Draft Minutes
Committee to Expedite Child Protection Appeals
September 30, 2010

The Committee to Expedite Child Protection Appeals met on Thursday, September 30, 2010 at 3:00 PM at 75 Elm Street, Hartford.

Members in attendance: Hon. Alexandra DiPentima (chair), Hon. Dennis Eveleigh, Hon. Christine Keller, Atty. Jill Begemann, Atty. Paul Hartan, Atty. Cynthia Cunningham, Atty. Carolyn Signorelli, Atty. Ben Zivyon (on behalf of Atty. Susan Pearlman), Atty. Christine D. Ghio.

The meeting was called to order at 3:00 PM by Judge DiPentima.

1. Judge DiPentima welcomed the members of the Committee.

2. The Committee members introduced themselves.

3. Judge DiPentima reviewed the charge of the committee. The committee should look at the following areas: identify additional areas where delays occur; determine whether mandatory or directory timetables for rulings should be established; assess the need for training of court personnel and attorneys on the urgency of child protection matters; establish clearer case management and stricter enforcement of existing rules; and determine whether new internal procedures or legislation is needed. This committee will focus on changes needed at the appellate level. A separate committee will focus on changes needed at the superior court level.

4. The Committee members were asked if they had reviewed the June report from the original Committee to Expedite Child Protection Appeals. There was an inquiry as to the proposed pilot program that was recommended by the original committee. Judge Keller reported the pilot program would involve attorneys being able to obtain a recording on a compact disc to review instead of having to wait for a completed transcript. The purpose of the program is to reduce delays due to delays in receiving trial transcripts. The pilot program is a recommendation that will be made in the final report of the Committee on Court Recording Monitors and Court Reporters.

5. Judge DiPentima discussed steps already taken at the Appellate Court to expedite child protection appeals. Steps include informing staff that these cases are a priority, assigning child protection cases for hearing once the record and briefs are filed, immediate referral of motions for extension of time to a designated Appellate Court judge for decision, priority review of child protection decisions by staff attorneys, and priority status for child protection decisions by the Reporter of Judicial Decisions.

Judge DiPentima mentioned the importance of being able to create measures to assess the changes implemented. Judge DiPentima asked Attorney Hartan and Attorney Begemann to report on progress to date at the the Appellate Court. Attorney Hartan reported there were 27 juvenile cases filed since March 2010. Of those, two were ready for assigment; one in 113 days and one in 114 days. Attorney Begemann stated that the Appellate Court was being proactive in assigning the child protection cases. Although it is too early for meaningful statistics, the Appellate Court will be monitoring the progress of child protection appeals for the 2010-2011 court year, and will compare this data with statistics from the prior two years as a way to assess the changes already implemented.

Attorney Signorelli will review appeals from her office to see if any differences exist between attorneys with appellate contracts versus local attorneys who continue on with their cases. Attorney Signorelli also will encourage local contract attorneys to refer their cases to the appellate contract attorneys.

Attorney Zivyon reported the Office of the Attorney General is short staffed. There have been some attempts to utiltize attorneys from diffferent departments to assist with the child protection cases.

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6. Judge DiPentima opened the discussion as to what steps should be taken next. Judge DiPentima inquired about the Supreme Court's efforts as to expediting child protection appeals. Justice Eveleigh reported that the Chief Justice is on board with expediting child protection appeals. Possibilities include oral decisions announced from the bench in cases where the decision is unanimous and using a preargument conference (PAC) review system for child protection cases. The idea behind the PAC review is that if a case can be determined based on the facts and record, it would stay in the Appellate Court, but if a case involved complex legal issues, it would go directly to the Supreme Court. Justice Eveleigh was ask to report at the next meeting on the practices utilized by the Supreme Court in regard to child protection appeals.

Judge DiPentima suggested creating subcommittes for rules changes and legislative changes. It was decided to proceed first with a rules subcommittee.

A discussion ensued on ways to reduce the time to resolve child protection appeals.

7. The next meeting was scheduled for Tuesday, December 7, 2010, at 3:00 PM at 75 Elm Street, Hartford.

The meeting adjourned at 4:10 PM.

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