

Minutes
Committee to Expedite Child Protection Appeals
December 7, 2010

The Committee to Expedite Child Protection Appeals met on Tuesday, December 7, 2010 at 3:00 PM at 75 Elm Street, Hartford.

Members in attendance: Hon. Alexandra DiPentima (chair), Hon. Dennis Eveleigh, Hon. Christine Keller, Hon. Francis Foley, Atty. Jill Begemann, Atty. Paul Hartan, Atty. Cynthia Cunningham, Atty. Ben Zivyon (on behalf of Atty. Susan Pearlman), Atty. Christine D. Ghio.

The meeting was called to order at 3:05 PM by Judge DiPentima.

1. Judge DiPentima welcomed the members of the Committee.
2. The committee unanimously approved the minutes of the September 30, 2010 meeting.
3. Judge DiPentima reported on the statistics from the Chief Child Protection Attorney's Office about filing of child protection appeals. Appeals were filed as follows: 60% by attorneys on the appellate panel, 25% by trial counsel, and 15% by self-represented parties. A question about the number of appeals that are rejected after review by the appellate review attorney was raised.

Atty. Hartan gave an update on the appellate court cases. Since March 2010, 23 child protection appeals were filed. The average number of days from date filed to ready was 122.6 days (10 cases). Atty. Begemann reported that a report is being designed by the Information Technology Division to include additional data that will enhance the tracking of child protection appeals.

Justice Eveleigh reported to the committee about the new Supreme Court practices regarding child protection appeals. Child protection appeals are now being assigned once the briefing is complete. If possible, the Court will issue an oral decision from the bench with a written decision to follow. The Court is reviewing current practices regarding motions for extension of time.

Judge DiPentima reported on the work of and recommendations from the Rules Subcommittee. Those recommendations included amending Chapter 79 to include all rules that apply to child protection appeals, including trial court P.B. 35a-21. Also suggested was the possibility of not requiring a fee waiver in child protection cases. This topic was deferred for input from Atty. Signorelli. Discussion followed on these suggestions.

Judge DiPentima reported that the Rules Subcommittee has discussed codifying some of the process changes implemented at the Appellate Court. Discussion followed as to the need for codifying some changes in light of the discretionary language of Sections 69-2. Concerns about not codifying the changes were raised.

The subcommittee will consider motions for extension of time, motions for articulation and motions for review. Judge DiPentima reported that the subcommittee would also be looking to report from the Committee on Court Recording Monitors and Court Reporters for direction when dealing with any discussion about possible appellate rule changes regarding transcripts. Judge Keller and Atty. Cunningham both reported on the future pilot program using the "For the Record" audio recordings at the Child Protection Session.

5. Notice of the next meeting will be sent to the committee members.
6. The meeting was adjourned at 4:10 PM.