

Minutes
Juvenile Access Pilot Program Advisory Board
September 17, 2009 Meeting

Present: Judge Quinn, co-chair, Sarah Eagan, co-chair, Judge Keller, Carolyn Signorelli, Colin Poitras, Christina Ghio, Susan Pearlman, Catherine Holahan (sitting in for Anne Louise Blanchard), Stacey Gerber, Fran Carino, Nancy Porter, Cynthia Cunningham, Deborah Fuller

I. Welcome and Introduction by Co-Chairs:

Judge Quinn welcomed the members and spoke briefly about the competing interests of public interest/child privacy and the Legislative mandate to take a good hard look at these issues. Attorney Eagan spoke briefly about the importance of implementing the pilot program in a respectful and sensitive manner.

II. Introduction of Members

The members and staff introduced themselves.

III. Identification and Discussion of Areas to be Addressed

A. Review of Advisory Board's Charge

J. Quinn began the discussion by reviewing the mandate set out in P.A. 09-194. She stated that the Judicial Branch anticipates having the Pilot Program up and running by January 2010, and that this presents a pretty intense timeframe for implementation. She then invited comments from the members.

Christina Ghio stated that she appreciates the comments of the chairs, and that it would be helpful to have some information that looks at the methodology of the Minnesota study. She mentioned Professor Patton's analysis of that study.

Sarah Eagan stated that the materials in the notebook are preliminary because the chairs didn't want to overwhelm the members with materials, and that there will be a subcommittee that will look at the experience of other states, etc.

J. Quinn added that it is helpful that there are so many materials available from other states. Due to budgetary and time constraints, we will need to use those materials rather than re-invent the wheel.

B. Discussion of Expectations of the Advisory Board

Sarah Eagan posed the question whether the Advisory Board should seek information from other experts and stated that the Board needs input from attorneys. She asked the members if they had ideas about any other experts that the Board should consult with. The following suggestions were made: an expert on the 1st Amendment, input from attorneys who represent

children, a mental health professional, the input of the CT Society of Professional Journalists, and input from the electronic media.

J. Quinn pointed out that current Practice Book Rules prohibit cameras from Family Matters, and therefore Juvenile Matters. Even in Civil matters, you need to get permission of the court to bring a camera in.

Fran Carino asked if the Practice Book needed to be amended to allow the Pilot Program; J. Quinn replied that Rules changes were not necessary for the Pilot Program. She also pointed out that there are significant concerns with allowing electronic media into family cases, and that they are not currently allowed in those cases.

Sue Pearlman brought up the issue of access to records, and J. Keller pointed out that the act keeps the records confidential.

C. Proposed Timetable for Completing Obligations and Issuing Report

Sarah Eagan went through the Board's statutory charge and pointed out that the first thing the Board needs to do is monitor the progress of the Judicial Branch in implementing the Pilot Program. She stated that the Co-Chairs thought the best way to do that would be to form subcommittees, and to set a schedule for them.

IV. Establishments of Subcommittees:

Sarah Eagan – The Overview of Other States' Efforts and Best Practices subcommittee would look at how opening juvenile court is being done in other states. She stated that while there is a lot of dialogue on this issue, there is not a lot of data on how effective these programs are. She also pointed out that the final report of Governor's Commission on Judicial Reform recommended opening juvenile court and adoption of a bill that would create a process similar to what was done in New York in 1998. This is something to be looked at; she suggested getting someone from NY to talk to the Board, to provide feedback on their experience.

A discussion of the importance of getting information from other states and the difficulty of getting the information the Board is seeking – whether open proceedings cause harm to individuals involved in these cases – ensued. It was suggested that members go to observe open courts in other states; however, there is no funding for travel. It was also suggested that the Board get input from several attorneys who are in the trenches each day.

Judge Keller stated her concern that the Pilot Program must comply with the 1st Amendment and posited that “the best interests of the child” may not be sufficient, but that something more like “least restrictive alternative” is required under the 1st A.

A discussion of the importance of seeking information from non-members ensued. Sarah Eagan stated that perhaps non-members should serve on all the subcommittees, not just on this subcommittee. J. Quinn pointed out that it might be hard to get people who would be willing to serve voluntarily. J. Keller suggested consulting the Judicial Media Committee. J. Quinn pointed out that expertise in evaluation and the creation of assessment tools is needed, and asked if members knew of anyone who might be willing to participate without remuneration, since the Board has no budget for its work. It

was suggested that the National Center for State Courts and the National Council of Juvenile and Family Court Judges might be able to help.

Further discussion of the duties of the subcommittees ensued and a decision was made that there should be two, not three, subcommittees, since the charge of the first two proposed subcommittees overlaps considerably. The following Subcommittees were established:

1. Subcommittee 1 – Overview of other State’s Efforts and Development of the Pilot Program – will meet on Tuesday 9/29 at 2:00 at the courthouse in Middletown, and will meet again on 10/13 at 1:00.
The following members volunteered to serve on this subcommittee: Colin Poitras, Christina Ghio, Sue Pearlman, Judge Keller, Judge Quinn, Sarah Eagan, Ann Louise Blanchard, Stacey Gerber
2. Evaluation/Assessment of the Pilot Program Subcommittee Meeting – will meet on Tues. October 13 at 3:00
The following members volunteered to serve on this subcommittee:
Carolyn Signorelli, Colin Poitras, Christina Ghio, J. Keller, J. Quinn, Sarah Eagan, Stacey Gerber

Sarah Eagan brought up another issue – that of getting the word out about the Pilot Program, and asked the Advisory Board to think about how to publicize the program. J. Quinn stated that the Judicial Branch would use its normal outlets for publicity, including the website and other methods; Christina Ghio said that DCF may also be able to publicize it among their clients, and Stacey Gerber agreed that DCF should play a role and could add information to the notices they send out. Sarah Eagan mentioned notifying the appropriate DCF Advisory Boards.

V. Establishment of Schedule of Meetings:

The next full meeting of the Advisory Board was scheduled for Thursday, October 29 at 2:00; location to be determined.

VI. Adjournment

The meeting was adjourned at approximately 3:55.