

Minutes of the Meeting  
Code of Evidence Oversight Committee of the Supreme Court  
June 28, 2016

---

On Tuesday, June 28, 2016, the Code of Evidence Oversight Committee of the Supreme Court met in the Supreme Court courtroom from 2:03 p.m. to 4:00 p.m.

Members in attendance were:

Hon. Thomas A. Bishop, Chairperson	Attorney Robert B. Adelman
Hon. Thomas D. Colin	Attorney Leonard C. Boyle
Hon. Steven D. Ecker	Attorney Brian S. Carlow
Hon. Eliot D. Prescott	Attorney John R. Gulash
Hon. Angela C. Robinson	Attorney Kimberly P. Massicotte
Hon. Michael R. Sheldon	Attorney Eric W. Wiechmann

Also participating were Professor Julia A. Simon-Kerr of the University of Connecticut Law School and academic advisor to the Committee, Attorney Eric Levine, Assistant Reporter of Judicial Decisions, Attorney James T. O'Connor, Counsel, Judicial Legal Services, and Attorney Lori A. Petruzzelli, Counsel to the Code of Evidence Oversight Committee of the Supreme Court.

Hon. Barbara B. Jongbloed and Attorneys Jack G. Steigelfest and Lawrence J. Tytla were not in attendance at this meeting.

1. The Honorable Judge Thomas A. Bishop called the meeting to order at 2:03 p.m.
2. The Committee unanimously approved the minutes of the meeting held on May 24, 2016. Attorney Gulash was not present for this vote but entered shortly thereafter.
3. The Committee considered revised proposals to Article III–Presumptions, which were presented by the subcommittee chair, Judge Colin.

Two changes were thereafter made to the draft of Article III. After discussion, the Committee voted against submitting Article III, as drafted, to the Supreme Court for consideration. Judge Bishop and Attorney Wiechmann voted in favor of the submission.

Article III will be revised only to include the caveat regarding rules of practice adopted before June 18, 2014, the date on which the Supreme Court adopted the Code.

4. The Committee thereafter considered a proposal by Attorney Gulash to revise Sec. 4-8A regarding the effect of a plea under *North Carolina v. Alford*, 400 U.S. 25, 37, 91 S. Ct. 160, 27 L. Ed. 2d 162 (1970).

The Committee requested that counsel draft revisions to Sec. 4-8A, consistent with its discussion of the matter, for presentation at the next meeting.

5. The Committee considered proposals to Article VII—Opinions and Expert Testimony, which were presented by subcommittee chair, Judge Ecker.

Judges Ecker and Sheldon agreed to work together on a revised draft of the commentary to Sec. 7-2, for presentation at the next meeting.

7. After discussion, the next meeting was scheduled for Tuesday, September 14, 2016, in the Supreme Court courtroom at 2:00 p.m.

8. The meeting was adjourned at 4:00 p.m.

Respectfully submitted,



Lori A. Petruzzelli

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