

On Tuesday, September 25, 2012, the Rules Committee met in the Supreme Court courtroom 2:00 p.m. to 3:14 p.m.

Members in attendance were:

HON. DENNIS G. EVELEIGH, CHAIR
HON. JON M. ALANDER
HON. BARBARA N. BELLIS
HON. WILLIAM M. BRIGHT, JR.
HON. JULIETT L. CRAWFORD
HON. KARI A. DOOLEY
HON. RICHARD W. DYER
HON. MAUREEN M. KEEGAN
HON. ELIOT D. PRESCOTT

Also in attendance were Carl E. Testo, Counsel to the Rules Committee, and Attorneys Denise K. Poncini and Joseph J. Del Ciampo of the Judicial Branch's Legal Services Unit.

1. The Committee unanimously approved, with a technical revision, the minutes of the May 21, 2012, meeting.

2. The undersigned gave a report to the Committee concerning the recent mail vote to the Superior Court judges to change the effective date of the amendments to Rule 5.5 of the Rules of Professional Conduct and Practice Book Sections 2-15A and 10-13. The vote did not pass because the number of judges whose votes were received by the cutoff date was less than a majority of the judges to whom the votes were sent.

After discussion, the Committee unanimously decided not to mail another vote to the judges on the issue.

3. The Committee again considered a submission by Attorney Keith Bradoc Gallant, then President of the CBA, requesting that the Rules Committee take no action on a proposed definition of Elder Law that was submitted to public hearing as an addition to Rule 7.4A of the Rules of Professional Conduct concerning attorney specialization until such time as the CBA submits to the Committee a definition agreed upon by the CBA's Estates and Probate Section and Elder Law Section.

Attorney Alice Bruno, Executive Director of the CBA, was present in the gallery and addressed the Committee briefly, asking that the matter be tabled until the Committee's February meeting to enable the CBA to provide input to the Committee. The Committee thereupon tabled the matter to its February meeting.

4. The Committee considered a proposal by Attorney Zenas Zelotes to amend Section 2-54 concerning the publication of notice of reprimand, suspension, disbarment, resignation, placement on inactive status, or reinstatement of attorneys. The proposal would amend the rule so that any decisions of the Statewide Grievance Committee published on the Judicial Branch website would be identified by docket number alone, and all references to the attorney's name would be redacted.

The Committee also considered a letter from Christopher L. Slack, First Assistant Bar Counsel, on behalf of the Statewide Grievance Committee (SGC), stating that the SGC strongly opposes the proposal because it would significantly reduce the usefulness of the website as a tool for the public to inquire about the disciplinary history of an attorney and would undermine the purpose of the disciplinary system, which is to protect the public.

After discussion, the Committee unanimously voted not to amend Section 2-54 as requested.

5. The Committee considered and unanimously voted to approve the following meeting schedule:

Monday, October 29	-	2:00 p.m.
Monday, November 19	-	2:00 p.m.
Monday, December 17	-	2:00 p.m.
Monday, January 28	-	2:00 p.m.
Monday, February 25	-	2:00 p.m.
Monday, March 25	-	2:00 p.m.
Monday, May 20	-	10:00 a.m. Public Hearing and Rules Committee Meeting

6. The Committee considered proposed revisions to the juvenile rules, submitted by Judge Christine Keller on behalf of the Juvenile Task Force, in light of current procedures and recent legislation.

After discussion, the Committee unanimously voted to table the proposals for further

consideration at its October meeting.

7. The Committee considered a proposal by Assistant Attorney General Carolyn Signorelli to amend Section 34a-11 to correct internal citations.

After discussion, the Committee voted to bring these technical revisions to the attention of the Reporter of Judicial Decisions for inclusion of the 2013 edition of the Practice Book.

8. The Committee considered a proposal by the Civil Commission to amend Sections 17-25 and 17-33 concerning default judgments.

After discussion, the Committee raised certain issues concerning the proposal and asked the undersigned to bring them to the attention of the Chair of the Civil Commission.

9. The Committee considered a letter from Ms. Chelsea Pond with regard to whether jurors should be identified in court by their full names.

After discussion, the Committee noted that the Superior Court judges at their June, 2012, meeting adopted the recommendation by the Rules Committee to amend Section 42-8 concerning communications between parties and jurors that will provide additional protection of juror privacy. The Rules Committee asked the undersigned to advise Ms. Pond of this change and to thank her for her thoughtful letter.

10. The Committee considered a proposal by Attorney David Atkins to include in the commentary to Rule 1.10 of the Rules of Professional Conduct new paragraphs 7 through 10 that the ABA has added to the commentary of its version of that rule.

After discussion, the Committee unanimously voted to table the matter for further consideration at its October meeting.

11. The Committee considered a proposal by Judges Wilson J. Trombley and John A. Danaher, III, to amend Section 11-1 to require that motions, requests, applications or objections filed under that section, as well as any supporting briefs or memoranda, be paginated.

After discussion, the Committee suggested further amendments to the proposal and asked the undersigned to incorporate them in a draft and forward it to them for consideration at their next meeting. The Committee also asked the undersigned to draft and forward a similar revision to Section 4-1.

12. The Committee considered a proposal by the National Board of Legal Specialty Certification to add Social Security Disability Advocacy to Rule 7.4A of the Rules of Professional Conduct as a field of law in which attorneys may be certified as specialists.

After discussion, the Committee unanimously voted to refer the proposal for comment to the CBA, the CTLA, the CDLA, the Civil Commission and local bar associations.

13. The Committee considered a proposal by the National Board of Legal Specialty Certification to add Civil Pretrial Practice to Rule 7.4A of the Rules of Professional Conduct as a field of law in which attorneys may be certified as specialists.

After discussion, the Committee unanimously voted to refer the proposal for comment to the CBA, the CTLA, the CDLA, the Civil Commission and local bar associations.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carl E. Testo".

Carl E. Testo
Counsel to the Rules Committee