

STATE OF CONNECTICUT
JUDICIAL BRANCH
RULES COMMITTEE MEETING
(held telephonically)

JUSTICE ANDREW McDONALD
and committe members

MARCH 29, 2020

JOHN McILHONEY
TRANSCRIPTIONIST

1 (March 29, 2020.)

2 JUSTICE McDONALD: This is Justice McDonald.
3 I'm going to just start this off so we make sure
4 that we know who's on the call. So Judge
5 Abrey-Wetstone I heard is on.

6 Judge Alexander?

7 JUDGE ALEXANDER: Here.

8 THE COURT: Judge Bellis?

9 JUDGE BELLIS: Here.

10 THE COURT: Judge Cobb?

11 JUDGE COBB: Here.

12 JUSTICE McDONALD: Judge Cradle?

13 JUDGE CRADLE: Here.

14 JUSTICE McDONALD: Judge Heller? Judge
15 Stevens?

16 JUDGE STEVENS: Here.

17 JUSTICE McDONALD: Judge Truglia? Judge
18 Abrams?

19 JUDGE ABRAMS: Here.

20 JUSTICE McDONALD: Judge Albis?

21 JUDGE ALBIS: Here.

22 JUSTICE McDONALD: Judge Alexander again.
23 Judge Conway?

24 JUDGE CONWAY: Here.

25 JUSTICE McDONALD: And I believe Judge --
26 Judge -- is Judge Carroll on the phone?

27 JUDGE CARROLL: I am, Justice McDonald.

1 JUSTICE McDONALD: Judge Bozzuto?

2 JUDGE HELLER: I -- Judge --

3 JUDGE BOZZUTO: Here.

4 JUSTICE McDONALD: Who just came -- who just
5 came on?

6 JUDGE HELLER: Judge Heller.

7 JUSTICE McDONALD: Judge Heller. Attorney Del
8 Ciampo's on. Adam Moriello is on. And I believe
9 we were going to be joined by Monte Frank from the
10 Connecticut Bar Association. Attorney Frank?

11 ATTY. FRANK: This is Monte Frank.

12 JUSTICE McDONALD: And I think Attorney Slater
13 was going to be on as well. Is he on? Okay.

14 Is there anybody else on the call that I
15 haven't mentioned?

16 JUDGE TRUGLIA: Judge Anthony Truglia.

17 THE COURT: Okay. Judge Truglia's back on.
18 Who else?

19 ATTY. O'CONNOR: James O'Connor from legal
20 services.

21 MS. FARLEY: Melissa Farley from external
22 affairs.

23 ATTY. O'CONNOR: Alison Chandler from external
24 affairs.

25 JUSTICE McDONALD: Okay. Anybody else? Okay.
26 Well, first of all, I want to thank everybody for
27 making themselves available on -- who just joined?

1 I think I should first say thank you to
2 everybody for making themselves available on such
3 short notice. As you can see from the e-mails
4 flying around, this has been a fast moving and
5 relatively dynamic process. And we appreciate all
6 of your flexibility.

7 I particularly want to thank our legal staff
8 and the chief court administrator's office for some
9 unbelievable work over the weekend trying to pull
10 this all together.

11 I should mention that an audio file of this
12 meeting is being made and will be uploaded to the
13 judicial branch website at an appropriate time in
14 addition to our regular minutes -- minutes being
15 prepared. So keep that in mind as the conversation
16 progresses.

17 As you know, we have about 18 to 20 people on
18 this call. It can be very challenging to do it in
19 an orderly fashion. So the first thing I would ask
20 all of the participants to do is if you are not
21 speaking, please mute your phone to avoid a lot of
22 background noise. It would make this go a lot more
23 smoothly in my experience -- and many of you have
24 been on multiparty conference calls in the last few
25 days and probably can attest to the need for
26 background noise to be at a minimum.

27 I'd like to first open this by allowing the

1 chief court administrator to sort of frame the
2 context of where we are and what is being asked of
3 the rules committee today. Judge -- Judge Carroll.

