

Minutes of the Meeting
Code of Evidence Oversight Committee of the Supreme Court
January 30, 2019

On Wednesday, January 30, 2019, the Code of Evidence Oversight Committee of the Supreme Court met in the Supreme Court courtroom from 2:02 p.m. to 3:23 p.m.

Members in attendance were:

Hon. Raheem L. Mullins, Chairperson	Attorney Robert B. Adelman
Hon. Steven D. Ecker	Attorney Joseph G. Bruckmann
Hon. Barbara B. Jongbloed	Attorney Michael Gailor
Hon. Lisa K. Morgan	Attorney John R. Gulash
Hon. Eliot D. Prescott	Attorney Kimberly Massicotte
Hon. Michael R. Sheldon	Attorney Jack G. Steigelfest
	Attorney Lawrence J. Tytla
	Attorney Eric W. Wiechmann

Also participating were Professor Julia Simon-Kerr of the University of Connecticut Law School and academic advisor to the Committee, Attorney Jean Cummings, Assistant Reporter of Judicial Decisions, Attorney Matthew Berardino, Counsel, Judicial Legal Services, and Attorney Lori Petruzzelli, Counsel to the Code of Evidence Oversight Committee of the Supreme Court.

1. The Honorable Raheem L. Mullins called the meeting to order at 2:02 p.m. Justice Mullins acknowledged Judge Sheldon and expressed the Committee's appreciation for his approximately twenty years of dedicated service on the Evidence Committee.

2. The Committee considered proposals by Attorney John Tower regarding the authentication of business records and the authentication of public records by certification. Justice Ecker reported on the subcommittee's recommendations regarding amending the commentaries to Sections 9-1 (b) and 9-3. Thereafter, Judge Prescott reported on the subcommittee's recommendations regarding amending the commentary to Section 1-3 (a). Counsel reported on a fifty state survey on authentication of business records by certification.

After discussion, the Committee voted to submit the commentary to Sec. 9-1 (b) to the Supreme Court for consideration, in the form attached hereto as Appendix A. Attorneys Bruckmann, Gulash and Professor Simon-Kerr voted against the proposal.

3. Thereafter, the Committee considered a proposal to amend the commentary to Section

9-3.

After discussion, the Committee unanimously voted to submit the commentary to Section 9-3 to the Supreme Court for consideration, in the form attached hereto as Appendix B.

4. The Committee considered a proposal by the subcommittee to amend the commentary to Section 1-3. After discussion, the Committee tabled the matter for further study. Justice Mullins appointed a subcommittee to make recommendations to clarify the process by which certain records can be authenticated by affidavit under Section 1-1. Justice Ecker, Judge Prescott, Judge Morgan, Attorney Gailor and Attorney Massicotte were appointed to the subcommittee.

5. The meeting was adjourned at 3:23 p.m.

Respectfully submitted,



Lori Petruzzelli
Counsel to the Code of Evidence Oversight
Committee of the Supreme Court