

Minutes
Public Service and Trust Commission
Committee on Self-represented Parties
February 27, 2009

The Public Service and Trust Commission Committee on Self-represented Parties met at 225 Spring Street, Wethersfield, CT in Room 4B on February 27, 2009.

Those in attendance: Hon. Elizabeth A. Bozzuto (co-chair), Hon. Raymond R. Norko (co-chair), Ms. Priscilla Arroyo, Atty. Janice Chiaretto, Hon. Henry S. Cohn, Atty. Anthony DiPentima, Mr. Jeffrey Dowd, Atty. Steven D. Eppler-Einstein, Atty. Timothy S. Fisher, Hon. Stephen F. Frazzini, Ms. Krista Hess, Atty. Daniel B. Horwitch, Atty. Norman K. Janes, Hon. Clarence J. Jones, Atty. Patricia Kaplan, Dean Hugh C. Macgill, Hon. John J. Nazzaro, Family Support Magistrate Christopher F. Oliveira, Hon. Barry C. Pinkus, Atty. Mark D. Shea, Hon. Jonathan E. Silbert, and Hon. Mary E. Sommer.

The meeting was called to order at 2:14 p.m.

1. The committee reviewed and unanimously approved the minutes from the January 23, 2009 meeting.
2. The committee engaged in a status review of all subcommittee recommendations. All members were encouraged to comment and provide suggestions for each other's work.

Judge Bozzuto reported on the recommendations of the Subcommittee on Forms. The subcommittee recommends 1) bundling of forms in all clerk's office and court service center locations, as well as on the Judicial Branch website; 2) creating a separate web domain name for all Judicial Branch forms to provide greater access and make them easier to locate; and 3) converting the most commonly used Judicial Branch forms and publications to plain language, and making the publications accessible in non-judicial facilities.

The committee members commented that the forms, whether electronic or hardcopy, should include prompts or instructions for completing the information required on each form. The committee learned that it is a long-term goal of the Judicial Branch to allow a user to file a form with the court via an Internet connection. The committee unanimously accepted the three recommendations made by the Subcommittee on Forms.

Judge Silbert reported on the recommendations of the Subcommittee on Training. The subcommittee recommends 1) creating a letter to self-represented parties that will encourage parties to seek counsel where practicable, to give them contact information for local legal aid and lawyer referral services, to make them aware of the court's available resources and services while also educating them about the role of the court and some of the restrictions on the court's role; 2) creating a video-taped family support magistrate advisement of rights in English and Spanish that augments the advisement of rights given at the opening of court; 3) creating how-to videos and accompanying written materials to aid self-represented litigants in basic procedures relating to the filing and presenting of

civil and family cases; and 4) expanding training programs and seminars to help judges, as well as court personnel, deal more effectively with self-represented parties.

Committee members engaged in a discussion about the family support magistrate advisement of rights video. It was suggested that the subcommittee remove an aspect of the advisement video that would require the party to sign a statement indicating proof they had watched the video. The committee also suggested piloting the video in a court to assess the noise factor and any other possible distractions while the video is playing. The committee unanimously accepted the four recommendations made by the Subcommittee on Training with the suggestion to eliminate the signed statement indicating proof they had watched the video.

Dean Macgill reported on the recommendations of the Subcommittee on Support Services. The subcommittee recommends 1) creating a pilot program for “Advice Days” in a judicial district family court location on a short calendar or case management day where volunteer attorneys will provide legal advice to self-represented parties in court; 2) piloting dedicated dockets for self-represented parties provided there is adequate staffing for these dockets; and 3) establishing a Court Service Center and/or Public Information Desk in every court location that lacks one now rather than creating a dedicated clerk at the trial and appellate court level or implementing a courthouse greeter program. The subcommittee is in the process of researching and formulating a recommendation for mediation programs for self-represented parties.

The committee members unanimously agreed upon the recommendation to establish a Court Service Center and/or Public Information Desk in every court location that lacks one now. The subcommittee’s research uncovered that there is not sufficient demand at the appellate level to warrant dedicated clerks, and there is simply too much demand at the trial level to designate one self-represented clerk. This need is currently being met by the Court Service Centers and Public Information Desks which are extremely effective and valuable. Accordingly, volunteer courthouse greeters could not give the same level of service and answers the Court Service Centers and Public Information Desks could offer. The committee members provided feedback on the recommendations for advice days and dedicated dockets. These recommendations were referred back to the Subcommittee on Support Services to research further.

Judge Cohn reported on the recommendations of the Subcommittee on Legal Services. The subcommittee recommends 1) establishing a workgroup to design a pilot program for unbundled legal services with a strong evaluation component; and 2) pressing upon the Judicial Branch to do everything it can to fully support funding for legal aid as the reduction in funding for Connecticut’s legal aid network will directly and indirectly impact the Judicial Branch on many levels.

The committee members noted that the Rules Committee will have to write a rule to permit limited appearances in court for attorneys that will participate in unbundled services. They also suggested that the subcommittee’s recommendation include a proposal to pilot the program in family court. The committee unanimously accepted the

two recommendations made by the Subcommittee on Legal Services with the noted modifications.

Judge Norko reported on the recommendations of the Subcommittee on Technology. The subcommittee recommends 1) creating a reciprocal partnership between the Judicial Branch and the legal services network in establishing a web-based system for making legal information available to self-represented parties; 2) forming a Technology Committee that will facilitate the partnership until the completion and implementation of the legal services web project; and 3) equipping all Court Service Centers and Public Information Desks with upgraded technology infrastructure and equipment. The committee unanimously accepted the three recommendations made by the Subcommittee on Technology.

3. Mr. Steve Marhefsky gave a brief presentation on performance measures, which the subcommittees must create for each activity that it is recommending. Each activity that is proposed must be measurable so that outcome indicators will tell how well the recommendation or activity met the stated goal and strategy of the committee.

Goal: To provide effective, uniform and consistent delivery of services by enhancing the management of court practices.

Strategy: Improve the clarity of court procedures and information so that individuals without legal representation may more effectively participate in the court process.

Mr. Marhefsky will meet with each subcommittee over the next month to help develop performance measures for their recommendations.

4. The next meeting of the Committee on Self-represented Parties will be April 24, 2009 at 1:00 p.m. at 225 Spring Street in Wethersfield, CT. The meeting was adjourned at 3:45 p.m.