4 JUDGE CARROLL: Thank you very much, Justice
5 McDonald. Good morning, everyone. And thank you
6 for participating this morning. I too want to
7 thank Joe Del Ciampo and his remarkable legal
8 services unit for the incredible work that they've
9 been doing for us, not just over the weekend but
10 since this Corona virus emergency emerged.

11 I also want to thank Justice McDonald for --
12 for stepping in full speed ahead with us and
13 helping us move forward on this important
14 initiative.

15 I don't have to tell you that these are
16 extraordinary times and they really do require
17 extraordinary measures from the judicial branch.
18 As the Corona crisis emerged, we in the
19 administrative office of the judicial branch went
20 into a 24/7 emergency operations mode. We've been
21 working in concert with the governor's emergency
22 response team, particularly the governor's general
23 counsel's office, to quickly and effectively
24 address the myriad of issues that have arisen and
25 no doubt will continue to surface.

26 We were the first in state government to take
27 proactive steps to shrink our footprint, both in

1 terms of business we do and where we do it. We
2 were able to quickly persuade the governor to issue
3 our requested emergency order suspending statutes
4 of limitations and other time-sensitive provisions
5 of the statutes. Now we are asking all of you to
6 do the same with respect to certain provisions of
7 the *Practice Book*.

8 Now, I know that these types of drastic
9 proposals would routinely require extensive
10 discussion, debate, and deliberations. I'm here
11 this morning to tell you that we don't have time
12 for such extensive debate, discussion, and
13 deliberation. We need to move swiftly.

14 We are making adjustments to what we do and
15 how we do it by the hour. I simply need your help.
16 I need your support. We need solidarity at this
17 time.

18 I think Justice McDonald mentioned that Monte
19 Frank from the CBA and Paul Slater may have joined
20 us from the CTLA are here on the line -- here on
21 the line. And they've been remarkably supportive.
22 And they've been remarkably supportive and
23 completely sensitive to the challenges that we're
24 facing in the branch. We are prioritizing the
25 concerns of the bar in all of our divisions: civil,
26 family, criminal, and juvenile. And we have
27 already commenced contingency planning to determine

1 alternate ways that we might be able to address
2 pressing concerns of the bar. I've given my
3 assurance to Monty as the primary point person for
4 the organized bar that we will do so.

5 We're sensitive to the concerns of the
6 organized bar, as we are sensitive to the needs of
7 the self-represented individuals who require access
8 to justice and access to the courts. That is
9 precisely why we need you to enact these emergency
10 rule changes now, so we can pursue alternate ways
11 of getting our work done and continuing to insure
12 access to justice, however limited that may be
13 under these unique circumstances.

14 So I'm asking you: Let's get this done and
15 let's get it done quickly. I can't be clearer. I
16 need your help. Thank you.

17 JUSTICE McDONALD: Thank you, Judge Carroll.
18 What I would like to do -- and unfortunately
19 because of the -- of a phone conference meeting, we
20 can't be as -- as dynamic as we normally are when
21 we meet in person, so I need a little more
22 structure today in this conference call. What I
23 would like to do is have each of the chief
24 administrative judges explain the relevant sections
25 of the master document that has been distributed.
26 And then, once they have each explained their
27 respective section, I will ask the members of the

1 rule committee in alphabetical order if they have
2 any questions of any of the administrative judges,
3 the chief administrative judges.

4 So as you are hearing the explanations from
5 the chief administrative judge for a particular
6 section, please take contemporaneous notes about
7 any significant questions that need to be addressed
8 to one of the chief administrative judges at the
9 end of the presentation.

10 After those -- any questions are asked and
11 answered, we will then go through an alphabetical
12 sequence of comments from members of the -- of the
13 rules committee before moving on to a motion for
14 approval.

15 In addition to the master document that has
16 been sent around, we have additionally distributed
17 some proposed changes to the interactive aspects of
18 the *Practice Book* for voice meetings. And I think
19 everybody should have the current version of
20 that.

21 Finally and most recently, we distributed -- I
22 distributed a few minutes ago to each member of the
23 committee a proposed change that would allow for,
24 frankly, a safety valve in case any of the changes
25 that are being considered in the master document
26 need to be adjusted in the field in ways that we
27 could not contemplate in a master-level analysis.

