

**Judicial-Media Committee**

Minutes of meeting on Sept. 27, 2021

*Members present:* Co-chairs Eric Parker and Judge Joan Alexander; Judge Michael Albis, Judge Jim Abrams, Lisa Backus, Stephen Busemeyer, Linda Cimino, Melissa Farley, John Ferraro, William Fish Jr., Judge Susan Handy, Paul Hartan, Dennis House, Judge Barbara Jongbloed, Judge Vernon Oliver, Chris Powell, Gary Roberge, Judge Hope Seeley, Lauren Sellew, Jon Shugarts and Judge Dawne Westbrook. Also in attendance were Deputy Chief Court Administrator Elizabeth A. Bozzuto, Ralph Dagostine, Deputy Director of Criminal Matters, and Branch liaison Rhonda Stearley Hebert.

- I. Attorney Parker called the meeting to order at 3 p.m.; the meeting was remote and livestreamed via the Branch's YouTube channel.
- II. Judge Handy moved to approve the minutes from the meeting on April 19, 2021; Judge Oliver seconded the motion, and the committee unanimously approved them.
- III. Attorney Farley thanked members of the media for their cooperation during the pandemic. Early on, the Branch reached out to former committee Chair Karen Florin of The Day to brainstorm on ways to provide access to court proceedings while abiding by all of the CDC guidelines. As a result, the Branch developed a protocol to provide media with audio of proceedings and court documents to reduce foot traffic at the courts and still provide access. A temporary media pooling arrangement was set up as well. Throughout, everyone worked together, Attorney Farley added.

Attorney Farley next turned to proposed changes to the Practice Book camera rules. The recommendations, she explained, are more of an administrative cleanup and are intended to update the rules, which are now nearly 10 years old. After going through the suggestions, Attorney Farley asked committee members from the media whether they had more substantive recommendations.

Attorney Fish asked whether remote hearings should be taken into account. Attorney Farley responded that the Branch tries to do the best it can under the current camera rules – so if a member of the media wanted to take photos, they would still need to get the judge's permission, abide by the applicable rules and videotape or take photos of the screen.

Lauren Sellew reported that she physically has been in the courtroom; still photos are taken of the large monitor used for remote proceedings. The quality is not as good, but she understands and there have been no issues.

Attorney Farley asked committee members for their thoughts on whether the rules should be amended to accommodate remote proceedings. Judge Abrams responded

that nearly all civil proceedings are remote and livestreamed via the Branch's YouTube channel. If observers want to watch a proceeding in the actual courtroom, then all they would need to do is put on a mask, and they are welcome to attend. He added that he'd argue that there is far greater access with the remote proceedings than there was pre-COVID, and there's also the convenience of not having to drive to court, find parking, etc. Video, he added, is not available after a proceeding, just as if a live proceeding in court had concluded.

Attorney Farley noted that External Affairs has not heard any complaints. Dennis House added that he has had no complaints with how matters have been handled.

Attorney Ralph Dagostine noted that for criminal, big events such as pleas and sentencings typically occur in the courtroom and are not remote.

Lisa Backus asked whether procedures for virtual matters should be considered at this point; Attorney Farley answered that the Branch currently handles requests on a case-by-case basis. Judge Handy made a motion to accept the recommended changes; Chris Powell seconded the motion, and the committee unanimously approved the recommendations.

- IV. Judge Abrams provided an excellent overview of housing court, with an emphasis on the process of evictions throughout the pandemic, against the backdrop of various federal moratoriums and executive orders issued by Governor Lamont. Excluding criminal matters, everything in Housing Court is now remote, with 90 percent of landlords and about half of the tenants using Microsoft Teams. The remaining half of tenants participate via phone. Business is moving, Judge Abrams added, although one downside of remote proceedings is that it is no longer logistically possible to immediately proceed with a trial if mediation fails.

Attorney Parker asked about media coverage of Housing Court; Judge Abrams answered that the New Haven Independent covers housing extensively. He also agreed with Attorney Parker's comment that it's probably easier to cover Housing Court remotely than in person.

- V. Committee members continued their general discussion on how the pandemic has impacted coverage of the courts. Jon Shugarts asked that there be consistency among the courts regarding a reporter's right to attend a court proceeding. Attorney Farley said she would follow up.

Mr. Powell noted that there have been a lot of complaints about juvenile justice lately which is ironic because no one knows what goes on in juvenile court since the

proceedings are statutorily closed to the public. Attorney Farley declined comment on policy created by the Legislature, but noted that when members of the media were allowed into child neglect proceedings several years ago, reporters were not very interested in attending. Effective Oct. 1, 2021, she added, the Branch will start compiling data concerning requests by a law enforcement officer to detain juveniles pursuant to state statute, including how many requests were denied. So, more information will be available.

Mr. Powell responded that he doesn't expect the legislature to open up juvenile court, but added that he would be delighted to hear from the judges if they believe juvenile court should be open to the public. Judge Alexander responded that such a policy question could potentially come before the court, and judges cannot comment on such matters. Mr. Powell concluded by thanking the Judicial Branch for its heroic efforts to keep things going during the pandemic, saying it is amazing what the Branch accomplished.

- VI. The committee adjourned at 3:45 p.m. and scheduled its next meeting for April 4, 2022.