

Minutes
Subcommittee on Small Claims Matters
Public Service and Trust Commission
Committee on Expectations of the Public

December 30, 2008
2:30 PM

Those in attendance: Atty. Stacey Manware (chair) and Judge James W. Abrams.

The meeting was called to order at 2:38 PM.

1. Welcome and Introduction of subcommittee members – After a brief welcome, the members moved onto the next agenda item.
2. Discussion of subcommittee task – The work of this subcommittee overlaps with work that has been done by the Bench-Bar Centralized Small Claims Committee, which, among many other tasks, has already done a review of the frequently asked questions on the website and the publications on small claims that currently exists and will be suggesting changes to the display of this information on the website. It was suggested that this subcommittee focus preparing materials and information to assist people with the small claims hearing itself and with the process of collecting a judgment, including the preparation of an execution in order to collect on a judgment.

In preparing for the meeting, Judge Abrams went to a small claims court to experience the process from the perspective of a member of the public. He noted that going through the metal detector went smoothly, the clerk assisting the public was courteous and helpful, and the docket began five minutes early. Some areas that could be improved would be making an opening statement, preferably by the magistrate, but by the clerk would be fine and canvassing for latecomers. Without the opening statement, people did not know what to expect in the courtroom. The Bench-Bar Centralized Small Claims Committee has developed an opening statement for the magistrates, which will be presented as a recommendation. Discussion ensued as to whether the statement would be required or recommended. The members of the subcommittee concluded that the clerk should make some type of statement if the magistrate did not do so.

3. Review of materials available – A discussion of current materials ensued, including the small claims booklet, the FAQs, and the small claims writ. The subcommittee agreed that information that is sent out along with or as a part of the notice of the hearing date, explaining what a person needs to do and can expect at the hearing would be helpful. It was also agreed that information about collecting judgments/preparing executions could be developed to go out with a notice of judgment. The subcommittee discussed the possibility of making this information court specific, i.e., including the courtroom for the hearing, parking information, etc.
4. Discussion of possible approaches: After further discussion, the subcommittee agreed to develop written materials that would accompany a notice of hearing and a notice of judgment. These materials would also be available in court at the time of the hearing, at court service centers and public information desks, and in the clerks' offices. The written materials could be in the form of a palm card or a quick card, as well as on the back of the notices of hearing and of judgment. A Captivate module, explaining how to fill in an execution form, would also be prepared and made available on the website. Such a module could also be developed for preparing for a small claims hearing.

5. Assignment of tasks – The following tasks were identified and assigned:
 - Atty. Manware will contact Planet Press regarding the feasibility of identifying venue and including court-specific information on notices that are sent to the litigants. If it is feasible to do so, she will also obtain the information regarding parking and courtroom assignments for each of the small claims courts.
 - Judge Abrams will draft material to be included on the notice of hearing.
 - Staff will draft material to be included with a notice of judgment, including information on correctly filling out the Execution form. Staff will also contact Legal Services about the feasibility of linking the Captivate module to the form itself.
 - Atty. Manware will talk to Joanne Curtis from Court Operations regarding the creation of a Captivate module.
6. Future meetings – The next meeting of the subcommittee will be January 13, 2009 at 2:30 PM in Training Room A in Meriden.

The meeting adjourned at 4:10 PM.