1 And hopefully everybody has had that as well.

2 So with that sort of as the framework, I would
3 ask that Judge Abrams from the civil division first
4 frame the changes in the master document that
5 support -- that pertain to the civil section.

6 JUDGE ABRAMS: Very well. Thank you.

7 Section 3.2, time to file appearances: As
8 you're probably aware, appearances have to be filed
9 within two days of return date; otherwise, a motion
10 for default for failure to appear can be filed.
11 We're looking to suspend this requirement since
12 we're not entering default orders at this time.

13 Notice -- Section 4.5 -- 4-5e, notice to
14 require correct parties temporary injunction order
15 declared 30 days after the issuance if there isn't
16 a hearing and factual finding, we're looking --
17 we're asking that this be -- this be suspended.

18 6.1c, this is a very narrow exception. It's
19 when you get a 14. -- 14-3 dismissal for lack of
20 diligence. Parties have to file briefs within 20
21 days. And the court has -- has to issue a decision
22 within 20 days. We're asking that that be
23 suspended.

24 The next is Section 11-14. This section
25 requires that short calendar be held once a month.
26 That may not be possible unfortunately.

27 Section 11-19a, time limits. This is the

1 120-day rule. The governor suspended the rule,
2 which is a statute, 120 days after a trial, of the
3 *Practice Book*. This applies to short calendar.
4 Basically we're looking -- asking that that be
5 suspended.

6 11-20a, sealings of files. There are
7 limits -- when someone asks that a file be sealed,
8 have to give them short calendar in 15 days. We're
9 asking that that be suspended.

10 17-30a and b, summary process; a requires that
11 the tenants appear within two days of the return
12 date; b, if defendant fails to plead within two
13 days, judgment of possession shall enter. All
14 summary process matters at this point are frozen.
15 We're asking that that -- those deadlines be
16 suspended.

17 23-20, review of civil contempt. You have to
18 have a hearing if somebody's in prison for civil
19 contempt within 30 days. That may not be possible.

20 Scheduling a hearing, 24-15a. Small claims
21 hearings have to be held between 6 and 45 days from
22 the answer date. Small claims section be
23 suspended.

24 And I think that's it for me.

25 JUDGE CARROLL: Hello.

26 MALE SPEAKER: Hello.

27 JUDGE CARROLL: Is everyone on?

1 MALE SPEAKER: Hello.

2 FEMALE SPEAKER: Yep. Hello.

3 FEMALE SPEAKER: Still here.

4 MALE SPEAKER: I'm still here.

5 JUDGE CARROLL: All right. It appears that we
6 might have lost Justice McDonald. I'm going to
7 text him now.

8 MALE SPEAKER: Okay.

9 JUSTICE McDONALD: Hello.

10 JUDGE CARROLL: Andrew, are you there?

11 JUSTICE McDONALD: Yeah. I don't know what
12 happened.

13 JUDGE CARROLL: Okay. All right.

14 JUSTICE McDONALD: Okay. So did anybody --
15 okay.

16 So after Judge Abrams, we have Judge Albis.
17 Is Judge Albis on the phone?

18 JUDGE ALBIS: Yes, I am.

19 JUSTICE McDONALD: All right.

20 JUDGE ALBIS: Can you hear me all right?

21 JUSTICE McDONALD: Yes. I think we're all
22 back.

23 So the one thing I would ask is if you are
24 speaking, please try to do it on a phone, not on a
25 speakerphone. If that's not an option, please
26 speak very close to the speakerphone so that we can
27 hear you clearly.

1 Judge Albis.

2 JUDGE ALBIS: Good morning, everyone. We --
3 some of the sections that Judge Abrams talked about
4 would also apply to family. And I would support
5 those changes for purposes of family as well.

6 In terms of specifically family matters, in
7 both custody and visitation actions there are rules
8 that require a hearing within 30 days of filing.
9 And when someone files one of those actions, the
10 clerk has to assign that date so that papers can be
11 served. It's just not realistic at this point to
12 assume that we'll be able to have a hearing within
13 30 days. So we'd like to be able to assign dates
14 that are further out so that people can still file
15 these actions and make service. If we have to
16 change the dates again later, we -- we can. But we
17 don't want to start out with a date that we know is
18 not likely to work.

