

Minutes of the Meeting
Rules Committee of the Superior Court
Monday, December 16, 2024

On December 16, 2024, the Rules Committee met using Microsoft Teams from 2:02 p.m. to 2:42 p.m.

Members in attendance were:

HON. JOAN K. ALEXANDER, CHAIR
HON. BARRY F. ARMATA
HON. COURTNEY M. CHAPLIN
HON. ERNEST GREEN
HON. JENNIFER MACIEROWSKI
HON. STEPHANIE A. MCLAUGHLIN
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 Barbara Aaron was absent.

1. The Committee discussed their prior approval of the minutes of the meeting held on October 21, 2024, and recognized that Judge Macierowski abstained from voting on those minutes.

2. The Committee approved the minutes of the meeting held on November 18, 2024, with one revision. Judge Pierson abstained from voting.

3. The Committee considered a proposal from Attorney James Sullivan to add to the Practice Book Principles of Professionalism adapted from those adopted by the Connecticut Bar Association (CBA) (RC ID # [2024-001](#)).

After discussion, the Committee voted unanimously to submit to public hearing the proposal to add the Principles of Professionalism to the Practice Book, to be located after

The Attorney's Oath and before the Rules of Professional Conduct, as set forth in Appendix A, attached to these minutes.

4. The Committee considered a proposal from Christina Torres to amend Practice Book Sec. 25-62 (b)(1) to include Board Certified Behavioral Analysts (BCBA), Licensed Behavioral Analysts (LBA), Qualified Applied Behavior Analysts (QABA), and International Behavior Analysts (IBA) as eligible to become guardians ad litem (GAL) in family matters (RC ID # [2024-008](#)).

Christina Torres was present and addressed the Committee on this matter.

After discussion, the Committee tabled this proposal to its January meeting to give the Standing Committee on Guardians Ad Litem and Attorneys for the Minor Child in Family Matters an opportunity to review and comment on this proposal.

5. The Committee considered a proposal from Justice Andrew McDonald for a new rule to address the misgendering in Connecticut courts of individuals who are nonbinary or transgender (RC ID # [2024-016](#)).

The Committee also considered a proposal from Attorney Lisa J. Steele for adoption of rules concerning the use of names and pronouns for attorneys, parties, and witnesses (RC ID # 2024-020).

Troy Brown, Director of Diversity, Equity, and Inclusion for the Judicial Branch, Attorney Lori Petruzzelli, Assistant Counsel to the Committee, Attorney Christopher Slack, Statewide Bar Counsel, and Attorney Jenna Cutler from the LGBT Section of the Connecticut Bar Association (CBA) were present and addressed the Committee on this matter.

After discussion, the Committee tabled these proposals to its February meeting to give the CBA an opportunity to review and comment on this proposal, and also formed a subcommittee comprised of Judges Chaplin, Pierson, and Green, to collect additional information relevant to this matter and report back to the Committee.

6. The Committee considered a proposal from Attorney Karolina Dowd to amend Practice Book Sections 13-6, 13-8, 13-9, 13-10, and various discovery forms, to tailor them more closely to appropriately discoverable information (RC ID # [2024-019](#)).

Attorney Dowd was present and addressed the Committee on this matter.

After discussion, the Committee tabled this proposal to its February meeting and referred it for comment to the Judge Barbara Bellis, Chief Administrative Judge for Civil Matters, and Judge Leo Diana, Chief Administrative Judge for Family Matters.

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph J. Del Ciampo". The signature is written in a cursive style with a large, stylized initial "J".

Joseph J. Del Ciampo
Counsel to the Rules Committee

APPENDIX A

(121624)

THE ATTORNEY'S OATH

You solemnly swear or solemnly and sincerely affirm,

(NEW) LAWYERS' PRINCIPLES OF PROFESSIONALISM

The following Lawyers' Principles of Professionalism emphasize the obligation of lawyers to model respect and civility in their interactions with each other and with the public.¹

Such Principles have been recognized by various other jurisdictions, including the Federal District of Connecticut. It is fitting that the Principles appear in the beginning of the Connecticut Practice Book as a reminder that courtesy, respect, and cooperation in the legal profession are the foundation for serving the interests of justice in a fair, timely, efficient, and open manner. We cannot work effectively to serve our clients and the public if we do not treat opposing counsel, colleagues, and others with civility and respect. Professional courtesy should be uniformly extended to all individuals that we interact with, whether self-represented parties, seasoned professionals, or the newest members of the bar.

The Principles set forth aspirational conduct and serve as guidelines for civility and decorum. The Principles are not intended to supersede, supplement or in any way

¹ On October 19, 2020, the Connecticut Bar Association House of Delegates adopted Lawyers' Principles of Professionalism. They have been adapted here, with the permission of the CBA, to form the basis of these Principles.

amend the Rules of Professional Conduct, Code of Judicial Conduct, or any other rule or requirement applicable to professional conduct. Likewise, the Principles are not intended to be the basis for the imposition of any civil, criminal, or professional liability, professional discipline or sanctions.

A lawyer must be dedicated to making our system of justice work fairly and efficiently for all. As an officer of the Court, a lawyer must recognize the obligation they have to advance the rule of law and preserve and foster the integrity of the legal system. To this end, a lawyer must be committed not only to observe the Connecticut Rules of Professional Conduct, but also to conduct themselves in accordance with the following Principles of Professionalism when dealing with their clients, opposing parties, fellow counsel, self-represented parties, the Courts, and the general public.

