

Minutes  
Family Commission  
October 30, 2013

The Family Commission met in courtroom 5B at the Middlesex Judicial District Courthouse located at 1 Court Street, Middletown, CT on October 30, 2013.

Those in attendance: Hon. Elizabeth Bozzuto, Chair, Hon. Holly Abery-Wetstone, Hon. Sandra Sosnoff Baird, Attorney Michael Blanchard, Hon. John Boland, Attorney Steven Dembo, Hon. Anne Dranginis, Attorney Constance Frontis, Johanna Greenfield, David Iaccarino, Hon. Maureen Murphy, Hon. Barry Pinkus, Hon. Elliot Solomon.

Also in attendance was Attorney Nancy Porter from the Judicial Branch's Legal Services Unit and Hon. Jane Grossman, Family Support Magistrate.

The meeting was called to order at 2:08 PM by Judge Bozzuto.

I. Review and approval of minutes

The minutes of the meeting held on September 18, 2013 were approved by the members of the Commission who were in attendance.

II. Pre-trial orders in Family Support Magistrate Matters

Family Support Magistrate Jane Grossman was introduced to the Commission members.

This matter was deferred to a later time if necessary.

III. Administrative Divorce

Judge Bozzuto reported that the Chief Court Administrator supports the concept of administrative divorce.

Some of the issues discussed were:

- that these are not cases that would impact the business of attorneys;
- whether it should be by joint petition (more discussion will be had when process issues are considered);
- concern about fraud;
- whether the cost would exceed the benefit and what the actual savings would be (perhaps the presiding judges could track how many cases they handle that would qualify under whatever is recommended as the criteria);

- the benefit to the litigants;
- whether service would be required in-hand if not a joint petition and service of process issues;
- excluding cases with children;
- language barriers;
- making it an elective and not mandatory process;
- duration of marriage;
- excluding cases where the State has an interest;
- whether a judge would need to approve the agreement; and
- perhaps providing a list of questions that the party or parties would have to answer regarding health and other areas that might cause concern.

It was noted that most states do not have an income test to qualify, it is an asset test. It was also noted that Oregon's process addresses approximately 10% of their divorces.

Some of the items generally agreed upon by the Commission members were - no vote was taken:

- a marriage of less than 7 or 8 years;
- no children;
- no ownership interest or title in real estate;
- nonreal property value not to exceed \$15,000;
- a waiver from both parties on alimony/spousal support;
- no other divorce or action for temporary orders; and
- a joint petition or in-hand service if not a joint petition (more of a process issue to be discussed later).

Judge Bozzuto has calls into a few other states and she will ask them about income and medical insurance.

There will be an attempt to retrieve some data on the number of uncontested dissolution cases that had marriages of 8 years or less and no children.

At the next meeting the Commission members will delve into some of the process issues.

#### IV. Refinements to the Family Standing Orders

The Commission members looked at the Case Management Agreement form to review the information provided on it. Judge Bozzuto will make some suggested revisions and bring them to the Commission.

Telephone conferencing was raised, what documents are really necessary for pretrial and noncompliance with pretrial standing orders was discussed. Attorney Dembo and Attorney Blanchard will review the pretrial standing order as to whether the attorneys need all twelve items listed for a pretrial and they will copy Attorney Parrino for his input.

V. Such other matters that may come before the Commission

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

VI. Next Meeting

The next meeting is scheduled for December 11, 2013. The 2014 schedule will be discussed at that time.

Judge Bozzuto adjourned the meeting at 4:08 PM.