courts, both state and federal. His cases covered a broad range of subject areas, including personal injury and business torts, constitutional law, professional ethics and discipline, family law, commercial law, and employment law. Clients included individuals, business entities, municipalities, public officials, and lawyers and law firms.

Justice Ecker was appointed to the Superior Court bench by Governor Dannel P. Malloy in 2014. He was sworn in as an Associate Justice of the Supreme Court on May 3, 2018.



Associate Justice Joan K. Alexander

Associate Justice Joan K. Alexander was nominated by Governor Ned Lamont to the Supreme Court on April 13, 2022, and the General Assembly confirmed her appointment on April 29, 2022.

Justice Alexander is a lifelong resident of Connecticut and attended public schools in Bristol. She graduated from Yale University in 1984 with a Bachelor of Science degree in Mechanical Engineering and received her Juris Doctor degree from the University of Connecticut School of Law in 1987.

On July 20, 2020, Governor Lamont nominated her to serve on the Appellate Court. Prior to that appointment, Justice Alexander served as a Superior Court Judge for 20 years, after Governor John Rowland nominated her to the bench in 2000. As a Superior Court Judge, Justice Alexander served as the Chief Administrative Judge for the Criminal Division in Connecticut's Judicial Branch from 2017 to 2020. She was assigned as the Administrative and Presiding Judge for criminal matters in the Fairfield Judicial District and also served as the Administrative Judge in the New Britain Judicial District. She has served as the Presiding Criminal Judge in the New Britain, Hartford, Waterbury, and Litchfield Judicial Districts and in the New Haven GA court. In addition, she served as a judge in Middletown and was assigned to the Child Protection docket in the Juvenile Division.

Along with her courtroom assignments, Judge Alexander has served as the Chair of the Sentence Review Division, the Chair of the Wiretap Committee, and the Co-Chair of the Judicial-Media Committee. She served as a member of the Rules Committee, the Criminal Jury Instructions Committee, the Judicial Review Council, and the Opioid Task Force. Judge Alexander has presented many lectures on criminal law at the Connecticut Judges' Institute and the University of Connecticut School of Law.

Prior to her appointment to the bench, Justice Alexander was a prosecutor with the Division of Criminal Justice. She was assigned to the Waterbury and Hartford State's Attorneys offices and then became Supervisor of the Statewide Prosecution Bureau. During her time working as a prosecutor, she handled numerous homicide and arson cases.

Biographies of the Appellate Court Judges



Chief Judge William H. Bright, Jr.

Governor Dannel P. Malloy nominated Judge William H. Bright, Jr. to the Appellate Court on October 4, 2017, and he was sworn in on November 1, 2017. Judge Bright was sworn in as Chief Judge of the Appellate Court on August 1, 2020 after being appointed to the position by Chief Justice Richard A. Robinson.

Prior to this appointment, Judge Bright served as a judge of the Superior Court, having been nominated by Governor M. Jodi Rell in January 2008. While a Superior Court Judge, Judge Bright served as the Chief Administrative Judge for the Civil Division and as the Administrative and Presiding Judge for the Tolland/Rockville Judicial District, where he heard civil, criminal and habeas corpus matters.

Judge Bright has served on a number of Judicial Branch committees, including the Civil Commission, the Client Security Fund Committee, the Civil Jury Instruction Committee, the Rules Committee, the Access to Justice Commission, and the Pro Bono Committee, which he chaired. He also served as a member of the Board of Directors of the Connecticut Bar Foundation from 2012-2021.

Prior to his appointment to the bench, Judge Bright had a distinguished career as a trial lawyer. The Columbia resident was the managing partner of McCarter & English's Hartford law office and co-chair of the firm's Business Litigation practice group. He also was a shareholder in Cummings & Lockwood, a member of the firm's Board of Directors, and chair of the firm's Litigation practice group. His practice focused on complex commercial litigation matters, including business torts, fraud, intellectual property, franchise disputes and environmental law.

Judge Bright is a graduate of Dickinson College in Carlisle, Pennsylvania, and received his Juris Doctor from the University of Chicago Law School in 1987.



Judge Bethany J. Alvord

Judge Bethany J. Alvord was born in Boston, Massachusetts. She attended Colgate University, graduating cum laude in 1979, with a B.A. in International Relations. Judge Alvord then attended the University of Connecticut School of Law, where she received her Juris Doctor, with honors, in corporate

law in 1982.

Prior to becoming a judge, Judge Alvord served on the Town of Suffield Zoning Board of Appeals from 1988 to 1999. She also served on the Town of Suffield Retirement Commission from 1997 to 1998.

From 1982 to 1992, Judge Alvord was employed by Massachusetts Mutual Life Insurance Company as a Second Vice President and Associate General Counsel in its Law Department. From 1993 to 1998, Judge Alvord was employed by Aetna, Inc. as the Assistant Vice President, Counsel, for the Retirement Services division.

In January of 1999, Judge Alvord was sworn in as a Family Support Magistrate for the State of Connecticut. She served as a Family Support Magistrate until 2002, when she became a Judge of the Superior Court of the State of Connecticut. During her time on the Superior Court bench, Judge Alvord served as the Presiding Judge of the Family Division in New Haven. She was also assigned to hear matters in Rockville, Tolland, Waterbury and Hartford.

In April of 2009, Governor M. Jodi Rell appointed Judge Alvord to the Appellate Court. Judge Alvord has served as a UCONN Moot Court instructor and judge. She is also a James W. Cooper Fellow of the Connecticut Bar Foundation. She serves on the Judicial Branch Executive Committee, 2018-present.



Judge Eliot D. Prescott

Judge Eliot D. Prescott was born January 21, 1965 in New Bedford, Massachusetts. He attended St. George's School in Newport, Rhode Island, and received his Bachelor of Arts degree from the University of Massachusetts at Amherst in 1988. He graduated with high honors from the University of Connecticut

School of Law in 1992.

Following law school, Judge Prescott served as the law clerk to the Honorable David M. Borden on the Connecticut Supreme Court. He also worked as an associate in the Washington, D.C. office of the law firm Fulbright & Jaworski, LLP.

In 1994, Judge Prescott returned to Connecticut where he served as an Assistant Attorney General in the Office of the Attorney General. In 2001, he became the Department Head of the Special Litigation Department within the Office of the Attorney General, where he supervised lawyers, accountants, paralegals and other support staff. During his tenure as an Assistant Attorney General, he represented the State of Connecticut in complex litigation matters in state and federal court, and argued more than 25 appeals in the Connecticut Supreme Court, Appellate Court and the United States Court of Appeals for the Second Circuit. In 2002, he received the "New Leaders of the Law" award from the Connecticut Law Tribune for outstanding government service.

