

Minutes of the Meeting
Rules Committee of the Superior Court
Monday, September 12, 2022

On September 12, 2022, the Rules Committee met using Microsoft Teams from 2:01 p.m. to 2:46 p.m.

Members in attendance were:

HON. ANDREW J. McDONALD, CHAIR
HON. COURTNEY M. CHAPLIN
HON. JOHN B. FARLEY
HON. ALEX V. HERNANDEZ
HON. STEPHANIE A. MCLAUGHLIN
HON. TAMMY T. NGUYEN-O'DOWD
HON. W. GLEN PIERSON
HON. ELIZABETH J. STEWART

Also in attendance were Joseph J. Del Ciampo, Counsel to the Rules Committee, James T. O'Connor, Assistant Counsel to the Rules Committee, and Lori Petruzzelli, Assistant Counsel to the Rules Committee. Judge Sheila M. Prats was absent.

1. The Committee approved the minutes of the meeting held on May 9, 2022, with no revisions. Judges Chaplin, McLaughlin, Pierson, and Stewart did not participate in the vote.

2. The Committee considered a proposal from several Legal Services Associations to amend Practice Book Sections 7-10 and 7-11 and to adopt new Section 7-11A regarding retention and destruction of summary process records (RC ID # 2021-023).

Attorney Podolsky and Attorney Rosenthal were present and addressed the committee on this matter.

After discussion, the Committee tabled this proposal until the October meeting. Counsel was directed to ask the Commissioner of the Department of Housing for input,

and it was agreed that Justice McDonald and Counsel should meet with the Chief Court Administrator to discuss whether this proposal can be handled administratively.

3. The Committee considered a proposal from the Advisory Committee on Appellate Rules concerning Rule 2.11 of the Code of Judicial Conduct. (RC ID # 2022-006).

The Committee tabled this proposal until the October meeting to give Judge Prescott an opportunity to attend the meeting and address the Committee on this matter.

4. The Committee considered a proposal from Judge Abrams to replace the civil portion of the Practice Book with the Federal Rules of Civil Procedure (RC ID # 2022-009).

The Committee tabled this proposal until the October meeting to give Judge Abrams an opportunity to attend the meeting and address the Committee on this matter.

5. The Committee considered a proposal from Judge Abrams to amend Practice Book Section 7-11 to allow Civil Protection Orders to be retained for five years, as opposed to the current ten years (RC ID # 2022-010).

After discussion, the Committee tabled this proposal until the November meeting and referred it for review and comment to Chief Administrative Judge Barbara Bellis, the Office of Victim Advocate, and the Office of Victim Services.

6. The Committee considered a proposal from Attorney Joshua Goodbaum to amend the Practice Book to eliminate the requirement for "original" printed deposition transcripts and to permit service of civil complaints by consent (RC ID # 2022-011).

After discussion, the Committee tabled this proposal until the October meeting and referred it for review and comment to Chief Administrative Judge Barbara Bellis, the

Connecticut Bar Association, the Connecticut Trial Lawyers Association, and the Connecticut Defense Lawyers Association.

7. The Committee considered a proposal from Attorney John Logan for a new Practice Book provision designed to ensure that no attorney or bar applicant suffer any bar related consequence from engaging in conduct previously constitutionally protected under *Roe v. Wade* (RC ID # 2022-012).

After discussion, the Committee tabled this proposal until such time as a clearly identified and present concern is brought to the Committee's attention.

8. The Committee considered a proposal from the Client Security Fund Committee to amend Practice Book Section 2-79 (d) to change the way past due fee notices are sent to attorneys, from certified mail as presently required, to first class mail and email (RC ID # 2022-013).

After discussion, the Committee tabled this proposal until the October meeting to give Attorneys Christopher Blanchard and Kathleen Harrington an opportunity to attend the meeting and address the Committee on this matter.

9. The Committee considered a proposal from Chief Administrative Judge Dawne Westbrook for a new Practice Book rule that establishes the procedure applicable to motions for post-termination visitation filed within the context of the termination proceeding (RC ID # 2022-014).

Judge Westbrook was present and addressed the Committee on this matter.

After discussion, the Committee tabled this proposal until the October meeting to confirm that the proposal is consistent with the opinions in *In re Ava W.* and *In re Annessa J.*

10. The Committee considered a proposal from Chief Administrative Judge Barbara Bellis to amend Practice Book Section 7-19 to make clear that the judge may conduct an ex parte review, but also has the option to have the application filed in the official file and/or allow for the filing of objections (RC ID # 2022-015).

After discussion, the Committee tabled this proposal until the November meeting. A workgroup consisting of Judges Farley, Stewart, Pierson, and Chaplin will study the proposal and solicit input from Chief Administrative Judge Barbara Bellis before the November meeting.

Respectfully submitted,



Joseph J. Del Ciampo
Counsel to the Rules Committee