

Minutes
Family Commission
September 18, 2013

The Family Commission met in courtroom 5A at the Middlesex Judicial District Courthouse located at 1 Court Street, Middletown, CT on September 18, 2013.

Those in attendance: Hon. Elizabeth Bozzuto, Chair, Hon. Holly Aberly-Wetstone, Hon. John Boland, Attorney Steven Dembo, Attorney Constance Frontis, Johanna Greenfield, David Iaccarino, Hon. Lynda Munro, Hon. Maureen Murphy, Attorney Thomas Parrino, Hon. Barry Pinkus, Hon. Elliot Solomon.

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 2:10 PM by Judge Bozzuto.

I. Review and approval of minutes

The minutes of the meeting held on August 7, 2013 were approved by the members of the Commission who were in attendance.

II. Financial Affidavit form implementation update

The revised financial affidavit forms were approved by the Chief Court Administrator with an effective date of January 1, 2014. The clerks should be alerted to the effective date.

Judge Bozzuto would like to make it available early, perhaps with a watermark on it preventing its use prior to the effective date, so that people can become familiar with it, and so those who have software that incorporate the financial affidavit can do their programming.

She would like to make it available to the public on the Judicial Branch website, and it was suggested that perhaps the CBA can be contacted so that they can send it out to the attorneys on the family section list serve.

III. Pre-trial orders in Family Support Magistrate Matters

This matter is passed to the next agenda.

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

Attorney Del Ciampo distributed information from the Federal Register indicating that the terms are intentionally undefined. It would appear that neither the fee waiver form nor the poverty level form is incorrect. Because there are both civil and criminal forms as well, and there is no controversy regarding the language, the Family Commission will no longer examine the issue.

V. Administrative Divorce revisited

This topic will be put over to the next agenda. The Commission members will review the information from other states that was created by Judge Murphy, and the article that was written by Judge Cutsumpas.

It was noted that the Family Commission did not move the topic forward when it was raised several years ago, and a number of issues were identified as to why. It was suggested by multiple members that it was worth looking at it again and a number of benefits were identified as well.

VI. Estate Plan and Will changes

It was raised that some members of the bar are unclear as to whether altering an estate plan or making will changes violate the automatic orders. Some case law was briefly discussed. The general consensus was that there was no need for the Commission to address this.

VII. Appropriate Disclosure of Exhibits

This topic appears to have been generated out of the topic regarding the timing of compliance with trial management orders. However, the general consensus was that there was no need for the Commission to address this.

VIII. Refinements to the Family Standing Orders

The Commission members will review the current standing orders that have been in place for some time, for purposes of identifying whether there is any need to refine them.

IX. Such other matters that may come before the Commission

Judge Murphy raised a concern that there is no information describing the role of the guardian ad litem. A concern was raised that attempts to define the role in the past have proven difficult and that it can depend upon the scope of the appointment articulated by the judicial authority. Perhaps there can be an item added to the FAQs on the web site "What is a guardian ad litem?" that describes case law on the role in plain language. There could be another FAQ describing the role of the attorney for the minor child(ren). Perhaps the Department of Public Defender Services can be contacted to discuss providing certain information on their web page as well.

It was also raised by Judge Murphy that some attorneys perceive the Branch's efforts to address the volume of self-represented litigants in an effective and efficient way as negatively impacting their business. It was suggested that more communication with attorneys to better understand their issues might help to alleviate some of their concerns.

X. Next Meeting

The next meeting is scheduled for October 30, 2013.

Judge Bozzuto adjourned the meeting at 3:55 PM.