

Minutes
Family Commission
November 14, 2012

The Family Commission met in courtroom 5A at the Middlesex Judicial District Courthouse located at 1 Court Street, Middletown, CT on November 14, 2012.

Those in attendance: Hon. Lynda Munro (Chair), Hon. Holly Abery-Wetstone, Hon. Sandra Sosnoff Baird, Attorney Michael Blanchard, Attorney Steven Dembo (arrived late), Hon. Anne Dranginis, Attorney Gaetano Ferro, Attorney Constance Frontis, Johanna Greenfield, Hon. Maureen M. Murphy, Attorney Thomas Parrino, Hon. Barry Pinkus (arrived late).

Also in attendance were Attorney Joseph Del Ciampo and Attorney Nancy Porter from the Judicial Branch's Legal Services Unit.

The meeting was called to order at 2:04 PM by Judge Munro.

I. Review and approval of minutes

The minutes of the meeting held on October 3, 2012 were approved with a typo corrected by the members of the Commission who were in attendance.

II. Ex Parte motions for custody

The Commission members were given a few moments to review the letter submitted by Mr. Michael Nowacki. Judge Boland's draft legislative proposal was then discussed. Some modifications to the proposal were suggested.

After much discussion a vote was taken on a motion for the Chief Court Administrator to advise the legislature of the current status of the law and interpretation and ask the legislature to address it if it deems appropriate.

8 members voted in favor
3 members voted against
1 member abstained

III. Self-represented parties filing appearances "in lieu of" attorneys

A vote was taken on the following (amended) motion for a rule proposal:

that an "in lieu of" appearance not be allowed from a self-represented party and that a motion to withdraw be required if it is within 60 days or less of a scheduled pretrial, trial or post-judgment hearing on the merits of 1 full day or more. Such motion to withdraw would have a hearing within 10 days of the file date.

The members of the Commission in attendance unanimously voted to approve the amended motion.

A vote was also taken on the following motion for a rule proposal:

That no attorney shall hold an "in lieu of" appearance signed by the client, nor file one for the client.

The members of the Commission in attendance unanimously voted to approve the motion.

Judge Dranginis will draft the proposals.

IV. Discussion re P.B. Sections 10-50 and 61-11

A question was raised as to whether any of the provisions of Practice Book § 10-50 pertaining to special defenses should be authorized or referenced in Chapter 25.

The Commission members were asked to bring to the next meeting a list of the things they think are appropriate special defenses to plead in a family matter. This will appear at the top of the next agenda.

Another question was raised as to whether the provisions of §61-11 should be amended to exempt from the automatic stay those orders at the time of judgment pertaining to health insurance coverage including COBRA premiums.

The discussion was that this would be determined via the case.

The Commission members were asked to consider if there is other relief that might be preferable.

V. Revisions to Financial Affidavit form

This topic was not reached.

VI. Automatic orders in custody/visitation cases

This topic was not reached.

VII. Fee waiver form – dependents or size of family unit
(Federal Poverty Level Chart)

This topic was not reached.

VIII. Meeting schedule for 2013

The Commission's meeting schedule for 2013 shall be as follows:

January 9th

February 20th

April 3rd

May 15th

June 26th

August 7th

September 18th

October 30th

December 11th

IX. Such other matters that may come before the
Commission

There were no other matters raised before the Commission at this meeting.

X. Next Meeting

The next meeting date is scheduled for January 9, 2013.

Judge Munro adjourned the meeting at 4:02 PM.