

Minutes  
Public Service and Trust Commission  
January 29, 2009

Those in attendance: Hon. Alexandra DiPentima (Chair), Magistrate Sandra Sosnoff Baird, Hon. Robert E. Beach, Jr., Ms. Elizabeth Bickley, Hon. John D. Boland, Hon. Patrick L. Carroll, III, Atty. Joseph D. D'Alesio, Hon. Nina F. Elgo, Atty. Melissa Farley, Hon. James T. Graham, Atty. Norman K. Janes, Atty. Kevin T. Kane, Hon. Joette Katz, Ms. Caren Kittredge, Hon. Douglas C. Mintz, Atty. Joseph Mirrione, Atty. William H. Prout, Jr., Hon. Barbara M. Quinn, Hon. Kevin A. Randolph, Hon. William B. Rush, Atty. Michael T. Ryan, Hon. Joseph Shortall, Mr. Thomas A. Siconolfi, Atty. Carolyn Signorelli, Hon. Mary E. Sommer, Atty. Susan O. Storey, Hon. Hillary B. Strackbein, Atty. Frederic Ury, Atty. Dawne G. Westbrook, and Atty. Jennifer Zito.

Judge DiPentima called the meeting to order at 3:15 PM and introduced Chief Justice Rogers.

1. Welcoming Remarks - Chief Justice Rogers welcomed the members of the Commission and expressed appreciation for the work that is being done by the commission members, implementation committees, chairs, co-chairs and staff in turning the five goals of the strategic plan into a reality. The implementation of the plan is even more important in the face of the current budgetary issues, and the process will continue. Changes that have already been made have made a big difference and these changes will continue despite budget cuts.
2. Overview of the Development of the Implementation Process – Judge DiPentima provided the overview of the implementation process. Beginning immediately after the Chief Justice approved the plan, the chief court administrator and deputy chief court administrator were directed to begin the implementation. Developing the plan began with a comprehensive review of the thousands of issues raised in the focus groups. This review resulted in the creation of thirty-six initiatives. Based upon recurring themes in the focus groups, the breadth and impact of the initiative and the need to allocate the Branch's finite resources, the decision was made to include twenty-nine initiatives in the first phase of the implementation process. These twenty-nine initiatives are well under way. Over 100 judges, 150 attorneys, and five family support magistrates are involved in the implementation process with the assistance of the superlative support staff. In addition to recognizing and thanking the support staff in attendance, Judge DiPentima acknowledged the presence of CAJ Family Lynda Munro, Judge Pellegrino and Judge Eveleigh – all of whom are integrally involved in the implementation process.
3. Status of Initiatives – Judge Quinn and Judge Carroll then provided a brief summary of the work being done by committees on initiatives included in the first phase of the implementation plan, with the exception of the initiatives that will be discussed by the chairs and co-chairs of the committees listed in the fourth item on the agenda. Accomplishments of these committees include: identifying and training ADA contact people in court facilities, providing wheelchair access information on the Branch website, identifying the languages for which assistance is most frequently requested; reviewing over 800 Branch forms to eliminate or reduce requests for personal identifying information, submitting a rule on personal identifying information for action by the Rules Committee, reviewing existing recruitment methods to ensure that the Branch reaches a broad spectrum of applicants, revising the criteria and application for the Complex Litigation Docket, revising the Practice Book to establish uniform discovery procedures in criminal matters, establishing an Immigration work group to explore Branch interactions with Immigrations and Customs Enforcement, reviewing existing Practice Book rules to identify those that should be applicable to Family Support Magistrate court, proposing several revisions to the Practice Book to streamline the small claims process, evaluating existing technology infrastructure and identify necessary upgrades and necessary new infrastructure needed over the next three years, conducting focus groups to identify

specific areas where uniformity of court procedures and practices negatively impact members of the bar and legal support staff; identifying and addressing issues that impact the Office of the Attorney General; initiating an ongoing program of meetings between chief clerks and attorneys in each district to foster communication by providing a regular forum for the exchange of ideas and information; working with the chair of the Standing Committee on Professionalism of the Connecticut Bar to develop a program for the judges on civility in the courtroom; and preparing a preliminary draft of a four-phase Public Service Excellence program for the Branch. Much has been accomplished and more will be coming in the next few months as the committees continue their work.

4. Reports from Specific Committees – The chairs and co-chairs of eight committees reported out on the work that has been accomplished to date.
  - Alternative to Court Appearances - Judge Solomon (chair) reviewed work of this committee, whose mission is to examine the expansion of the use of video to increase efficiency and accessibility of courts. The committee has formed four subcommittees: purposes – to identify realistic potential uses given the nature of our courts; technology – to focus on current technology and what needs would be as videoconferencing expands; cost-benefits – to identify the monetary and nonmonetary costs and benefits of this technology; and statutes and rules – to review and make recommendations on Practice Book rules and statutes as they relate to video and teleconferencing. The vision of the committee is to make recommendations that are large in scale but will be phased in gradually, probably beginning with teleconferencing changes and moving into more videoconferencing. The projected completion date is April 30, 2009.
  - Court Security – Judge Carroll, who co-chairs this committee with Judge White, briefly reviewed the work of this committee, which has been charged with two overarching issues: (1) the security within Judicial Branch facilities and (2) emergency preparedness planning, including both an emergency response plan and a continuity of operations plan. The Committee will examine the issue of courthouse security. A first meeting was held to acquaint the members of the committee with the current state of security in the Branch and to provide an overview of the Branch's emergency preparedness plan. An email has been sent to committee members asking them to identify their priorities for the next meeting, which will be held in late February or early March. This committee is an ongoing one.
  - Expectations of the Public - Judge Beach, who co-chairs this committee with Judge Abrams, briefly reviewed the work of the committee, whose task is to examine ways to define and communicate clear and consistent information to all who interact with the Branch on what to expect in court, including information on court processes and procedures, courtroom decorum, security and public service. Five subcommittees were formed to address the areas of criminal/motor vehicle matters, small claims matters, support enforcement/family matters, juvenile matters and housing matters. To date, members have conducted site visits, reviewed existing materials that are available, and identified areas and specific ways to provide information in the five areas. The committee intends to submit specific plans by April 15, 2009.
  - External Affairs Advisory Board – Judge Eveleigh reviewed the work of this board, which is chaired by Judge Handy. This advisory board was charged with reviewing three of the initiatives contained in the implementation plan: the Speakers' Bureau, the Seniors and the Law program, and the Media Campaign for Public Education. The board has held a focus group of judges and will hold a focus group with educators on February 6, 2009. The board will submit a report by June of 2009, recommending a comprehensive plan to educate the public, including senior citizens,