Judge Prescott was appointed to the Superior Court by Governor John G. Rowland in 2004. During his time as a trial judge, Judge Prescott presided over Part A and Part B criminal trials and civil matters in various locations around the State. He also served as the Presiding Judge of the Administrative Appeals and Tax Session of the Superior Court. He served as a member of the Rules Committee of the Superior Court and the Advisory Committee on the Appellate Rules. On numerous occasions, he has served on the faculty of the annual Connecticut Judges' Institute.

From 1998 to 2015, Judge Prescott was an Adjunct Professor of Law at the University of Connecticut School of Law, where he taught administrative law. He is the author of two legal treatises: Connecticut Appellate Practice and Procedure (ALM), and Tait's Handbook of Connecticut Evidence (Wolters Kluwer).

Judge Prescott was appointed to the Appellate Court in 2014 by Governor Dannel P. Malloy. He also currently serves as the co-chair of the Advisory Committee on the Appellate Rules and is a member of the Code of Evidence Oversight Committee.



Judge Nina F. Elgo

Judge Nina F. Elgo is the first Asian Pacific American judge appointed to the Connecticut Appellate Court and was the first Asian Pacific American judge appointed to the Connecticut Superior Court.

Governor Dannel P. Malloy nominated Judge Elgo to be a judge of the Appellate Court and the General

Assembly confirmed her appointment on May 25, 2017.

Prior to her appointment to the Appellate Court, Judge Elgo served as a Superior Court judge since May 5, 2004. In this role, she heard civil matters in the Hartford Judicial District and also served as presiding judge for the Child Protection Session in the Middlesex Judicial District. Additionally, she presided over criminal, juvenile and habeas corpus cases in the Hartford, Tolland and New Haven judicial districts.

Judge Elgo has served on various committees designed to improve the court system. Since 2012, she has served as a member of the Connecticut Bar Examining Committee and previously served on the Rules Committee of the Superior Court. She is a James W. Cooper Life Fellow and serves on the Education and Program Committee of the Connecticut Bar Foundation. For many years, Judge Elgo served on the Committee for Judicial Education and has been a frequent faculty member/facilitator of the Connecticut Judges' Institute. Additionally, in 2013, Governor Malloy appointed her to represent the Judicial Branch as a member of the Connecticut team selected to participate in the Three Branch Institute on Child Social and Emotional Well-Being Initiative sponsored by the National Governors Association.

Judge Elgo is the recipient of various awards and recognitions. In 2015, Judge Elgo was honored with the Native Daughter of Norwich Award; in 2014, she was the recipient of the CT Asian Pacific American Bar Association Impact Award; and in 2013, Judge Elgo was the recipient of the Edwin Archer Randolph Diversity Award. As the first Asian Pacific American judge in Connecticut, Judge Elgo was honored in 2006 by the Connecticut Trial Lawyers Association Women's Caucus as a "Trailblazer in the Connecticut Judiciary." She was also a recipient of the 2007 Connecticut Bar Association's Young Lawyers Section Diversity Award.

Judge Elgo is also a member of the Swift's Inn, a Bencher Emeritus member of the Oliver Ellsworth Inn of Court and was active for several

years with the Connecticut-Pskov Russian American Rule of Law Consortium.

Judge Elgo is a first generation Filipino-American, born in Groton, CT and raised in Norwich, CT. She received her BA from Connecticut College in 1984 and her Juris Doctor from Georgetown University Law Center in 1990.



Judge Ingrid L. Moll

Judge Ingrid L. Moll graduated in 1995 from Wheaton College (Ill.) with bachelor of arts degrees in Political Science and French, and earned her juris doctor in 1999 from the University of Connecticut School of Law, where she served as the Editor-in-Chief of the Connecticut Law Review. After graduating from

law school, Judge Moll worked as a law clerk for the late Connecticut Supreme Court Justice David M. Borden.

Nominated by Governor Dannel P. Malloy, Judge Moll was appointed as a judge of the Appellate Court on May 3, 2018, after having served as a Superior Court judge since 2014. As a Superior Court judge, Judge Moll's assignments included the criminal divisions in the Waterbury and New Britain Judicial Districts, as well as the civil division in the Hartford Judicial District, where she presided over one of the Complex Litigation Dockets, as well as a consolidated products liability docket, which then comprised over 2,300 individual products liability cases.

Judge Moll serves as the chair of the Judicial Branch's Client Security Fund Committee, and has served as the co-chair of the Ebriefs Transition and Development Committee and a member of the Judicial Branch's Judicial-Media Committee and Social Media Committee. She also is a former co-chair of the Access to Justice Commission, whose charge is to promote access to justice for all people. Judge Moll completed nine years of service on the board of the Connecticut Bar Foundation, the organization that distributes IOLTA and other funding to legal services organizations representing Connecticut's poor and that puts on programs that promote the rule of law. She also served as a Judicial Branch appointee on the Task Force to Improve Access to Legal Counsel in Civil Matters. In addition, Judge Moll is a past president of the University of Connecticut School of Law Alumni Association and a past president of the Oliver Ellsworth Inn of Court. *(continued)*

Prior to Judge Moll's appointment to the bench, she was a member of Motley Rice LLC, where her practice principally focused on commercial litigation at the trial and appellate levels in state and federal courts across the country. In 2020, Judge Moll received the Connecticut Law Review's "University of Connecticut Law Review Award" for outstanding service to the legal community, and in 2019, she received the Distinguished Service Award from the University of Connecticut Law School Alumni Association. In 2009, she was named the Super Lawyers' "New England Rising Star" in environmental litigation. In 2005, she was named one of the Hartford Business Journal's "Forty Under 40" and also received the Connecticut Law Tribune's New Leaders of the Law "Impact Award."



Judge Melanie L. Cradle

Judge Melanie L. Cradle graduated from Adelphi University with a Bachelor of Arts in Anthropology and Sociology in 1993 and earned her Juris Doctor from Seton Hall University School of Law in 1998.

Judge Cradle was appointed a Judge of the Appellate Court by Governor Ned Lamont on July 20, 2020

and her nomination was approved on August 12, 2020. Prior to this appointment and beginning in 2013, Judge Cradle served as a Superior Court judge, where she heard criminal cases in Bridgeport for a year before moving to the New Haven Judicial District in 2014. She was appointed to the position of Presiding Judge of GA 23 in New Haven in 2015, and continued to serve in that capacity until her appointment to the Appellate Court.

