



Item 07-08b
(031620)

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July 27, 2018

Via Email: Andrew.McDonald@connapp.jud.ct.gov

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

Dear Justice McDonald:

You have asked the CT Bar Association to comment on the attached proposal to the Rules Committee of the Superior Court.

The CBA Professional Discipline Committee held a July meeting at which James Sullivan was chair. At that meeting the Committee passed a motion supporting the attached recommended changes to the Practice Book provisions concerning attorney grievance procedures, with one important change.

Concerning Practice Book Section 2-42(a), they do not recommend the addition of the "investigation or" in the first line, and after the first comma, it is recommended adding ""or if". The Committee wants to recommend eliminating the word "investigation" because it was ambiguous in the context of the workings of the Statewide Grievance Committee. It was unclear whether the investigation was done *sua sponte* or on the basis of information received by a third party or some anonymous tip. In the face of that ambiguity, it was thought that there was some potential for abuse in an area where there should be clear rules and limitations. It also was not clear from the wording whether the attorney would be notified and have had an opportunity to respond to the investigation before the motion would be filed.

If you have any questions please contact me or the CBA Professional Discipline Committee members CCd on this email (James Sullivan, Patricia King or Jeff Tinley).

Sincerely,

William L. Chapman
Government & Community Relations

Cc: Joseph J. Del Ciampo
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