19 Section 20 -- and that's -- the first two
20 sections, 25-3 and 25-4.

21 25-17 requires motions to strike, which rarely
22 come up in family, be placed on a short calendar
23 within 15 days. And it was not likely we could do
24 that if someone were to file such a motion.

25 Similarly a motion to seal under 25-59a is
26 supposed to be put on the short calendar within 15
27 days, which also is not likely to be possible. In

1 the family support magistrate matters, many of
2 these rules really apply more to filing
3 requirements of the parties to discovery, the
4 filing of appearances promptly, including by
5 support enforcement services, which they may not be
6 able to do in these cases.

7 The one that I would just point out that's
8 more a requirement of the court that we've had
9 difficulty meeting is 25-17, requiring a hearing
10 within 30 days on a motion to open a judgment of
11 paternity, which, not being a priority matter, may
12 not happen within 30 days. So the magistrate court
13 would benefit from the ability to set a date that
14 was beyond the 30 days.

15 The rest really involve discovery issues and
16 time lines. And I won't take the time to go
17 through each one of those. To me those aren't as
18 critical as the time limits that apply to the
19 courts themselves. But I think it's useful to
20 include them.

21 JUSTICE McDONALD: Thank you very much. I
22 believe Judge Conway for juvenile is next.

23 JUDGE CONWAY: Yes. Good morning, everyone.
24 All right.

25 In terms of juvenile, the first one is the
26 *Practice Book* Section 30-7, the place of detention
27 hearing. As you all know, we've gone from eleven

1 juvenile courthouses to two, one in Hartford, one
2 in Bridgeport. So we need the ability to suspend
3 that rule so that the cases can be processed in
4 only those two courts.

5 In terms of continuance advancements, it's the
6 same situation that exists in civil and family
7 that's already been articulated, so I won't --
8 they're not -- the cases that are not -- the only
9 Priority 1 cases now in juvenile court are orders
10 of temporary custody. And so nonPriority 1 cases
11 are not being processed or assigned court dates.
12 So we need those extended.

13 In terms of termination of parental rights
14 petitions, they are not Priority 1 cases any
15 longer. And so we need the rule suspended as to
16 them.

17 And in terms of Section 35a-12b, c, and e
18 regarding protective supervision conditions,
19 modifications, the *Practice Book* requires that
20 there be an in-court review at least 30 days prior
21 to the expiration of an order for protective
22 supervision. Those hearings are not occurring so
23 we need that rule suspended.

24 And we need 35a-14c, f, and h suspended. And
25 those involve children that are committed into the
26 care and custody of DCF who would normally have to
27 have a permanency plan hearing within -- scheduled

1 every nine months for a finding -- for an approval
2 of the permanency plan every twelve months. Those
3 are not Priority 1 cases, so we need that rule
4 suspended.

5 I think that's about it.

6 And the appeal -- I'm sorry. 35a-21a and c,
7 all appeals involving child protection matters, the
8 only appealable issues at this point would be the
9 Priority 1 cases, which would be OTCs and -- we're
10 looking to have the rule suspended on all other
11 child protection matters.

12 JUSTICE McDONALD: Thank you. Judge
13 Alexander.

14 JUDGE ALEXANDER: Thank you for taking up the
15 considerations. So these are criminal matters. We
16 are a completely paper filing system. And because
17 the GAs have -- they're closed, in many districts
18 we don't have access to the building. And many of
19 our filings come in by way of fax, especially from
20 the Department of Corrections regarding things such
21 as speedy trial motions.

22 I'm asking the committee to suspend these
23 rules because, in my opinion, it's absolutely
24 necessary. We're continuing to do priority
25 business of lock up arraignments and all domestic
26 violence arraignments. However, the health crisis
27 has really taken a toll on our ability to have all

1 the defendants necessarily appear before -- honor
2 that court date.

3 We also have been expending a tremendous
4 amount of time trying to reschedule the thousands
5 of cases that are not considered priority cases
6 before us. So with that I'm asking that the
7 arrangement rule, 37-1, be suspended again to allow
8 flexibility in the presentment of a defendant, as
9 well 37-12 for any defendant in custody for the
10 probable cause finding, which are still taking
11 place; if circumstances require that that rule be
12 suspended, we could do it in the most limited
13 manner so as to address any concerns for a probable
14 cause determination.

