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Proposal by Attorney Richard P. Weinstein regarding extensions of time under Gen. Stat. Section 51-183b. (Received by Justice McDonald 6-13-18.) On 9-17-18, RC referred to Judge Albis, Judge Abrams, and others as per counsel. Sent to all CAJs on 10-8-18. On 10-09-18, received comments from Judge Abrams and Judge Alexander. Received comments from Judge Albis on 11-13-18. Received comments from Judge Conway on 11-14-18. **On 12-18-18, RC referred matter to CBA for comment on whether extension of time under Section 51-183b is a pervasive problem and tabled matter to 1-22-19.**

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June 13, 2018

Justice Andrew J. McDonald  
Supreme Court  
231 Capitol Avenue  
Hartford, CT 06106

**RE: Proposed Rule**

Dear Justice McDonald:

As you are Chairman of the Rules Committee, I would like to propose a new rule.

It deals with judges receiving extensions of time to render a decision pursuant to C.G.S. § 51-183b. While obviously the granting of consent for the extension is voluntary as to the party and the lawyer, in practice that's not the case. Judges routinely receive the extensions, and oftentimes a party or a lawyer is placed in a precarious position because the opponent has already consented to the extension. The general feeling is that if the opposing party does not consent, then the judge will not look favorably upon that party, and it becomes an "or else" proposition. While over the years I have found extensions to be commonplace, it's rare that they are excessive, although I know I have had a number of cases in the not too distant past where there were numerous extensions sought within the same case. It becomes unnerving for the lawyer and for the client, and it puts a taint on the court's decision in the event a party refuses to grant the extension.

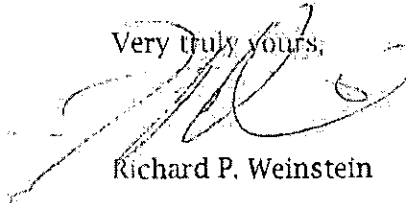
I propose the following. If a judge seeks an extension pursuant to § 51-183b, the judge shall e-mail the parties, directly or through the clerk, requesting the extension. (Preferably there will only be one extension not to exceed sixty days.) Whether there is a limitation on the time or the number of extensions, it shall be the plaintiff's attorney's obligation to seek the consent of the other parties, and then notify the court whether or not the request for extension has been granted, without ever divulging to the court which party has refused to consent, in the event of a denial of the request for extension. This

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will help to ensure that the granting of such extensions is not routine, but do not serve as a source of intimidation to the lawyer and the client and potentially cloud the ultimate decision.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard P. Weinstein', written over the typed name below.

Richard P. Weinstein

RPW:lmv