Judge Cradle serves on the Law Library Advisory Committee, the Criminal Justice Commission, and the CBA Rule of Law Committee. Judge Cradle is a member of the New Haven Inn of Court and is a James W. Cooper Fellow with the Connecticut Bar Foundation. Additionally, Judge Cradle is an adjunct professor at the Quinnipiac University School of Law, and a member of the Judicial Branch's Civics Academy. Judge Cradle previously served as a mentor for newly appointed judges through the Judicial Branch's Mentor Program, an instructor for the Judicial Branch's Pre-Bench Orientation Program, and has presented courses to her colleagues at the Connecticut Judges' Institute. In addition, Judge Cradle served on the Rules Committee of the Superior Court from July 1, 2017 through June 30, 2020.

Prior to Judge Cradle's appointment, she was Senior Assistant State's Attorney for the Ansonia/Milford Judicial District. She also served as Assistant State's Attorney in the New Haven Geographical Area courthouse.



Judge José A. Suarez

Judge José A. Suarez was born in San Juan Puerto Rico in 1966 and moved to Connecticut in 1977. He graduated from the University of Dayton in 1989 with a Bachelor of Arts in International Studies and received his Juris Doctor degree from the University of Connecticut School of Law in 1993.

Judge Suarez was nominated to the Appellate Court by Governor Ned Lamont on July 20, 2020 and was sworn in on August 12, 2020. Prior to his appointment, Judge Suarez served as a Superior Court judge, having been appointed by Governor M. Jodi Rell in February 2009.

While a Superior Court judge, Judge Suarez served as the Administrative Judge for the Middlesex Judicial District and the Presiding Judge for criminal and civil matters. He also served in the Hartford Judicial District as the Presiding Judge for family matters, and as a criminal trial judge. In addition, Judge Suarez heard criminal, family and juvenile matters in the Tolland Judicial District.

Prior to his appointment to the bench, Judge Suarez was an Assistant Attorney General, where he represented the State of Connecticut in complex litigation matters.



Judge Robert W. Clark

Judge Robert W. Clark was born in Meriden in 1971 and was raised in Wallingford, where he attended public schools before entering college. After graduating from the University of Connecticut, cum laude, in 1993 with a Bachelor of Arts degree in English, he earned a Juris Doctor degree, with high honors, from the University of Connecticut School of Law in 1997, where he served as Executive Editor of the Connecticut Law Review. *(continued)*

In February of 2021, Governor Ned Lamont nominated Judge Clark to be a judge of the Connecticut Appellate Court. He was confirmed by the Connecticut General Assembly in March of that year and was sworn into office on March 23, 2021. Judge Clark previously served as a Superior Court judge in the Bridgeport GA and juvenile court.

Immediately prior to his appointment to the Appellate Court, Judge Clark served as General Counsel to the Office of the Governor for the State of Connecticut from 2019 to 2021. In that role, he served as chief legal advisor to the Governor, providing legal counsel to the Governor, his senior staff, and commissioners on a broad range of state and federal legal issues, including the Executive Branch's interactions with its co-equal branches of state government and the federal government.

From 2004-2018, Judge Clark worked in the Connecticut Attorney General's Office, first as an Assistant Attorney General in the Special Litigation Department and later as Special Counsel to Attorney General George Jepsen. Prior to joining the Office of the Attorney General, Judge Clark worked for the law firms of Day, Berry & Howard LLP (now Day Pitney) and Kramer Levin, handling commercial litigation and bankruptcy matters in state and federal courts.

Judge Clark and his family reside in Durham, Connecticut.



Judge Hope C. Seeley

Judge Hope C. Seeley graduated from the University of Connecticut with a Bachelor of Arts, magna cum laude, in May 1986 and earned her Juris Doctor with honors from the University of Connecticut School of Law in 1989.

In April of 2022, Governor Ned Lamont nominated Judge Seeley to be a judge of the Appellate Court and she was sworn into office on May 2, 2022. Prior to this appointment, Judge Seeley served as a judge of the Superior Court, having been nominated by Governor Dannel P. Malloy on January 24, 2013. While a Superior Court Judge, she presided over criminal jury trials in the Windham and Tolland Judicial Districts, and she served as the Assistant Administrative Judge in the Tolland and Hartford Judicial Districts. She also served as the Presiding Judge for Criminal Matters in the Hartford Judicial District.

Judge Seeley has served on a number of Judicial Branch committees, including the Executive Committee, the Education Committee, the Judicial-Media Committee and the Court Visitation Committee. She also served on the Criminal Jury Instructions Committee and was the Chair from 2021-2022.

Prior to Judge Seeley's appointment to the bench, she was a principal in the Hartford law firm of Santos & Seeley, P.C. She practiced in both the state and federal courts and was involved in a broad variety of complex criminal and civil cases, both at the trial and appellate levels. She lectured annually at CTLA's Criminal Litigation Seminar, presenting the Annual Review of Significant Decisions in Criminal Law and Procedure. From 1990 until approximately 2005, Judge Seeley worked as an instructor at the University of Connecticut School of Law in the legal methods and moot court programs. Judge Seeley currently co-teaches a seminar class at the University of Connecticut School of Law during the fall semester, "Law and Forensic Science."

Judge Seeley was the recipient of the Maxwell Heiman Award in 1998 from the Hartford County Bar Association, the Distinguished Graduate Award in 2006 from the University of Connecticut School of Law and the Equal Justice Advocate Award in 2007. She also was inducted as a Fellow of the American College of Trial Lawyers in 2011.

Judge Seeley volunteered as Mock Trial Coach/Attorney Advisor for King Philip Middle School, West Hartford, and for Hall High School in West Hartford for many years. During her coaching tenure, both schools won state championships. In addition, while a lawyer, she served as a member of the Greater Hartford Legal Aid Foundation and as a board member, officer and chair of Community Partners in Action.

Judge Seeley serves on the Board of Civics First, a non-profit organization that conducts and promotes law-related education programs in Connecticut schools. Judge Seeley also is active in the Oliver Ellsworth Inn of Court which is designed to improve skills, professionalism and ethics of the bench and bar, and served as its President in 2018-2019. Judge Seeley recently joined the Board of Lawyers Concerned For Lawyers.