15 As it relates to a pretrial release in 38-6,
16 again, we are seeing all domestic arraignments.
17 But we are asking for the flexibility to
18 appropriately schedule these cases beyond the 14
19 days in order to keep our dockets manageable.

20 Similarly with respect to our detention
21 reviews, those are to be scheduled within 45 days
22 for felonies and 30 days for misdemeanors and B
23 felonies. And I would request that that rule be
24 removed.

25 And would put in the caveat that we are still
26 taking motions. And if anything is filed in a
27 criminal court that needs to be heard expeditiously

1 if it relates to someone not being able to be
2 released from corrections, we are sensitive to
3 that. But I still believe for the vast majority of
4 cases, the suspension of this rule is required.

5 As it relates to the discovery rules in
6 subsection -- or Chapter 40, virtually all of them
7 have 45-day or 20-day requirements. Because of --
8 these are not considered priority business at the
9 time -- at this time, I would ask that those rules
10 in Chapter 40 be suspended.

11 With respect to the trial procedure, again,
12 all of those trial procedure rules would need to be
13 suspended because they have mandatory requirements
14 of 5 days. As it relates to the sealing and
15 limiting of disclosure of documents, that is
16 necessary because it is very difficult to put out
17 the notice to allow for the appropriate hearing to
18 take place.

19 As it relates to the sentence review
20 applications, again, those are things that we would
21 generally receive by way of fax or mail. And
22 because we don't have access to many of our
23 courthouses, I would ask that that rule be
24 suspended as well.

25 Finally with respect to our speedy trial
26 limitations, that would be consistent with the
27 governor's order. And, again, we are very aware

1 that as soon as we are able to schedule trials,
2 we'll do so as expeditiously as possible. But at
3 this time, there are no jurors being summoned to
4 court in any way.

5 The final rules which are found in 40 --
6 Chapter 44 also have very stringent limitations
7 about the court assigning dates within two weeks.
8 Based on the volume of cases that we have, our
9 priority is to put the noncustody cases out further
10 than the two weeks in order to allow us, when it's
11 time to start rehearing all matters, give the
12 custody cases priority. So I would ask for the
13 suspension of these rules.

14 Judge Cradle brought something to my attention
15 this morning. And I would move the committee to
16 add it as a suspension of a rule, which is 38-21,
17 which requires a bondsmen to bring in a person
18 within six months of the issuance of the rearrest.
19 She has indicated that in New Haven, the bondsmen
20 are now out rushing to in fact comply with that
21 rule and thereby increasing our dockets simply so
22 that they will not forfeit the bonds. At this time
23 I would ask that that rule be suspended so that if
24 it is a low-level failure to appear and we are not
25 bringing those individuals into custody simply
26 because of expiration of the bond forfeiture. So I
27 would ask the committee to add 38-21 as one of the

1 proposals. Thank you.

2 JUSTICE McDONALD: Well, the good news is that
3 you are a member of the committee as well as is
4 Judge Cradle. And we will take that up when we
5 actually move the -- move the entire package.

6 JUDGE ALEXANDER: All right. Thank you.

7 JUSTICE McDONALD: Yep. So the next part of
8 the meeting will be for questions from members of
9 the committee. And we will ask each member in
10 alphabetical order to propose any questions to the
11 chief administrative judges who have just made
12 their presentations.

13 So we'll begin with Judge Abrey-Wetstone.

14 JUDGE ABREY-WETSTONE: This question is for
15 Mike Albis.

16 How are these rules going to be disseminated
17 to the attorneys?

18 JUDGE ALBIS: I can talk about that with the
19 administration. I know they have established the
20 line of communication with Attorney Frank's help.
21 But if there are other steps we should take to
22 disseminate this both to the attorneys and to the
23 public, maybe through use of the website, we'll
24 certainly do that.

25 JUSTICE McDONALD: Yeah. I was going to
26 address that at the end. I believe Melissa Farley
27 will be posting whatever we do on the website of

1 the branch along with an audio file of this
2 meeting. And it will be published -- or sent out
3 in press releases to the members of the media.

