

Draft Minutes
Committee on Expectations of the Public
April 7, 2009

The Public Service and Trust Commission Committee on Expectations of the Public met Superior Court Operations, 225 Spring St., Wethersfield, CT in Room 4 B on April 7, 2009.

Those in attendance: Hon. James Abrams (co-chair), Hon. Robert Beach (co-chair), Atty. Cynthia Cunningham, Atty. Regina Dowling, Hon. Mark Gould, Mr. Joseph Greelish, Atty. Stacey Manware, Atty. Peter McShane, Hon. Robin Pavia, Atty. Brandon Pelegano, Hon. Richard Rittenband, Mr. Frank Rizzo, Mr. Christopher Roy, Hon. Kenneth Shluger, Atty. Roy Smith, and Hon. Dawne Westbrook.

The meeting was called to order at 2:37 PM. Judge Beach welcomed the members of the committee. Mr. Chris Kennedy, a member of the public in attendance, provided a handout that he asked to share with the committee members. Because this meeting was not a public hearing, the committee was asked if there were objections to the circulation of the handout to the committee. No objections were made and the handout was provided to the members of the committee.

1. Review and Approval of the Minutes of November 19, 2008 – Upon motion and second, the minutes of the meeting of November 19, 2008 were approved unanimously.
2. Reports from subcommittees – The committee formed five subcommittees, which met and developed proposed recommendations. Each subcommittee chair or designee will report on the highlights of the subcommittee's report, which has been provided to committee members.

Criminal and Motor Vehicle matters – Judge Pavia (subcommittee chair) reported that the subcommittee had met several times and had decided to focus on materials that would be of assistance to the public in dealing with infractions, which is the area where many self-represented people find themselves. The subcommittee developed a tri-fold brochure that incorporates questions that people seem to have, including appeals and payment options. The subcommittee also wanted to direct people to the website for further information so the links in the brochure are directly to traffic infraction information. The subcommittee also suggested making this information accessible in places other than courthouses, including police departments and libraries.

Housing – Judge Bentivegna, the chair of the subcommittee was not able to attend this meeting and asked Judge Beach to report to the committee. The subcommittee reviewed materials available and came up with three additional products to provide information for both tenants and landlords on what would happen on the day of a hearing, including a tri-fold brochure that would be disseminated in court and at other locations, a "Dear Litigants" letter that could be sent with the notice of hearing, and a draft advisement/greeting that could be read by the clerk or the judge at the opening of court. The subcommittee also proposed adding language to the hearing notice to emphasize to people the importance of coming to court on the date of the hearing.

Juvenile – Judge Gould (chair) reported that subcommittee tried to provide information to the public that would make a stressful situation a little easier for them. The subcommittee looked at the materials currently available and determined that more guidance should be provided. It prepared drafts of frequently asked questions for common topics, including emancipation and obtaining records. These drafts are a beginning and materials should be drafted and provided to the public at court and online on additional topics. The subcommittee also suggested that providing bus schedule information to the public at the court could be helpful to a population that relies on public transportation.

SES/Family – Judge Shluger (chair) reported that the subcommittee had developed recommendations in several areas. The subcommittee recommends improvements to the website in the support enforcement and family area, including expanding the information provided, making it easier to locate that information, and reviewing existing materials and making them more user-friendly with respect to readability. It also recommends updating and revising existing publications, including the divorce guide. These existing materials are helpful but do need to be updated. The subcommittee also recommends developing a video that would play on a continuous loop in the courthouse that could incorporate the written materials and provide the public with information that they would need to make the process more efficient. The recommendation on making of a video would be referred to the committee addressing the needs of self-represented parties.

Small claims matters – Atty. Manware (chair) reported that the Bench-Bar Centralized Small Claims Committee had already done a great deal of work on the available small claims materials so this subcommittee focused on two specific areas: communicating information about a hearing to parties and providing additional postjudgment information to parties. The subcommittee is recommending that the hearing notice be revised to make it easier to understand and to let parties know the importance of attending the hearing. Directions on these letters were also revised in some cases. On the postjudgment side, the subcommittee is recommending that material be sent out with a judgment to let self-represented parties know the effect of a judgment, the options they have to collect money, and the potential impact of a bank or wage execution. Drafts of materials for both plaintiffs and defendants were developed. The subcommittee has also recommended that a form to help a defendant request a satisfaction of judgment should be developed. Although the rules require a party to file a satisfaction of judgment with the court, that document is not always filed, leaving a defendant struggling to obtain it. The subcommittee also developed a tri-fold brochure with information on what happens at a small claims hearing.

3. Discussion of reports and discussion of the recommendations – General comments were made regarding the application of plain language and readability principles to branch forms and publications. Making language of publications understandable is less about achieving a specific grade level than it is about achieving clarity and accuracy in language that is understandable for the large percentage of court users. This type of language should also be reflected in any translations.

The committee decided to discuss both the reports and the recommendations as a single item. After discussion, the committee decided to prepare a single report containing the recommendations of each of the five subcommittees that would then be provided to the chief court administrator. The co-chairs and the chairs of the subcommittees will meet to prepare a report, which will then be distributed to the full committee for comment.

Discussion ensued on the development of a statement of rights and responsibilities for those who use the courts, including a statement of who to contact if something is not handled appropriately. People who are interested in working on this subcommittee may contact Judge Beach or staff within the next few days.

A motion to accept the subcommittee reports and recommendations was made by Judge Abrams and seconded by Judge Westbrook. The committee then voted unanimously to accept the reports and recommendations.

4. Future meetings – This item was originally fifth on the agenda, but because the third and fourth items were handled together, it became the fourth agenda item. Judge Beach thanked the committee members and staff for their efforts and stated that this process was an ongoing one, so that suggestions for future activities would be welcome.

Upon motion and second, the meeting was adjourned at 3:43 PM.