Senior Judge Alexandra D. DiPentima

Judge Alexandra Davis DiPentima was born in Sharon, Connecticut in 1953 and raised in Kent, Connecticut. She was graduated from Princeton University, receiving an A.B. in intellectual history in 1975. From 1976 to 1979, she attended the University of Connecticut School of Law and was graduated in 1979.

From 1979 to 1981, she worked as a staff attorney for Connecticut Legal Services, Inc. in Willimantic, Connecticut, representing low income persons in domestic disputes (especially spousal abuse and custody issues) and housing disputes. In 1981, she joined the Hartford law firm of Moller, Horton & Fineberg, P.C., and in 1985, she became a principal in the firm. While associated with the firm from 1981 through 1993, she litigated products liability and other personal injury actions at the trial court level and enjoyed an active appellate advocacy practice. In November of 1993, Governor Lowell Weicker appointed her to the trial bench as a Superior Court judge. On May 13, 2003, Judge DiPentima was sworn in as a judge of the Appellate Court. On March 29, 2010, Judge DiPentima was sworn in as Chief Judge of the Appellate Court by Chief Justice Chase Rogers, and on July 31, 2020, Judge DiPentima stepped down as Chief Judge and became a senior judge of the Appellate Court. She continues to sit on cases each term, and she regularly conducts preargument conferences.

During her years of practice, Judge DiPentima was an active member of the Connecticut Bar Association, serving as president of the Young Lawyers Section from 1989 to 1990, and as a member of the Hartford County Bar Association, where she served as treasurer from 1993 to 1994 and as a director from 1990 to 1993. Each year since the late 1980s, she has written one or two chapters of annotations for the Connecticut Superior Court Civil Rules Annotated (Thomson Reuters).

Since her appointment to the bench, Judge DiPentima's assignments have included presiding judge of the Hartford and New Britain Housing Divisions, presiding judge in Meriden and, from 1998 to 2003, Administrative Judge of the Judicial District of Litchfield. She has served on the Rules Committee of the Superior Court and the Judicial Education Committee and was co-chair of the Advisory Committee on Appellate

Rules from 2010 to 2020. From 2001 to 2002, she served as president of the Connecticut Judges Association. In 2010, Judge DiPentima received the Connecticut Bar Association's Henry J. Naruk Judiciary Award. In 2011, she received the Distinguished Service Award from the University of Connecticut School of Law Alumni Association. In October 2020, she received the John M. Bailey Memorial Award for Public Service from the Hartford County Bar Association. In January of 2012, Judge DiPentima became an Adjunct Professor at the University of Connecticut School of Law.

In June of 2007, Chief Justice Rogers appointed her to serve as chair of the newly-formed Public Service and Trust Commission, which created a five-year strategic plan for the Judicial Branch. From 2012 to 2016, Judge DiPentima served on the Executive Committee for the national organization Council of Chief Judges of the State Courts of Appeal and continues to be active in that organization.

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Panelists



Attorney Jean Philip Brignol

Jean-Phillip Brignol works as Counsel at the Federal Reserve Bank of Boston, where he advises the legal and business teams on a variety of legal, contractual, and operations matters but primarily focuses on labor and employment matters. After law school, he clerked for the Honorable Chief Justice Chase T. Rogers

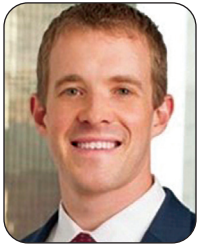
(Ret.) at the Connecticut Supreme Court. Prior to the Boston Fed, he worked as an Associate at the law firm Holland & Knight LLP where he focused his practice on general litigation, including intellectual property, environmental litigation, and white collar criminal defense matters. Jean-Phillip was selected to be in the Top 40 Under 40 Massachusetts list of the National Black Lawyers in 2019, and a Holland & Knight Pro Bono All Star each year from 2017-2019.

Jean-Phillip currently serves on the GLBTQ Advocates and Defenders (GLAD) Board of Directors as the Co-chair of the Board Affairs Committee and the EdVestors Board of Directors. In 2020, he was appointed by the Governor of Massachusetts to serve on the quasi-public Commonwealth Corporation Board of Directors for a four-year term. Jean-Phillip is originally from the south suburbs of Chicago. Jean-Phillip earned his B.A. in Political Science at Yale University and his Ed.M. in Curriculum and Teaching at Boston University School of Education before going on to earn his J.D. from Boston University School of Law. At BU Law, Jean-Phillip served as Co-President of the Black Law Students Association, Co-President of OutLaw, a Note Editor on BU Law's International Law Journal as well as a Rule 3:03 Student Attorney in BU Law's Criminal Clinic Defender Program. He also worked as a judicial intern for the Honorable Margo K. Brodie, United States District Court Judge for the Eastern District of New York during his 1L summer. Prior to law school, he taught high school Chemistry and Biology in Lawrence, Massachusetts through Teach for America.



Attorney Catherine DeLanzo

Catherine DeLanzo is a litigation associate in the Insurance and Reinsurance practice group at Day Pitney LLP. Prior to joining Day Pitney, Catherine served as a law clerk to the Judge Trial Referees of the Connecticut Appellate Court. She also served as a law clerk and complex litigation specialist to the judges of the Connecticut Superior Court. Catherine is a graduate of The George Washington University and Boston College Law School.



Attorney Tim Holzman

Tim Holzman received his undergraduate degree from Seton Hall University in 2009, and his law degree from New England Law Boston in 2014. During law school, Tim worked as a paralegal for the United States Attorney's Office in Boston in the Organized Crime Drug Enforcement Task Force. After law school, Tim worked as a law clerk for the Judges of the Connecticut Superior Court from 2015-16, and then for Judges Joseph P. Flynn and William J. Lavery on the Connecticut Appellate Court in 2016-17. After a short stint in private practice, Tim returned to clerking in 2019, for Justice Raheem L. Mullins on the Connecticut Supreme Court. Tim has worked as an Assistant Attorney General in the Connecticut Attorney General's Office since 2020, currently in the Special Litigation Section.



Attorney Nicole Rohr

Nicole Rohr is a corporate associate at Ropes & Gray in Boston, Massachusetts, specializing in intellectual property transactions. Nicole graduated from Roger Williams University School of Law in Bristol, Rhode Island, in 2019, where she was the executive notes & comments editor for the RWU Law Review. Following graduation, Nicole clerked for Justice Maria Kahn of the Connecticut Supreme Court and Judge Thomas O. Farrish of the U.S. District Court for the District of Connecticut.