members of community organizations, students, and members of the general public about the role and function of the Connecticut Judicial Branch.

- Judicial Performance Evaluation Program – Judge Shortall, who co-chairs this committee with Judge DiPentima, provided an overview of the committee's work. The committee comprises nineteen judges, seventeen attorneys and two legislators who are attorneys as well. At the first meeting, the committee was provided information on the existing program and at the second meeting, the committee addressed divided into two groups to discuss the program and discuss issues. The committee has formed four subcommittees: (1) improving the existing system for evaluating trial judges; (2) evaluating judges assigned to high volume courts and presiding judges (may include evaluating family support magistrates); (3) evaluating judge trial referees; and (4) evaluating Supreme Court Justices and Appellate Court judges. Subcommittee meetings will be scheduled in the first and second weeks in February. The committee hopes to have a report by June 2009.
- Jury - Judge Lager, who co-chairs this committee with Judge D'Addabbo, provided a review of its work. The committee will determine whether the Judicial Branch uses best practices, recommend new approaches, and look at what works and does not work throughout the life cycle of a juror. The committee has formed four subcommittees: (1) Before Court Appearance, whose areas of inquiry include reviewing juror publications with the intent of making them easier to understand and read, looking at translating documents, considering developing a permanent Jury Master File, and drafting a publication for members of the military; (2) Arrival, whose key areas include: looking at juror facilities, providing a handout to jurors on the orientation process, and developing a script for judges to use during the orientation; (3) Voir Dire, whose key areas include looking at pre-screening of jurors through use of a written questionnaire, re-using jurors who have been excused during an earlier voir dire panel, protecting the privacy of jurors, and improving juror comfort while awaiting questioning; and (4) Selected Jurors, which will consider more than 30 issues from techniques to actively engage jurors to post-verdict issues. The Committee intends to make concrete and specific best practices recommendations guided by the ABA principles and based on the practices in Connecticut and other jurisdictions. The Committee intends to submit its report by June 1, 2009.
- Self-represented Parties - Judge Norko and Judge Bozzuto, co-chairs of this committee provided a summary of its work to date. The Committee has formed five subcommittees, each responsible for exploring a different facet of the committee's charge. The Forms Subcommittee will be recommending several ways to increase accessibility and usability of forms and literature, including identifying and converting the most commonly used forms to plain language; bundling/grouping forms by subject and action; condensing lengthy how-to guides into tri-fold, bulleted pamphlets, using plain language; providing forms at non-judicial locations; and creating a separate domain name for the location of all Branch forms. The Training Subcommittee has done several tasks, including conducting a survey to identify the most problematic areas for self-represented parties and would benefit most from written or video instructional materials; identifying areas of greatest need as family and family support magistrate spheres, housing, civil, small claims, and foreclosures; and proposing two letters for self-represented people. The Support Services Subcommittee is considering piloting advice days; looking at the creation of dedicated dockets; expanding the court service centers; and increasing the use of mediation as a way to address self-represented parties' issues. The Legal Services Subcommittee is looking at unbundling legal services and considering way to assist with the current lack of funding for legal services caused by the economic situation. The Technology Subcommittee is looking both at the legal services website project and the Court Service Centers and Public Information Desks. The subcommittee

believes that the centers and desks are the gem in the court system and no courthouse should be without one. Whatever technological upgrades the Branch can provide to them should be provided.

- Uniformity of Court Procedures – Judge Mintz and Attorney Fred Ury co-chair this committee, which includes judges, attorneys, legal support staff and court staff. The committee has been formed to examine the practices and procedures in civil, family, housing and juvenile courts statewide and make specific recommendations to increase their uniformity to facilitate practice in multiple jurisdictions for attorneys and support staff. The committee conducted three focus groups, with over fifty people attending from bar groups and paralegal associations, to identify the specific areas where a lack of uniformity of court practices and procedures is a problem to those who interact with the Branch. Various areas were identified and the information will be reviewed by the two subcommittees formed by the committee: Civil (including housing) and Family (including juvenile).

Two questions were asked by commission members. The first was why the Uniformity of Court Procedures Committee was not addressing uniformity with respect to criminal practice. Criminal uniformity issues will be addressed by the Criminal Practice Commission. The second question was whether any committee would be addressing the issues faced by users of courthouses on the criminal side that are incarcerated. These types of issues will also be addressed by the Criminal Practice Commission.

5. Future Meetings – Discussion ensued as to the future role of the commission. Members are to contact Judge DiPentima to indicate their interest in continuing to participate in this process. That continued participation could involve conveying information about the progress of the implementation to constituent groups, looking at what is being done and obtaining input from constituent groups as to whether the goals of the plan are being accomplished, assisting the Branch in tracking the changing environment through conducting focus groups or surveys in order to revise the plan as needed.

The meeting was adjourned at 4:53 PM.