

Del Ciampo, Joseph

To: Rules Committee
Subject: Rule P.B. 3-8(a); Comments from Judge Mottolese

Item 05-04j
(011320)

From: Mottolese, A <A.Mottolese@jud.ct.gov>
Sent: Wednesday, January 8, 2020 12:26 PM
To: McDonald, Andrew <Andrew.McDonald@connapp.jud.ct.gov>
Subject: Rule P.B. 3-8(a)

Hi Andrew: To weigh in on Judges Adelman and Heller's proposed changes to P.B.3-8(a), while I have no opinion concerning needed changes to the rule applicable to family cases, I do believe that a change is in order for civil cases. I have two comments on Judge Adelman's draft. First, what would constitute good cause? Would it be good cause for a self rep to say "I need an attorney to help me comply with the rules, prepare pleadings and briefs and assist me or even conduct the trial"? Second, the requirement impinges upon the self rep's free choice of an attorney. I suggest something like the following be added to the rule. "Whenever an attorney files an appearance in addition to the appearance of a party, the attorney shall countersign all filings made by the party and shall certify that any such filing complies with the applicable rules." Regards, Bill Mottolese