Prior to joining Ropes & Gray, Nicole was the assistant director and assistant research professor of the Coastal Institute at the University of Rhode Island. She has also served members of the U.S. Senate and U.S. House of Representatives as a legislative assistant, providing guidance on issues ranging from energy and environment to climate change to agriculture. Nicole holds a Ph.D. in biological sciences and has over 15 years of academic, government, and legal experience.



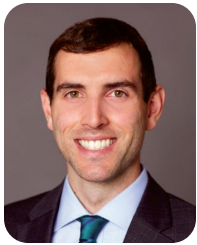
Mallori Deanna Thompson

Mallori Deanna Thompson is an attorney in the Business Litigation Group at Robinson & Cole LLP. Prior to joining the firm, Mallori was the term clerk for Chief Justice Richard A. Robinson of the Connecticut Supreme Court. She received her B.A. in Comparative Women's Studies from Spelman College and her J.D. & Human Rights Certificate from the University of Connecticut School of Law. While at UConn Law, Mallori served as the Editor-in-Chief of Volume 53 of the Connecticut Law Review.

Mallori devotes significant time to pro bono work and community engagement. Mallori has participated in the Domestic Violence Restraining Order Program, representing victims of domestic violence
(continued)

in restraining order hearings, since her time as a summer associate. For her work in that program, Mallori was inducted into the Connecticut Coalition Against Domestic Violence First 100 Plus Class of 2019. During law school, Mallori was a student representative in the Asylum & Human Rights Clinic and represented an asylum seeker in immigration court. She was also a Community Justice Fellow at Greater Hartford Legal Aid.

In addition, Mallori is a First Lieutenant, Medical Service Officer in the U.S. Army Reserve based at Westover Air Reserve Base in Chicopee, Massachusetts and was one of the recipients of the U.S. Army's 2018 George C. Marshall Leadership Award.



Attorney Nicholas Varney

Nick Varney is a life-long Connecticut resident, who graduated from Western New England University School of Law in 2016. Following graduation, Nick clerked for the judges of the Connecticut Super Court. For the 2018-2019 court year, Nick was the one year term-clerk for the Honorable Judge William H. Bright, Jr. at the Connecticut Appellate Court. From 2019

through 2022, Nick was a commercial litigation associate at Gordon Rees Scully Mansukhani, a law firm with more than 1000 attorneys in all 50 states. In 2022, Nick returned to the Connecticut Appellate Court, and currently is a permanent law clerk assigned to the Senior Judges and Judge Trial Referees.

History of the Supreme Court

Prior to the creation of the Supreme Court in 1784, the power to review lower court rulings was vested in the General Assembly, which determined appeals by examining trial court records. Even after its creation, the Supreme Court was not completely independent of the executive and legislative branches, since its members included the Lieutenant Governor, members of the Council (or upper chamber of the General Assembly), and, in 1794, the Governor.

In 1806, the number of Superior Court judges was increased from five to nine and those judges, sitting together, constituted the Supreme Court, replacing the Governor, Lieutenant Governor and Council Members. The General Assembly, however, retained the power to overturn the court's rulings. Twelve years later, in 1818, the Connecticut Constitution established an independent judiciary, with the Supreme Court of Errors as the state's highest court. (The words "of Errors" were deleted in 1965). The creation of an independent judiciary established the third branch of government, which is responsible for interpreting the laws enacted by the legislative branch of government.

In 1982, in response to an overwhelming Supreme Court docket, Connecticut's voters approved a constitutional amendment creating the intermediate Appellate Court. That court, which consists of nine judges, sits at 75 Elm Street in Hartford.



History of the Appellate Court

On November 2, 1982, the voters of Connecticut approved a constitutional amendment providing for the establishment of the Connecticut Appellate Court. The legislation implementing the amendment was passed on June 28, 1983, effective July 1, 1983. The state constitution, as amended, provides that the “judicial power of the state shall be vested in a supreme court, an appellate court, a superior court and such lower courts as the General Assembly shall, from time to time, ordain and establish.”

Governor William O’Neill appointed the original five judges of the court on August 9, 1983, and the court heard its first cases on October 4, 1983. Currently, there are 9 judges of the Appellate Court, one Senior Judge, and 12 Judge Trial Referees who sit by designation on the Appellate Court pursuant to General Statutes § 52-434c. These Judge Trial Referees are former Supreme Court justices and Appellate Court judges.

The jurisdiction of the Appellate Court is broad. Basically, every appeal from a final judgment or order that does not by right go to the Supreme Court is filed in the Appellate Court. Generally, appeals brought directly to the Supreme Court involve the validity of constitutional or statutory provisions, election or primary disputes, judicial discipline and criminal convictions involving possible punishment of more than twenty years. Except for any matter brought under its original jurisdiction under the constitution, the Supreme Court may and does transfer cases to the Appellate Court. The Supreme Court also, either on its own initiative or by party motion, may transfer a case from the Appellate Court to its own docket. The only cases over which the Appellate Court has discretionary jurisdiction are land use appeals. In these cases, a petition for certification must be filed and granted by the court by vote of three of its members before an appeal may be filed.

Unlike almost all other federal and state intermediate courts of appeal, the Connecticut Appellate Court hears oral argument on almost every case on its docket. Thus, term clerks have regular opportunities to observe oral argument and regularly serve as the courtroom clerk during oral arguments.

Supreme Court Noteworthy Cases

The following cases are a small representative sampling of the types of cases that regularly appear on the Connecticut Supreme Court’s docket.

Glover v. Bausch & Lomb, 343 Conn. 513 (2022)

The plaintiff Marjorie Glover underwent cataract surgeries in which her physician surgically implanted, in each eye, an artificial lens manufactured by the defendants. The plaintiff brought an action against the defendants in the United States District Court for the District of Connecticut claiming that the lenses caused damage to her eyes resulting in significant and permanent vision loss. The lawsuit alleged that the defendants had violated the Connecticut Product Liability Act (CPLA) by failing to warn her of the inherent dangers of the artificial lenses, and she later sought to amend her complaint to also claim that the defendants had violated the Connecticut Unfair Trade Practices Act (CUTPA) by engaging in deceptive advertising. The District Court dismissed the plaintiff’s CPLA claims as preempted by federal law and also denied her motion to amend on preemption grounds. The plaintiff appealed to the United States Court of Appeals for the Second Circuit, which certified two questions to the Connecticut Supreme Court: (1) whether a cause of action existed under the CPLA based on a manufacturer’s failure to report adverse events to a regulator like the United States Food and Drug Administration (FDA) following approval of the device and (2) whether the CPLA’s exclusivity provision barred a claim under CUTPA based on deceptive marketing allegations. The Supreme Court answered both certified questions in the affirmative. The Supreme Court held, first, that the plaintiff’s CPLA claims were not preempted by federal law where they were brought pursuant to a provision in the CPLA that requires manufacturers to provide warnings to the “person” in the best position to take or recommend precautions against harm to the ultimate user and the “person” in this case could be construed to be the FDA rather than a physician. Second, the Supreme Court held that the CPLA was intended to serve as the exclusive remedy for parties who seek recompense for personal injury due to a defective product, and that CUTPA claims that previously had been deemed to be not preempted by the CPLA had not sought damages for personal injury, as the plaintiff did here.

