

Minutes
Family Commission
January 5, 2011

The Family Commission met in courtroom 5A at the Middlesex Judicial District Courthouse located at 1 Court Street, Middletown, CT on January 5, 2011.

Those in attendance: Hon. Lynda Munro (Chair), Hon. Holly Abery-Wetstone, Attorney Michael Blanchard, Hon. John Boland, Attorney Steven Dembo, Hon. Anne Dranginis, Attorney Constance Frontis, Hon. Elaine Gordon, Johanna Greenfield, David Iaccarino, Hon. Elliott Solomon.

Also in attendance was Attorney Joseph Del Ciampo from the Judicial Branch's Legal Services Unit.

The meeting was called to order at 2:03 PM by Judge Munro.

I. Review and approval of minutes

The minutes of the meeting held on November 17, 2010 were approved by the members of the Commission who were in attendance.

II. Application for Waiver of Fees/Appointment of Counsel

Judge Munro reviewed some of the recent changes made to the Application for Waiver of Fees/Appointment of Counsel form (JD-FM-75). She has asked that the Commission members provide any feedback on whether the changes are working well.

III. Revisions to Financial Affidavit form

The issue of whether the financial affidavit form should ask for a monthly amount was raised again. It was suggested that there could be a monthly/weekly alternative on the form. It is hoped that the electronic form, itself, might be able to do the calculations regardless of which way it is completed.

Other issues that were raised included:

What would the criteria be for an "EZ" financial affidavit form to apply? It was discussed that the current form would be more reflective of what the "EZ" version could be like. The question was raised, however, as to whether the current form is easy enough. There was consensus among the members that the "EZ" version should be no longer than one double-sided page.

How far back in time would the financial affidavit require information? It was suggested that perhaps one solution to a relatively short period of time would be to create a line item for the full income for the year of the last tax return.

Is the withholding number reliable?

There is concern about the credibility of the figures. Especially where the income is cash. Perhaps the form should specifically ask for an income breakdown of cash, dividend, etc.

There was more discussion as to whether there should be detail about gross vs. net income. Other suggestions for the form included child care minus subsidies, food cost minus food stamps, and housing costs minus housing payments. Also the possibility of including the penalty for intentionally including false information was raised.

The Commission members will review the current form and give feedback and suggestions. Members were asked that when they see manuscripted affidavits to pay attention to things they think work well.

This topic will be on the next agenda and ideas will be captured on a flip chart.

IV. Appellate Court and automatic orders

Proposed language was distributed by Judge Dranginis and reviewed with the members of the Commission. There were some suggestions for revision to the draft that she provided. It was also suggested that it would be helpful to add language to rule 25-5 such as “until final judgment after all appeals are exhausted.” She indicated that she will put this topic on the Appellate Advocacy agenda.

V. GAL protocol to bring matters to the court’s attention and the duration of the GAL’s appointment

The minutes from the November meeting were reviewed with regard to this topic. The issue of how the need for a conference would be indicated, and the suggestion that an appointment letter would help articulate the scope, were revisited. Attorney Dembo agreed to create a draft form and appointment letter.

VI. Self-represented parties filing appearances “in lieu of” attorneys

This topic was not reached.

VII. *Ex Parte* motions for custody

This topic was not reached.

VIII. Such other matters that may come before the Commission

No other matters were raised before the Commission at this meeting.

IX. Next meeting

The next meeting date is changed from February 16, 2011 to February 9, 2011. The meetings for the rest of 2011 will be scheduled thereafter every six weeks from February 16th.

Judge Munro adjourned the meeting at 4:00 p.m.