4 JUDGE ABREY-WETSTONE: Thank you.

5 MR. DEL CIAMPO: This is Joe Del Ciampo. We
6 will post minutes and we'll post the decisions that
7 you make today of the rules committee as is
8 normal.

9 JUSTICE McDONALD: Okay. Anything else, Judge
10 Abrey-Wetstone?

11 JUDGE ABREY-WETSTONE: No.

12 THE COURT: Okay. Judge Alexander, do you
13 have any questions for any of the other chief
14 administrative judges?

15 JUDGE ALEXANDER: I do not.

16 JUSTICE McDONALD: Thank you. Judge Bellis?

17 JUDGE BELLIS: I have no questions. Thank you
18 to everyone for all the hard work that went into
19 this.

20 THE COURT: Thank you. Judge Cobb?

21 JUDGE COBB: Yes. This is Judge Cobb. Thank
22 you all so much for all of your hard work.

23 I have a question for -- two questions,
24 actually, for Judge Abrams.

25 One is a more general question because there
26 are so many rules in civil that have time
27 deadlines. So, for example, Chapter 10, there is

1 no suspension of any time deadlines. Now, those
2 deadlines normally are directed at the attorneys as
3 opposed to the court. And I'm wondering whether
4 there was a decision made not to include those time
5 deadlines for some reason?

6 JUDGE ABRAMS: Yeah. We're only concentrating
7 on the court at this point.

8 JUDGE COBB: Okay.

9 JUDGE ABRAMS: And the attorneys -- that --
10 that was sort of the overarching decision was court
11 deadlines. Maybe down the road that's something
12 we'll deal with. But in order -- we're just
13 looking to maintain the greatest amount of
14 flexibility possible within the court systems so
15 that -- because, you know, everything's
16 unanticipated. We have no -- we don't know what
17 we're going to face in 30 minutes. So that was at
18 this point we concentrated on the court -- on the
19 deadlines imposed on the court.

20 JUDGE COBB: Okay. All right. Thank you.
21 And also there's nothing on unemployment appeals.
22 And I was just -- I mean, obviously unemployment
23 appeals are skyrocketing. And I'm not sure how
24 those are going to be handled, because there are
25 time deadlines there as well.

26 JUDGE ABRAMS: All right. Well, we'll take --
27 we'll take a look at that as they skyrocket.

1 JUDGE COBB: Okay. All right.

2 JUDGE ABRAMS: And we can always deal with
3 that.

4 JUDGE COBB: Okay. Thank you.

5 JUDGE ABRAMS: Thank you.

6 JUSTICE McDONALD: Thank you, Judge Cobb. And
7 that brings up a point. This probably is not going
8 to be the only emergency meeting we need of the
9 rules committee. The administration is taking a
10 big chunk of it in this step. But I would
11 anticipate we'll have additional problems that are
12 going to present themselves in the near future.

13 Judge Cradle?

14 JUDGE CRADLE: I also want to thank everyone
15 for their efforts. I have no questions.

16 JUSTICE McDONALD: Thank you. Judge Heller.

17 JUDGE HELLER: Thank you. I have no
18 questions. And I want to echo everybody else and
19 thank you for all their hard work.

20 JUSTICE McDONALD: Thank you. Judge Stevens?

21 JUDGE STEVENS: Yes. Had the similar question
22 pressed along the lines of Judge Cobb regarding the
23 time limitations, both under Chapter 10 concerning
24 pleadings and Chapter 13 regarding discovery. But
25 I think what Judge Abrams has said has addressed my
26 questions. Thank you.

27 JUSTICE McDONALD: Thank you. Judge Truglia.

1 JUDGE TRUGLIA: Yes. I think everyone covered
2 it very, very well. No questions. Thank you for
3 your work. I appreciate it.

4 THE COURT: Thank you. Is there any further
5 questions for the chief administrative judges on
6 this first master proposal? Hearing none, I want
7 to actually then move on to a vote on this item so
8 that we can move to the -- to the next issue.