State v. Belcher, 342 Conn. 1 (2022)

In the 1990s, the defendant, Keith Belcher, was convicted of sexual assault, robbery in the first degree, and burglary committed when he was fourteen years old. He was sentenced to sixty years of incarceration by a trial court that relied on a theory that labeled certain teenagers as “superpredators.” Juvenile law underwent significant developments thereafter, resulting in the recognition that children are different from adults for purposes of criminal sentencing, in particular with respect to the assessment of culpability and prospects for rehabilitation. In 2015, the defendant filed a motion to correct an illegal sentence, claiming (1) that the sentencing court had relied on materially false information, namely, the since discredited “superpredator” theory, and (2) that his sentence was unconstitutional because it failed to take into consideration the foregoing developments in juvenile sentencing. The trial court denied the motion. The Supreme Court reversed the trial court’s judgment and remanded the case for resentencing. The Supreme Court concluded in relevant part that the defendant’s sentence had been imposed in an illegal manner and in violation of his due process rights because the “superpredator” theory on which the sentencing court had substantially relied was based on dehumanizing racial stereotypes that had perpetuated systemic racial inequalities in the criminal justice system, and could not be reconciled with the developments in juvenile law recognizing the defining characteristics of youth as mitigating and not aggravating factors.

Casey v. Lamont, 338 Conn. 479 (2021)

In response to the COVID-19 pandemic, Governor Lamont declared a public health emergency and a civil preparedness emergency pursuant to General Statutes §§ 19a-131a and 28-9 and issued a series of executive orders which, among other things, severely restricted the operations of bars and restaurants. The plaintiffs in this case, who owned an establishment known as Casey’s Irish Pub, claimed that they were forced to close the pub because the executive orders made it financially impossible to continue in operation. They commenced an action against Governor Lamont requesting a declaration that he acted without statutory or constitutional authority when he issued the orders and that § 28-9 constitutes an unconstitutional delegation of powers from the legislature to the governor. The trial court rendered judgment in favor of Governor Lamont, and the Chief Justice granted the plaintiffs’ application for certification to appeal pursuant to General Statutes § 52-265a. The Supreme Court concluded that the executive orders were a permissible

exercise of gubernatorial authority because the COVID-19 pandemic was a “serious disaster” under § 28-9. The court also concluded that the authority delegated to the governor by § 28-9 was neither standardless nor limitless and was not an unconstitutional delegation of legislative authority.

State v. Purcell, 331 Conn. 318 (2019)

The defendant, Robert John Purcell, was charged with sexual assault and risk of injury to a child. He filed a motion to suppress certain statements that he had made during a police interrogation, claiming that the statements had been elicited after he invoked his right to have counsel present, in violation of *Miranda v. Arizona*, 384 U.S. 436, 496–73 (1966), and the due process provisions of the Connecticut constitution. The trial court denied the motion, and the Appellate Court affirmed that ruling. The Supreme Court concluded that the defendant’s ambiguous statements referring to his lawyer during the interrogation did not constitute a clear and unequivocal invocation of his right to counsel and, therefore, the police were not required to stop the interrogation under the federal constitution. The court further concluded, however, that the Connecticut constitution requires more than the federal constitution in this regard; if a suspect makes an equivocal statement that can be construed as a request for counsel, the state constitution requires police to stop the interrogation and clarify whether the suspect desires counsel. Applying that standard to the defendant’s statements, the court concluded that the police should have stopped the interrogation, and the trial court improperly had denied the defendant’s motion to suppress.

Soto v. Bushmaster Firearms International, LLC, 331 Conn. 53 (2019)

This case arose from the mass shooting at Sandy Hook Elementary School in Newtown on December 14, 2012, during which Adam Lanza used a Bushmaster SM15-E2s semiautomatic rifle that his mother had purchased to kill twenty first grade children and six staff members and to wound two additional staff members. The plaintiffs, administrators of the estates of nine of the decedents, brought an action contending that the manufacturers, distributors, and retailers of the rifle should be held liable for the wrongful deaths of the victims under the theories that: (1) the defendants negligently entrusted to civilian consumers an assault rifle that is suitable for use only by military and law enforcement personnel; and

(2) the defendants violated the Connecticut Unfair Trade Practices Act (CUTPA) through the sale and/or wrongful marketing of the rifle. The defendants contended that the claims were preempted by a federal statute, the Protection of Lawful Commerce in Arms Act. A majority of the court concluded that the plaintiff's claim did not give rise to a claim for negligent entrustment and was time barred under CUTPA. The majority further concluded, however, that the plaintiffs' claim that the marketing of the rifle to promote its use in an illegal offensive manner constituted a viable CUTPA claim and was not preempted by the federal statute. The dissenting opinion contended that the plaintiff's CUTPA claim regarding the marketing of the rifle was preempted.

Kerrigan v. Commissioner of Public Health, 289 Conn. 135 (2008)

In 2004, eight same sex couples who were denied marriage licenses by the town of Madison commenced an action claiming that the then-existing state statutory prohibition against same sex marriage violated their rights to substantive due process and equal protection under the Connecticut constitution. The trial court concluded on summary judgment that the plaintiffs had not established a constitutionally cognizable harm because the applicable statutes afforded the plaintiffs the right to enter into a civil union, which afforded the same legal rights as marriage. The Supreme Court reversed the trial court's judgment, holding (1) that the plaintiffs had established legally cognizable injury where the classification created by the civil union law implicated the history of invidious discrimination against gay persons; (2) that, as a matter of first impression, sexual orientation was a quasi-suspect classification and that laws discriminating against gay persons were subject to intermediate scrutiny under the Connecticut constitution; and (3) that the prohibition on same sex marriage was not substantially related to the achievement of any important governmental objectives and violated the equal protection clauses of the Connecticut constitution. The three dissenting opinions relied on a variety of arguments, including that the prohibition against same sex marriage was subject to rational basis review; that the equal protection clauses of the Connecticut constitution were not implicated because same sex couples were not similarly situated as opposite sex couples in that they were not capable of procreative sexual conduct; and that the legislature had been rationally addressing the issue of same sex marriage incrementally and the marriage laws were rationally related to the legitimate interest in promoting and regulating procreative conduct.

