

Minutes
Criminal Practice Commission Meeting
July 16, 2008
1:00 p.m.

Members in Attendance:

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| Hon. Patrick L. Carroll, III, Chair | Attorney Raymond Hassett |
| Hon. Joette Katz | Attorney M. Elizabeth Reid |
| Hon. Patrick Clifford | Attorney Eugene Riccio |
| Hon. Richard Damiani | Attorney Charles Stango |
| Hon. David Gold | Attorney Susan Storey |
| Hon. James Ginocchio | Attorney Jennifer Zito for Attorney Thomas Ullmann |
| Hon. Gary White | William Carbone |
| Attorney Kevin Kane | Lawrence D'Orsi |
| Attorney Joseph D'Alesio | |
| Attorney Patricia Froehlich | |
| Attorney Edward Gavin | |

Invited Guests: Attorney Brian Austin-Office of Policy and Management
Attorney Daniel Horwitch-Legal Services
Attorney Brian Carlow

Handouts distributed to members: Agenda, Mission of Criminal Practice Commission, Proposed Change to Practice Book § 37-2, Proposed Change to Practice Book § 40-11

The meeting was called to order at 1:10 p.m. by Judge Carroll.

I. Welcoming Remarks: Judge Carroll stated this commission was developed from the strategic plan of the Public Service and Trust Commission. The goal is to improve the criminal justice system. The Freedom of Information Act is applicable to meetings of the commission. The agenda and minutes will be available on the Judicial Branch website.

The goals of this commission are similar to those of the prior Ad Hoc Criminal Practice Committee. A forum to discuss issues related to the process of the criminal justice system. This may involve general complaints about Judges and other court officials, but should focus upon process. Allegations against a specific Judge should be addressed directly to the Office of the Chief Court Administrator.

II. Introduction of Members: Members of the commission were introduced.

III. Review of Commission Mission: Judge Carroll and Justice Katz reviewed the Mission of the Criminal Practice Commission that was handed out to all.

IV. Judicial Branch Strategic Plan: Joe D'Alesio explained that over 90 focus groups were conducted with groups that interact with the Judicial Branch. A complete listing can be found in the Appendix of the Strategic Plan for the Judicial Branch, Public Service and

Trust Commission publication. The Judicial Branch needs to implement the values set forth in the Strategic Plan, namely Fairness, Integrity, Professionalism and Respect.

V. Identify Issues for Future Meetings:

- Habeas
 - volume of cases
 - location of court
 - consolidation has solved problems on the administrative side
 - problem with successive petitions
 - number of Judge's experienced in Habeas
 - possible option of video conferencing
 - quality of video has improved
 - cost of technology lower
 - video conferencing in Bridgeport successful for Support Enforcement , future expansion to New Haven, Waterbury and Stamford
 - need for experienced Habeas Attorneys
 - petitioner wants to physically be in court to see Judge

- Need for uniformity in Courts
 - Continuance requests
 - discovery issues
 - diversionary programs - application process and requirements for appearance at dismissal

VI. Review of Practice Book Changes: Discussion of proposed changes to Practice Book. Sub-committee needed to review proposals. Possible issues to be addressed:

- What is defense counsel entitled to at arraignment?
- Constitutional issues
- Lack of uniformity in courts

VII. Other Business

- ICE-Immigration and Customs Enforcement
 - Legal opinion to CSSD last year regarding notification to ICE of status of probationer
 - Need for uniformity in CSSD
 - Report back at next meeting
- Miscellaneous Court issues
 - Allocation of courthouse space
 - Need for a confidential area in courthouses for defense counsel to speak with their clients
 - Night/weekend court
 - Professionalism and Civility
 - Decrease in GA trials
- Cooperation between Bench and Bar

- Bar would like to be informed when an attorney is unable to adequately represent his/her clients
- Brian Austin, Under Secretary OPM, Chair of Criminal Justice Policy Advisory Commission (CJPAC), stated the reporting date has been extended for a recommendation for a full time sentencing commission.
- Payments of costs/fees
 - Court must make a finding of good cause for waiver of costs and fees, including those for the Sexual Assault Victims Account

Quarterly meetings will be held in either Hartford or Wethersfield. The next meeting will be in October, with the date, time and place to be determined. Judge Carroll will set up working groups for various issues discussed at the meeting. Members were asked to email Judy Lee at Judith.Lee@jud.ct.gov with their email address.

The meeting adjourned at 3:00 p.m.

Recorder-Judy Lee, Caseflow Management Specialist-Court Operations