9 But first I will accept an amendment by Judge
10 Alexander relating to *Practice Book* Section 38-21.

11 JUDGE ALEXANDER: Thank you.

12 JUSTICE McDONALD: And that is -- that motion
13 was to suspend the time requirements of 38-21
14 related to bondsmen. Correct?

15 JUDGE ALEXANDER: Yes.

16 JUSTICE McDONALD: Is there a second?

17 FEMALE SPEAKER: Second.

18 FEMALE SPEAKER: Second.

19 JUDGE COBB: Second. Judge Cobb.

20 JUSTICE McDONALD: Well, Judge Cobb used her
21 name, so she will be the second on that amendment.

22 Is there any discussion on the amendment?
23 Hearing no discussion, all in favor say aye.

24 (ALL RESPOND IN THE AFFIRMATIVE.)

25 JUSTICE McDONALD: Opposed say no. That
26 amendment passes unanimously.

27 Next we will take up the master proposal as

1 discussed as amended. Is there a motion for
2 approval?

3 JUDGE BELLIS: Judge Bellis. So moved.

4 JUDGE CRADLE: Second. Cradle.

5 JUSTICE McDONALD: It's been moved by Judge
6 Bellis and seconded by Judge Cradle.

7 Is there any discussion?

8 Hearing no discussion, all in favor say aye.

9 (ALL RESPOND IN THE AFFIRMATIVE.)

10 JUSTICE McDONALD: Any opposed? That passes
11 unanimously. Thank you very much.

12 The next item we are going to take up is the
13 IAC issue. And this is the language that I sent
14 you, all of the members of the committee, at 9:36
15 this morning. It relates to *Practice Book* Section
16 23-68 and Section 44-10a. I don't know if any --
17 any members of the committee need any additional
18 information from any of the other participants in
19 this call. But if so, make yourself known at this
20 point.

21 Okay. If there's no discussion -- if there's
22 no needed information, is there a motion to approve
23 the language changes for the suspension of 23-68,
24 the suspension of 44-10a as distributed?

25 JUDGE COBB: Judge Cobb --

26 JUDGE ALBIS: Justice McDonald, I'm sorry to
27 interrupt. This is Mike Albis. I just have a

1 question if I could ask it?

2 THE COURT: Sure.

3 JUDGE ALBIS: I just want to confirm that the
4 intent of the rule refers to civil is to include
5 family matters. Because 23-68a mentioned them
6 separately, civil matters or family matters. And
7 as I read it, the amendment mentioned civil. And I
8 believe the intent was to include family. I just
9 want to confirm that.

10 THE COURT: Yep. My understanding from Judge
11 Bozzuto is that 23-68 includes both family and --
12 and family magistrate. Correct.

13 JUDGE ALBIS: Okay. Thank you.

14 JUSTICE McDONALD: Okay. Is there -- I'm
15 sorry. Is there a motion for approval?

16 JUDGE COBB: So moved, Judge Cobb.

17 JUSTICE McDONALD: Judge Cobb.

18 JUDGE HELLER: Second Judge Heller.

19 JUSTICE McDONALD: Judge Cobb -- moved by
20 Judge Cobb, moved -- seconded by Judge Heller. Is
21 there any discussion?

22 If there's no discussion, all in favor say
23 aye.

24 (ALL RESPOND IN THE AFFIRMATIVE.)

25 JUSTICE McDONALD: Opposed say no. That
26 passes unanimously.

27 MR. DEL CIAMPO: Your Honor, this is Joe Del

1 Ciampo. Do you want that -- was that approved by
2 amending it to include family or at least you can
3 clarify that family was included?

4 JUSTICE McDONALD: Yes.

5 MR. DEL CIAMPO: Okay.

6 JUSTICE McDONALD: Yes.

7 MR. DEL CIAMPO: Thank you.

8 JUDGE ALBIS: Thank you very much.

9 JUSTICE McDONALD: And then finally I
10 distributed -- that's it. I distributed a final
11 e-mail to each of you at 9:50 relating to some
12 additional -- essentially a new rule, ad hoc rule
13 that we would be adopting for the purposes of this
14 emergency. That -- let me just explain the theory
15 behind it is that by adopting the master proposal,
16 we've adopted a pretty broad spectrum of changes
17 that we think are going to be what we need in this
18 moment.