Civility:

Civility and courtesy are the hallmarks of professionalism. As such,

- A lawyer will be courteous, polite, respectful, and civil, both in oral and in written communications;
- A lawyer will refrain from using litigation or any other legal procedure to harass an opposing party;
- A lawyer will not impute improper motives to their adversary unless clearly justified by the facts and essential to resolution of the issue;
- A lawyer will treat the representation of a client as the client's transaction or dispute and not as a dispute with their adversary;

- A lawyer will respond to all communications timely and respectfully and allow their adversary a reasonable time to respond;
- A lawyer will avoid making groundless objections in the discovery process and work cooperatively to resolve those that are asserted with merit;
- A lawyer will agree to reasonable requests for extensions of time and for waiver of procedural formalities when the legitimate interests of their client will not be adversely affected;
- A lawyer will try to consult with their adversary before scheduling depositions, meetings, or hearings, and will cooperate with their adversary when schedule changes are requested;
- When scheduled meetings, hearings, or depositions have to be canceled, a lawyer will notify their adversary and, if appropriate, the Court (or other tribunal) as early as possible and enlist their involvement in rescheduling; and
- A lawyer will not serve motions and pleadings at such time or in such manner as will unfairly limit the other party's opportunity to respond.

Honesty:

Honesty and truthfulness are critical to the integrity of the legal profession - they are core values that must be observed at all times and they go hand in hand with a lawyer's fiduciary duty. As such,

- A lawyer will not knowingly make untrue statements of fact or of law to their client, adversary or the Court;

- A lawyer will honor their word;
- A lawyer will not maintain or assist in maintaining any cause of action or advancing any position that is false or unlawful;
- A lawyer will withdraw voluntarily claims, defenses, or arguments when it becomes apparent that they do not have merit or are superfluous;
- A lawyer will not file frivolous motions or advance frivolous positions;
- When engaged in a transaction, a lawyer will make sure all involved are aware of changes they make to documents and not conceal changes.

Competency:

Having the necessary ability, knowledge, and skill to effectively advise and advocate for a client's interests is critical to the lawyer's function in their community. As such,

- A lawyer will keep themselves current in the areas in which the lawyer practices, and, will associate with, or refer their client to, counsel knowledgeable in another field of practice when necessary;
- A lawyer will maintain proficiency in those technological advances that are necessary for the lawyer to competently represent their clients.
- A lawyer will seek mentoring and guidance throughout their career in order to ensure that the lawyer acts with diligence and competency.

Responsibility:

A lawyer must recognize that their client's interests and the administration of justice in general are best served when they work responsibly, effectively, and cooperatively with those with whom they interact. As such,

- Before dates for hearings or trials are set, or if that is not feasible, immediately after such dates have been set, a lawyer will attempt to verify the availability of key participants and witnesses so that they can promptly notify the Court (or other tribunal) and their adversary of any likely problem;

- A lawyer will make every effort to agree with their adversary, as early as possible, on a voluntary exchange of information and on a plan for discovery;

- A lawyer will attempt to resolve, by agreement, their objections to matters contained in their opponent's pleadings and discovery requests;

- A lawyer will be punctual in attending Court hearings, conferences, meetings, and depositions;

- A lawyer will refrain from excessive and abusive discovery, and will comply with all reasonable discovery requests;

- In civil matters, a lawyer will stipulate to facts as to which there is no genuine dispute;

- A lawyer will refrain from causing unreasonable delays;

- Where consistent with their client's interests, a lawyer will communicate with their adversary in an effort to avoid needless controversial litigation and to resolve litigation

that has actually commenced;

- While a lawyer must consider their client's decision concerning the objectives of the representation, they nevertheless will counsel their client that a willingness to initiate or engage in settlement discussions is consistent with zealous and effective representation.

Mentoring:

A lawyer owes a duty to the legal profession to counsel less experienced lawyers on the practice of the law and these Principles, and to seek mentoring for themselves. As such,

- A lawyer will exemplify through their behavior and teach through their words the importance of collegiality and ethical and civil behavior;
- A lawyer will emphasize the importance of providing clients with a high standard of representation through competency and the exercise of sound judgment;
- A lawyer will stress the role of our profession as a public service, to building and fostering the rule of law;
- A lawyer will welcome requests for guidance and advice.

Honor:

A lawyer recognizes the honor of the legal profession and will always act in a manner consistent with the respect, courtesy, and weight that it deserves. As such,

- A lawyer will be guided by what is best for their client and the interests of justice, not what advances their own financial interests;

- A lawyer will be a vigorous and zealous advocate on behalf of their client, but will recognize that, as an officer of the Court, excessive zeal may be detrimental to the interests of a properly functioning system of justice;

- A lawyer will remember that, in addition to commitment to their client's cause, their responsibilities as a lawyer include a devotion to the public good;

- A lawyer will, as a member of a self-regulating profession, report violations of the Rules of Professional Conduct as required by those rules;

- A lawyer will protect the image of the legal profession in their daily activities and in the ways they communicate with the public;

- A lawyer will be mindful that the law is a learned profession and that among its desirable goals are devotion to public service, improvement of administration of justice, and the contribution of uncompensated time and civic influence on behalf of those persons who cannot afford adequate legal assistance; and

- A lawyer will support and advocate for fair and equal treatment under the law for all persons, regardless of race, color, ancestry, sex, pregnancy, religion, national origin, ethnicity, disability, status as a veteran or status as a victim of domestic violence, age, gender identity, gender expression or marital status, sexual orientation, or creed and will always conduct themselves in such a way as to promote equality and justice for all.

Nothing in these Principles shall supersede, supplement, or in any way amend the Rules of Professional Conduct, alter existing standards of conduct against which an lawyer's conduct might be judged, or become a basis for the imposition of any civil, criminal or professional liability.

RULES OF PROFESSIONAL CONDUCT

Preamble

Scope

Rules

Commentaries
