

D R A F T
Minutes
Juvenile Access Pilot Program Advisory Board
April 5, 2010 Meeting

Present: Judge Quinn, Sarah Eagan, Judge Keller, Bryan Morris, Stacey Gerber, Marilou Giovannucci, Nancy Porter, Elizabeth Duryea, Fran Carino, Elyssa Gordon, Mike Best, Deborah Fuller

The meeting was convened at approximately 2:10 p.m. The minutes of the 1/7/10 meeting were approved.

1. Overview of Implementation of Pilot Program

Judge Quinn mentioned the following:

- The Judges have adopted the Pilot Program Rule that the Advisory Board had previously discussed;
- Press coverage – after a small flurry of interest at the beginning, things have calmed down.

Sarah Eagan talked about questions she had received from the press. Some of the questions concerned:

- Confusion about what is open and what is closed;
 - Particularly when a reporter goes to an open proceeding that ends up not being open;
- The larger issue concerns how to report on what they see, since they don't have access to the records -- information in the file;
 - They believe they need that information in order to write a responsible story;
- The issue of whether a reporter had the right to appeal from being excluded from a proceeding – specifically, the entry of an agreement on the record. Sarah explained that the Pilot Program Rules do not allow access to proceedings where an agreement is entered.

2. Summary of Media Contacts/Issues

Rhonda Stearley-Hebert passed out a packet of articles about the pilot program that had been published. She stated that, because of the complexity of the subject, the reporters who are calling are those with more experience.

Rhonda was also contacted by Prof. William Patton, who is writing a book about opening juvenile court.

Judge Keller suggested that it might be beneficial for the Judicial Branch to conduct a session of the law school for journalists on this subject. Judge Quinn pointed out that the Law School for Journalists occurs only infrequently, and that, while this might be a good topic, it might take a while to get on the agenda.

Judge Keller also explained that Judge Bentivegna, the presiding judge for the Child Protection Session, has come up with procedures to facilitate the process. He has asked people attending court to check a sign-in sheet indicating which category of person they are. This way, they are not identified, but the court obtains the information needed to evaluate the program.

In addition, the Pilot Program judges give an advisement in court regarding the pilot program.

3. **Status of Survey**

Marilou Giovannucci gave a PowerPoint Presentation on the survey results received to date. Given the fact that the Pilot Program has been in operation only since February 16, 2010, the number of responses is limited, and the information is of limited use at this point in time. There were a total of 25 attorney responses and only 3 parent responses.

Since only one media representative had responded, Sarah suggested getting back to all media representatives who attended proceedings to ask them to fill out the survey.

Members expressed surprise that none of the respondents identified themselves as attorneys for the child, while 3 identified themselves as guardians ad litem for the minor child.

At Judge Keller's request, Elizabeth Duryea will check on whether the number of referrals to CPS has gone down

Mike Best, who is an assistant attorney general, expressed his opinion that the Advisory Board should have information on what case each response relates to.

4. **Feedback from Members:**

A discussion of implementation issues ensued:

Mike Best stated that although a social worker had expressed concerns about testifying in open court, he was able to allay those concerns. He stated that some foster parents have also been concerned about testifying, but that he can work around that.

Stacey Gerber stated that there is a growing concern from foster parent groups, not about the media, but about family members attending proceedings. She stated that DCF has also gotten inquiries from the media, looking for information.

Bryan Morris stated that there has not been a lot of reaction, but most social workers are nervous about the possibility of the media being in court when they testify. A social worker could be reluctant to say certain things in front of the

media. He has also heard concerns from foster parents, not about the media, but about their relatives knowing about their cases.

5. Wrap-Up:

The next meeting will be held on Thursday, June 24, 2010 at 2:00 p.m. Judge Quinn stated that the Advisory Board will meet more regularly in the fall, to begin preparing the report that is due in January.

6. The meeting adjourned at approximately 4:00 p.m.