

**Minutes**  
Judicial-Media Committee  
April 19, 2012

Members present: G. Claude Albert, Judge David Gold, co-chairs; Tom Appleby, Melissa Bailey, Linda J. Cimino, Judge Robert Devlin Jr., Melissa Farley, Judge Mark Gould, Judge Douglas Lavine, Alan Neigher, Eric Parker, Chris Powell, Tom Scheffey

Also present: Judge Barbara Quinn, Judge Barbara Bellis, Rhonda Stearley-Hebert

*Open meeting*

Mr. Albert and Judge Gold started the meeting at approximately 3 p.m. Judge Gold introduced Judge Mark Gould as a new member of the committee.

*The Clerks Office on Your Computer: E-filing and Online Access Now and in the Future*  
Based on the availability of Judge Barbara Bellis and Joe D'Alesio, Judge Gold requested that Agenda Item No. VII – *The Clerks Office on Your Computer: E-Filing and Online Access Now and in the Future* – be moved up on the agenda. Committee members agreed, and Judge Bellis and Attorney D'Alesio began their presentation.

Judge Bellis, who has been involved with e-filing for several years, provided an overview of: 1) How the Judicial Branch got to where it is with e-filing; 2) Where the Judicial Branch is regarding e-filing; and 3) Where the Judicial Branch hopes to go with e-filing.

In addressing these areas, Judge Bellis and Attorney D'Alesio made the following points:

- Connecticut -- which began implementing the concept of e-filing in 2003 -- was one of the first states in the country to have mandatory civil e-filing.
- The Connecticut Judicial Branch has relied on its own staff to build its computer system, thus saving millions of dollars.
- The public may now view notices and orders filed in civil cases, from any computer with Internet access.
- Members of the public may access other civil case documents electronically from public computers in court service centers and court clerks' offices.
- The Branch's goal is to increase public access. However, this goal must be balanced against privacy rights and the need to protect people's personal identifying information.
- The Branch had been moving forward with plans to make disclosable civil court files available electronically from any computer with Internet access. However, the bar has expressed concern that if this occurs, then jurors could review a file

despite a court order that they refrain from such activity. The Judicial Branch is currently getting feedback from the bar regarding this concern.

- Until this concern is resolved, there is no timetable at this point for the online posting of entire civil case files.
- It is anticipated that the e-filing of certain family cases will start in the spring of 2013.
- It has never been anticipated that family files would be available via the Internet to members of the public.
- Conservatively, it will take at least three to four years to set up for an e-filing system for criminal cases. This is an area that will require a lot of work.

Committee members discussed the potential for jurors to view online documents that they should not be viewing. Various remedies were discussed, i.e. for the judge to be absolutely clear in his/her instructions that such action is not allowed; setting up a registration system; and whether the Judicial Branch could make the file unavailable electronically at remote locations once the jury is impaneled (the file would still be available through the clerk's office and court service centers). Attorney D'Alesio responded that that could be when the news media most wants to view the file. Some committee members expressed concern about setting up two standards: one for the media and the other for members of the public. Committee members also debated whether jurors would actually commit misconduct – some viewed the threat of juror misconduct as overrated while others said the availability of such documents would be a big temptation. Judge Bellis added that the Judicial Branch does not want to put documents online, only to pull them back.

Mr. Parker asked whether there is a way for the Judicial Branch to provide notification regarding developments in court cases. Mr. D'Alesio said he would look into whether such notification is doable.

#### *Bloggers/Camera Rules*

Judge Quinn asked the committee for suggestions on what criteria should be used to determine if individuals meet the Practice Book definition of "media," amid the backdrop of new media. Judge Gould, Mr. Appleby, Attorney Neigher and Ms. Bailey agreed to try to develop some suggestions.

#### *Discussion of Possible Rules Proposal re: Closed Circuit Video in an Overflow Room*

The committee tabled this issue until its next meeting.

#### *Committee Updates*

The committee tabled the updates until its next meeting.

Minutes

The committee unanimously approved its minutes from the meeting of October 26, 2011.

Adjourn

The committee scheduled its next meeting for Monday, Sept. 24, 2012. It adjourned at 5 p.m.