

Rules Committee of the Superior Court
Monday, February 8, 2021, 2:00 p.m.

(Via Microsoft Teams and streamed on YouTube.)

DECISIONS

Meeting Agenda

RC ID #

2021-MIN Approval of the minutes from the January 11, 2021 meeting of the Rules Committee of the Superior Court. **APPROVED**

2019-003 Proposal regarding standard written discovery in medical malpractice cases and proposal from subcommittee for rules and forms to implement standardized written discovery in medical malpractice cases. **APPROVED FOR PUBLIC HEARING**

Previously on the agenda on December 14, 2020.

- a. Proposal
- b. Email from Ziotas 9-5-19
- c. Attachment from Ziotas - EMR draft
- d. Attachment from Ziotas - Defendant's form for Plaintiff's Medical Malpractice
- e. Attachment from Ziotas - Plaintiff's proposed IRFP
- f. Draft from subcommittee
- g. Revised draft with LP technical changes (new material)
- h. Comments from CDLA (new material)
- i. Comments from CTLA (new material)
- j. Revised draft from subcommittee (new material)

2019-014 Proposal from Senator Looney, Senator Winfield, and Representative Stafstrom concerning pre-trial discovery procedure in criminal matters and subsequent revised proposals from the subcommittee. **TABLED**

Previously on the agenda on January 11, 2021.

- a. Original proposal
- b. Documents provided by Senator Looney's office
 - b-1. Texas Statutes
 - b-2. Open File Discovery Primer
 - b-3. North Carolina statutes
 - b-4. Towards More Transparent Justice: The Michael Morton Act's First Year
 - b-5. 2019 Senate Bill 653
- c. Comments from the Office of the Chief Public Defender
- d. Comments from the Office of the Chief State's Attorney
- e. Comments from the CCDLA
- f. Comments from OVS
- g. Comments from CBA Criminal Justice Section
- h. Recommendations of subcommittee
- i. Revised draft from the subcommittee

2020-012 Proposal from Attorney Megan Wade to adopt the American Bar Association's Rule of Professional Conduct 8.4 (g), regarding harassing or discriminatory conduct, and substitute proposal from the Connecticut Bar Association concerning Proposed Amended Rule 8.4 (7). **APPROVED 6-1 FOR PUBLIC MEETING**

Previously on the agenda on January 11, 2021.

- a. Proposal
- b. Comments from Jay Wolman
- c. Proposal from CBA
- d. Withdrawal from Wade
- e. Comments from Michalski
- f. Comments from Zelotes
- g. Comments from Knag
- h. Comments from AG and affinity bar associations
- i. CBA survey
- j. Comments from Trudeau
- k. Comments from Lyon
- l. Comments from LCD
- m. Comments from Berman
- n. Additional Michalski comments
- o. Comments from Brightwell
- p. Comments from Hauser
- q. Comments from HCBA
- r. Comments from Burke
- s. Comments from Cotca
- t. Comments from Law Schools
- u. Comments from Nancie Marzulla
- v. Comments from Roger Marzulla
- w. Comments from Lubus
- x. Comments from Di Liberto
- y. Comments from Parrilla
- z. Comments from National Legal Foundation
- aa. Comments from Christian Legal Society
- bb. Comments from McMorris
- cc. Comments from Connecticut Hispanic Bar Association
- dd. Comments from Josh Blackman
- ee. Comments from NHCBA
- ff. Comments from Hartch
- gg. Additional comments from Trudeau
- hh. Comments from Phillips
- ii. Comments from Yaqoob
- jj. Comments from Fox
- kk. Comments from Matney
- ll. Law Tribune re Rule 8.4
- mm. Comments from American Juris Link
- nn. Comments from New Civil Liberties Alliance
- oo. Comments from Ankerman
- pp. Additional comments from Cerame
- qq. CBA letter with multiple signatories
- rr. Comments from Edwards
- ss. Comments from Ortner
- tt. Comments from Disability Law Section of CBA

- uu. Comments from Agranoff
- vv. Comments from Laska
- ww. Comments from Brown
- xx. Comments from Dost
- yy. Comments from LCBA
- zz. Letter from CBA Diversity & Inclusion with multiple signatories
- aaa. Additional materials from CBA
- bbb. Greenberg memorandum
- ccc. Additional comments from Wolman
- ddd. Email from Colby of CLS re Greenberg
- eee. Email from Fox regarding Greenberg
- fff. Comments from Statewide Grievance Committee
- ggg. Comments from the Office of Chief Disciplinary Counsel
- hhh. Further response from CBA
- iii. Report from counsel regarding working group (new material)
- jjj. Additional remarks from CBA (new material)

- 2020-020 Proposals from Techo Kim to adopt a code of conduct for judicial employees; to form an independent body to investigate complaints of court clerk misconduct; and to create rules to distinguish which clerk responsibilities are judicial and which are ministerial
Previously on the agenda on January 11, 2021. **TABLED**
- a. Proposals from Techo Kim
 - b. Comments from Human Resources (new material)
 - c. Email from Counsel with letter from Brian Hill (new material)
- 2021-001 Proposal from Jeff Gentes of the Connecticut Fair Housing Center to amend Section 3-8 (b) concerning limited scope appearances. **TABLED**
First time being considered.
- a. Proposal (new material)
- 2021-002 Proposal from Judge Conway for changes to the Practice Book consistent with the Supreme Court's decision in In re Zakai F. (SC 20234). **APPROVED FOR PUBLIC HEARING**
First time being considered.
- a. Proposal from J Conway (new material)
 - b. In re Zakai F. (new material)
- 2021-003 Proposal from the Statewide Grievance Committee for an amendment to Section 2-27 (d) concerning attorneys' home addresses. **APPROVED FOR PUBLIC HEARING**
First time being considered.
- a. Proposal from Statewide Grievance Committee (new material)

2021-004 Proposal from the Connecticut Bar Association to revise Rule 1.8 of the Rules of Professional Conduct to allow for an exception to the prohibition on attorneys providing financial assistance to clients in litigation matters in limited circumstances, on humanitarian grounds, in accordance with the American Bar Association's Model Rules of Professional Conduct. **TABLED**

First time being considered.

a. Proposal from Connecticut Bar Association (new material)

2021-MISC Such other matters as may come before the Rules Committee.