Appellate Court Noteworthy Cases

The following cases are a small representative sampling of the types of cases that regularly appear on the Connecticut Appellate Court's docket.

Adams v. Aircraft Spruce & Specialty Co., 215 Conn. App. 428, cert. denied, 345 Conn. 970 (2022)

The appeal arises out of an accident involving two eighteen year old students at Colgate University who died when the airplane in which they were flying, piloted by the newly licensed daughter of the defendant, crashed in Morrisville, New York. The plaintiffs, the coadministrators of the estate of their son, who was a passenger on the airplane, brought this action against the defendant, the father of the deceased pilot, sounding in negligence and negligent entrustment. The trial court granted the defendant's motion for summary judgment. As to the count alleging negligent entrustment, the trial court concluded that the defendant had met his burden of demonstrating that there was no genuine issue of material fact that he lacked the requisite control over the aircraft piloted by his daughter on the day of the crash to be liable under a theory of negligent entrustment. The plaintiffs appealed the summary judgment rendered in favor of the defendant.¹

On appeal, the Appellate Court considered whether the father of the pilot could be held individually liable on a claim of negligent entrustment because the father facilitated the airplane's rental from an entity operating out of a small airport near Colgate University. More particularly, the court considered whether there were genuine issues of material fact as to whether the father's actions could constitute sufficient control over the airplane, a potentially dangerous instrumentality, so that he could be deemed a supplier or entrustor of that instrumentality under the law regarding negligent entrustment. In its opinion, the Appellate Court first reviewed the elements of a cause of action for negligent entrustment as discussed in *Soto v. Bushmaster Firearms International, LLC*, 331 Conn. 53, 78-81, 202 A.3d 262, cert. denied sub nom. *Remington Arms Co., LLC v. Soto*, ___ U.S. ___, 140 S. Ct. 513, 205 L. Ed. 2d 317 (2019), namely, that (1) the defendant has entrusted a potentially dangerous instrumentality to a third person (2) whom the entrustor knows or should know intends or is likely to use the instrumentality in a manner that involves unreasonable risk of physical harm, and (3) such use does in fact cause harm to the

entrustee or others. Consistent with §§ 308 and 390 of the Restatement (Second) of Torts, and the commentary thereto, the Appellate Court then interpreted the first Soto requirement to require a plaintiff to show that the potentially dangerous instrumentality supplied or entrusted by the defendant was under the control of the defendant at the time possession was transferred.

Applying these principles to the present case, the Appellate Court agreed with the trial court that the defendant was entitled to summary judgment on the count of negligent entrustment because there was no genuine issue of material fact that he lacked the necessary control over the airplane to have “entrusted” it to his daughter. It was undisputed that Richard O. Bargabos, who owned and operated Bargabos Earthworks, Inc., which was doing business as Eagle View Flight, always had possession and control of the airplane prior to it being flown by the defendant’s daughter, including on the day of the crash. Accordingly, they, not the defendant, had the right and ability, regardless of any prior dealing or agreement with the defendant, to determine whether the defendant’s daughter would be permitted to fly on the day of the crash, in what airplane, and under what restrictions. The defendant did nothing more than facilitate his daughter’s access to the airplane, which was not enough to establish control for the purposes of establishing a claim of negligent entrustment.

¹ The plaintiffs did not raise any challenge on appeal regarding the court’s rendering of summary judgment in favor of the defendant on the negligence count.

***Robert Belevich v. Renaissance I, LLC*, 207 Conn. App. 119 (2021)**

The plaintiff, Robert Belevich, an HVAC controls mechanic employed by intervening plaintiff Yale University (collectively, plaintiffs), brought this premises liability action seeking damages for personal injuries sustained when Belevich slipped and fell on untreated ice on premises possessed, controlled, managed, and maintained by the defendants. The trial court granted the defendants’ motion for summary judgment based on the ongoing storm doctrine. This doctrine, adopted by the Supreme Court in *Kraus v. Newton*, 211 Conn. 191 (1989), provides, in relevant part, that, “in the absence of unusual circumstances, a property owner, in fulfilling the duty owed to invitees upon his property to exercise reasonable

diligence in removing dangerous accumulations of snow and ice, may await the end of a storm and a reasonable time thereafter before removing ice and snow from outside walks and steps.” Id., 197–98.

The plaintiffs appealed from the summary judgment rendered by the trial court in favor of the defendants. On appeal, the Appellate Court considered the application of the ongoing storm doctrine in the context of summary judgment and its attendant burden-shifting. Specifically, the court considered what a movant for summary judgment must demonstrate to satisfy its initial burden when relying on the doctrine and any burden shifting that may follow. Noting the scant authority from other jurisdictions on the issue of the ongoing storm doctrine in the context of summary judgment, the Appellate Court adopted, as a matter of Connecticut common law, the approach taken by the New York Appellate Division in *Meyers v. Big Six Towers, Inc.*, 85 App. Div. 3d 877, 925 N.Y.S.2d 607 (2011). The court in *Meyers* held that “[a]s the proponent of the motion for summary judgment, the defendant ha[s] to establish, prima facie, that it neither created the snow and ice condition nor had actual or constructive notice of the condition [T]he defendant [may sustain] this burden by presenting evidence that there was a storm in progress when the plaintiff fell [Upon the defendant meeting its burden], the burden shift[s] to the plaintiff to raise a triable issue of fact as to whether the precipitation from the storm in progress was not the cause of his accident To do so, the plaintiff [is] required to raise a triable issue of fact as to whether the accident was caused by a slippery condition at the location where the plaintiff fell that existed prior to the storm, as opposed to precipitation from the storm in progress, and that the defendant had actual or constructive notice of the preexisting condition” (Citations omitted.) Id., 877–78.

Applying these principles to the present case, the Appellate Court concluded that the defendants had satisfied their initial burden to demonstrate that there was no genuine issue of material fact that there was an ongoing storm when Belevich allegedly fell. Accordingly, the burden shifted to the plaintiffs to demonstrate the existence of a genuine issue of fact as to whether Belevich’s fall was caused by a slippery condition that existed prior to the ongoing storm and whether the defendants had actual or constructive notice of the allegedly preexisting condition. Because the plaintiffs failed to sustain this burden, the Appellate Court concluded that the trial court properly granted the defendants’ motion for summary judgment.