19 It is not certain that we have contemplated
20 everything that could potentially happen. And this
21 final proposal would allow the chief administrative
22 judge of each division to adapt to the realities in
23 the field in cases or situations that we have not
24 contemplated.

25 So under this proposal, the chief
26 administrative judge would have to try to consult
27 with each of the presiding judges of each judicial

1 district in his or her division to find out any
2 additional problems and, if changes are necessary,
3 would allow the chief administrative judge, subject
4 to the approval of the chief court administrator,
5 to have authority to adjust or suspend any other
6 time or location requirements as needed in the
7 *Practice Book*.

8 It would allow that to happen immediately but
9 the proposal -- or the change, I should say --
10 would have to be submitted to the rules committee.
11 And we would have the ability, if we so chose, to
12 reject that on a prospective basis. But any
13 decisions or changes that have been made on the
14 interim would stand.

15 Is that clear to everybody?

16 JUDGE COBB: Yes. I have a question,
17 though.

18 THE COURT: Yes.

19 JUDGE COBB: It's Judge Cobb.

20 JUSTICE McDONALD: Sure.

21 JUDGE COBB: There were two e-mails on this.
22 And the one that we should be looking at is the one
23 that you sent after Joe?

24 THE COURT: Correct. The big change that I
25 think -- people were moving very quickly to try to
26 get this out.

27 JUDGE COBB: Right.

1 JUSTICE McDONALD: The original said that the
2 chief administrative judge would consult with the
3 administrative judge of each judicial district, not
4 the presiding judge of the appropriate division.
5 So that is the main change.

6 JUDGE COBB: So this -- and that's the one
7 that came to us at 9:50? Correct.

8 JUSTICE McDONALD: Correct.

9 JUDGE COBB: From you?

10 JUSTICE McDONALD: Correct.

11 JUDGE COBB: Okay. Thank you.

12 JUSTICE McDONALD: Is there any other
13 questions or discussions about that?

14 If not, is there a motion for approval?

15 JUDGE COBB: So moved. Judge Cobb.

16 JUSTICE McDONALD: Is there a second?

17 JUDGE ABREY-WETSTONE: Second.

18 Abrey-Wetstone.

19 JUSTICE McDONALD: Is there any discussion?

20 Hearing no discussion, all in favor say aye.

21 (ALL RESPOND IN THE AFFIRMATIVE.)

22 JUSTICE McDONALD: Opposed say no. That
23 passes unanimously.

24 And I believe that was the extent of what we
25 needed to cover today. As I indicated, Melissa
26 Farley will take the lead to have immediate
27 dissemination of the items that we have approved on

1 the website and most likely in a press release.
2 And additionally we have Attorney Frank who will be
3 able to support this by distributing it to the
4 Connecticut Bar Association and Attorney Slater.

5 Finally, Joe will, as appropriate, publish
6 these changes under our emergency authority in the
7 *Connecticut Law Journal*.

8 Is there anything else that we need to address
9 today?

10 MR. DEL CIAMPO: This is Joe again. I just
11 want to make sure is Attorney Slater is actually on
12 the line?

13 ATTY. SLATER: Yes. Hi. This is Paul Slater.
14 I appreciate being allowed to be on the call. I
15 think I had my phone muted I think when I
16 identified myself earlier. I apologize for that.
17 But I have been on the call.

18 MR. DEL CIAMPO: Thank you.

19 JUSTICE McDONALD: Okay. Thank you. Is there
20 anything else?

21 Again, everybody I appreciate your promptness,
22 your diligence, and your extraordinary effort at
23 this extraordinary time. So if there's nothing
24 else, then I will accept a motion to adjourn.

25 JUDGE BELLIS: So moved. Judge Bellis.

26 JUDGE ALEXANDER: Second. Alexander.

27 JUSTICE McDONALD: Okay. All in favor say

1 aye.

2 (ALL RESPOND IN THE AFFIRMATIVE.)

3 JUSTICE McDONALD: Opposed say no. That
4 passes unanimously. Thank you, everyone. And stay
5 safe.

6 (WHEREUPON THE MEETING IS ADJOURNED.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27