

Draft Minutes
Public Access Task Force
Implementation Work Group

The Implementation Work Group of the Public Access Task Force met in the 2nd floor conference room at the Supreme Court Building located at 231 Capitol Ave., Hartford, CT on October 16, 2008.

Those in attendance: Hon. David Borden, Hon. Richard Palmer, Hon. Aaron Ment, Atty. Nicholas Cimmino, Atty. Martin Libbin, Atty. Stephen Ment

The meeting was called to order at 2:30 PM by Justice Borden.

1. Review of Current Status of Recommendations – Several recommendations (# 9, 12, 22, 23, 25, and 26) involve the work of the Identity Theft Committee. A discussion ensued as to the work of that committee and some of the issues that are occurring in connection with the electronic filing of court documents. The next meeting of the committee is scheduled for November 13th and Justice Borden will be attending that meeting.

After discussion, it was recommended that Recommendation #15 (on the procedure for sealing search warrants) and #24 (on the waiver of fees) be included in the 2009 legislative package submitted by the chief court administrator. Atty. Ment will discuss this recommendation with the chief court administrator.

A discussion took place regarding Recommendations #30, 31 and 32, which involve expanded electronic media access to civil and criminal proceedings, including arraignments. A trial in Hartford, numerous arraignments statewide, and sentencings in Hartford have been covered by the electronic media since 2006.

2. Discussion of future implementation efforts – Implementation of the majority of the recommendations has occurred. Certain recommendations require legislative action and although proposals were submitted by the Branch in 2007 and included in a bill proposed by the Judiciary Committee in 2008, legislation has not been passed. As noted above, Atty. Ment will work with the chief court administrator to see if the recommendations on the sealing procedures on search warrants and on the administrative waiver of fees can be included in the 2009 legislative package.

The Identity Theft Committee will be working on the recommendations from the Public Access Task Force and will be expanded as part of the implementation of the strategic plan developed by the Public Service and Trust Commission. It was suggested that information be obtained from other states who are dealing with these same issues of information privacy and public access to court records. Judge Ment said that Judge Quinn will be attending a conference in December and will have the opportunity to meet with administrators from other states on these issues. The possibility of inviting experts from the National Center was also raised.

3. Other Business – Attorney Libbin asked if it would be feasible to post on the intranet a listing of the committees indicating those that are open pursuant to judicial branch policy, those that are open pursuant to the Freedom of Information Act and subject to the requirements of the act, and those that are open pursuant to both judicial branch policy and the FOIA. After discussion, it was decided that there are three types of committees to be considered: those that existed in 2006 to which letters were sent by Justice Borden regarding their status; committees that were created since the date of those initial letters; and committees that will be created in the future. The recommendation to the chief court administrator and the Chief Justice would be (1) that the appointing authority would notify chairs of all future committees about their status under the FOIA or judicial branch policy at the time of their creation and (2) that the appointing authority would notify chairs of committees that were created since the date of the 2006 letters about their status under the FOIA or judicial branch policy. A list could then be posted on the intranet.

Attorney Libbin also suggested that the Status of Implementation document be posted on the website with links to appropriate sites or rules. This suggestion will also be implemented.

The meeting adjourned at 3:25 PM.