***State of Connecticut v. Stephanie U.*, 206 Conn. App. 754 (2021), cert denied, 343 Conn. 903 (2022) and 343 Conn. 904 (2022)**

The defendant appealed from her conviction of various offenses in connection with her actions while attempting to pick up her child from day care while allegedly under the influence of intoxicating liquor or drugs. During cross-examination, the prosecutor asked the defendant whether she had the opportunity to sit in court, listen to the witnesses and figure out what she was going to say. The prosecutor also asked her if she had a lot riding on this case. During the rebuttal portion of her closing argument, the prosecutor pointed out that the defendant was the only witness to have sat in on the testimony of the other witnesses. The prosecutor stated that “[t]he defendant knew what everyone said and had that knowledge when she testified. She has a vested interest in the outcome of this case. And that can also be taken into account when you’re deliberating this case.” On appeal, the defendant argued that the prosecutor’s generic tailoring arguments violated both her right of confrontation and her right to testify on her own behalf.

In its analysis, the court noted that generic tailoring arguments do not violate the federal constitution; see *Portuondo v. Agard*, 529 U.S. 61, 73, 120 S.Ct. 1119, 146 L. Ed. 2d 47 (2000); but considered the issue previously left open by the Connecticut Supreme Court in *State v. Weatherspoon*, 332 Conn. 531, 549-50, 212 A.3d 208 (2019), namely, whether the prosecutor’s generic tailoring questions and argument violated the defendant’s state constitutional rights to confront witnesses and to testify on her own behalf in violation of article first, § 8. Analyzing the factors set forth in *State v. Geisler*, 222 Conn. 672, 684-85, 610 A.2d 1225 (1992), the Appellate Court concluded that the defendant could not prevail on her claim, as it was not persuaded that article first, § 8 of the state constitution afforded greater protection than its federal counterparts, the fifth and sixth amendments to the United States constitution, on the issue of generic tailoring as to the defendant’s right of confrontation and her right to testify on her own behalf.

The Appellate Court, however, exercised its supervisory authority over the administration of justice to prohibit such questions and arguments because they are likely to implicate the perceived fairness of the judicial system and they could give rise to a danger of juror misunderstanding. Recognizing that the line between generic and specific tailoring arguments is not always clear, the court set forth a new procedure to be followed if the state wishes to make a tailoring argument. The new policy provides, in relevant part, that prior to asking questions on cross-examination of the defendant that suggest that the defendant has tailored his or her testimony or before making such comments in closing argument, the prosecutor shall alert the defendant and the court of its intention to do so. If the defendant objects, the court must determine whether the proposed questions or comments constitute generic or specific tailoring. If they constitute specific tailoring because they are tied to specific evidence that gives rise to an inference that the defendant has tailored his or her testimony, the questions or comments, unless otherwise improper, should be permitted. If the court concludes that the questions or comments constitute generic tailoring, they should be prohibited. In addition, to the extent that the court permits a specific tailoring argument to be made, the defendant may request that the court instruct the jury during its final charge that the defendant had an absolute right to be present throughout the entire trial and that the jury may not draw an inference that the defendant’s testimony is not credible simply because the defendant was present during the trial. The trial court shall include such a charge in its final charge to the jury if it is requested.

Information about Supreme and Appellate Court Clerkships

Job Description

Law clerks generally perform research, write memoranda, review draft opinions, and assist in preparing preliminary draft opinions, but each Justice or Judge determines what tasks to assign to his or her law clerk.

Salary and Benefits

The annual salary of each Supreme Court law clerk during the Court Year 2024-25 is \$72,818.81, to be paid semi-monthly. The annual salary of each Appellate Court law clerk during the Court Year 2024-25 is \$68,979.81, to be paid semi-monthly. The term of service for both courts is for a period of twelve working months starting on Friday, May 31, 2024. After their service in June, the new clerks will not report for work again until Tuesday, September 3, 2024. Law clerks may take four personal leave days with pay during their term of service, and they will have a bank of twelve sick days. Otherwise, there are no paid vacation days. Employment will terminate on Thursday, July 31, 2025.

Application Period

No application should be submitted before Monday, April 24, 2023. Interested persons are encouraged to apply as soon after that date as possible and are expected to supplement their applications with subsequently received grades, class standings and reference letters. All applications must be received no later than Friday, May 26, 2023, at 3:00 p.m.

Application Process

Clerkship applications with the Connecticut Supreme Court should be emailed to: SCLawclerkApplication@connapp.jud.ct.gov. The email should list each Justice to whom the applicant wishes to apply; applicants are encouraged to apply to as many Justices as they desire.

Clerkship applications with the Connecticut Appellate Court should be addressed to the Honorable William H. Bright, Jr., Chief Judge of the Appellate Court, and emailed to ACLawclerkApplication@connapp.jud.ct.gov.

The following materials must be submitted with your application for a clerkship with the Supreme Court and the Appellate Court:

1. A cover letter;
2. A resume;
3. A certified transcript of all grades achieved in law school, including, if available, information about class standing. Unofficial transcripts will be accepted prior to the receipt of the applicant's final grades. Candidates are expected to submit updated transcripts to reflect changes, such as the issuance of new grades and class standing, which take place during the pendency of their clerkship application;
4. A writing sample (e.g., brief, memorandum of law, draft judicial opinion, or scholarly piece such as a law journal note). Excerpts from more voluminous samples are welcome;
5. At least two letters of recommendation. The letters may be from a faculty member with whom the student has studied, from a Clerkship Committee or from a recent employer

Transcripts and letters of recommendation may be emailed separately from the other application materials.

Interview Process

The justices and judges will review the applications and decide which candidates will be selected for personal interview in Hartford at the applicant's expense.

Interviews for Supreme Court clerkships will be scheduled by each individual justice and selections will be made no later than Friday, June 16, 2023.

Interviews for Appellate Court clerkships will take place on Monday, June 26, 2023, and Tuesday, June 27, 2023.

Candidates for clerkships should understand that although they are hired by individual justices and judges, if such justice or judge becomes unavailable due to illness, retirement, or elevation to another court, the clerk will be assigned to work for another justice or judge during the term of their clerkship.

Further Information

Further information and the complete notice regarding applications for Supreme Court clerkships and Appellate Court clerkships for the 2024-2025 court year can be found on the Judicial Branch website at jud.ct.gov/external/supapp/lawclerkapps.html



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